



# RESOLUTION No. 20-300

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION APPROVING THE SUBMISSION OF A REQUEST TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR AN INCREASE IN FUNDING, COMMITMENT OF CURRENT PROGEAM INCOME (PI) FUNDS AND ALL FUTURE PI FUNDS RECEIVED FOR THE ODYSSEY HOUSE REHABILITATION PROJECT THROUGH PROJECT COMPLETION; AND AUTHORIZING THE EXECUTION OF GRANT AMENDMENTS THERETO FOR THE 17-CDBG-12025 STATE CONTRACT FOR FUNDING YEAR 2017 OF THE STATE CDBG PROGRAM

WHEREAS, a public hearing to solicit and accept public comment on the use of Community Development Block Grant Program Income (PI) Funds was completed on November 5, 2019, per Resolution 19-587; and

WHEREAS, CDBG funds from prior grant awards were used to provide low to moderate income households loans for the purchase and/or repairs of homes and as these loans are repaid the funds are held in a special CDBG PI revenue fund; and

WHEREAS, under the current HUD guidelines PI funds must be fully expended prior to expending funds under an open CDBG Standard Agreement; and

WHEREAS, on October 9, 2018, per Resolution 18-488, the County of Nevada executed CDBG Standard Agreement 17-CDBG-12025, approving the Odyssey House Rehabilitation Project; and

WHEREAS, the County as of May 31, 2020, maintains a CDBG PI balance of \$362,198, and expects to receive an additional \$75,000 in PI prior to the completion of the Odyssey House Rehabilitation Project; and

WHEREAS, on April 28, 2020, HCD announced that a request for an increase of up to 20% of the grant amount originally awarded for activity costs would be accepted; and

WHEREAS, the Odyssey House Rehabilitation Project's original cost estimates were completed in October of 2017, and cost proposals received to complete the project exceed the grant funds awarded for the project and additional CDBG funds are required; and

WHEREAS, in order to successfully complete the Odyssey House Rehabilitation Project, it is recommended that a request to HCD be submitted seeking the additional funding and to commit the current PI funds and all future PI funds received to the Odyssey House Rehabilitation Project through project completion.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, RESOLVES AS FOLLOWS:

SECTION 1:

The Nevada County Board of Supervisors has reviewed and hereby approves the submission to the State of California of one or more application(s) in the aggregate amount, not to exceed, of \$876,111 for the following CDBG activities, to be added to the 17-CDBG-12025:

Public Facility:

Rehabilitation of the Odyssey House 876,111

SECTION 2:

The County of Nevada hereby approves the use of Program Income in an amount not to exceed \$437,000 for the CDBG activities described in Section 1.

SECTION 3:

The County of Nevada acknowledges compliance with all state and federal public participation requirements in the development of its application(s).

SECTION 4:

The County of Nevada hereby authorizes and directs the Director of Housing and Community Services to execute and deliver all applications and act on the County's behalf in all matters pertaining to all such applications.

SECTION 5:

If an application is approved, the Director of Housing and Community Services is authorized to enter into, execute and deliver the grant agreement (i.e., Standard Agreement) and any and all subsequent amendments thereto with the State of California for the purposes of the grant.

SECTION 6:

If an application is approved, the Director of Housing and Community Services, or designee, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 14th day of July, 2020, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Heidi Hall, Chair



## CDBG Request for Supplement Assistance 2017 Construction Awards

### Certifications and Statement of Assurances

Complete and fully execute the attached CDBG Certifications and Statement of Assurances. The executed statement must be included in the Request for Supplemental Assistance. The document **may not** be modified.

1. **Citizen Participation:**

It has or will comply with all citizen participation requirements, which include:

  - A. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of urban and rural areas and of areas in which CDBG funds are proposed to be used, and provides for particular attention to low and moderate-income neighborhoods as defined by the local jurisdiction – and
  - B. Provides citizens with reasonable ADA-compliant and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by CDBG regulations, and relating to the grantee's use of funds under this title – and
  - C. Provides for technical assistance to grantee representatives of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee – and

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF FINANCIAL ASSISTANCE**

2020 W. El Camino Avenue, Suite 200  
Sacramento, CA 95833  
(855) 333-CDBG (2324)/ FAX (916) 263-2763  
[www.hcd.ca.gov](http://www.hcd.ca.gov)

**Certifications and Statement of Assurances**

The County of Nevada, hereby certifies the following:

**1. Legal Authority:**

It possesses the legal authority to apply for and execute the proposed activity(s) in the application.

