



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING A ONE YEAR GROUND LEASE AGREEMENT, WITH TWO AUTOMATIC ONE YEAR EXTENSIONS, BY AND BETWEEN THE COUNTY OF NEVADA AND THE NEVADA COUNTY HOUSING DEVELOPMENT CORPORATION (“NCHDC”), A CALIFORNIA NONPROFIT ORGANIZATION, PERTAINING TO COUNTY-OWNED PROPERTY LOCATED AT 13192 BRUNSWICK ROAD, GRASS VALLEY, CA (APN 006-481-004-000), DESIGNATED AS THE LOCATION OF THE PROPOSED DIVERSION HOUSING FACILITY.

WHEREAS, the Nevada County Board of Supervisors has established homelessness and affordable housing as a legislative priority A; and

WHEREAS, the California Health Facilities Financing Authority (“Authority”), a public instrumentality of the State of California, is authorized by Welfare and Institutions Code Section 5848.51, which created the Community Services Infrastructure Grant Program and implementing regulations (“Grant Program”) (California Code of Regulations, Title 4, Division 10, Chapter 8 (commencing with Section 7413) to award grants for capital funding to finance eligible projects; and

WHEREAS, Authority staff reviewed the application submitted by County against the eligibility requirements of the grant program and approved award of grant funds for the acquisition and rehabilitation of a diversion program facility as described in the County application and subsequently entered into a standard agreement with the County (CSI NV01, incorporated here for reference) dated March 26, 2020; and

WHEREAS, per resolution RES 21-062, the Board of Supervisors approved purchase of certain real property described as 2.07+/- Acres at 13192 Brunswick Road (APN # 006-481-004-000) (“Property”) to be used as a diversion house for justice involved individuals as a means to provide housing and services in an effort to reduce recidivism; and

WHEREAS, the County is retaining ownership of the Property with the intent to lease the Property to NCHDC, a nonprofit corporation, who will oversee the rehabilitation and operation of the site as a diversion house program site (“Project”) for justice-involved County residents experiencing homelessness, or being at-risk of homelessness, and providing a service-enriched environment for participants in the program to achieve permanent housing and self-sufficiency through the integration of services and housing opportunities; and

WHEREAS, this ground lease is not subject to the Surplus Property Land Act, Government Code Sections 54220-54233, because, under California Department of Housing and Community Development Guidelines 102(h)(1), it is not a “disposition of surplus land” since it does not have a lease term that is five years or more (including any extensions, amendments or options); and

WHEREAS, California Government Code Section 26227 permits the Board of Supervisors to lease County real property to a nonprofit corporation to carry out programs that the Board determines will serve public purposes, upon terms and conditions determined by the Board to be in

the best interests of the County and the general public, without complying with any other Government Code provisions relating to leasing County property; and

WHEREAS, on July 13, 2021 the Board of Supervisors as a separate item is asked to approve a renewal contract with NCHDC that provides awarded CSIG diversion house funds to NCHDC in furtherance of the Project; and

WHEREAS, under the terms of the one year Ground Lease Agreement, with two automatic one year extensions, NCHDC will be responsible for the rehabilitation of at least 3 bed units, and the operation of the Project in accordance with CSIG Grant requirements and Proposition 47 funding requirements.

WHEREAS, the rehabilitation and operation of the Project by NCHDC serves an important public purpose and the terms of this lease are in the best interests of the County and the general public;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that the one year Ground Lease Agreement, with two automatic one year extensions, by and between the County of Nevada and the NCHDC, a California Nonprofit organization, pertaining to that certain 2.07+/- Acres at 13192 Brunswick Road (APN # 006-481-004-000), is hereby approved in substantially the same form attached hereto, and authorizes the Chair of the Board of Supervisors to execute said Ground Lease Agreement on behalf of the County of Nevada.

BE IT FURTHER RESOLVED that the Director of Housing and Community Services, or his designee, is hereby authorized to sign and/or record any other documents required as part of the Lease Agreement.

BE IT FURTHER RESOLVED that the proposed rehabilitation and operation of this real property by the NCHDC pursuant to the terms and conditions of the Ground Lease Agreement and the terms and conditions for the diversion house guidelines contained within the standard agreement (CSI NV01) between County of Nevada and Authority dated March 26th 2020 is hereby approved.