



NOTICE OF REGULAR MEETING
**Sacramento Housing and
Redevelopment Commission**
Wednesday, May 2, 2018 – 6:00 pm
801 12th Street, 2nd Floor Commission Room
Sacramento CA

ROLL CALL

APPROVAL OF AGENDA

CITIZENS COMMENTS

While the Commission welcomes and encourages participation in the Commission meetings, please limit your comments to three minutes, so that everyone may be heard. If you wish to speak under Citizens Comments or on a posted agenda item, please fill out a speaker card and present it to the Agency Clerk. SHRA provides opportunities for the public to address the Commission at this time in order to listen to opinions regarding non-agendized matters within the subject matter jurisdiction of SHRA. Consistent with the Brown Act, the public comment periods on the agenda are not intended to be "question and answer" periods or conversations with Commission members. Members of the public with questions are encouraged to contact staff before or after the meeting. Commission attendees are requested to silence any electronic devices that they have in their possession during the meeting.

APPROVAL OF MINUTES – April 18, 2018

CONSENT

1. Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code Amendment – City Report
2. Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code Amendment – County Report

DISCUSSION/BUSINESS

3. Annual Reports of the Housing Trust Fund, Mixed Income Housing Ordinance and HOME Investment Partnerships Program, and Authorization to Receive Building Homes and Jobs Act (Senate Bill 2) Funds
4. Annual Reports Of The Housing Trust Fund, Affordable Housing Ordinance, And HOME Investment Partnership Program (HOME) And Authorization To Administer Funds From The Building Homes And Jobs Act (Senate Bill 2)

PRESENTATIONS

5. Twin Rivers Update – Status of Light Rail Station Project
6. Annual Report on Residential Hotels

EXECUTIVE DIRECTOR REPORT

COMMISSION CHAIR REPORT

ITEMS AND QUESTIONS OF COMMISSION MEMBERS

ADJOURNMENT

REPORTS: Copies of documents relating to agenda items are available for review in the Agency Clerk's office located at 801 12th Street, Sacramento CA 95814. Agendas and reports are also posted online at www.shra.org. Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public inspection in the Agency Clerk's office during normal business hours and will also be available at the meeting.

AMERICANS WITH DISABILITIES ACT: Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Agency Clerk at (916) 440-1363 at least 48 hours prior to the meeting.



MINUTES

Sacramento Housing and Redevelopment Commission (SHRC)

Meeting of April 18, 2018

Meeting noticed on April 13, 2018

ROLL CALL

The Sacramento Housing and Redevelopment Commission meeting was called to order at 6:00 p.m. by Chair Macedo

MEMBERS PRESENT: Alcalay, Griffin, Johnson, Macedo, Morgan, Starks, Wedding

MEMBERS ABSENT: Creswell, Simas, Staajabu, (one vacancy)

STAFF PRESENT: La Shelle Dozier, David Levin, Vickie Smith, Lira Goff, James Shields, Tyrone R. Williams, Sarah O 'Daniel, LaTanna Jones, Christine Weichert, Bern Wikhammer, Terren Wing

APPROVAL OF AGENDA – Approved as submitted.

CITIZENS COMMENTS

Ireana Price, Mac Worthy, and Joe Debbs (representative from Senator Pan) provided comments related to the condition of the unit occupied by Ms. Price.

APPROVAL OF MINUTES – April 4, 2018 minutes were approved with edits from Chair Macedo.

DISCUSSION/BUSINESS ITEMS

1. Release Of Existing Affordable Housing Agreement, Affordable Housing Plan And Affordable Housing Regulatory Agreement, And Approval Of An Affordable Housing Strategy And Affordable Housing Regulatory Agreement For The Victoria Park Residential Project

Terren Wing presented the item.

Commissioner Alcalay motioned to approve the staff recommendation in the report. Commissioner Morgan seconded the motion. The votes were as follows:

AYES: Alcalay, Griffin, Johnson, Macedo, Morgan, Starks, Wedding

NOES: None

ABSENT: Creswell, Simas, Staajabu

ABSTAIN: None

2. Approve The Assignment Of The Exclusive Right To Negotiate Agreement For Property Located At 510 N. 12th Street Between Carson/Craig Partnership and Sacramento Housing And Redevelopment Agency To Sacramento Housing Authority Repositioning Program, Inc.

Bern Wikhammer presented the item.

Commissioner Johnson motioned to approve the staff recommendation in the report. Commissioner Griffin seconded the motion. The votes were as follows:

AYES: Alcalay, Griffin, Johnson, Macedo, Morgan, Starks, Wedding

NOES: None

ABSENT: Creswell, Simas, Staajabu

ABSTAIN: None

SPECIAL PRESENTATION

3. Twin Rivers Development - Infrastructure Financing Overview

Tyrone Williams presented the item. Mac Worthy provided public comment.

DISCUSSION/BUSINESS ITEMS

4. Approval to change procedures and/or amend Sacramento Housing and Redevelopment Commission By-Laws to use Rosenberg's Rules of Order to conduct meetings

Vickie Smith presented the item. Mac Worthy provided comment.

Commissioner Griffin motioned to approve the proposed amendment to the bylaws to adopt Rosenberg's Rules of Order. Commissioner Johnson seconded the motion. The votes were as follows:

AYES: Alcalay, Griffin, Johnson, Macedo, Morgan, Starks, Wedding

NOES: None

ABSENT: Creswell, Simas, Staajabu

ABSTAIN: None

EXECUTIVE DIRECTOR'S REPORT

La Shelle Dozier reviewed the following:

- Next meeting is on May 2, 2018
- Bellview Ribbon Cutting will be on Thursday, April 26, 2018. At 11:00 am.
- Commissioner Painter has resigned from the Commission.

COMMISSION CHAIR REPORT

Chair Macedo announced that an Executive Committee Meeting would be held on Monday, May 7th, 2018. At the last meeting they reviewed the bylaws and discussed areas that potentially could be changed.

ITEMS AND QUESTIONS OF COMMISSION MEMBERS

Commissioner Morgan noted that the Commissioners had received copies of the latest newsletter from the Resident Advisory Board.

Commissioner Alcalay commented on the website and about some proposed edits that he discussed with staff.

ADJOURNMENT

As there was no further business to be conducted, Chair Macedo adjourned the meeting at 7:15 pm.

Clerk



April 27, 2018

Sacramento Housing and
Redevelopment Commission
Sacramento, CA

Honorable Members in Session:

SUBJECT:

Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code
Update

SUMMARY

The attached report is presented for your review prior to review and approval by the City
of Sacramento.

RECOMMENDATION

Staff recommends approval of the recommendation outlined in the attached report.

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachment



**REPORT TO COUNCIL AND
HOUSING AUTHORITY
City of Sacramento
915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org**

**Consent
May 22, 2018**

**Honorable Mayor and Members of the City Council
Chair and Members of the Housing Authority Board**

Title: Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code Amendment

Location/Council District: Citywide

Recommendation: Adopt: 1) a **Housing Authority Resolution** approving the revised Agency Conflict of Interest code, designated positions and disclosure categories, b) repealing prior Housing Authority Resolutions adopted related to the SHRA conflict of Interest code (resolutions HA 83-005, HA 84-003, HA 86-032, HA 87-006, HA 88-014, HA 90-009, HA 91-006, HA 92-004, HA 94-002, HA 96-009, HA 2001-001, HA 2009 016, HA 2011-007, HA 2014-0012 and HA-2016-0020), and 2) a **Council Resolution** approving the amended Agency Conflict of Interest code, designated positions and disclosure categories.

Contact: David Levin, Agency Counsel, (916) 440-1330; Vickie Smith, Agency Clerk, (916) 440-1363

Presenters: not applicable

Department: Sacramento Housing and Redevelopment Agency (SHRA)

Description/Analysis

Issue: Sacramento Housing and Redevelopment Agency (SHRA) is a public agency that provides exclusive staffing for the Housing Authority of the City of Sacramento and administers certain federal housing and community development funding on behalf of the City of Sacramento. Pursuant to the State of California's Political Reform Act, all public agencies are required to adopt a Conflict of Interest (COI) Code for their employees, consultants and board members. In compliance with the law, SHRA adopted a Conflict of Interest Code on January 25, 1983, which adopted by reference the provisions of the California

Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code Amendment

Administrative Code. SHRA has periodically updated that code and currently desires to make minor changes to the code to reflect recent statewide updates. Staff is also recommending amending SHRA's designated employee list to reflect added or modified employee positions. Exhibit A outlines the COI code and reflects the Designated Positions List with the proposed modifications. In 2014, a "Code of Ethics" policy was adopted for all staff which is included as Attachment 1 for reference. This policy outlines required ethical standards of behavior for all staff, regardless of their status as a designated COI Form 700 filer. Staff recommended adoption of the Code of Ethics policy as a "best practices" measure and to ensure clear guidance for employees regarding their conduct.