**2. Application Authorization:**

Its governing body has duly adopted or passes as an official act or resolution, motion, or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the applicant's chief executive officer or other designee to act in connection with the application and to provide such additional information as may be required.

**3. Citizen Participation:**

It has or will comply with all citizen participation requirements, which include, at a minimum, the following components:

- A. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which CDBG funds are proposed to be used, and provides for participation of residents in low- and moderate-income neighborhoods as defined by the local jurisdiction – and
- B. Provides citizens with reasonable ADA compliant and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by CDBG regulations, and relating to the actual use of funds under this title – and
- C. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee – and

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- D. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program. These include at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries and with accommodation for the handicapped. This shall include one public meeting during the program design, annual performance report preparation, and formal amendments. A public hearing shall be conducted prior to application submittal – and
- E. Solicits and provides for a timely written answer to written complaints and grievances, within 15 working days where practicable – and
- F. Identifies needs of limited-English speaking residents will be met in the case of public hearings where limited-English speaking residents can reasonably be expected to participate.

**4. National Objective:**

It has developed its CDBG Program so as to primarily benefit targeted income person and households and each activity in the program meets one of the three national objectives: benefit to low-and moderate-income persons, elimination of slums and blight, or meets an urgent community need (with prior Department approval) certified by the grantee as such.

**5. NEPA Environmental Review:**

It consents to assume, and hereby assumes the responsibilities for environmental review and decision-making in order to ensure timely compliance with NEPA by following the procedures for recipients of block grant funds as set forth in 24 CFR Part 58, titled "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities." Also included in this requirement is compliance with Executive Order 11988 relating to the evaluation of flood hazards, Section 102(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) regarding purchase of flood insurance, and the National Historic Preservation Act of 1966 (16 USC 470) and implementing regulations (36 CFR §800.8).

**6. Audit/Performance Findings:**

It certifies that the State Controller's Office (SCO) was in receipt of its complete Single Audit Package by the NOFA application due date, or certifies that is exempt from the Single Audit requirements set forth in 2 CFR Part 200.

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**7. Growth Control:**

It certifies that there is no plan, ordinance, or other measure in effect which directly limits, by number, the building permits that may be issued for residential construction or the buildable lots which may be developed for residential purposes; or if such a plan, ordinance, or measure is in effect, it will either be rescinded before receiving funds, or it need not be rescinded because it:

- A. Imposes a moratorium on residential construction, to protect health and safety, for a specified period of time which will end when health and safety is no longer jeopardized; or,
- B. Creates agricultural preserves under Chapter 7 (commencing with Section 51200) of Part 2 of Division 1 of Title 5 of the Government Code; or,
- C. Was adopted pursuant to a specific requirement of a State or multi-State board, agency, department, or commission; or,
- D. The applicant has an adopted housing element which the Department has found to be in compliance, unless a final order has been used by a court in which the court determined that it is not in compliance with Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code, commencing with section 65580.

**8. Uniform Administrative Requirements:**

It will comply with the regulations, policies, guidelines and requirements of 2 CFR Part 200 and 24 CFR Part 85 and the CDBG Program Guidelines.

**9. Nondiscrimination:**

It shall comply with the following regarding nondiscrimination laws and practices as may be amended from time to time:

- A. Title VI of the Civil Rights Act of 1964 (Public Law 88-352).
- B. Title VIII of the Civil Rights Act of 1968 (Public Law 90-284) as amended; and will administer all programs and activities related to housing and community development in a manner affirmatively furthering fair housing.
- C. Section 109 of the Housing and Community Development Act of 1974, as amended.

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- D. Section 3 of the Housing and Urban Development Act of 1968, as amended.
- E. Executive Order 11246, as amended by Executive Orders 11375 and 12086.
- F. Executive Order 11063, as amended by Executive Order 12259.
- G. Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), as amended, and implementing regulations.
- H. The Age Discrimination Act of 1975 (Public Law 94-135).

**10. Anti-Displacement/Relocation:**

It will comply with the Federal Relocation Act (42 U.S.C. 4601 et seq.).

**11. Labor Standards:**

It will comply with the following regarding labor standards as may be amended from time to time:

- A. Section 110 of the Housing and Community Development Act of 1974, as amended.
- B. Section 1720, et seq. of the California Labor Code regarding public works labor standards.
- C. Davis-Bacon and Related Acts as amended (40 U.S.C. §276(a)) regarding the payment of prevailing wage rates.
- D. Contract Work Hours and Safety Standards Act (40 U.S.C. §3702) regarding overtime compensation.
- E. Anti-Kickback Act of 1934 (41 U.S.C. §51-58) prohibiting "kickbacks" of wages in federally assisted construction activities.

**12. Architectural Barriers:**

It will comply with the Architectural Barriers Act of 1968 (42 U.S.C. §4151 et seq.) and implementing regulations (24 CFR Parts 40-41)

**13. Conflict of Interest:**

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It will enforce standards for conflicts of interest which govern the performance of their officers, employees, or agents engaged in the award and administration, in whole or in part, of State CDBG grant funds (24 CFR §570.611).

**14. Limitations on Political Activities:**

It will comply with the Hatch Act (5 U.S.C. §1501, et seq.) regarding political activity of employees.

**15. Lead Based Paint:**

It will comply with the Lead-Based Paint Regulations (24 CFR Part 35) which prohibit the use of lead-based paint on projects funded by the program.

**16. Debarred Contractors:**

It certifies that neither the applicant or its staff are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal assistance programs, in any proposal submitted in connection with the CDBG program, per the Excluded Party List System located at <https://www.sam.gov/SAM/>. In addition, the applicant will not award contracts to or otherwise engage the services of any contractor while that contractor (or its principals) is debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation from the covered transaction, in any proposal submitted in connection with the CDBG program under the provisions of 24 CFR Part 24.

**17. Inspection of Grant Activities:**

It will give HUD, the Comptroller General, the State Department of Housing and Community Development, or any of their authorized representatives access

to and the right to examine all records, books, papers, or documents related to the grant.

**18. Cost Recovery:**

It will not attempt to recover any capital costs of public improvements assisted in whole or part with CDBG funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:



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- A. CDBG funds received are used to pay the proportion of such fee or assessment that relates to the capital costs of public improvements that are financed from revenue sources other than CDBG funds; or
- B. For purposes of assisting any amount against properties owned and occupied by persons of low- and moderate-income who are not persons of very low income, that it lacks sufficient funds received from CDBG Program to comply with the requirements of this clause.

**19. Procurement:**

It will follow the federal procurement policies per 24 CFR §200.317 et seq.

**20. Excessive Force:**

It will adopt and enforce policies:

- A. Prohibiting the use of excessive force by its law enforcement agencies against individuals engaged in non-violent civil rights demonstrations; and,
- B. Enforcing applicable State and local law against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction.

**21. Anti-Lobbying:**

- A. It certifies and agrees that no federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

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**22. Compliance with Laws:**

The jurisdiction will comply with all applicable laws, rules, and regulations governing the activities being applied for herein.

**I hereby certify under penalty of perjury that all information contained in this Statement of Assurances (including all supporting documentation) is true and correct. I understand and acknowledge that making false statements on this certification, including any documents submitted in support of it, is a crime under federal and California state laws, which may result in criminal prosecution and fines.**

**Mike Dent**

Printed Name of Authorized Representative (per the Resolution)

Signature

Director of Housing & Community Services  
Title

7/14/2020  
Date

# WALLIS DESIGN STUDIO ARCHITECTS

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## NEVADA COUNTY - ODYSSEY HOUSE – REVISED SCHEDULE

06/25/2020

County of Nevada, Rob Choate

Re: Odyssey House  
10066 N. Bloomfield Rd  
Nevada City, 95959

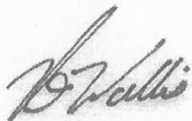
Dear Rob,

Per our discussion, we are providing an updated Schedule for this project. Let me know if you have any questions.

