

# City of Brawley



City Council

February 8, 2024

Agenda Item No. **To be determined**

## STAFF REPORT

**To:** City Council  
**From:** Cynthia Mancha, Consultant City Planner  
**Prepared by:** Cynthia Mancha, Consultant City Planner  
**Subject:** Public Hearing for Permanent Local Housing Allocation (PLHA) 5 Year Plan & Resolution to Accept Program Funds.

### RECOMMENDATION:

Approve the Resolution to Apply for and Accept PLHA Program Funds and 5-Year Plan.

### BACKGROUND INFORMATION:

The California Department of Housing and Community Development (Department or HCD) released a Notice of Funding Availability (NOFA) for the Permanent Local Housing Allocation (PLHA) Program. Funding for this NOFA is provided pursuant to Senate Bill 2 (SB 2). The NOFA represents the fourth calendar year (CY) allocation of moneys deposited in the Building Homes and Jobs Trust Fund (Fund) for the prior CY and includes any remaining unawarded funds not requested by eligible applicants for prior and available CY. The City of Brawley has been allocated funds as follows:

Revenue Collection Period CY	NOFA Issuance	Allocation
2021	2022	\$240,243.00
2022	2023	\$234,139.00
2023	2024	\$118,404.00
2024	2025	-
<b>Total to Calendar Year Allocated</b>		<b>\$592,786.00</b>

Program eligible activities include housing and homelessness programs.

The City of Brawley Police Department conducted the Point in Time Count on January 26, 2024. During the count activity, twenty-eight persons were identified experiencing homelessness within the City of Brawley. Of those counted, eight expressed that they were not local to the Imperial Valley and would accept assistance to be reunited with their families.

Recognizing the multifaceted challenges faced by those experiencing homelessness and that services are needed on an ongoing basis beyond an 8am to 5pm schedule, the City has developed a program to deploy a Homeless Outreach Team to offer comprehensive support, addressing these diverse needs and circumstances including the deployment of Project Homebound. Homebound will offer relocation

assistance providing individuals the opportunity to reunite with their families and support systems. Additional services will include distributing hygiene products, clothing, and referrals to specialized healthcare, support services, and employment opportunities.

The City of Brawley will allocate 95% (\$563,146.70) of the funding under the NOFA eligible activity identified in Section 301 (a)(6) providing supportive/case management services to persons experiencing homelessness through a Homeless Outreach Team. Services will include: hygiene kits, relocation assistance, and case management. Five percent of the funding (\$29,639.30) will be utilized to offset the administrative reporting costs associated with the program implementation. Funding will be expended over a 4-year period and will be utilized to increase police personnel and equipment to deliver homeless outreach services in a proactive manner.

**FISCAL IMPACT:**

No impact to the general fund. The program will not generate revenue and expenses will be limited to the fund allocation of \$592,786.

**ALTERNATIVES:**

No alternative is recommended, at this time.

**ATTACHMENTS:**

- 1) PLHA Resolution
- 2) 5- Year Plan and PLHA Application

**REPORT COORDINATED WITH (other than the person preparing the staff report):**

Tyler Salcido, City Manager

**REPORT APPROVAL(S):**

Staff, Title or Consultant, Agency

Tyler Salcido, City Manager

Sylvia Luna, Finance Director

Status – Date of Status

Approved – Date

Approved – Date

**Resolution No. 2024-XX**

**AUTHORIZING RESOLUTION OF THE CITY OF BRAWLEY**

**AUTHORIZING THE APPLICATION AND ADOPTING THE PLHA PLAN FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM**

All of the council members of the City of Brawley hereby adopt the following resolution:

**WHEREAS**, the California Department of Housing and Community Development (“Department”) is authorized to provide up to \$296 million under the SB 2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq.(Chapter 364, Statutes of 2017 (SB 2)).

**WHEREAS**, the State of California (“State”), Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability (“NOFA”) dated 12/29/2023 under the Permanent Local Housing Allocation (PLHA) Program;

**WHEREAS**, the City of Brawley is an eligible Local government who has applied for program funds to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation.

