

HEBER PUBLIC UTILITY DISTRICT

REPORT TO BOARD OF DIRECTORS

MEETING DATE: September 16, 2021

FROM: Laura Fischer, General Manager

SUBJECT: Adopt Resolution 2021-11 Approving the Submittal of a Grant Application to the USDA Rural Development Under the Community Facilities Loan and Grant Program for FY 2021-22.

ISSUE: Shall the Board Adopt Resolution 2021-11 to approve the submittal of a grant application to the USDA Rural Development Community Facilities Loan and Grant Program for improvements to the Recreation Center to reconstruct the parking lot?

General Manager's Recommendation:

Adopt Resolution 2021-11 to approve the submittal of a grant application for USDA Rural Development Community Facilities Loan and Grant Program for the purchase of furniture and equipment at the Heber Recreation Center.

FISCAL IMPACT:

The USDA Rural Development Community Facilities Loan and Grant Program requires a 25% matching funds, which is included in the HPUD 2021-22 equipment outlay budget. The total of the HPUD commitment for matching funds for the three (3) grants awarded by USDA is \$41,597.00. This amount exceeds the budget by \$1,597.00. Staff does not recommend making a budget adjustment at this time as the \$1,597.00 will not result in an exceedance of the overall Parks and Recreation budget.

Total reconstruction of parking lot cost - \$64,900

USDA Rural Development Community Facilities Grant Award - \$48,600

HPUD's Contribution Matching Funds - \$16,300

BACKGROUND:

Heber Public Utility District Board of Directors voted in favor of submitting a grant application for three improvement projects at the Heber Recreation Center. The USDA Rural Development Community Facilities Program requires a separate application for each project request.

During the budget process the projects were identified, estimated, and the matching component was calculated and included in the budget. The FY 2021-22 Equipment Outlay budget for the Parks and Recreation Department included \$40,000 for matching funds. The total of the HPUD commitment for matching funds for the three (3) grants awarded by USDA is \$41,597.00. This amount exceeds the budget by \$1,597.00. Staff does not recommend making a budget adjustment at this time as the \$1,597.00 will not result in an exceedance of the overall Parks and Recreation budget.

RECOMMENDATION:

Staff recommends adopting Resolution 2021-11 approving the submittal of an application to the USDA Rural Development Community Facilities Program for the reconstruction of the parking lot at the Heber Recreation Center and obligate matching funds in the amount of \$16,300.

ALTERNATIVES:

1. Do not adopt Resolution 2021-11, which would postpone the project, which has been approved and awarded by USDA.
2. Provide alternate direction for the submittal of the application and the facility improvements.

Respectfully Submitted,

Laura Fischer, General Manager

Attachments: Resolution 2021-11
 Grant Application
 Award Letter
 Letter of Conditions

RESOLUTION NO. 2021-11

A RESOLUTION OF THE HEBER PUBLIC UTILITY DISTRICT APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF AGRICULTURE-RURAL DEVELOPMENT UNDER THE COMMUNITY FACILITIES LOAN AND GRANT PROGRAM FOR FY 2021-2022

Be It Resolved by the Board of Directors of the **Heber Public Utility District** as follows:

SECTION 1

The Board of Directors has reviewed and hereby approves a grant application to the U.S. Department of Agriculture-Rural Development (USDA-Rural Development) under the Community Facilities Loan and Grant Program in the amount of **\$48,600**.

SECTION 2

The Board of Directors has authorized the commitment of \$16,300 of non-federal dollars as matching funds for the project.

SECTION 3

The Board of Directors of the **Heber Public Utility District** hereby authorized and direct the **General Manager**, or designee (s) to execute, in the name of the **Heber Public Utility District** any grant agreements, any amendments thereto, and any and all other documents necessary or required by USDA-Rural Development to participate in the loan and grant program.

Passed and Adopted by the Board of Directors on this 16th day of September, 2021, by the following vote:

