

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 20

PRESENT: Supervisors

ABSENT:

RESOLUTION NO.

RESOLUTION APPROVING AND AUTHORIZING SUBMITTAL OF AN AMENDMENT TO THE URBAN COUNTY OF SAN LUIS OBISPO PROGRAM YEAR 2010, 2011 AND 2012 ACTION PLANS OF THE URBAN COUNTY OF SAN LUIS OBISPO 2010 CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS, AND AMENDMENT TO RESOLUTION No. 2011-139

The following resolution is hereby offered and read:

WHEREAS, the County of San Luis Obispo (hereinafter referred to as the “County”), a political subdivision of the State of California, sees a need to promote and protect decent and suitable housing and community development opportunities for the residents of this county; and

WHEREAS, the County encourages citizen participation in the amendment of the Consolidated Plan (hereinafter referred to as “the Plan”), which outlines the community needs for housing and community development; and

WHEREAS, U.S. Department of Housing and Urban Development (hereinafter referred to as “HUD”) has confirmed designation of the County, including the cities of Arroyo Grande, Atascadero, Morro Bay, Paso Robles, and San Luis Obispo, as an “Urban County” eligible to receive annual CDBG, Home Investment Partnership Act (HOME) and ESG funding allocations directly through HUD to be used for the purposes set forth in the applicable federal statutes and regulations; and

WHEREAS, on May 20, 2009, President Obama signed the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 amending and reauthorized the McKinney-Vento Homeless Assistance Act with substantial changes; and

WHEREAS, on May 4, 2010 the County of San Luis Obispo approved the 2010 Action Plan for and received 2010 allocations of funds through the CDBG, HOME and Emergency Shelter Grant programs; and

WHEREAS, on May 10, 2011 the County approved the 2011 Action Plan for and received 2011 allocations of funds through the CDBG, HOME, and ESG programs; and

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WHEREAS, on December 5, 2011, HUD released the new ESG regulations under the HEARTH Act; and

WHEREAS, the County was informed by HUD that it is to receive \$51,572 and \$71,737 respectively for the 2011 and 2012 Action Plans as a second allocation of funding through the new ESG Program; and

WHEREAS, on March 20, 2012 the County approved the 2012 Action Plan for 2012 allocations of funds through the CDBG Program, HOME and ESG programs; and

WHEREAS, the City of Atascadero determined that there was a need to reallocate funds from activities that no longer required CDBG funds and the City Council met on February 28, 2012, and approved the reallocation of \$30,706.87 from “Program Administration” to “Architectural Barrier Removal Project” in the 2011 Action Plan; and

WHEREAS, the City of Paso Robles determined that there was a need to reallocate funds from activities that no longer required CDBG funds and the City Council met on March 8, 2012 and approved the reallocation of \$25,352 from “Sidewalk Construction on 24th/Riverside/Event Center ADA Project” to the “Turtle Creek Sidewalks Project” in the 2010 Action Plan; and

WHEREAS, on April 17, 2012, the City of San Luis Obispo amended its previously approved 2012 CDBG allocation awards to reflect the city’s share of 2012 CDBG funds from \$573,125 to \$506,588; and

WHEREAS, in order to reduce its 2012 CDBG allocation, the City of San Luis Obispo reduced the allocation to ROEM Development Corporation for the “313 South Street Property Acquisition” project from \$82,531 to \$39,263; and

WHEREAS, in order to reduce its previously approved 2012 CDBG allocation, the City of San Luis Obispo further reduced its allocation for public services and administration costs to comply with the regulatory 15% and 20% caps respectively for both awards; and

WHEREAS, according to the Urban County’s Community Participation Plan, said allocation and reallocation of funds and/or cancellation of approved projects triggers Section V (1) of the Consolidated Plan which requires a public hearing and approval by the County Board of Supervisors; and

WHEREAS, on May 10, 2011 the County Board of Supervisors approved Resolution 2011-139, which approved amendments to the 2006, 2007, and 2009 Action Plans to reallocate certain CDBG funds and included the reallocation of CDBG funds for the “Property Acquisition of 8600 Atascadero Avenue” in the City of Atascadero by North County Connection; and

WHEREAS, paragraph eight of Resolution 2011-139 requires that the acquisition of the subject property by North County Connection must occur by May 12, 2012; and

Exhibit A

WHEREAS, the County must approve amendments to both the 2011 and 2012 Action Plans to allocate the ESG funds and for submittal to HUD prior to May 15, 2012; and

WHEREAS, the County wishes to submit to HUD the ESG substantial amendment to the Program Year 2011 and 2012 Action Plan as described in Attachment “A” and as required by 24 CFR Part 91 of the federal regulations to establish which activities the ESG program funds will be used for by the Urban County; and

WHEREAS, the County wishes to submit to HUD the Program Year 2012 Action Plan as required by 24 CFR Part 91 of the federal regulations to establish which activities 2012 CDBG, HOME, and ESG program funds will be used for by the Urban County; and

WHEREAS, the County wishes to remove paragraph eight (8) pertaining to the property acquisition condition deadline of May 12, 2012, to Resolution 2011-139 to allow North County Connection to continue with the property acquisition process.