**WHEREAS**, the Department may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement, and other contracts between the Department and PLHA grant recipients;

**NOW THEREFORE BE IT RESOLVED THAT:**

1. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts Applicant may have with the Department; and
2. Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix B of the current NOFA (\$906,940) in accordance with all the applicable rules and laws; and

3. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Department; and
4. **Pursuant to Section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for the 2019-2023 Allocations is attached to this resolution, and Applicant hereby adopts this PLHA Plan and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the Guidelines; and**
5. **If applicable:** Applicant certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), "entity" means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation; and
6. **If applicable:** Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest; and
7. **If applicable:** Pursuant to Applicant's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements; and
8. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department; and
9. The City Manager is authorized to execute the PLHA Program Application, the PLHA Standard Agreement, and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

**PASSED, APPROVED, AND ADOPTED** by the City Council of Brawley at a regularly scheduled meeting held on this 20th day of February 2024, by the following roll call vote:

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENT:**

Signature of Approving Officer: \_\_\_\_\_

Ramon Castro, Mayor

**CERTIFICATE OF THE ATTESTING OFFICER**

The undersigned, Jasmine Ramos, does hereby attest and certify that the attached Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the City of Brawley City Council which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

**ATTEST:** \_\_\_\_\_

William Smerdon, Acting City Clerk

**Local Government Formula Allocation for New Applicants**

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<b>Eligible Applicant Type:</b>	Nonentitlement				
<b>Local Government Recipient of PLHA Formula Allocation:</b>	Brawley				
2021 PLHA NOFA Formula Allocation Amount:	\$240,243	2021 NOFA Allowable Local Admin (5%):	\$12,012	Admin requested?	Yes
2022 PLHA NOFA Formula Allocation Amount:	\$234,139	2022 NOFA Allowable Local Admin (5%):	\$11,707	Admin requested?	Yes
2023 PLHA NOFA Formula Allocation Amount:	\$118,404	2023 NOFA Allowable Local Admin (5%):	\$5,920	Admin requested?	Yes

Instructions: If the Local Government Recipient of the PLHA Formula Allocation delegated its PLHA formula allocation to a Local Housing Trust Fund or to another Local Government, the Applicant (for which information is required below) is the Local Housing Trust Fund or administering Local Government. The PLHA award will be made to the Applicant (upon meeting threshold requirements) and the Applicant is responsible for meeting all program requirements throughout the term of the Standard Agreement.

The 302(c)(4) Plan template worksheet requires first choosing one or more of the Eligible Activities listed below. If "Yes" is clicked, the 302(c)(4) Plan worksheet opens a series of questions about what precise activities are planned. Some specific activities, such as providing downpayment assistance to lower-income households for acquisition of an affordable home, could be included under either Activity 2 or 9. Please only choose one of those Activities; don't list the downpayment assistance under both Activities.

If the PLHA funds are used for the same Activity but for different Area Median Income (AMI) level, select the same Activity twice (or more times) and the different AMI level the Activity will serve. Please enter the percentage of funds allocated to the Activity in only the first Activity listing to avoid double counting the funding allocation.

**For each year (2020-2023), allocations must equal 100% annually including the allowable administrative costs of up to 5%.**

**§300 Eligible Applicants**

**§300(a) and (b)** Eligible Applicants for the Entitlement and Non-Entitlement formula component described in Section §100(b)(1) and (2) are limited to the metropolitan cities and urban counties allocated a grant for the federal fiscal year 2017 pursuant to the federal CDBG formula specified in 42 USC, Section §5306 and Non-entitlement local governments.

<b>Applicant:</b>	City of Brawley				
<b>Address:</b>	383 Main Street				
<b>City:</b>	Brawley	<b>State:</b>	CA	<b>Zip:</b>	92227
<b>County:</b>	Imperial				
<b>Auth Rep Name:</b>	Tyler Salcido	<b>Title:</b>	City Manager	<b>Auth Rep. Email:</b>	tsalcido@brawley-ca.gov
<b>Phone:</b>	760-351-3048				
<b>Address:</b>	383 Main Street		<b>City:</b>	Brawley	<b>State:</b> CA
<b>Zip Code:</b>	92227				
<b>Contact Name:</b>	Cynthia Mancha	<b>Title:</b>	Associate Planner	<b>Contact Email:</b>	planning@brawley-ca.gov
<b>Contact Phone:</b>	760-344-8622				
<b>Address:</b>	383 Main Street		<b>City:</b>	Brawley	<b>State:</b> CA
<b>Zip Code:</b>	92227				

**§300(d)** Is Applicant delegated by another Local government to administer on its behalf its formula allocation of program funds? No