Policy Considerations: A Conflict of Interest Code must be amended in the event of changed circumstances, such as the addition of new classifications or the modification of existing classifications (Government code Section 87306). SHRA's updated code includes the addition of positions that have been deemed to have authorities that require filing; modification of positions that have been reclassified; deletion of classifications that no longer exist; and deletion of positions that have been deemed to no longer have authorities that require filing.

Economic Impacts: not applicable

Environmental Considerations:

California Environmental Quality Act (CEQA): Activities authorized in this report have been analyzed in accordance with CEQA and are determined to not be a "project" pursuant to 14 California Code of Regulations (CCR) § 15378(b)(2).

Sustainability Considerations: Not applicable.

Other: National Environmental Policy Act (NEPA): Activities authorized in this report have been analyzed in accordance with NEPA and are determined to be Exempt pursuant to 24 CFR § 58.34(a)(3).

Commission Action: At its meeting on May 2, 2018 the Sacramento Housing and Redevelopment Agency Commission considered the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

ABSENT:

May 22, 2018

Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code Amendment

Rationale for Recommendation: Pursuant to Government Code 81000 local agencies are required to update their conflict of interest codes to reflect changed circumstances relating to their designated filers and disclosure categories. Updating the code also allows incorporation of provisions contained in California Code Regulations Section 18730 that have changed since the previous approval of SHRA's code.

Financial Considerations: none

LBE/M/WBE and Section 3 Considerations: The activities recommended in this staff report do not involve federal funding, therefore, there are no M/WBE or Section 3 requirements. The Local Business Enterprise program does not apply to this report.

Respectfully Submitted by:


LA SHELLE DOZIER
Executive Director

Table of Contents

01	Description/Analysis
02	Housing Authority Resolution
03	Council Resolution
04	Exhibit A - COI Code revisions and revised designated employee list
05	Attachment 1 – SHRA Ethics policy

RESOLUTION NO.

Adopted by the Housing Authority of the City of Sacramento

On date of

APPROVING AND ADOPTING THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

BACKGROUND

- A. The Political Reform Act, Government Code §81000 et seq., requires every state or local government agency to adopt and promulgate a conflict of interest code.
- B. The County of Sacramento is the code-reviewing body for the Sacramento Housing and Redevelopment Agency (Agency), but the Housing Authority, as a member of the joint powers agency retains jurisdiction to approve revisions to Agency policy.
- C. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act, Government Code Sections 11370, et seq.
- D. The Political Reform Act requires that every local government agency review its conflict of interest code periodically to determine if it is accurate or needs to be amended.
- E. All persons holding designated positions file annual statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. The statements will be made available for public inspection and reproduction. Statements for all designated positions are retained by the Agency Clerk.
- E. The recommended activity is not a project under the California Environmental Quality Act (CEQA) 15378(b) (2) and no environmental review is required.
- F. The recommended action is an exempt activity under the National Environmental Policy Act (NEPA), 24 CFR 58.34(a) (3).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE HOUSING AUTHORITY RESOLVES AS FOLLOWS:

- Section 1. The Background facts, above including the environmental facts, are found to be true and correct.
- Section 2. Prior Housing Authority Resolutions adopted related to the Agency conflict of interest code (resolutions HA 83-005, HA 84-003, HA 86-032, HA 87-006, HA 88-014, HA 90-009, HA 91-006, HA 92-004, HA 94-002, HA 96-009, HA 2001-001, HA 2009-016, HA 2011-007, HA 2014-0012 and HA-2016-0020) are hereby repealed.
- Section 3. The updated Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency, Designated Positions and Disclosure Categories, attached as Exhibit A, are hereby approved.
- Section 4. The terms of 2 Cal. Code of Regulations Section 18730, and amendments to that section which may be duly adopted by the Fair Political Practices Commission, included as Exhibit A, is hereby adopted by reference as the body of the Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency and of the Housing Authority of the City of Sacramento.
- Section 5. This adopted and amended conflict of interest code is effective immediately, and newly added designees are required to file within 30 days of the effective date of the Conflict of Interest Code.

Table of Contents:

Exhibit A: Agency Conflict of Interest Code, Designated Positions and Disclosure Categories

RESOLUTION NO.

Adopted by the City Council of the City of Sacramento

On date of

APPROVING SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

BACKGROUND

- A. The Political Reform Act, Government Code §81000 et seq., requires every state or local government agency to adopt and promulgate a conflict of interest code.
- B. The County of Sacramento is the code-reviewing body for the Sacramento Housing and Redevelopment Agency (Agency), but the City as a member of the joint powers agency retains jurisdiction to approve revisions to Agency policy.
- C. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act, Government Code Sections 11370, et seq.
- D. The Political Reform Act requires that every local government agency review its conflict of interest code periodically to determine if it is accurate or needs to be amended.
- E. All persons holding designated positions file statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. The statements will be made available for public inspection and reproduction. Statements for all designated positions are retained by the Agency Clerk.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The revised Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency, Designated Positions and Disclosure Categories as attached as Exhibit A, are hereby approved.

Table of Contents:

Exhibit A – Agency Agency Conflict of Interest Code, Disclosure Categories and Designated Employee list

Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation, along with the designation of employees and the formulation of disclosure categories in Exhibit A attached, constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code section 87300 or the amendment of a conflict of interest code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest. Therefore the terms of 2 California Code of Regulations (CCR) Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Exhibits designating positions and establishing disclosure requirements shall constitute the conflict of interest code of the Sacramento Housing and Redevelopment Agency.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

Section 2. Designated Employees.

The persons holding positions listed in Exhibit B are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests. **Consultants/New Positions** are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: the Executive Director or designee may determine in writing that a particular consultant or new position, although a "designated position" is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements of this section. Such written determination shall include a description of the consultant's or new positions duties and, based on up that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008).

Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq. In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and

(C) The filing officer is the same for both agencies.

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Exhibit A specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in Exhibit A. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

Section 4. Statements of Economic Interests: Place of Filing.

Individuals holding designated positions at the Agency shall file their statements of economic interest with the Agency Clerk who make the statements available for public inspection and reproduction (Govt Code Sec. 81008).

Section 5. Statements of Economic Interests: Time of Filing.

(A) **Initial Statements.** All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) **Assuming Office Statements.** All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1st.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

Section 5.5. Statements for Persons Who Resign Prior to Assuming Office. Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs. Section 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure. When an investment or an interest in real property is required to be reported, the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported, the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

Section 8.1. Prohibition on Receipt of Gifts in Excess of \$460.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (8), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate forelective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$460 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code section 83114 and 2 Cal. Code Regs. Sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the Agency to issue any formal or informal opinion.

Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code section

87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

1. Designated employees who are required to file statements of economic interests under any other Agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.

2. See Government Code section 81010 and 2 Cal. Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3. For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4. Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5. A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6. Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer. Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No.2).
4. Amendment of subsection (b) (7) (8) 1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No.5).
5. Amendment of subsection (b)(7) (A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(8) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).
9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No.6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title1, section 1 ~0, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No.1).
13. Editorial correction adding History11 and 12 and deleting duplicate section number (Register 94, No. 17).

14. Amendment of subsection (b)(8), designation of subsection (b)(S)(A), new subsection (b)(S)(8), and amendment of subsections (b)(8.1)-(b)(8.1)(8), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(S)(A)-(8) and (b)(8.1)(A), repealer of subsection (b)(8.1)(8), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).
18. Amendment of subsections (b)(7)(8)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 5-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
19. Editorial correction of subsection (a) (Register 98, No. 47).
20. Amendment of subsections (b)(8.1), (b)(S.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
21. Amendment of subsections (b)(8.1)-(b)(S.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).
22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No.2).
23. Amendment of subsections (b)(7)(A)4., (b)(7)(8)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4 filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices*

Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements) (Register 2001, No.7).

24. Amendment of subsections (b)(B.1)-(b)(B.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No.3).

25. Editorial correction of History24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B)

(Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(B.1)(A), (b)(9)(E) and

(b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No.1).

28. Amendment of Subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005

(Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(B.1), (b)(B.1)(A) and (b)(9)(E) filed

12-1B-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of Subsections (b)(B.1)-(b)(B.1)(A) and (b)(9)(E) filed 10-31-2008; operative

11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 200B, No. 44).

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY DISCLOSURE CATEGORIES -

Category 1:

- a. Interest in real property located within the City and County of Sacramento (excluding your primary residence [owned or leased]);
- b. All income, loans and gifts, investments, positions and ownership interests in any business located in or doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency; and
- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 2:

- a. Interest in real property located within the City and County of Sacramento, (excluding your primary residence [owned or leased]);
- b. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property maintenance and construction, general office supplies and services, consulting and services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and
- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 3:

- a. Interest in any real property improved for residential purposes or zoned for residential use located within the City or County of Sacramento (excluding your primary residence [owned or leased]);
- b. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property

maintenance and construction, general office supplies and services, consulting and services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and

- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 4:

- a. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property maintenance and construction, general office supplies and services, consulting and services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and
- b. All sources of income, loans and gifts from individuals residing in the City of County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code (Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.).

