

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

139



FROM: Mental Health

SUBMITTAL DATE: 16 May 2003

SUBJECT: Second Amended and Restated Memorandum of Understanding

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached Second Amended and Restated Memorandum of Understanding by and between the Riverside County Department of Mental Health and Western Riverside Housing Associates; and
2. Authorize the Chairman of the Board of Supervisor to execute the attached Second Amended and Restated Memorandum of Understanding by and between the Riverside County Department of Mental Health and Western Riverside Housing Associates; and

BACKGROUND: On 18 December 2001, the Riverside County Department of Mental Health entered into a specific Memorandum of Understanding (MOU) with the Coachella Valley Housing Coalition (CVHC). The MOU provided the construction and operation of a 44-unit single room occupancy housing facility to be located on County owned property in the City of Riverside. Since the date of the original execution of the MOU, and as a practical requirement of Low Income Housing Tax Credit funding, CVHC formed Western Riverside Housing Associates, a California Limited Partnership (PARTNERSHIP) in December 2002.

(Continued on page 2)

THIS AGREEMENT HAS BEEN FORM APPROVED BY THE OFFICE OF COUNTY COUNSEL

John Ryan

 John Ryan, Director

FINANCIAL DATA:

CURRENT YEAR COST: \$0.00
 NET COUNTY COST: \$0.00
 BUDGET ADJUSTMENT: NO
 COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: NO
 SOURCE OF FUNDS: State Funds

ANNUAL COST \$0.00
 IN CURRENT YEAR BUDGET: N/A
 FOR FY: 2002 / 2003

FORM APPROVED
COUNTY COUNSEL

C.E.O. RECOMMENDATIONS:

APPROVE

MAY 19 2003

County Executive Officer Signature: *[Signature]*

[Signature]

Department Recommendation: Consent Policy
 Per Executive Office: Consent Policy

Prev. Agn. Ref.
 11 February 2003, Item 3.27
 18 December 2001, Item 3.38

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AGENDA NO.

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SUBJECT: Second Amended and Restated Memorandum of Understanding

BACKGROUND: CVHC requested an assignment of the MOU to the PARTNERSHIP. The First Amended and Restated Memorandum of Understanding included the same provisions as the original MOU with the new parties as the County of Riverside and Western Riverside Housing Associates.

The project received funding commitments from the County of Riverside's HOME Investment Partnership Program in the amount of \$350,000 and an allocation of Low Income Housing Tax Credits, as the primary funding source, from the California Tax Credit Allocation Committee. No additional County funds are needed, as the original MOU authorized a loan from the Riverside County Department of Mental Health in the amount of \$900,000 from state granted funds that do not impact the Riverside County General Fund.

The proposed and attached Second Amended and Restated Memorandum of Understanding clarifies certain responsibilities of the Partnership that were not clearly stipulated on the First Amended and Restated MOU. Such clarifications include specifying the areas of the Project that the Partnership is responsible for maintaining, denoting when the Partnership must seek DOMH's approval for tenant meetings, and stipulating when the Partnership must notify DOMH of a tenant's absence. Additionally, language on the Partnership's option to make improvements to the Project after its completion has been deleted. All other provisions have remained the same as the First Amended and Restated MOU.