<b>§300(d)</b> If Applicant answered "Yes" above, has the Applicant attached the legally binding agreement required by §300(c) and (d)?	A sample agreement can be found by double clicking on the icon to the right		N/A
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<b>File Name:</b>	<b>Application and Adopting the PLHA Plan (2020-2023 Allocations) Reso</b>	Pursuant to section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for 2020-2023 allocations is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.	Yes	Uploaded to HCD?	Yes
<b>File Name:</b>	<b>App1 TIN</b>	Provide a signed Gov't TIN Form		Uploaded to HCD?	Yes
<b>File Name:</b>	<b>Applicant Delegation Agreement</b>	Legally binding agreement between Delegating and Administering Local Governments.		Uploaded to HCD?	N/A

**§301 Eligible Activities**

<b>§301(a)</b> Eligible activities are limited to the following:	<b>Select below:</b>
<b>§301(a)(1)</b> The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary operating subsidies.	
<b>§301(a)(2)</b> The predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.	
<b>§301(a)(3)</b> Matching portions of funds placed into Local or Regional Housing Trust Funds.	
<b>§301(a)(4)</b> Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176.	
<b>§301(a)(5)</b> Capitalized Reserves for services connected to the preservation and creation of new permanent supportive housing.	
<b>§301(a)(6)</b> Assisting persons who are experiencing or At-risk of homelessness, including, but not limited to, providing rapid re-housing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.	Yes
<b>§301(a)(7)</b> Accessibility modifications in Lower-income Owner-occupied housing.	
<b>§301(a)(8)</b> Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.	
<b>§301(a)(9)</b> Homeownership opportunities, including, but not limited to, down payment assistance.	

**§301(a)(10)** Fiscal incentives made by a county to a city within the county to incentivize approval of one or more affordable housing Projects, or matching funds invested by a county in an affordable housing development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the affordable housing Project.

**§302 Threshold Requirements**

<b>§302(a)</b> The Applicant's Housing Element and Delegating Local Government's Housing Element (if applicable) was/were adopted by the Local Government's governing body by the application submittal date subsequently determined to be in substantial compliance with state Housing Element Law pursuant to Government Code Section 65585.	Yes
<b>§302(b)</b> Applicant or Delegating Local Government has submitted the current or prior year's Annual Progress Report to the Department of Housing and Community Development pursuant to Government Code Section 65400.	Yes
<b>§302(c)(2)</b> Applicant certified in the Resolution submitted with this application that submission of the application was authorized by the governing board of the Applicant.	Yes
<b>§302(c)(3)</b> Applicant certified in the Resolution submitted with this application that, if the Local Government proposes allocation of funds for any activity to another entity, the Local government's selection process had no conflicts of interest and was accessible to the public.	Yes
<b>§302(c)(4)</b> Applicant certified in the Resolution submitted with this application that the application include a Plan in accordance with §302(c)(4)?	Yes
<b>§302(c)(4)(D)</b> Applicant certified in the Resolution submitted with this application that the Plan was authorized and adopted by resolution by the Local Government and that the public had an adequate opportunity to review and comment on its content.	Yes
<b>§302(c)(5)</b> Applicant certified in the Resolution submitted with this application that the Plan submitted is for a term of five years (2019-2023). Local Governments agree to inform the Department of changes made to the Plan in each succeeding year of the term of the Plan.	Yes
<b>§302(c)(6)</b> Applicant certified in the Resolution submitted with this application that it will ensure compliance with §302(c)(6) if funds are used for the acquisition, construction, or rehabilitation of for-sale housing projects or units within for-sale housing projects.	Yes
<b>§302(c)(7)</b> Applicant certified in the Resolution submitted with this application that it will ensure that the PLHA assistance is in the form of a low-interest, deferred loan to the Sponsor of the Project, if funds are used for the development of an Affordable Rental Housing Development. The loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with the Local government-approved underwriting of the Project for a term of at least 55 years.	Yes
<b>§302(c)(8)</b> Has Applicant attached a program income reuse plan describing how repaid loans or accrued interest will be reused for eligible activities specified in Section 301?	Yes

File Name: <b>Reuse Plan</b>	Provide Program Income Reuse Plan describing how repaid loans or accrued interest will be used for eligible activities in Section 301.	Uploaded to HCD?	Yes
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**Administration**

Applicant agrees to adhere to <b>§500</b> , Accounting Records.	Yes
Applicant agrees to adhere to <b>§501</b> , Audits/Monitoring of Project Files.	Yes
Applicant agrees to adhere to <b>§502</b> , Cancellation/Termination.	Yes
Applicant agrees to adhere to <b>§503</b> , Reporting.	Yes

**Certifications**

On behalf of the entity identified below, I certify that: The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct and I possess the legal authority to submit this application on behalf of the entity identified in the signature block.