Designated position	Change	Disclosure Category
AGENCY CLERK	No change	1
AGENCY COUNSEL	No change	1
ASSISTANT DIRECTOR (includes Assistant Directors in any department)	No Change	1
COMMUNITY DEVELOPMENT ANALYST 1, 2, or 3	No Change	2
COMPLIANCE/PROCUREMENT ANALYST	No change	1
CONSTRUCTION TECHNICIAN	No change	3
DEPUTY EXECUTIVE DIRECTOR	No change	1
DIRECTOR (includes Directors in any department)	No Change	1
EXECUTIVE DIRECTOR	No change	1
GENERAL COUNSEL	No change	1
HOUSING PROGRAM – SPECIALIST - HCV & HSG	No change	3
HOUSING AUTHORITY ANALYST – HCV & HSG	No change	3
HOUSING FINANCE ANALYST - RANGE 1, 2 or 3	No Change	2
HOUSING PROGRAM TECHNICIAN 1 or 2	No Change	3
<u>HOUSING SERVICES COORDINATOR</u>	<u>New Position</u>	<u>3</u>
<u>IT APP/DEV SPECIALIST ANALYST</u>	<u>Corrected title</u> <u>No Change</u>	<u>4</u>
<u>IT BUSINESS ANALYST</u>	<u>New position</u>	<u>4</u>
<u>IT NETWORK/MIDRANGE SPECIALIST</u>	No Change	4
<u>LOAN ADMINISTRATOR</u>	No Change	2
<u>LOAN SERVICING ANALYST</u>	No Change	2
MANAGEMENT ANALYST (also includes Environmental Analyst and Risk Services Manager positions)	No Change	1
MAINTENANCE LEAD	No Change	3

Designated position	Change	Disclosure Category
MAINTENANCE SPECIALIST – Stationery Engineer or Fire and Life Safety	No Change	3
PRINCIPAL CONSTRUCTION ARCHITECT/CONSTRUCTION ENGINEER	No Change	2
PRINCIPAL CONSTRUCTION TECHNICIAN	No Change	2
PRINCIPAL HOUSING AUTHORITY ANALYST – HCV or HSG	No Change	3
PRINCIPAL LOAN PROCESSING ANALYST	No Change	2
PRINCIPAL REGULATORY COMPLIANCE ANALYST	No change	2
PROGRAM INTEGRITY ANALYST	No Change	2
PROGRAM MANAGER (also includes Design/Construction, Finance, HCV, HSG, HR, Real Estate, Community Development, Portfolio Management and IT Managers)	No Change	1
PROJECT MANAGER	No Change	1
PUBLIC INFORMATION OFFICER	No Change	1
REAL ESTATE COORDINATOR	No Change	1
REDEVELOPMENT ANALYST RANGE 1, 2 or 3	No Change	3
REDEVELOPMENT PLANNER - RANGE 1, 2, or 3	No Change	2
REDEVELOPMENT SPECIALIST 1, 2, OR 3	No Change	2
REGULATORY COMPLIANCE ANALYST	No change	2
SENIOR HR ANALYST	No Change	1
<u>SENIOR LOAN SERVICING ANALYST</u>	<u>New position</u>	<u>2</u>
<u>SENIOR PROGRAM ANALYST</u>	<u>New position</u>	<u>2</u>

Designated position	Change	Disclosure Category
<u>- PROMISE ZONE COORDINATOR</u>		
SITE MANAGER I/II	No Change	2
SUPERVISOR (also includes Homeownership, Housing Authority and Procurement Supervisors)	No Change	1
SHRA COMMISSION MEMBERS	No change	1
LOAN COMMITTEE MEMBERS	No change	1
CONSULTANTS/NEW POSITIONS	No change	1

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18700.3. Consultant, Public Official Who Manages Public Investments: Definitions.

(a) For purposes of Sections 82019 and 82048, “consultant” means an individual who, pursuant to a contract with a state or local government agency:

(1) Makes a governmental decision whether to:

(A) Approve a rate, rule, or regulation;

(B) Adopt or enforce a law;

(C) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;

(D) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;

(E) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;

(F) Grant agency approval to a plan, design, report, study, or similar item;

(G) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(2) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18704(a) and (b) or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Section 87302.

(b) For purposes of Section 87200, the following definitions apply:

(1) “Other public officials who manage public investments” means:

(A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (b)(1)(B).

(c) “Public investments” means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(d) “Public moneys” means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(e) “Management of public investments” means the following nonministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82019, 82048, 87100, 87200 and 87302, Government Code.

HISTORY

1. New section filed 6-22-2015; operative 7-22-2015. Submitted to OAL for filing and printing only pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 26). For prior history, see Register 2015, No. 18.

2. Amendment of subsection (a)(2) filed 7-10-2015; operative 7-10-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 28).

Sacramento Housing and Redevelopment Agency

POLICY/PROCEDURE INSTRUCTION

TO: All SHRA Staff

FROM: La Shelle Dozier, Executive Director

POLICY SUBJECT: SHRA Code of Ethics Policy - Acting Ethically and Responsibly

EFFECTIVE: July 15, 2014

Scope - This policy applies to all employees of the Sacramento Housing and Redevelopment Agency (SHRA).

Purpose - The purpose of this Policy is to help you understand SHRA's expectations for ethical and responsible behavior and related legal requirements.

Policy: As a public agency, SHRA is committed to acting in the best interest of the communities and clients whom we serve. We have the same expectation of our employees.

SHRA's Conflict of Interest Code

Certain employees are subject to SHRA's "Conflict of Interest Code" (the "Code"). The Code requires employees to avoid conflicts of interest. In addition, employees subject to the Code are required to disclose certain economic interests to SHRA. If you are required to comply with the Code, you will be notified by the Agency Clerk.

The obligations established in this policy are in addition to any obligations established by the Conflict of Interest Code. However, if you ever feel this policy and the Code are in conflict, please discuss the matter with your supervisor.

Our Ethical Values

As an organization, we value:

- **Honesty and personal integrity**, including truthfulness in our dealings with SHRA, our coworkers, and the public.
- **Respect for others**, meaning acting professionally and courteously toward others, and following all SHRA rules regarding appropriate behavior and conduct toward others.
- **Legal compliance**, which includes the responsibility to know and follow the laws, regulations, and ordinances that apply to SHRA, to request assistance when we are unsure about the proper course of conduct, and to notify SHRA of potentially illegal or unethical conduct.

- **Protection of public resources**, which requires us not to misuse SHRA resources or time for personal or other reasons.

SHRA's Expectations of Employees

SHRA expects you to exhibit the values described above in your work and workplace behavior, to ask for assistance when needed, and to notify SHRA when you believe someone may have violated this policy.

Here are some examples of conduct that violates this policy:

- Accepting a bribe or favor in exchange for an SHRA benefit
- Not meeting professional commitments (for example, to return phone calls to clients or to arrive to work as scheduled)
- Submitting false time records
- Improperly disclosing client information without a business reason to do so
- Using SHRA equipment or time for a personal business or for the business of another employer
- Renting or leasing property you own or manage to SHRA or an SHRA client
- Having any financial interest (direct or indirect) in an entity doing business with SHRA.
- Managing the case file of a family member
- Accessing your own or a family member's case file
- Holding employment or serving on the board of an organization funded wholly or in part by the SHRA, without disclosing to SHRA in advance
- Knowingly violating any law, regulation, or ordinance

For purposes of this policy, a "family member" includes a spouse, registered domestic partner, child, parent, sibling, uncle, aunt, first cousin, nephew, or niece, as well as in-laws, step-relations, and half-relations (e.g., parents-in-law, stepsons or stepdaughters, or half-sisters or half-brothers).

Disclosing Information to SHRA

You must disclose any circumstances that could create an actual or perceived ethical breach to SHRA in advance, by immediately notifying your supervisor. The supervisor will then determine what appropriate steps to take, if any, to address the situation.

Here are some common circumstances in which you are required to disclose information to SHRA:

- If you or a family member are participating in an SHRA program.
- If you are assigned to manage a property or caseload which contains a family member.
- If you work for another employer, and your obligations to that employer could conflict with your obligations to SHRA

- If you have any financial interest in any entity doing business with SHRA
- If a family member works for or applies to work for SHRA
- If you purchase or obtain an interest in real property and any of the tenants residing at the property are clients of SHRA
- If you work for or serve on the board of an entity funded in whole or in part by SHRA

If you are subject to SHRA's "Conflict of Interest Code," you may be subject to additional disclosure requirements. The requirements in this policy are in addition to any disclosure requirements under the Code.

Treating Client Information Confidentially

Depending on the area in which you work, you may have access to private, personal information about SHRA clients or applicants, such as their family income, social security number, criminal and rental history, employment status, and disability status. Part of your ethical obligation requires you to treat that information confidentially, and not to disclose it to others unless there is a business reason to do so.

