

CONTRACT ROUTING SHEET

Date Prepared: 4/9/09

Need Date: 4/22/09

PROCESSING DEPARTMENT:

Department: Human Services
Dept. Contact: Sharon Guth
Phone #: 621-6376
Department: Housing
Head Signature: Janet Waekel Conroy

CONTRACTOR:

Name: City of So. Lake Tahoe
Address: 1901 Airport Road
Suite 107
Phone: 530-542-6043

Contact: Nancy Kerry, Housing Manager

CONTRACTING DEPARTMENT: County of El Dorado Department of Human Services

Service Requested: Joint Application for State Neighborhood Stabilization Program Grant funding

Contract Term: n/a Contract Value: (grant) \$126,568.00

Compliance with Human Resources requirements? Yes: _____ No: _____

Compliance verified by: _____

COUNTY COUNSEL: (Must approve all contracts and MOU's)

Approved: Disapproved: _____ Date: 5/1/09 By: Teddy B James
Approved: _____ Disapproved: _____ Date: _____ By: _____

See comments on p.3

PLEASE FORWARD TO RISK MANAGEMENT. THANKS!

RISK MANAGEMENT: (All contracts and MOU's except boilerplate grant funding agreements)

Approved: Disapproved: _____ Date: 5/5/09 By: [Signature]
Approved: _____ Disapproved: _____ Date: _____ By: _____

RECEIVED
HUMAN RESOURCES DEPT
09 MAY - 5 AM 10:25

OTHER APPROVAL: (Specify department(s) participating or directly affected by this contract).

Departments: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

Memo

To: County Counsel
From: Joyce Aldrich
Date: April 10, 2009
Re: Joint Application Agreement between the County and the City of South Lake Tahoe

Under the Federal Housing and Economic Recovery Act of 2008 the Department of Housing and Urban Development (HUD) established the Neighborhood Stabilization Program (NSP) which provides funds to jurisdictions to address abandoned and foreclosed properties. The County of El Dorado and the City of South Lake Tahoe are eligible to receive NSP grants from the State's direct allocation from HUD. Grants provided to local jurisdictions that were not eligible to receive funds directly from HUD are based on a formula allocation methodology developed by the State Department of Housing and Community Development (HCD) and approved by HUD. Through this allocation methodology HCD has determined that the County's grant allocation is \$1,483,528 and the City of South Lake Tahoe's allocation is \$126,568. Jurisdictions with allocations that are less than \$1,000,000 will be required to enter into a joint agreement with contiguous cities or their county to meet the threshold. The City of South Lake Tahoe has approached the County to enter into such an agreement.

HCD expects to release the Notice of Funding Availability for NSP funds in April 2009 with an application submittal deadline in May 2009. Each jurisdiction must execute the Joint Agreement as part of the NSP application. The attached draft was developed through a joint effort between staff from the City of South Lake Tahoe and the County and meets the requirements of HCD for the NSP. Should funds be awarded a Subrecipient Agreement (contract) will be executed between the jurisdictions.

In addition to a draft of the Joint Agreement, enclosed for your reference are (1) the State's Guidance on Joint Agreements, (2) language of 24 CFR 570.501, Responsibility for grant administration and 24 CFR 570.503, Agreements with subrecipients.

Please review the draft Joint Agreement and provide a written legal opinion, on attorney letterhead, that the terms and provisions of the agreement are fully authorized under State and local law and that the Agreement provides full legal authority for the lead entity.

Thank you.

**Joint Agreement Between the County of El Dorado
and the City of South Lake Tahoe Regarding Application for
Neighborhood Stabilization Program Grant Funds**

This Joint Agreement ("AGREEMENT") is entered into this ___ day of April, 2009, by and between the County of El Dorado ("COUNTY) and the City of South Lake Tahoe ("CITY").

Recitals

WHEREAS, the Neighborhood Stabilization Program (NSP) was developed by the U.S. Department of Housing and Urban Development (HUD) to implement a portion of H.R. 3221, the Housing and Economic Recovery Act of 2008 signed into law on July 30, 2008; and

WHEREAS, State NSP funds provide grants to local jurisdictions to: (1) establish financing mechanisms for the purchase and redevelopment of foreclosed homes and residential properties, including such mechanisms as soft-seconds, loan loss reserves, and shared-equity loans for low-, moderate- and middle income homebuyers; (2) purchase and rehabilitation of homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties; (3) establish land banks for homes that have been foreclosed upon; (4) demolish blighted structures; and (5) redevelop demolished or vacant properties; and

WHEREAS, all activities funded by the NSP must benefit low- and moderate-income people whose income does not exceed 120 percent of area median income, and

WHEREAS, COUNTY and CITY desire to promote affordable housing units in our communities and have certain residential properties that are either currently in foreclosure, or in the process of foreclosure that create a negative economic impact on both COUNTY and CITY by lowering property values and weakening communities throughout the County and City; and

WHEREAS, CITY is eligible to receive an allocation of One Hundred Twenty-Six Thousand Five Hundred and Sixty Eight Dollars (\$126,568.00) from the State of California's NSP under a joint application with the County; and

WHEREAS, COUNTY is also eligible to apply for funds in excess of One Million Dollars from NSP; and

WHEREAS, the State of California's Housing and Community Development Department's Substantial Amendment to its Annual Plan Update for the 2005-2010 Consolidated Plan established the Neighborhood Stabilization Program which requires units of general local government who are eligible for State NSP funds in amounts less than One Million Dollars (\$1,000,000.00) and located in the same County to create joint agreements in order to reach the minimum dollar threshold and allows a County and a City located within the same county to be joint recipients of said grant funds; and

WHEREAS, COUNTY and CITY do hereby desire to enter into a Joint Agreement to submit a joint grant application for funds of which the CITY is requesting the maximum amount allocated to it from the State of California's Neighborhood Stabilization Program.

Agreement

NOW, therefore, it is hereby agreed by and between the COUNTY and CITY:

1. COUNTY and CITY do hereby agree that they will make a joint application for a grant in the maximum amount allocated to both jurisdictions from the State of California's Neighborhood Stabilization Program.
2. COUNTY will be the lead entity and the direct grant recipient.
3. If the application for grant funding is approved the COUNTY and CITY hereby agree to use the State NSP funds to carry out eligible activities in accordance with the required State and Federal NSP statutes and regulations.
4. Upon receipt of initial grant funds the COUNTY, as the lead entity, will release to the CITY, as the subrecipient, the full amount allocated by the State to the CITY, of One Hundred Twenty-Six Thousand Five Hundred and Sixty Eight Dollars (\$126,568.00).
5. This Joint Agreement complies with the State of California's NSP requirements.
6. COUNTY, as lead entity, is responsible for ensuring that NSP regulations and requirements are complied with during the grant administration period not to exceed two years and after grant closeout.
7. All NSP program income will belong to the COUNTY'S NSP, even if said income is generated from activities undertaken within or by the CITY.
8. This Joint Agreement will remain in effect until the State NSP funds and program income received are expended and the funded activities are completed including all audit and reporting activities as required by the State.
9. Neither COUNTY nor CITY may terminate or withdraw from this Joint Agreement while it remains in effect.
10. COUNTY and CITY will take all actions necessary to assure compliance with the certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, and other applicable laws.