AYES: _____ NAYES: _____ ABSTAINED: _____ EXCUSED OR ABSENT: _____

Pompeyo Tabarez, Jr., President

ATTEST: _____
Raquel Carrillo, Clerk of the Board

REQUEST FOR OBLIGATION OF FUNDS

INSTRUCTIONS-TYPE IN CAPITALIZED ELITE TYPE IN SPACES MARKED () Complete Items 1 through 29 and applicable Items 30 through 34. See FMI.			
1. CASE NUMBER ST CO BORROWER ID 04-013-*****1552		LOAN NUMBER	FISCAL YEAR
2. BORROWER NAME Heber Public Utility District		3. NUMBER NAME FIELDS (1, 2, or 3 from Item 2)	
		4. STATE NAME California	
		5. COUNTY NAME Imperial	
GENERAL BORROWER/LOAN INFORMATION			
6. RACE/ETHNIC CLASSIFICATION 1 - WHITE 2 - BLACK 3 - AI/AN 4 - HISPANIC 5 - A/PI	7. TYPE OF APPLICANT 1 - INDIVIDUAL 2 - PARTNERSHIP 3 - CORPORATION 4 - PUBLIC BODY 5 - ASSOC. OF FARMERS 6 - ORG. OF FARMERS 7 - NONPROFIT-SECULAR 8 - NONPROFIT-FAITH BASED 9 - INDIAN TRIBE 10 - PUBLIC COLLEGE/UNIVERSITY 11 - OTHER	8. COLLATERAL CODE 1 - REAL ESTATE SECURED 2 - REAL ESTATE AND CHATTEL 3 - NOTE ONLY OR CHATTEL ONLY 4 - MACHINERY ONLY 5 - LIVESTOCK ONLY 6 - CROPS ONLY 7 - SECURED BY BONDS 8 - RLF ACCT	9. EMPLOYEE RELATIONSHIP CODE 1 - EMPLOYEE 2 - MEMBER OF FAMILY 3 - CLOSE RELATIVE 4 - ASSOC.
10. SEX CODE 6 1 - MALE 2 - FEMALE	11. MARITAL STATUS 1 - MARRIED 2 - SEPARATED 3 - UNMARRIED (INCLUDES WIDOWED/DIVORCED)	12. VETERAN CODE 2 1 - YES 2 - NO	13. CREDIT REPORT 2 1 - YES 2 - NO
14. DIRECT PAYMENT (See FMI)	15. TYPE OF PAYMENT 1 - MONTHLY 2 - ANNUALLY 3 - SEMI-ANNUALLY 4 - QUARTERLY	16. FEE INSPECTION 2 1 - YES 2 - NO	
17. COMMUNITY SIZE 1 - 10,000 OR LESS (FOR SFH AND HPG ONLY) 2 - OVER 10,000		18. USE OF FUNDS CODE (See FMI)	
COMPLETE FOR OBLIGATION OF FUNDS			
19. TYPE OF ASSISTANCE 237 (See FMI)	20. PURPOSE CODE 9	21. SOURCE OF FUNDS	22. TYPE OF ACTION 1 - OBLIGATION ONLY 2 - OBLIGATION/CHECK REQUEST 3 - CORRECTION OF OBLIGATION
23. TYPE OF SUBMISSION 1 1 - INITIAL 2 - SUBSEQUENT	24. AMOUNT OF LOAN		25. AMOUNT OF GRANT 48,600
26. AMOUNT OF IMMEDIATE ADVANCE	27. DATE OF APPROVAL MO DAY YR	28. INTEREST RATE 0 %	29. REPAYMENT TERMS
COMPLETE FOR COMMUNITY PROGRAM AND CERTAIN MULTIPLE-FAMILY HOUSING LOANS			
30. PROFIT TYPE 1 - FULL PROFIT 2 - LIMITED PROFIT 3 - NONPROFIT			
COMPLETE FOR EM LOANS ONLY		COMPLETE FOR CREDIT SALE-ASSUMPTION	
31. DISASTER DESIGNATION NUMBER (See FMI)		32. TYPE OF SALE 1 - CREDIT SALE ONLY 2 - ASSUMPTION ONLY 3 - CREDIT SALE WITH SUBSEQUENT LOAN 4 - ASSUMPTION WITH SUBSEQUENT LOAN	
FINANCE OFFICE USE ONLY		COMPLETE FOR FP LOANS ONLY	
33. OBLIGATION DATE MO DA YR		34. BEGINNING FARMER/RANCHER (See FMI)	

If the decision contained above in this form results in denial, reduction or cancellation of USDA assistance, you may appeal this decision and have a hearing or you may request a review in lieu of a hearing. Please use the form we have included for this purpose.

Position 2

ORIGINAL - Borrower's Case Folder COPY 1 - Finance Office COPY 2 - Applicant/Lender COPY 3 - State Office

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0062. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

CERTIFICATION APPROVAL

For All Farmers Programs

EM, OL, FO, and SW Loans

This loan is approved subject to the availability of funds. If this loan does not close for any reason within 90 days from the date of approval on this document, the approval official will request updated eligibility information. The undersigned loan applicant agrees that the approval official will have 14 working days to review any updated information prior to submitting this document for obligation of funds. If there have been significant changes that may affect eligibility, a decision as to eligibility and feasibility will be made within 30 days from the time the applicant provides the necessary information.

If this is a loan approval for which a lien and/or title search is necessary, the undersigned applicant agrees that the 15-working-day loan closing requirement may be exceeded for the purposes of the applicant's legal representative completing title work and completing loan closing.