SHRA requires you to take particular measures to protect the confidentiality of client information transferred electronically. The Agency's Technology Usage Policy and Data Security Agreements are in place to ensure that technology is used in a professional and responsible manner. Agency departments, such as HCV, also use data security and confidentiality acknowledgement agreements that are specific to the requirements and restrictions of their programs. The Technology Usage Policy is available on the Agency Intranet. Some examples of the restrictions are:

- The use of "blind" copies ("bcc")
- Sharing any password to access any SHRA system or computer with any other individuals not specifically authorized to receive it.
- Leaving SHRA computers unattended when logged on, unless you have a password-protected screen saver.
- Transferring any client information to service providers or other agencies authorized to receive such information without a password protected/encrypted email message.

Accessing Client Information

If needed to do your job, SHRA provides you access to files and data about clients participating in SHRA programs. As stated above, if you or family member is participating in any SHRA programs, you must disclose it to SHRA. Doing so enables SHRA to prevent actual or perceived conflicts of interest or other ethical breaches.

However, in addition, you are not permitted to access any SHRA files or data about you or your family members. Nor may you participate in any way in the management of your or a family member's case file. You may only access files and data about clients on your caseload, and you must immediately notify your supervisor if someone assigned to your caseload is a family member.

If you are participating in either of SHRA programs, you must follow regular channels to meet with your caseworker during his or her regular work hours. You may not meet with your caseworker to discuss your case when you are scheduled to be performing work for SHRA or when your caseworker is not scheduled to be performing work for SHRA.

Renting or Leasing Property to Clients

If you own or manage property in Sacramento County, you may not rent to clients participating in the Housing Choice Voucher Program.

Outside Employment

SHRA generally does not seek to regulate how employees spend their time outside of work. If you choose to work for another employer while working for SHRA, however, you must continue to uphold the ethical obligations described in this policy and comply with SHRA's Outside Employment Policy. It is not ethical, for example, to use SHRA time or resources (phones, fax machines, email, etc.) to conduct business for another employer. Nor is it ethical to use confidential SHRA information for the benefit of another employer. You must have approval from SHRA, in advance, before you commence outside employment.

Working with Family Members

SHRA's Nepotism Policy is outlined in the Agency Personnel Rules which are available on the Agency Intranet. Please notify SHRA of any family members working for SHRA or of any circumstances that could result in a violation of this provision (e.g., if a family member applies for employment with SHRA, or you become related to another SHRA employee by marriage).

Complying With Other SHRA Policies

You may be required to comply with other SHRA policies and procedures that relate to this policy and your obligation to act ethically. If at any time you believe there is a conflict between this policy and any other SHRA policy or practice, please immediately bring the matter to the attention of your supervisor or Human Resources.

When You Have Questions or Complaints

SHRA obviously cannot anticipate every potential situation that may require you to make an ethical and responsible decision. Therefore, if you have any questions, you should direct them to your supervisor.

Additionally, if you observe others engaging in conduct that you believe violates this policy, we want you to share the information with us so that we can appropriately address it. SHRA will investigate all complaints, commensurate with the circumstances. Please report any perceived violations of this policy to your supervisor.

SHRA prohibits retaliation for making a complaint under this policy, or in participating in the investigation of a complaint. If you believe someone is violating this policy against retaliation, please immediately report it to your supervisor.

Procedure:

Staff shall:

Acknowledge receipt of the policy and follow the policy as outlined above.

Process:

1. Department Heads/Supervisors shall:
Assist with any questions as needed or forward to a higher level supervisor or to Human Resources as appropriate.
2. Human Resources shall:
Disseminate this policy to all staff upon hire and on an annual basis thereafter.

Non-compliance:

Failure to comply with this Policy may result in disciplinary action up to and including termination.



April 27, 2018

Sacramento Housing and
Redevelopment Commission
Sacramento, CA

Honorable Members in Session:

SUBJECT:

Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code Update

SUMMARY

The attached report is presented for your review prior to review and approval by the County of Sacramento.

RECOMMENDATION

Staff recommends approval of the recommendation outlined in the attached report.

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachment

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
June 19, 2018

To: Board of Supervisors and Housing Authority of the County of Sacramento

From: Sacramento Housing and Redevelopment Agency

Subject: Sacramento Housing And Redevelopment Agency (SHRA) Conflict Of Interest Code Update

Supervisory

District: Countywide

Contact: David Levin, General Counsel, 440-1319
Vickie Smith, Agency Clerk, 440-1363

Overview

The State of California's Political Reform Act requires that all public agencies adopt a Conflict of Interest (COI) Code for their employees, consultants and board members. This report updates the current SHRA conflict of interest code, disclosure categories, and designated employee list.

Recommendations

Adopt a **Housing Authority Resolution**: a) adopting the updated Conflict of Interest Code, designated positions, and disclosure categories for SHRA, b) repealing resolutions HA-1591, HA-1632, HA-1764, HA-1772, HA 1816, HA 1914, HA-1949, HA-1988, HA-2049, HA-2094, HA 2176, HA 2313, HA-2362, and HA-2395, and c) making related environmental findings.

Adopt a **Board of Supervisors Resolution**: a) approving the updated Conflict of Interest code, designated positions, and disclosure categories for SHRA, and b) making related environmental findings.

Measures/Evaluation

Not applicable

Fiscal Impact

Not applicable

BACKGROUND

The Sacramento Housing and Redevelopment Agency (SHRA) is a public agency that provides exclusive staffing for the Housing Authority of the County of Sacramento and administers certain federal housing and community development funding and programs on behalf of the County of Sacramento. As required by the State of California's Political Reform Act, all public agencies are required to adopt a Conflict of Interest (COI) Code for their employees, consultants and board members. In compliance with the law, SHRA adopted a Conflict of Interest Code on

January 25, 1983, which adopted by reference the provisions of the California Administrative Code. SHRA has periodically updated that code and currently desires to amend its designated employee list to reflect added or modified employee positions. Attachment 1 includes the COI code, the Disclosure Categories. The proposed update to the Designated Positions List is included as Attachment 2. In 2014, a “Code of Ethics” policy was adopted for all staff which is included as Attachment 3 for reference. The Code of Ethics policy outlines required ethical standards for all staff, regardless of their status as a designated COI Form 700 filer. Staff recommended adoption of the Code of Ethics policy as a “best practices” measure and to ensure clear guidance for employees regarding their conduct.

COMMISSION ACTION

At its meeting of May 2, 2018, the Sacramento Housing and Redevelopment Commission considered the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSAL:

MEASURES/EVALUATIONS

Not applicable

FINANCIAL ANALYSIS

Not applicable.

POLICY CONSIDERATIONS

A Conflict of Interest Code must be amended in the event of changed circumstances, such as the addition of new classifications or the modification of existing classifications (Government code Section 87306). SHRA's updated code includes the addition of positions that have been deemed to have authorities that require filing; modification of positions that have been reclassified; deletion of classifications that no longer exist; and deletion of positions that have been deemed not to have authorities that require filing.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA): Activities authorized in this report have been analyzed in accordance with CEQA and are determined to not be a project pursuant to 14 California Code of Regulations (CCR) § 15378(b)(2).

Sustainability Considerations: Not applicable.

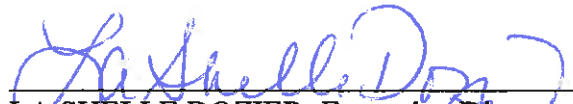
National Environmental Policy Act (NEPA): Activities authorized in this report have been analyzed in accordance with NEPA and are determined to be Exempt under 24 CFR § 58.34(a) (3).

M/WBE AND SECTION 3 CONSIDERATIONS

The activities recommended in this report do not involve federal funding; therefore, there are no M/WBE or Section 3 requirements.

Respectfully Submitted,

APPROVED
NAVDEEP S. GILL,
County Executive


LA SHELLE DOZIER, Executive Director
Sacramento Housing and Redevelopment Agency

By: _____
ROBERT B. LEONARD
Deputy County Executive

Attachments:

- RES – County BOS Resolution
- RES – HACOS Resolution
- ATT 1 - Conflict of Interest Code, Disclosure Categories
- ATT 2 - Designated employee list – edited
- ATT 3 - SHRA code of ethics policy

RESOLUTION NO. _____

**ADOPTED BY THE HOUSING AUTHORITY OF THE
COUNTY OF SACRAMENTO**

ON DATE OF

**APPROVING AND ADOPTING THE SACRAMENTO HOUSING AND
REDEVELOPMENT AGENCY CONFLICT OF INTEREST CODE AND LIST OF
DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES AND
ADOPTION OF CODE OF ETHICS**

WHEREAS, the Political Reform Act at California Government Code §81000 *et seq.*, requires every state or local government agency to adopt and promulgate a conflict of interest code; and

WHEREAS, the County of Sacramento is the code-reviewing body for the Sacramento Housing and Redevelopment Agency (Agency), but the Housing Authority as a member of the joint powers authority retains jurisdiction to approve revisions to Agency policy; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation at 2 California Code of Regulations (CCR) §18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act at California Government Code §11340, *et seq.*; and

WHEREAS, the Political Reform Act requires every local government agency to review its conflict of interest code periodically to determine whether it is accurate or needs to be amended.

