



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: MAY 24, 2022

FROM: OFFICE OF HOMELESS SOLUTIONS WARD: 1

SUBJECT: WAIVE THE SUNSHINE ORDINANCE PURSUANT TO RIVERSIDE MUNICIPAL CODE SECTION 4.05.050(D)(1)(b) TO CONSIDER A RESOLUTION SUPPORTING THE MULBERRY GARDEN APARTMENTS, A 209-UNIT FAMILY AND SENIOR AFFORDABLE HOUSING COMMUNITY LOCATED AT 2524 MULBERRY STREET, AND SUPPORTING EDEN HOUSING, INC'S FUNDING APPLICATIONS TO THE STATE OF CALIFORNIA EXCESS SITES LOCAL GOVERNMENT MATCHING GRANTS PROGRAM, THE CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE, AND TO THE CITY OF RIVERSIDE FOR \$3,000,000 IN FY 2021/2022 HOME INVESTMENT PARTNERSHIPS ACT-ARP FUNDS TO BE CONSIDERED BY CITY COUNCIL AT THE MAY 24, 2022 CITY COUNCIL MEETING

ISSUE:

Waiver of the Sunshine Ordinance pursuant to Riverside Municipal Code Section 4.05.050(D)(1)(b) to consider a Resolution supporting the Mulberry Garden Apartments, a 209-unit family and senior affordable housing community located at 2524 Mulberry Street, and supporting Eden Housing, Inc's funding applications to the State of California Excess Sites local Government Matching Grants Program, the California Tax Credit Allocation Committee, and to the City of Riverside for \$3,000,000 in FY 2021/2022 HOME Investment Partnerships Act-ARP funds to be considered by City Council at the May 24, 2022, City Council meeting.

RECOMMENDATIONS:

That the City Council waive the Sunshine Ordinance by a two-thirds vote pursuant to Riverside Municipal Code Section 4.05.050(D)(1)(b) to consider a Resolution supporting the Mulberry Garden Apartments, a 209-unit family and senior affordable housing community located at 2524 Mulberry Street, and supporting Eden Housing, Inc's funding applications to the State of California Excess Sites local Government Matching Grants Program, the California Tax Credit Allocation Committee, and to the City of Riverside for \$3,000,000 in FY 2021/2022 HOME Investment Partnerships Act-ARP funds to be considered by City Council at the May 24, 2022 City Council meeting to prevent missing out on this grant opportunity.

BACKGROUND:

On May 5, 2022, the State of California released the Excess Sites Local Government Matching Grants (LGMG) Program Notice of Funding Availability (NOFA). LGMG allows projects selected in accordance with Executive Order N-06-19 to apply for funds for activities to enable affordable housing developments on excess state-owned property (Excess Sites). Applications are due on

May 25, 2022. The state-owned property located at 2524 Mulberry is an eligible Excess Site in accordance with Executive Order N-06-19. The maximum amount of LGMG funds available in the NOFA is \$30 million and developers are limited to an award of no more than \$10 million. Award announcements will be made on or before June 28, 2022.

The State of California released a Request for Qualifications and Request for Proposals for the development of 2524 Mulberry Street. The State selected Eden Housing, Inc. (Eden) as the most qualified responder to develop a 209-unit family and senior affordable housing community.

DISCUSSION:

Eden has contacted the City for assistance with the LGMG program application threshold requirement of obtaining a local government contribution through a resolution, which must be submitted with the application by March 25.

Eden is also submitting a California Tax Credit Allocation Committee application, which is due on June 30, 2022.

SUNSHINE ORDINANCE WAIVER REQUEST:

In order to support Eden's LGMG application for the Mulberry Garden Apartments through the required resolution, staff is requesting to waive the Sunshine Ordinance to allow the City Council to consider on May 24, 2022 a Resolution supporting the Mulberry Garden Apartments, a 209-unit family and senior affordable housing community located at 2524 Mulberry Street, and supporting Eden Housing, Inc's funding applications to the State of California Excess Sites local Government Matching Grants Program, the California Tax Credit Allocation Committee, and to the City of Riverside for \$3,000,000 in FY 2021/2022 HOME Investment Partnerships Act-ARP funds to be considered by City Council at the May 24, 2022 City Council meeting to prevent missing out on this grant opportunity.

Riverside Municipal Code Sections 4.05.050 provides that the Sunshine Notice Requirement may be excused if the minimum notice requirements of the City Charter and the Brown Act have been met and one of the excuses set forth in that section applies. Section 4.05.050(D)(1) provides for the excuse of the Sunshine Notice Requirements if the following applies:

- 1) The local body, by a two-thirds of those members present, adopts a motion determining that, upon consideration of the facts and circumstances, it was not reasonably possible to meet the additional notice requirements under this section and any one of the following exists:
 - (b) There is a need to take immediate action which relates to federal, state, county or other governmental agency legislation or action or the local body's eligibility for any grant or gift.

Delaying this report would result in the potential loss of state resources that can be leveraged to create affordable senior and family housing that is critical in preventing homelessness.

STRATEGIC PLAN ALIGNMENT:

The development of the Mulberry Garden Apartments contributes to **Strategic Priority 2 – Community Well-Being** and Goal: **Goal 2.1.**, facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income levels.

This project aligns with each of the Cross-Cutting Threads as follows:

1. **Community Trust** – The City of Riverside has identified the need for affordable housing as a priority need in the City’s Housing Element process. The Housing Element outreach process gathered information from specific focus groups and interviews with various organizations and service providers in the housing and community development field, as well as residents of the city.
2. **Equity** – The Project ensures that all eligible persons receive equitable access to service and are served with dignity, respect, and compassion regardless of the circumstances, ability, or identity.
3. **Fiscal Responsibility** – There is no fiscal impact to the City General Fund associated with this project. This project allows the City to utilize a State budget appropriation to build low-income housing to create economic stability for extremely low-income City residents.
4. **Innovation** – The Project will allow the City to capitalize on new and changing funding sources in partnership with state programs to meet ongoing and changing needs of low-income members of the community.
5. **Sustainability & Resiliency** – The Project promotes a sustainable community and economic development and projects to encourage community engagement and resiliency.

FISCAL IMPACT:

There is no fiscal impact tied to this report.

Prepared by:	Michelle Davis, Housing Authority Manager
Certified as to availability of funds:	Edward Enriquez, Chief Financial Officer/Treasurer
Approved by:	Edward Enriquez, Interim Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Attachment:	Presentation
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