February 10, 2020

MEMORANDUM FOR: All Potential Applicants and Current Award Recipients

FROM: Jennifer Seeger, Deputy Director
Department of Housing and Community Development

SUBJECT: Notice of Amendment to IIG Guidelines (Rounds 1-5)

WHEREAS the Department of Housing and Community Development (Department) is authorized to adopt, promulgate, amend, repeal, and administer standards, requirements, procedures, or guidelines (“Program Guidelines”) for financial assistance offered pursuant to the Infill Infrastructure Grant Program (IIG) authorized pursuant to the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) as set forth in Sections 53545(b), 53545.12 and 53545.13 of Chapter 2 of Part 12 Division 31 of the Health and Safety Code.

WHEREAS the Department has previously offered financial assistance through the following IIG notices of funding availability:

Round 1: December 15, 2008
Round 2: January 30, 2009
Round 3: May 10, 2013
Round 4: September 25, 2014
Round 5: October 2, 2017

WHEREAS the Department has previously published Program Guidelines for IIG on the following dates:

Round 1: December 15, 2008
Round 2: January 19, 2009
Round 3: May 14, 2013
Round 4: October 2, 2014
Round 5: October 2, 2017

WHEREAS pursuant to the statutory authority set forth above, the Program Guidelines shall not be subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code;
THEREFORE, by the undersigned execution of the Department’s director or his assignee, the Department hereby adopts and amends into the Program Guidelines the following addendum thereto, as if such provision were originally set forth in each publication of the foregoing Guidelines:

Round 1:

Section 312 (b) is amended by striking the final sentence of the section and replacing it with the following:

The Department may extend this date pursuant to a standard agreement amendment, if upon request of the Recipient, the Recipient demonstrates, to the satisfaction of the Department, that it has substantially complied with all other performance requirements and that its inability to meet this date is reasonable and has been caused by factors beyond its control such as a natural disaster or deteriorating market conditions.

Section 312 is amended by adding the following subsection (c):

Recipients shall begin construction of the housing units to be developed in the Qualifying Infill Project and the housing designated the application for a Qualifying Infill Area within the time set forth in the Standard Agreement. The Department may extend this date pursuant to a standard agreement amendment, if upon request of the Recipient, the Recipient demonstrates, to the satisfaction of the Department, that it has substantially complied with all other performance requirements and that its inability to meet this date is reasonable and has been caused by factors beyond its control such as a natural disaster or deteriorating market conditions.

Round 2:

Section 306 (a) is amended to add at the end of the section the following:

The Department may extend this date pursuant to a standard agreement amendment, if upon request of the Recipient, the Recipient demonstrates, to the satisfaction of the Department, that it has substantially complied with all other performance requirements and that its inability to meet this date is reasonable and has been caused by factors beyond its control such as a natural disaster or deteriorating market conditions.

Section 306 (b) is amended by striking the final sentence of the section and replacing it with the following:

The Department may extend this date pursuant to a standard agreement amendment, if upon request of the Recipient, the Recipient demonstrates, to the satisfaction of the Department, that it has substantially complied with all other performance requirements and that its inability to meet this date is reasonable and has been caused by factors beyond its control such as a natural disaster or deteriorating market conditions.
Rounds 3, 4, and 5:

Section 306 (a) is amended to add at the end of the section the following:

The Department may extend this date pursuant to a standard agreement amendment, if upon request of the Recipient, the Recipient demonstrates, to the satisfaction of the Department, that it has substantially complied with all other performance requirements and that its inability to meet this date is reasonable and has been caused by factors beyond its control such as a natural disaster or deteriorating market conditions.

Section 306 (b) is amended to add at the end of the section the following:

The Department may extend this date pursuant to a standard agreement amendment, if upon request of the Recipient, the Recipient demonstrates, to the satisfaction of the Department, that it has substantially complied with all other performance requirements and that its inability to meet this date is reasonable and has been caused by factors beyond its control such as a natural disaster or deteriorating market conditions.

Jennifer Seeger
Acting Deputy Director

3/10/2020
Date