WHEREAS, all persons holding designated positions file annual statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. The statements will be made available for public inspection and reproduction. Statements for all designated positions are retained by the Agency Clerk; and

WHEREAS, the recommended activity is not a project under the California Environmental Quality Act (CEQA) pursuant to 14 CCR §15378(b)(2) and no environmental review is required.

WHEREAS, the recommended action is an exempt activity under the National Environmental Policy Act (NEPA) pursuant to 24 Code of Federal Regulations (CFR) §58.34(a)(3).

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO

Section 1. The above recitals, including the environmental determinations, are found to be true and correct.

Section 2. Prior Housing Authority Resolutions adopted related to SHRA's Conflict of Interest Code (resolutions HA-1591, HA-1632, HA-1764, HA-1772, HA 1816, HA 1914, HA-1949, HA-1988, HA-2049, HA-2094, HA-2176, HA-2313, HA-2362 and HA-2395) are hereby repealed.

Section 3. The terms of 2 CCR §18730, and amendments to that section which may be duly adopted by the Fair Political Practices Commission, is hereby adopted by reference as the body of the Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency and the Housing Authority of the County of Sacramento.

Section 4. The Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency and Designated Positions and Disclosure Categories is hereby approved.

On a motion by Member _____, seconded by Member _____, the foregoing Resolution was passed and adopted by the Housing Authority of the County of Sacramento, State of California this 19th day of June, 2018, by the following vote, to wit:

AYES: Members,

NOES: Members,

ABSENT: Members,

ABSTAIN: Members,

RECUSAL: Members,

(PER POLITICAL REFORM ACT (§ 18702.5))

Chair of the Housing Authority
of Sacramento County, California

(SEAL)

ATTEST: _____
Clerk

RESOLUTION NO. _____

APPROVING SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

WHEREAS, the Political Reform Act, Government Code §81000 et seq., requires every state or local government agency to adopt and promulgate a conflict of interest code; and

WHEREAS, the County of Sacramento is the code-reviewing body for the Sacramento Housing and Redevelopment Agency (Agency) and the County as a member of the joint powers agency retains jurisdiction to approve revisions to Agency policy; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act, Government Code Sections 11370, et seq.; and

WHEREAS, the Political Reform Act requires every local government agency to review its conflict of interest code periodically to determine if it is accurate or needs to be amended.

WHEREAS, all persons holding designated positions file annual statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. The statements will be made available for public inspection and reproduction. Statements for all designated positions are retained by the Agency Clerk; and

WHEREAS, the recommended activity is not a project under California Environmental Quality Act Guidelines section 15378(b)(2) and no environmental review is required; and

WHEREAS, the recommended action is an exempt activity under the National Environmental Policy Act, 24 CFR 58.34(a)(3).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO:

Section 1. The above recitals, including the environmental recitals, are found to be true and correct.

Section 2. The terms of 2 Cal. Code of Regulations Section 18730, and amendments to that section which may be duly adopted by the Fair Political Practices Commission, is hereby

Sacramento Housing And Redevelopment Agency (Agency) Conflict Of Interest Code Update And Code Of Ethics Adoption
Page 2

adopted by reference as the body of the Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency.

Section 3. The Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency and Designated Positions and Disclosure Categories is hereby approved.

Section 4. This Conflict of Interest Code is effective immediately and newly added designees are required to file within 30 days of the effective date of the Code.

On a motion by Member _____, seconded by Member _____, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California this 19th day of June 2018 by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

ABSENT: Supervisors,

ABSTAIN: Supervisors,

RECUSAL: Supervisors,

(PER POLITICAL REFORM ACT (§ 18702.5))

Chair of the Board of Supervisors
of Sacramento County, California

(SEAL)

ATTEST: _____
Clerk

Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation, along with the designation of employees and the formulation of disclosure categories in Exhibit A attached, constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code section 87300 or the amendment of a conflict of interest code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest. Therefore the terms of 2 California Code of Regulations (CCR) Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Exhibits designating positions and establishing disclosure requirements shall constitute the conflict of interest code of the Sacramento Housing and Redevelopment Agency.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

Section 2. Designated Employees.

The persons holding positions listed in Exhibit B are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests. **Consultants/New Positions** are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: the Executive Director or designee may determine in writing that a particular consultant or new position, although a "designated position" is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements of this section. Such written determination shall include a description of the consultant's or new positions duties and, based on up that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008).

Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq. In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and

(C) The filing officer is the same for both agencies.

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Exhibit A specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in Exhibit A. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

Section 4. Statements of Economic Interests: Place of Filing.

Individuals holding designated positions at the Agency shall file their statements of economic interest with the Agency Clerk who make the statements available for public inspection and reproduction (Govt Code Sec. 81008).

Section 5. Statements of Economic Interests: Time of Filing.

(A) **Initial Statements.** All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) **Assuming Office Statements.** All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1st.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

Section 5.5. Statements for Persons Who Resign Prior to Assuming Office. Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs. Section 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure. When an investment or an interest in real property is required to be reported, the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported, the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

Section 8.1. Prohibition on Receipt of Gifts in Excess of \$460.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (8), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$460 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code section 83114 and 2 Cal. Code Regs. Sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the Agency to issue any formal or informal opinion.

Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code section

87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

1 Designated employees who are required to file statements of economic interests under any other Agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.

2. See Government Code section 81010 and 2 Cal. Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3. For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4. Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5. A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6. Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer. Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).

Certificate of Compliance included.

2. Editorial correction (Register 80, No. 29).

3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No.2).

4. Amendment of subsection (b) (7) (8) 1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No.5).

5. Amendment of subsection (b)(7) (A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).

6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).

7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).

8. Amendment of subsections (b)(8)(A) and (b)(8)(8) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).

10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No.6).

11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title1, section 1 ~O, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.

12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No.1).

13. Editorial correction adding History11 and 12 and deleting duplicate section number (Register 94, No. 17).

14. Amendment of subsection (b)(8), designation of subsection (b)(S)(A), new subsection (b)(S)(8), and amendment of subsections (b)(8.1)-(b)(8.1)(8), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(S)(A)-(8) and (b)(8.1)(A), repealer of subsection (b)(8.1)(8), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).
18. Amendment of subsections (b)(7)(8)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
19. Editorial correction of subsection (a) (Register 98, No. 47).
20. Amendment of subsections (b)(8.1), (b)(S.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
21. Amendment of subsections (b)(8.1)-(b)(S.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).
22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No.2).
23. Amendment of subsections (b)(7)(A)4., (b)(7)(8)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4 filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices*

Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements) (Register 2001, No.7).

24. Amendment of subsections (b)(B.1)-(b)(B.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No.3).

25. Editorial correction of History24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B)

(Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(B.1)(A), (b)(9)(E) and

(b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No.1).

28. Amendment of Subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005

(Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(B.1), (b)(B.1)(A) and (b)(9)(E) filed

12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of Subsections (b)(B.1)-(b)(B.1)(A) and (b)(9)(E) filed 10-31-2008; operative

11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 200B, No. 44).

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY DISCLOSURE CATEGORIES -

Category 1:

- a. Interest in real property located within the City and County of Sacramento (excluding your primary residence [owned or leased]);
- b. All income, loans and gifts, investments, positions and ownership interests in any business located in or doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency; and
- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 2:

- a. Interest in real property located within the City and County of Sacramento, (excluding your primary residence [owned or leased]);
- b. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property maintenance and construction, general office supplies and services, consulting and services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and
- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 3:

- a. Interest in any real property improved for residential purposes or zoned for residential use located within the City or County of Sacramento (excluding your primary residence [owned or leased]);
- b. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property

maintenance and construction, general office supplies and services, consulting and services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and

- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 4:

- a. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property maintenance and construction, general office supplies and services, consulting and services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and
- b. All sources of income, loans and gifts from individuals residing in the City of County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code (Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.).

Designated position	Change	Disclosure Category
AGENCY CLERK	No change	1
AGENCY COUNSEL	No change	1
ASSISTANT DIRECTOR (includes Assistant Directors in any department)	No Change	1
COMMUNITY DEVELOPMENT ANALYST 1, 2, or 3	No Change	2
COMPLIANCE/PROCUREMENT ANALYST	No change	1
CONSTRUCTION TECHNICIAN	No change	3
DEPUTY EXECUTIVE DIRECTOR	No change	1
DIRECTOR (includes Directors in any department)	No Change	1
EXECUTIVE DIRECTOR	No change	1
GENERAL COUNSEL	No change	1
HOUSING PROGRAM – SPECIALIST - HCV & HSG	No change	3
HOUSING AUTHORITY ANALYST – HCV & HSG	No change	3
HOUSING FINANCE ANALYST - RANGE 1, 2 or 3	No Change	2
HOUSING PROGRAM TECHNICIAN 1 or 2	No Change	3
<u>HOUSING SERVICES COORDINATOR</u>	<u>New Position</u>	<u>3</u>
<u>IT APP/DEV SPECIALIST ANALYST</u>	<u>Corrected title No Change</u>	4
<u>IT BUSINESS ANALYST</u>	<u>New position</u>	<u>4</u>
IT NETWORK/MIDRANGE SPECIALIST	No Change	4
LOAN ADMINISTRATOR	No Change	2
LOAN SERVICING ANALYST	No Change	2
MANAGEMENT ANALYST (also includes Environmental Analyst and Risk Services Manager positions)	No Change	1

Designated position	Change	Disclosure Category
MAINTENANCE LEAD	No Change	3
MAINTENANCE SPECIALIST – Stationery Engineer or Fire and Life Safety	No Change	3
PRINCIPAL CONSTRUCTION ARCHITECT/CONSTRUCTION ENGINEER	No Change	2
PRINCIPAL CONSTRUCTION TECHNICIAN	No Change	2
PRINCIPAL HOUSING AUTHORITY ANALYST – HCV or HSG	No Change	3
PRINCIPAL LOAN PROCESSING ANALYST	No Change	2
PRINCIPAL REGULATORY COMPLIANCE ANALYST	No change	2
PROGRAM INTEGRITY ANALYST	No Change	2
PROGRAM MANAGER (also includes Design/Construction, Finance, HCV, HSG, HR, Real Estate, Community Development, Portfolio Management and IT Managers)	No Change	1
PROJECT MANAGER	No Change	1
PUBLIC INFORMATION OFFICER	No Change	1
REAL ESTATE COORDINATOR	No Change	1
REDEVELOPMENT ANALYST RANGE 1, 2 or 3	No Change	3
REDEVELOPMENT PLANNER - RANGE 1, 2, or 3	No Change	2
REDEVELOPMENT SPECIALIST 1, 2, OR 3	No Change	2
REGULATORY COMPLIANCE ANALYST	No change	2
SENIOR HR ANALYST	No Change	1
SENIOR LOAN SERVICING ANALYST	<u>New position</u>	<u>2</u>
SENIOR PROGRAM ANALYST	<u>New position</u>	<u>2</u>

Designated position	Change	Disclosure Category
– PROMISE ZONE COORDINATOR		
SITE MANAGER I/II	No Change	2
SUPERVISOR (also includes Homeownership, Housing Authority and Procurement Supervisors)	No Change	1
SHRA COMMISSION MEMBERS	No change	1
LOAN COMMITTEE MEMBERS	No change	1
CONSULTANTS/NEW POSITIONS	No change	1

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18700.3. Consultant, Public Official Who Manages Public Investments: Definitions.

(a) For purposes of Sections 82019 and 82048, “consultant” means an individual who, pursuant to a contract with a state or local government agency:

(1) Makes a governmental decision whether to:

(A) Approve a rate, rule, or regulation;

(B) Adopt or enforce a law;

(C) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;

(D) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;

(E) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;

(F) Grant agency approval to a plan, design, report, study, or similar item;

(G) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(2) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18704(a) and (b) or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Section 87302.

(b) For purposes of Section 87200, the following definitions apply:

(1) “Other public officials who manage public investments” means:

(A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (b)(1)(B).

(c) “Public investments” means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(d) “Public moneys” means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(e) “Management of public investments” means the following nonministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82019, 82048, 87100, 87200 and 87302, Government Code.

HISTORY

1. New section filed 6-22-2015; operative 7-22-2015. Submitted to OAL for filing and printing only pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 26). For prior history, see Register 2015, No. 18.

2. Amendment of subsection (a)(2) filed 7-10-2015; operative 7-10-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 28).

Sacramento Housing and Redevelopment Agency

POLICY/PROCEDURE INSTRUCTION

TO: All SHRA Staff
FROM: La Shelle Dozier, Executive Director
POLICY SUBJECT: SHRA Code of Ethics Policy - Acting Ethically and Responsibly
EFFECTIVE: July 15, 2014

Scope - This policy applies to all employees of the Sacramento Housing and Redevelopment Agency (SHRA).

Purpose - The purpose of this Policy is to help you understand SHRA's expectations for ethical and responsible behavior and related legal requirements.

Policy: As a public agency, SHRA is committed to acting in the best interest of the communities and clients whom we serve. We have the same expectation of our employees.

SHRA's Conflict of Interest Code

Certain employees are subject to SHRA's "Conflict of Interest Code" (the "Code"). The Code requires employees to avoid conflicts of interest. In addition, employees subject to the Code are required to disclose certain economic interests to SHRA. If you are required to comply with the Code, you will be notified by the Agency Clerk.

The obligations established in this policy are in addition to any obligations established by the Conflict of Interest Code. However, if you ever feel this policy and the Code are in conflict, please discuss the matter with your supervisor.

Our Ethical Values

As an organization, we value:

- **Honesty and personal integrity**, including truthfulness in our dealings with SHRA, our coworkers, and the public.
- **Respect for others**, meaning acting professionally and courteously toward others, and following all SHRA rules regarding appropriate behavior and conduct toward others.
- **Legal compliance**, which includes the responsibility to know and follow the laws, regulations, and ordinances that apply to SHRA, to request assistance when we are unsure about the proper course of conduct, and to notify SHRA of potentially illegal or unethical conduct.

- **Protection of public resources**, which requires us not to misuse SHRA resources or time for personal or other reasons.

SHRA's Expectations of Employees

SHRA expects you to exhibit the values described above in your work and workplace behavior, to ask for assistance when needed, and to notify SHRA when you believe someone may have violated this policy.

Here are some examples of conduct that violates this policy:

- Accepting a bribe or favor in exchange for an SHRA benefit
- Not meeting professional commitments (for example, to return phone calls to clients or to arrive to work as scheduled)
- Submitting false time records
- Improperly disclosing client information without a business reason to do so
- Using SHRA equipment or time for a personal business or for the business of another employer
- Renting or leasing property you own or manage to SHRA or an SHRA client
- Having any financial interest (direct or indirect) in an entity doing business with SHRA.
- Managing the case file of a family member
- Accessing your own or a family member's case file
- Holding employment or serving on the board of an organization funded wholly or in part by the SHRA, without disclosing to SHRA in advance
- Knowingly violating any law, regulation, or ordinance

For purposes of this policy, a "family member" includes a spouse, registered domestic partner, child, parent, sibling, uncle, aunt, first cousin, nephew, or niece, as well as in-laws, step-relations, and half-relations (e.g., parents-in-law, stepsons or stepdaughters, or half-sisters or half-brothers).

Disclosing Information to SHRA

You must disclose any circumstances that could create an actual or perceived ethical breach to SHRA in advance, by immediately notifying your supervisor. The supervisor will then determine what appropriate steps to take, if any, to address the situation.

Here are some common circumstances in which you are required to disclose information to SHRA:

- If you or a family member are participating in an SHRA program.
- If you are assigned to manage a property or caseload which contains a family member.
- If you work for another employer, and your obligations to that employer could conflict with your obligations to SHRA

- If you have any financial interest in any entity doing business with SHRA
- If a family member works for or applies to work for SHRA
- If you purchase or obtain an interest in real property and any of the tenants residing at the property are clients of SHRA
- If you work for or serve on the board of an entity funded in whole or in part by SHRA

If you are subject to SHRA's "Conflict of Interest Code," you may be subject to additional disclosure requirements. The requirements in this policy are in addition to any disclosure requirements under the Code.

Treating Client Information Confidentially

Depending on the area in which you work, you may have access to private, personal information about SHRA clients or applicants, such as their family income, social security number, criminal and rental history, employment status, and disability status. Part of your ethical obligation requires you to treat that information confidentially, and not to disclose it to others unless there is a business reason to do so.

SHRA requires you to take particular measures to protect the confidentiality of client information transferred electronically. The Agency's Technology Usage Policy and Data Security Agreements are in place to ensure that technology is used in a professional and responsible manner. Agency departments, such as HCV, also use data security and confidentiality acknowledgement agreements that are specific to the requirements and restrictions of their programs. The Technology Usage Policy is available on the Agency Intranet. Some examples of the restrictions are:

- The use of "blind" copies ("bcc")
- Sharing any password to access any SHRA system or computer with any other individuals not specifically authorized to receive it.
- Leaving SHRA computers unattended when logged on, unless you have a password-protected screen saver.
- Transferring any client information to service providers or other agencies authorized to receive such information without a password protected/encrypted email message.

Accessing Client Information

If needed to do your job, SHRA provides you access to files and data about clients participating in SHRA programs. As stated above, if you or family member is participating in any SHRA programs, you must disclose it to SHRA. Doing so enables SHRA to prevent actual or perceived conflicts of interest or other ethical breaches.

However, in addition, you are not permitted to access any SHRA files or data about you or your family members. Nor may you participate in any way in the management of your or a family member's case file. You may only access files and data about clients on your caseload, and you must immediately notify your supervisor if someone assigned to your caseload is a family member.