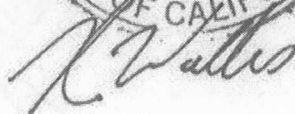
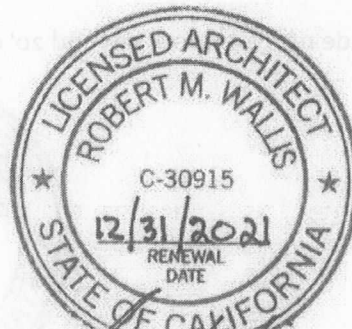
TASK	Weeks	Days	Start	End	Note
Board Approval of Architects Contract	7	14	9/24/2019	10/8/2019	Board Date
Pre-Design	5	35	11/5/2019	12/10/2019	
Design and Planning	6	42	12/10/2019	1/21/2020	
Construction Drawings and Specifications	12	85	1/21/2020	4/15/2020	
Jurisdictional Approvals	8	56	4/15/2020	6/23/2020	Start date
Board Approval of Construction Drawings and Specification, Consent to publish Bid Invitation and Construction Manager	3	21	6/23/2020	7/14/2020	Board Date
Bid Process for Construction Contract	4	28	7/17/2020	8/14/2020	
Selection Process	2	14	8/18/2020	8/25/2020	
Board Approval of Construction Contract	0	0	8/25/2020	8/25/2020	Board Date
Notice to Proceed with Construction	1	7	8/19/2020	8/25/2020	
Mobilization	1	7	8/25/2020	9/7/2020	
Construction Period (168 Business Days)	26	221	9/7/2020	4/16/2021	
Substantial Completion	0	3	4/16/2021	4/19/2021	
Punch List	2	11	4/19/2021	4/30/2021	
Occupancy	0	1	5/3/2021	5/4/2021	
Project Closeout	0	1	5/4/2020	5/5/2020	
Project Completion	2	14	5/5/2020	5/31/2020	

Other items: PG&E temp power, Construction management

Sincerely,



Robert Wallis



# WALLIS DESIGN STUDIO ARCHITECTS

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## NEVADA COUNTY - ODYSSEY HOUSE – ARCHITECT’S ESTIMATE – COST OF CONSTRUCTION

06/19/2020

County of Nevada  
Rob Choate

Re: Odyssey House  
10066 N. Bloomfield Rd  
Nevada City, 95959

Dear Rob,

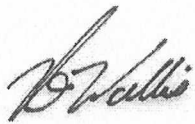
Per our discussion, we are providing an updated Architect’s estimate of the cost of construction. Let me know if you have any questions.

### Summary

Item	Total SF	Cost Per Unit	Total Cost
Odyssey House Renovation Project			
Selective Demo of Existing Structure	3015	\$ 46.55	\$ 140,348.25
Site Work Prep for addition	8000	\$ 9.98	\$ 79,800.00
Utility Upgrade	1	\$ 66,500.00	\$ 66,500.00
New Construction Shell	6092	\$ 232.75	\$ 1,417,913.00
New Construction - T.I.	6092	\$ 152.95	\$ 931,771.40
F.F.&E.	1	\$ 199,500.00	\$ 199,500.00
Site Work/Landscape/Civil	5000	\$ 33.25	\$ 166,250.00
Project Escalation to October -2020	1	\$ 270,185.51	\$ 270,185.51
Gazebo	320	\$ 86.45	\$ 27,664.00
Professional Fees	1	\$ 230,993.07	\$ 230,993.07
<b>Total Project Cost</b>	<b>6092</b>	<b>\$ 579.60</b>	<b>\$ 3,530,925.23</b>

Note: Estimate does not include new site work beyond 20' of the exterior wall.

Sincerely,



Robert Wallis

