



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING AN ASSIGNMENT AND ASSUMPTION OF THE “OPTION TO GROUND LEASE AGREEMENT” BY AND BETWEEN THE COUNTY OF NEVADA, JOINTLY THE REGIONAL HOUSING AUTHORITY, AND PACIFIC WEST COMMUNITIES, INC., AND GRASS VALLEY PSH ASSOCIATES, LLP PERTAINING TO COUNTY-OWNED PROPERTY LOCATED AT 936 OLD TUNNEL RD, GRASS VALLEY, CA, (APN 035-400-054), DESIGNATED AS THE LOCATION OF THE PROPOSED BRUNSWICK COMMONS AFFORDABLE HOUSING PROJECT (RESOLUTION 19-358)

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

WHEREAS, the County is the owner of a 5.0+ acre parcel of real property located at 936 Old Tunnel Rd., Grass Valley, CA 95945, APN No. 035-400-054 (“Property”); and

WHEREAS, the County intends to retain ownership of the Property with the intent to utilize a portion of it for the development of the proposed Brunswick Commons affordable housing project for homeless persons and persons with psychiatric disabilities who are homeless, or at risk of homelessness, and their families to achieve permanent supportive housing and self-sufficiency by promoting the integration of affordable housing and appropriate supportive services (“Project”); and

WHEREAS, on January 8, 2019, per Resolution 19-203, the Nevada County Board of Supervisors approved a Memorandum of Understanding (“MOU”) between the County of Nevada, Hospitality House, and the Regional Housing Authority (“RHA”) regarding the intent to work cooperatively on pre-development activities related to the construction of affordable housing, transitional housing, and a navigation center on the Property; and

WHEREAS, on January 22, 2019, per Resolution 19-044, the Nevada County Board of Supervisors approved Amendment No. 1 to the MOU to clarify site control over the Property for purposes of No Place Like Home (“NPLH”) funding, and to provide County with the exclusive right to negotiate with the RHA, as Developer, for the acquisition of the Property for purposes of constructing the Project; and

WHEREAS, the Regional Housing Authority has contracted with Pacific West Communities (“PWC”) to be co-Developer, operator, and manager of the Project, with the intent to develop the Property utilizing 9% Low Income Housing Tax Credits and other funding sources in addition to NPLH funding; and

WHEREAS, on June 25, 2019, per Resolution 19-358, the Nevada County Board of Supervisors approved that certain exclusive Option to Ground Lease Agreement by and between the County of Nevada, and jointly RHA and PWC in order to apply for said funding and perform pre-development activities related to the Project; and

WHEREAS, the term of the Option to Ground Lease expires on June 30, 2020, unless extended at the County's discretion for a period not to exceed one year; and

WHEREAS, in order to act as both borrower and operator of the Project, RHA and PWC have created the Grass Valley PSH Associates, a California Limited Liability Partnership ("PSH"), of which they will remain the two partners; and

WHEREAS, the parties desire to enter into an Assignment and Assumption of the Option to Ground Lease, whereby Regional Housing Authority and PWC, as "Optionee/Assignor" will assign all right, title, and interest under the Option to Ground Lease to PSH, and PSH shall assume all liabilities and perform all obligations under the Option to Ground Lease as "Assignee."

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Nevada, State of California, approves the Assignment and Assumption of the Option To Ground Lease Agreement in substantially the same form attached hereto, by and between the County of Nevada, jointly the Regional Housing Authority and Pacific West Communities, Inc., and Grass Valley PSH Associates, LLP, pertaining to County-owned property located at 936 Old Tunnel Rd., Grass Valley, CA 95945, APN 035-400-054, designated for the construction and operation of the Brunswick Commons Affordable Housing Project, and authorizes the Chair of the Board of Supervisors to execute said Assignment and Assumption and all other related documents on behalf of Nevada County.