NOW, THEREFORE BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the County of San Luis Obispo approves the reallocation of \$30,706.87 by the City of Atascadero in CDBG funds from “Program Administration” to “Architectural Barrier Removal Project” in the 2011 Action Plan, which the Atascadero City Council approved on February 28, 2012.
3. That the County of San Luis Obispo approves the reallocation of \$25,352 by the City of Paso Robles in CDBG funds from “Sidewalk Construction on 24th/Riverside/Event Center ADA Project” to the “Turtle Creek Sidewalks Project” in the 2010 Action Plan, which the Paso Robles City Council approved on March 8, 2012.
4. That the County of San Luis Obispo approves the reduction of CDBG funding allocated by the City of San Luis Obispo to ROEM Development Corporation for the “313 South Street Property Acquisition” project from \$82,531 to \$39,263 in the 2012 Action Plan, which the San Luis Obispo City Council approved on April 17, 2012.
5. That the County of San Luis Obispo approves the reduction of CDBG funding allocated by the City of San Luis Obispo to the Community Action Partnership of San Luis Obispo County’s Maxine Lewis Memorial Shelter for the Homeless from \$85,969 to \$75, 988 in the 2012 Action Plan, which the San Luis Obispo City Council approved on April 17, 2012.
6. That the County of San Luis Obispo approves the reduction of CDBG funding allocated by the City of San Luis Obispo to the City’s “Implementation of Housing Programs by the City of San Luis Obispo” from \$68,775 to \$60,787 in the 2012 Action Plan, which the San Luis Obispo City council approved on April 17, 2012.

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7. That the County of San Luis Obispo approves the reduction of CDBG funding allocated by the City of San Luis Obispo to the City's "Administration" from \$45,850 to \$40,531 in the 2012 Action Plan, which the San Luis Obispo City Council approved on April 17, 2012.

8. That the County of San Luis Obispo approves and authorizes submittal to HUD of the substantial amendments to Program Year 2010, 2011 and 2012 Action Plans to establish the activities for which CDBG, HOME, and ESG program funds will be used by the Urban County as summarized in Attachment "A," which is attached hereto and incorporated by reference herein as set forth in full.

9. If the Program Year 2010, 2011 and 2012 Action Plans are approved by HUD, the County of San Luis Obispo hereby agrees to use the CDBG, HOME, and ESG funds for eligible activities in accordance with regulations cited above. It also may execute any and all other instruments necessary or required by HUD for participation in the CDBG, HOME, and ESG programs.

10. That the County of San Luis Obispo Program Year 2010, 2011 and 2012 Action Plans, Applications for Federal Assistance (one each for CDBG, HOME, and ESG), and certifications, copies of which are on file with the Clerk of the Board of Supervisors and incorporated by reference herein as though set forth in full, are hereby approved by the County of San Luis Obispo and the Director of the Department of Planning and Building is hereby authorized and directed to execute said Action Plans, Applications for Federal Assistance, certifications, the Standard Agreement and all other documents required by HUD for participation in the CDBG, HOME, and ESG programs and any amendments thereto, including the execution of program-related agreements and agreements approved by the Board of Supervisors for the award of General funds.

11. That Resolution 2011-139 is hereby amended to remove paragraph eight (8) pertaining to the deadline of May 12, 2012 for the Property Acquisition of 8600 Atascadero Avenue in the City of Atascadero by North County Connection.

12. On behalf of the County of San Luis Obispo the Director of Planning and Building is hereby authorized and directed to transmit three certified copies of this resolution and the Urban County's Program Year 2010, 2011 and 2012 Action Plans to HUD, and to make minor modifications to the Plan which do not constitute amendments under applicable federal regulations.

Upon motion of Supervisor _____, seconded by Supervisor _____, and
on the following roll call vote, to wit:

AYES:

NOES:

Exhibit A

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairperson of the Board of Supervisors
of the County of San Luis Obispo,
State of California

ATTEST

County Clerk and Ex-Officio Clerk
of the Board of Supervisors,
County of San Luis Obispo,
State of California

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel



Dated: May 3, 2012

Exhibit A

Attachment “A”

Summary of Amendments to the 2011 and 2012 Action Plans: ESG Funds

Program Year 2011 ESG Allocation	Amount Available
Rapid Re-Housing - Rental Assistance	\$10,494
Rapid Re-Housing - Housing Relocation and Stabilization Services	\$19,489
Homelessness Prevention - Rental Assistance	\$6,425
Homelessness Prevention - Housing Relocation and Stabilization Services	\$6,425
HMIS (5% of allocation)	\$2,579
Administration	\$6,160
ESG Total	\$51,572

Program Year 2012 ESG Allocation	Amount Available
Rapid Re-Housing - Rental Assistance	\$14,817
Rapid Re-Housing - Housing Relocation and Stabilization Services	\$27,518
Homelessness Prevention - Rental Assistance	\$9,072
Homelessness Prevention - Housing Relocation and Stabilization Services	\$9,072
HMIS (5% of allocation)	\$3,587
Administration	\$7,671
ESG Total	\$71,737