35. COMMENTS AND REQUIREMENTS OF CERTIFYING OFFICIAL

36. I HEREBY CERTIFY that I am unable to obtain sufficient credit elsewhere to finance my actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in or near my community for loans for similar purposes and periods of time. I agree to use the sum specified herein, subject to and in accordance with regulations applicable to the type of assistance indicated above, and request payment of such sum. I agree to report to USDA any material adverse changes, financial or otherwise, that occur prior to loan closing. I certify that no part of the sum specified herein has been received. I have reviewed the loan approval requirements and comments associated with this loan request and agree to comply with these provisions.

(For FP loans at eligible terms only) If this loan is approved, I elect the interest rate to be charged on my loan to be the lower of the interest rate in effect at the time of loan approval or loan closing. If I check "NO", the interest rate charged on my loan will be the rate specified in Item 28 of this form. YES NO

WARNING: Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined under this title or imprisoned not more than five years, or both."

Date 8-18, 2021, [Signature] (Signature of Applicant)

Date _____, 20____ (Signature of Co-Applicant)

37. I HEREBY CERTIFY that all of the committee and administrative determinations and certifications required by regulations prerequisite to providing assistance of the type indicated above have been made and that evidence thereof is in the docket, and that all requirements of pertinent regulations have been complied with. I hereby approve the above-described assistance in the amount set forth above, and by this document, subject to the availability of funds, the Government agrees to advance such amount to the applicant for the purpose of and subject to the availability prescribed by regulations applicable to this type of assistance.

(Signature of Approving Official)

Typed or Printed Name: _____

Date Approved: _____ Title: _____

38. TO THE APPLICANT: As of this date _____, this is notice that your application for financial assistance from the USDA has been approved, as indicated above, subject to the availability of funds and other conditions required by the USDA. If you have any questions contact the appropriate USDA Servicing Office.

LETTER OF INTENT TO MEET CONDITIONS

Date 08-18-2021

TO: United States Department of Agriculture

Rural Development

(Name of USDA Agency)

2407 Marshall Ave.
Suite E
Imperial, CA 92251

(USDA Agency Office Address)

We have reviewed and understand the conditions set forth in your letter dated 08-18-2021. It is our intent to meet all of them not later than 08-18-2022.

Heber Public Utility District

(Name of Association)

BY

Laura Fischer

Laura Fischer, General Manager

(Title)

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Attachment to Form RD 1940-1, Request For Obligation Of Funds

Grantee: Heber Public Utility District

COMMENTS AND REQUIREMENTS OF CERTIFYING OFFICIAL

The grantee understands the requirements for receipt of funds under the Community Facilities Grant program. The grantee assures and certifies that it is in compliance with all applicable laws, regulations, Executive Orders, and other applicable requirements, including those set forth in Form RD 3570-3, 2 CFR part 200 in effect at this time and as may be subsequently modified, and the letter of conditions dated August 18, 2021. The following conditions may apply if CFG funds were used to purchase equipment or obtain or improve real property:

- (1) The grantee understands that any property acquired or improved with Federal grant funds may have use and disposition conditions which apply to the property as provided by 2 CFR part 200 in effect at this time and as may be subsequently modified.
- (2) The grantee understands that any sale or transfer of property is subject to the interest of the United States Government in the market value in proportion to its participation in the project as provided by 2 CFR part 200 in effect at this time and as may be subsequently modified.

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(For FP loans at eligible terms only) If this loan is approved, I elect the interest rate to be charged on my loan to be the lower of the interest rate in effect at the time of loan approval or loan closing. If I check "NO", the interest rate charged on my loan will be the rate specified in Item 28 of this form. _____ YES _____ NO

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Date _____, 20 _____
(Signature of Applicant)

Date _____, 20 _____
(Signature of Co-Applicant)

37. I HEREBY CERTIFY that all of the committee and administrative determinations and certifications required by regulations prerequisite to providing assistance of the type indicated above have been made and that evidence thereof is in the docket, and that all requirements of pertinent regulations have been complied with. I hereby approve the above-described assistance in the amount set forth above, and by this document, subject to the availability of funds, the Government agrees to advance such amount to the applicant for the purpose of and subject to the availability prescribed by regulations applicable to this type of assistance.

(Signature of Approving Official)

Typed or Printed Name: _____

Date Approved: _____ Title: _____

38. TO THE APPLICANT: As of this date _____, this is notice that your application for financial assistance from the USDA has been approved, as indicated above, subject to the availability of funds and other conditions required by the USDA. If you have any questions contact the appropriate USDA Servicing Office.

LETTER OF INTENT TO MEET CONDITIONS

Date _____

TO: United States Department of Agriculture

(Name of USDA Agency)

(USDA Agency Office Address)

We have reviewed and understand the conditions set forth in your letter dated _____. It is our intent to meet all of them not later than _____.

(Name of Association)
BY _____

(Title)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a persons is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015 and 0570-0062. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data. needed, and completing and reviewing the collection of information.