If you are participating in either of SHRA programs, you must follow regular channels to meet with your caseworker during his or her regular work hours. You may not meet with your caseworker to discuss your case when you are scheduled to be performing work for SHRA or when your caseworker is not scheduled to be performing work for SHRA.

Renting or Leasing Property to Clients

If you own or manage property in Sacramento County, you may not rent to clients participating in the Housing Choice Voucher Program.

Outside Employment

SHRA generally does not seek to regulate how employees spend their time outside of work. If you choose to work for another employer while working for SHRA, however, you must continue to uphold the ethical obligations described in this policy and comply with SHRA's Outside Employment Policy. It is not ethical, for example, to use SHRA time or resources (phones, fax machines, email, etc.) to conduct business for another employer. Nor is it ethical to use confidential SHRA information for the benefit of another employer. You must have approval from SHRA, in advance, before you commence outside employment.

Working with Family Members

SHRA's Nepotism Policy is outlined in the Agency Personnel Rules which are available on the Agency Intranet. Please notify SHRA of any family members working for SHRA or of any circumstances that could result in a violation of this provision (e.g., if a family member applies for employment with SHRA, or you become related to another SHRA employee by marriage).

Complying With Other SHRA Policies

You may be required to comply with other SHRA policies and procedures that relate to this policy and your obligation to act ethically. If at any time you believe there is a conflict between this policy and any other SHRA policy or practice, please immediately bring the matter to the attention of your supervisor or Human Resources.

When You Have Questions or Complaints

SHRA obviously cannot anticipate every potential situation that may require you to make an ethical and responsible decision. Therefore, if you have any questions, you should direct them to your supervisor.

Additionally, if you observe others engaging in conduct that you believe violates this policy, we want you to share the information with us so that we can appropriately address it. SHRA will investigate all complaints, commensurate with the circumstances. Please report any perceived violations of this policy to your supervisor.

SHRA prohibits retaliation for making a complaint under this policy, or in participating in the investigation of a complaint. If you believe someone is violating this policy against retaliation, please immediately report it to your supervisor.

Procedure:

Staff shall:

Acknowledge receipt of the policy and follow the policy as outlined above.

Process:

1. Department Heads/Supervisors shall:
Assist with any questions as needed or forward to a higher level supervisor or to Human Resources as appropriate.
2. Human Resources shall:
Disseminate this policy to all staff upon hire and on an annual basis thereafter.

Non-compliance:

Failure to comply with this Policy may result in disciplinary action up to and including termination.

RESOLUTION NO. SHRC-2018-

ADOPTED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION UNDER THE AUTHORITY DELEGATED TO THE COMMISSION PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE, SECTION 33202 BY RESOLUTION NO. RA 81-083 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. RA-83 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981, AND PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34292 BY RESOLUTION NO. HA 81-098 ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. HA-1497 ADOPTED BY THE HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981.

ON DATE OF

May 2, 2018

ADOPTING A CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

WHEREAS, the Political Reform Act, Government Code §81000 et seq., requires every state or local government agency to adopt and promulgate conflict of interest code; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act, Government Code Sections 11370, et seq.; and

WHEREAS, the Political Reform Act requires every local government agency to review its conflict of interest code periodically to determine if it is accurate or needs to be amended; and

WHEREAS, all persons holding designed positions file statements of economic interests with the Sacramento Housing and Redevelopment Agency (Agency) Clerk, who is the filing officer with respect to these statements. The statements will be made available for public inspection and reproduction. Statements for all designated positions are retained by the Agency Clerk.

WHEREAS, the recommended activity is not a project under California Environmental Quality Act Guidelines section 15378(b) (2) and no environmental review is required; and

WHEREAS, the recommended action is an exempt activity under the National Environmental Policy Act, 24 CFR 58.34(a)(3).

NOW, THEREFORE, BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

Section 1. The above recitals, including the environmental recitals, are found to be true and correct.

Section 2. The terms of 2 Cal. Code of Regulations Section 18730, and amendments to that section which may be duly adopted by the Fair Political Practices Commission, is hereby adopted by reference as the body of the Conflict of Interest Code of the Sacramento Housing and Redevelopment Agency (Exhibit A).

Section 3. The list of designated positions and disclosure categories attached hereto as Exhibit A is hereby adopted as the Appendix of Designated Positions and Disclosure Categories referred to in 2 Cal. Code of Regulations Section 18730.

Table of Contents:

Exhibit A: SHRA Conflict of Interest Code, Designated Positions and Disclosure Categories.

CHAIR

ATTEST:

CLERK



April 26, 2018

Sacramento Housing and
Redevelopment Commission
Sacramento, CA

Honorable Members in Session:

SUBJECT:

Annual Reports of the Housing Trust Fund, Mixed Income Housing Ordinance, and HOME Investment Partnership Program (HOME) and Authorization to Building Homes And Jobs Act (Senate Bill 2) Funds

SUMMARY

The attached report is submitted to you for review prior to submission to the City of Sacramento.

RECOMMENDATION

Staff recommends approval of the actions outlined in the attached resolutions.

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachment



REPORT TO CITY COUNCIL
City of Sacramento
915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

Consent
May 22, 2018

Honorable Mayor and Members of the City Council

Title: Annual Reports of the Housing Trust Fund, Mixed Income Housing Ordinance and HOME Investment Partnerships Program, and Authorization to Receive Building Homes and Jobs Act (Senate Bill 2) Funds

Location/Council District: Citywide

Recommendation: 1) Receive and File the annual reports of the Housing Trust Fund, Mixed Income Housing Ordinance and HOME Investment Partnerships Program; and 2) pass a **City Council Resolution** authorizing Sacramento Housing and Redevelopment Agency to receive and administer funds from the Building Homes and Jobs Act (Senate Bill 2).

Contact: Christine Weichert, Assistant Director, Development Finance, (916) 440-1353
Tyrone Roderick Williams, Director of Development, (916) 440-1316

Presenters: Not applicable.

Department: Sacramento Housing and Redevelopment Agency

Description/Analysis

Issue Detail:

Existing Funding Sources

This report provides information on the status of the City Housing Trust Fund Ordinance, Mixed Income Housing Ordinance and HOME Investment Partnerships Program (HOME) for calendar year 2017. SHRA administers these funds on behalf of the City of Sacramento.

Housing Trust Fund – The City Housing Trust Fund (HTF) ordinance authorizes the collection of fees on non-residential construction to fund low and very low-income housing. The ordinance requires an annual report to the City Council. The HTF ordinance was adopted in 1989 to raise local financing for affordable housing near employment centers. Fees on non-residential developments generate revenue based on an economic nexus analysis. The analysis determined that the construction of

commercial projects such as offices, business parks, hotels, warehouses, and shopping centers played a major role in attracting new very low- and low-income workers to Sacramento. The fee-generated revenue is used to develop affordable housing units with the goal of increasing the supply available for lower-income workers. On February 14, 2017, the City Council (Council) removed Chapter 17.708 of the Sacramento City Code (Code) and added Article IV to Chapter 18.56 Development Impact Fees of the Code, relating to the Housing Trust Fund Ordinance (No. 2017-013). See Attachment 2 for the Housing Trust Fund Annual Report for 2017.

Mixed Income Housing Ordinance – The Mixed Income Housing Ordinance requires an affordable housing impact fee for all new housing units and large subdivisions to assist with the provision of housing for a variety of incomes and household types. The fee-generated revenue is placed in the citywide Housing Trust Fund and is used to develop affordable housing units with the goal of increasing the supply available for lower-income workers. See Attachment 3 for the Mixed Income Housing Ordinance Annual Report for 2017.

HOME Investment Partnerships Program – The federal HOME Investment Partnerships Program (HOME) provides grants to fund a wide range of activities including construction, acquisition, and/or rehabilitation of affordable housing. The report attached quantifies affordable housing production with HOME funds during the reporting period encompassing the calendar year 2017. See Attachment 4 for HOME Annual Report.

SHRA currently follows the Multifamily Lending and Mortgage Revenue Bond Policies adopted by Council on March 17, 2009 for the allocation of funds generated by the Housing Trust Fund Ordinance, Mixed Income Housing Ordinance and from the HOME Program. As approved by the City Council on November 7, 2017, pre-applications for funding in 2018 will be accepted on January 2nd, August 1st, and October 1st (based on funding availability).

New Funding Source

Building Homes and Jobs Act (SB 2) – In September of 2017, Governor Jerry Brown signed the Building Homes and Jobs Act (SB 2). The bill imposes a recording fee on real estate transactions to be made available to the Department of Housing and Community Development and to local entitlement jurisdictions. It is estimated the proceeds from SB 2 will amount to approximately \$250 million statewide to help finance new and rehabilitated housing units for low-income residents. As an entitlement jurisdiction, it is expected the City of Sacramento will receive a portion of these funds. This report requests authorization for SHRA to receive the SB 2 funds on behalf of the City of Sacramento. SHRA will administer these funds in accordance with its Multifamily Lending and Mortgage Revenue Bond Policies approved by City Council on March 17, 2009.

