



## Legislation Details (With Text)

---

**File #:** 14-00788      **Version:** 1

**Type:** Agenda Item      **Status:** Passed

**File created:**      **In control:** BOARD OF SUPERVISORS

**On agenda:** 10/14/2014      **Final action:** 10/14/2014

**Title:** HEARING - Consider recommendations regarding approval of the draft Amendment to the Fiscal Year (FY) 2014-2015 Action Plan and approval and execution of the HOME Loan Agreement for \$180,000.00 for the "Solvang Senior Apartments Project;" Third District, as follows: (EST. TIME: 15 MIN.)

a) Consider public comments relating to the "Solvang Senior Apartments Project" that were submitted during the thirty-day public comment period, which commenced on September 13, 2014 and concludes on October 14, 2014 at the close of the public hearing for the Project. All written comments received by HCD on or before 5:00 P.M., October 13, 2014 are included in the draft amendment to the FY 2014-2015 Action Plan. Oral comments may be considered during the public hearing when the Project is considered by the Board for approval;

b) Approve the amendment to the FY 2014-2015 Action Plan and direct staff to submit it to HUD; and

c) Upon Board approval of the amendment to the FY 2014-15 Action Plan, consider the following recommendations:

i) Approve a County HOME loan, in the amount of \$180,000.00, to 1758 Laurel Ave., LP; and approve and authorize the Chair to execute originals and duplicate originals of the County HOME Loan Agreement, the County HOME Loan Promissory Note, the County Deed of Trust, Assignment of Rents, and Security Agreement; and the County HOME Regulatory Agreement (together, the Loan Documents) with 1758 Laurel Ave., LP for development of the Solvang Senior Apartments affordable housing project at 1758 Laurel Avenue in Solvang;

ii) Authorize the Community Services Department Director to approve subsequent line item changes to Exhibit B (Budget) of the County HOME Loan Agreement, as long as the total principal amount of the HOME Loan, \$180,000.00, is not increased;

iii) Approve the use of up to \$70,000.00 in HOME funds to cover costs incurred by the County for Project construction monitoring;

iv) Approve and authorize the Chair to execute a Subordination Agreement that subordinates the County HOME Loan Promissory Note, the County HOME Loan Permanent Deed of Trust, Assignment of Rents, and Security Agreement that secures the County HOME Loan Agreement, and the County HOME Loan Regulatory Agreement to a deed of trust securing a loan from Pacific Western Bank;

v) Approve and authorize staff to replace the exhibits to the County Loan Documents that contains the Project's legal description following the recordation of a revised legal description to reflect the merger of two lots into one; and

vi) Find that pursuant to California Environmental Quality Act (CEQA) Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the recommended actions for the Solvang Senior Apartments Project is within the scope of

the project covered by Final Mitigated Negative Declaration for the Project approved on October 14, 2013 by the City of Solvang, and that therefore no new environmental document is required.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

**Sponsors:** COMMUNITY SERVICES DEPARTMENT

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Letter, 2. Attachment A - Loan Agreement w exhibits, 3. Attachment B - SB County HOME - Promissory Note, 4. Attachment C - Deed of Trust w Exhibits, 5. Attachment D - Regulatory Agreement w exhibits, 6. Attachment E - Subordination Agreement w exhibits, 7. Attachment F - 2014-15 HOME Action Plan Amendment Solvang Senior Apts, 8. Attachment G - Board Letter proposed legal description, 9. Attachment H - CEQA, 10. Presentation

Date	Ver.	Action By	Action	Result
10/14/2014	1	BOARD OF SUPERVISORS	Acted on as follows:	Pass

HEARING - Consider recommendations regarding approval of the draft Amendment to the Fiscal Year (FY) 2014-2015 Action Plan and approval and execution of the HOME Loan Agreement for \$180,000.00 for the "Solvang Senior Apartments Project;" Third District, as follows: (EST. TIME: 15 MIN.)

a) Consider public comments relating to the "Solvang Senior Apartments Project" that were submitted during the thirty-day public comment period, which commenced on September 13, 2014 and concludes on October 14, 2014 at the close of the public hearing for the Project. All written comments received by HCD on or before 5:00 P.M., October 13, 2014 are included in the draft amendment to the FY 2014-2015 Action Plan. Oral comments may be considered during the public hearing when the Project is considered by the Board for approval;

b) Approve the amendment to the FY 2014-2015 Action Plan and direct staff to submit it to HUD; and

c) Upon Board approval of the amendment to the FY 2014-15 Action Plan, consider the following recommendations:

i) Approve a County HOME loan, in the amount of \$180,000.00, to 1758 Laurel Ave., LP; and approve and authorize the Chair to execute originals and duplicate originals of the County HOME Loan Agreement, the County HOME Loan Promissory Note, the County Deed of Trust, Assignment of Rents, and Security Agreement; and the County HOME Regulatory Agreement (together, the Loan Documents) with 1758 Laurel Ave., LP for development of the Solvang Senior Apartments affordable housing project at 1758 Laurel Avenue in Solvang;

ii) Authorize the Community Services Department Director to approve subsequent line item changes to Exhibit B (Budget) of the County HOME Loan Agreement, as long as the total principal amount of the HOME Loan, \$180,000.00, is not increased;

iii) Approve the use of up to \$70,000.00 in HOME funds to cover costs incurred by the County for Project construction monitoring;

iv) Approve and authorize the Chair to execute a Subordination Agreement that subordinates the County

HOME Loan Promissory Note, the County HOME Loan Permanent Deed of Trust, Assignment of Rents, and Security Agreement that secures the County HOME Loan Agreement, and the County HOME Loan Regulatory Agreement to a deed of trust securing a loan from Pacific Western Bank;

v) Approve and authorize staff to replace the exhibits to the County Loan Documents that contains the Project's legal description following the recordation of a revised legal description to reflect the merger of two lots into one; and

vi) Find that pursuant to California Environmental Quality Act (CEQA) Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the recommended actions for the Solvang Senior Apartments Project is within the scope of the project covered by Final Mitigated Negative Declaration for the Project approved on October 14, 2013 by the City of Solvang, and that therefore no new environmental document is required.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE