

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
AND RECORD OF ACTION**

August 25, 2020

**FROM**

**GARY HALLEN, Director, Department of Community Development and Housing**

**SUBJECT**

Amendments to the HUD Participating Cities Amended and Restated Cooperation Agreements

**RECOMMENDATIONS**

1. Approve the 2021-2024 **First Amendments** to the Amended and Restated Cooperation Agreements between the County of San Bernardino and the following 13 participating cities:
    - a. **Contract No. 14-1028** with the City of Adelanto
    - b. **Contract No. 14-1030** with the City of Barstow
    - c. **Contract No. 14-1032** with the City of Big Bear
    - d. **Contract No. 14-1034** with the City of Colton
    - e. **Contract No. 14-1036** with the City of Grand Terrace
    - f. **Contract No. 14-1038** with the City of Highland
    - g. **Contract No. 14-1040** with the City of Loma Linda
    - h. **Contract No. 14-1042** with the City of Montclair
    - i. **Contract No. 14-1044** with the City of Needles
    - j. **Contract No. 14-1046** with the City of Redlands
    - k. **Contract No. 14-1048** with the City of Twentynine Palms
    - l. **Contract No. 14-1050** with the City of Yucaipa
    - m. **Contract No. 14-1052** with the Town of Yucca Valley
  2. Designate and Authorize the Chair of the Board of Supervisors or Chief Executive Officer to execute the 2021-2024 First Amendments to the Amended and Restated Cooperation Agreements with each of the 13 Participating Cities.
  3. Designate and Authorize the Chief Executive Officer, upon approval of County Counsel, to execute any future Amendments to the Amended and Restated Cooperation Agreements and the Amended and Restated Delegate Agency Agreements.
  4. Designate and Authorize the Chief Executive Officer or the Director of Community Development and Housing, upon approval of County Counsel, to execute any and all documents and any subsequent acts pertaining to the implementation of these Agreements, and the administration and implementation of the grants administered by the Community Planning and Development Division of the U. S. Department of Housing and Urban Development.
  5. Direct the Chief Executive Officer or Director of Community Development and Housing Development to transmit all current and future documents and amendments relating to these Agreements to the Clerk of the Board within 30 days of execution.
- (Presenter: Gary Hallen, Director, 387-4411)

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**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**Pursue County Goals and Objectives by Working with Other Agencies.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost) as they are administrative in nature. Approval and execution of the Amendments are required for the County to be eligible to apply for and receive an estimated \$20 million of Community Development Block Grant (CDBG) funds over the next three years. Of the \$20 million of CDBG funds, approximately \$10.5 million will be distributed to the 13 Participating Cities and the remaining will be utilized for County capital projects that meet HUD's national objectives. Additionally, the County anticipates receiving approximately \$7.5 million from the HOME Investment Partnership Act (HOME) and \$1.3 million in Emergency Solutions Grant (ESG) funds over the same three-year period. HOME and ESG funds are distributed based on the Notice of Funds Available (NOFA) process, in which housing projects and service providers can compete for funding. Actual grant amounts will be based on future federal funding appropriations bills, the demographics within the areas of the Participating Cities and the unincorporated areas of the County.

**BACKGROUND INFORMATION**

The amendments HUD is requiring are primarily for clarification purposes to specify that, if in the future a city no longer wishes to be a part of the County's CDBG program, the city will provide written notification to HUD in addition to the written notification required to be provided to the County. HUD is also requiring that the amendments specify that each city understands that the County receives ESG funds and the city is not entitled to an allocation of ESG funds. HUD requests additional language to ensure the County does not spend HUD-CPD funds in a city that does not affirmatively further fair housing.

Every three years the County must requalify with HUD as an "Urban County". A county must qualify as an Urban County to receive grants from HUD-CPD. HUD recently provided notification to the County of the need to amend the existing agreements with the 13 Participating Cities due to a change in the regulations that govern the Urban County Qualification process. HUD is requiring that the amendments be finalized prior to reviewing the County's request to requalify as an Urban County. The deadline provided by HUD to finalize the amendments was August 21, 2020. The County requested, and was granted, a three-week extension to September 11, 2020.

Action by the Board of Supervisors (Board) would approve the First Amendments to the Amended and Restated Cooperation Agreements (Agreements) with the 13 Participating Cities in the County's CDBG program. If this item is approved, these cities and the County will continue to benefit from increased efficiencies realized through the economies of scale by having one entity (the County), responsible for the planning, administration and implementation of grants administered by the Community Planning and Development Division of the U. S. Department of Housing and Urban Development (HUD-CPD). These grants include CDBG, HOME Investment Partnership Act, and Emergency Solutions Grant programs.

The Amended and Restated Cooperation and Delegate Agency Agreements were approved by the Board on July 8, 2014 (Item No. 23) and provide for an automatic renewal feature. The

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automatic renewal process was successfully utilized three years ago (the County is currently an Urban County) and is being used for the 2021-2024 Urban County Requalification process.

This item authorizes and delegates authority to the Chief Executive Officer for the County to approve and execute any future amendments to comply with HUD's notices. In order to efficiently comply with HUD's deadlines, the 13 Participating Cities have or are in the process of delegating authority to their respective city managers to approve and execute any future amendments.

Furthermore, the Chief Executive Officer or the Director of Community Development and Housing will transmit all current and future documents and amendments relating to these Agreements to the Clerk of the Board within 30 days of execution.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on August 3, 2020; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on August 6, 2020; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on August 10, 2020.

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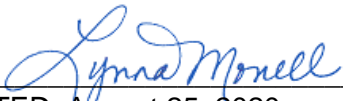
Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Josie Gonzales Seconded: Robert A. Lovingood

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: August 25, 2020



cc: CDH- Anderson w/agree  
Contractor- C/O CDH w/agree  
File- w/agree  
la 08/25/2020