Tyler Salcido	City Manager		
Authorized Representative Printed Name	Title	Signature	Date

§302(c)(4) Plan

Rev. 02/01/24

**§302(c)(4)(A)** Describe the manner in which allocated funds will be used for eligible activities.  
 The City of Brewley will utilize 5% of their allocation for administrative costs and 95% on Activity #6: Assisting persons who are experiencing or at risk of homelessness.

**§302(c)(4)(B)** Provide a description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income (AMI).  
 The City of Brewley will use their PLHA allocation to serve homeless households with an AMI at or below 30%.

**§302(c)(4)(C)** Provide a description of how the Plan is consistent with the programs set forth in the Local Government's Housing Element.  
 The City of Brewley's PLHA Five-Year Plan aligns with several goals, policies, and programs in their Housing Element:  
 Goal 2: Assist in the development of adequate housing to meet the needs of all economic segments.  
 Program 2.0: Continue to support the efforts of County and local agencies addressing the needs of the homeless population.  
 Program 2.0: Post on the City's website information on available homeless population resources.  
 Program 2.9: Identify the mainstream agencies, non-profits and advocates addressing the needs of each special needs population and meet biannually with all mainstream agencies, non-profits and advocates – such as Homeless Services.  
 Program 2.9: Engage these groups to identify needs and new solutions.  
 Program 2.9: Pursue funding sources that address the needs of special housing populations.  
 Program 2.9: Encourage housing developers to accommodate special needs populations in portions of their developments.

**§301(a)(8)** Assisting persons who are experiencing or At risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.

**§302(c)(4)(E)(i)** Provide a detailed and complete description of how allocated funds will be used for the proposed Activity.  
 The City of Brewley Police Department has proposed a homelessness assistance program to be supported by the PLHA funds. This program recognizes the multifaceted challenges faced by those experiencing homelessness and offers comprehensive support to address the target population's diverse needs and circumstances.

Complete the table below for each proposed Activity to be funded with 2020-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2020	2021	2022	2023															
Type of Activity for Persons Experiencing or At Risk of Homelessness	Supportive/Case Management Services	Supportive/Case Management Services	Supportive/Case Management Services	Supportive/Case Management Services															
§302(c)(4)(E)(i) Percentage of Funds Allocated for the Proposed Activity	95%	95%	95%	95%															
§302(c)(4)(E)(ii) Area Median Income Level Served	30%	30%	30%	30%															TOTAL
§302(c)(4)(E)(ii) Unmet share of the RHNA at AMI Level <i>Note: complete for years 2020, 2021, 2022 only</i>	0	0	0	0															0
§302(c)(4)(E)(ii) Projected Number of Households Served	0	0	0	0															0
§302(c)(4)(E)(iv) Period of Affordability for the Proposed Activity (55 years required for rental housing projects)	N/A	N/A	N/A	N/A															

**§302(c)(4)(E)(iii)** A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.  
 The city and police department have a concept plan in place, and will work towards an implementation plan that will go into effect upon receipt of funds. Some proposed services include: food and shelter; transportation; hygiene; clothing; referrals to specialized healthcare; employment opportunities and specific support services.

File Name:	Plan Adoption Reso	§302(c)(4)(D) Evidence that the Plan was authorized and adopted by resolution by the Local jurisdiction and that the public had an adequate opportunity to review and comment on its content.	Uploaded to HCD?	Yes
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Total Percentage of Funds Allocated Calculator (2020 - 2023)

2020 Allocation	
Admin	0%
Funds Allocated	95%
Total Percentage of Funds Allocated for 2020	95%

2021 Allocation	
Admin	5%
Funds Allocated	95%
Total Percentage of Funds Allocated for 2021	100%

2022 Allocation	
Admin	5%
Funds Allocated	95%
Total Percentage of Funds Allocated for 2022	100%

2023 Allocation	
Admin	5%
Funds Allocated	95%
Total Percentage of Funds Allocated for 2023	100%