Policy Considerations: The recommended action is consistent with: 1) goals in the Council approved Multifamily Lending and Mortgage Revenue Bond Policies to
a) increase and preserve the supply of affordable rental housing for all income groups, including those requiring supportive services, b) facilitate community and neighborhood

revitalization through strategic investments in deteriorated properties and new construction, c) encourage economic integration within neighborhoods and within affordable developments, to the greatest extent possible, d) maintain quality and sustainable living environments for residents of assisted affordable developments and surrounding properties and e) increase the efficiency of Agency funding by obtaining the fullest leverage of non-Agency funds (Resolution No. 2009-148); and 2) the 2013-2021 Housing Element, which promotes production of a) new housing, b) extremely low-income and special needs housing, c) rehabilitation and preservation of existing housing, d) accessible housing and neighborhoods, and e) modest income homeownership housing (Resolution No. 2013-415).

Economic Impacts: None.

Environmental Considerations:

California Environmental Quality Act (CEQA): The action is not a project per 14 California Code of Regulations (CCR) §15378(b).

Sustainability Considerations: Not applicable.

Other: National Environmental Policy Act (NEPA): This action is exempt per 24 Code of Federal Regulations (CFR) §58.34(a)(2) and (3)

Commission Action: At its meeting of May 2, 2018, the Sacramento Housing and Redevelopment Commission (Commission) reviewed the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

ABSTAIN:

ABSENT:

Rationale for Recommendation: Pursuant to the Mitigation Fee Act (California Government Code §66000 et. seq.), SHRA is required to provide an annual report to the Council on revenue and production generated by the City Housing Trust Fund. Pursuant to the revised Mixed Income Housing Ordinance (No. 2015-0029), SHRA is required to provide an annual report to the City Council, the Planning and Design Commission and the Sacramento Housing and Redevelopment Commission on the status of activities generated by the housing impact fee. For informational purposes, SHRA is providing this annual report to the Commission and Council on revenue and production generated by the HOME Program. Administration of the funds generated under Senate Bill 2, in concert with the other funds administered by SHRA, will allow for additional leverage opportunities and increase the production of affordable housing units.

Financial Considerations: The City Housing Trust Fund has collected a total of \$43,564,261 in fees, interest, and loan repayments since the inception of the fund in 1989. A total of \$32,414,200 has been expended on projects, and \$2,964,455 on administration, which is approximately seven percent of total fee revenue. The 2017 ending balance was \$8,185,605. After subtracting for projects with budgeted expenditures, the balance available for new projects was \$957,809 as of January 9, 2018.

The City Mixed Income Housing Ordinance has collected a total of \$1,674,941 in fees and interest since the inception of the revised Ordinance in 2015. A total of \$108,396 has been expended on administration, which is approximately seven percent (to the City and to SHRA) of the total fee revenue. SHRA administrative fees covered the development of various housing strategies including Aspen 1, Delta Shores, Panhandle, Greenbriar and Railyards master developments, and implementation of existing inclusionary housing regulatory agreements. The 2017 ending balance available for new projects was \$1,566,545 as of December 31, 2017.

The City HOME Investment Partnerships Program collected a total of \$2,334,199 in interest and loan repayments in 2017. A total of \$1,341,000 was expended on projects, and \$35,615 on administration, which is approximately two percent of the 2017 HOME entitlement of \$1,872,310. After subtracting for projects with budgeted expenditures, the balance available for new projects was \$1,198,054 as of December 31, 2017.

LBE - M/WBE and Section 3 requirements: Not applicable.

Respectfully Submitted by:


LA SHELLE DOZIER
Executive Director

Attachments

- 01 Description/Analysis and Background
- 02 Housing Trust Fund Annual Report
- 03 Mixed Income Housing Ordinance Annual Report
- 04 HOME Investment Partnerships Program Annual Report
- 05 Resolution Authorizing SHRA to Receive and Administer SB 2 Funds

City of Sacramento Housing Trust Fund
Annual Report
for
January 1, 2017 to January 9, 2018

Sacramento Housing and Redevelopment Agency
May 2018

HOUSING TRUST FUND ANNUAL REPORT FOR 2017 (through January 9, 2018)

The Housing Trust Fund (HTF) ordinance was adopted in 1989 to provide local financing for affordable housing near employment centers (Chapter 17.708 of the Sacramento City Code). Fees on non-residential development generate the revenue based on an economic nexus analysis which determined that the construction of commercial developments such as offices, business parks, hotels, warehouses, and shopping centers played a major role in attracting new very low and low-income workers to Sacramento.

Due to the jobs/housing linkage, trust funds assist housing that is to be occupied by persons in the labor force. Overall, developments must be located within a seven-mile radius of the employment-generating uses that pay housing trust fund fees. The City's Housing Trust Fund benefits both very low and low-income households earning up to 80 percent of the area median income.

In 2001, the City Council (Council) amended the City Housing Trust Fund Ordinance to allow the use of commercial development impact fees paid into the North Natomas housing trust fund to be used for the same purposes as the citywide fund. Although the amendment integrated the purposes of the funds, it did not change their different fee schedules. The North Natomas fees are based on land use, while the City fees are based on building types.

On October 12, 2004, the Council approved Ordinance 2004-057 instituting an automatic annual increase for the Housing Trust Fund fee based on changes in the construction cost index. The automatic increase ensures that the fund keeps pace with housing construction costs.

On February 14, 2017, the Council approved Ordinance 2017-0010 to add Chapter 18.56 to Title 18 of the Sacramento City Code, relating to the Development Impact Fee (DIF) program. The DIF program was developed to prioritize and restructure impact fees as part of a master ordinance established under City Code Chapter 18.56 and includes the Housing Trust Fund fee among other impact fees. Council also approved Ordinance 2017-0013 to add Article IV to Chapter 18.56 and deleting Chapter 17.708 of the Sacramento City Code, relating to the Housing Trust Fund fee. These ordinances were effective as of April 15, 2017.

Pursuant to the Mitigation Fee Act (California Government Code §66000 et. seq.) and consistent with the Housing Trust Fund Nexus Analysis adopted by Council Resolution 2017-0072, this report provides the public with information on revenue and production generated by the City Housing Trust Fund for calendar year 2017, through January 9, 2018.

Citywide Developments
As of July 1, 2017

Building Type/HTF Fee Level (Fee/SqFt)	
Office	\$2.51
Hotel	\$2.39
Commercial	\$2.01
Manufacturing	\$1.57
Warehouse	\$0.69

The following 2017 City Housing Trust Fund Financial Information tables provide the following figures for the fund in 2017, including:

- beginning and ending balance
- revenue, including the amount of fees collected, interest earned, and income from loan repayments
- amount of expenditures for developments and operations
- amount budgeted, but not expended, for developments
- balance available for new developments

2017 City Housing Trust Fund Financial Information

Beginning Balance	
	\$ 6,769,374
Income	
Fees Collected	\$ 1,070,962
Interest	\$ 91,614
Loan Repayment	\$ 1,865,479
Total Income	\$ 3,028,055
Balance and Total Income	
	\$ 9,797,429
Expense	
Operations	\$ 191,620
Projects	\$ 1,420,204
Total Expense	\$ 1,611,824
Ending Balance	
Remaining Project Balances	\$ 7,227,796
Balance Available for Projects*	\$ 957,809
Ending Balance	\$ 8,185,605

The interest earnings include both interest earnings from the investment pool and interest earned from the interest portion of loan repayments on loans made with the Housing Trust Fund. The loan repayment income can be largely attributed to the \$1,564,854 payoff of the construction and permanent Housing Trust Fund principal loan and interest for Atrium Court (\$806,660) and Pensione K (\$758,194) Apartments. The remaining \$300,625 is from monthly amortized loan repayments of previously Housing Trust Fund assisted developments.

The 2017 City Housing Trust Fund Expenditures table below identifies current Housing Trust Fund developments, expenditures, and balance available. For each development, the chart also identifies the Housing Trust Fund restricted units, the total number of housing units, and the loan maturity date.

2017 City Housing Trust Fund Development Expenditures

Development	Address	HTF Units	Total Units	Total HTF Budgeted	HTF 2017 Expenditure	Remaining Balance	Loan Maturity Date
700 Block of K	700 K St	5	137	\$ 790,000	\$ 161,974	\$ 628,026	10/1/2071
Twin Rivers	321 Eliza St.	28	80	\$ 5,000,000	\$ 0	\$ 5,000,000	N/A
Bel-Vue	1123 8 th St	13	22	\$ 2,100,000	\$ 500,230	\$ 1,599,770	7/1/2059
Pensione K	1100 17 th St	6	129	\$ 758,000	\$ 758,000	\$ 0	3/1/2074
TOTAL		61	473	\$ 8,648,000	\$ 1,420,204	\$ 7,227,796	

1989-2017 City Housing Trust Fund Income Report

Year	Fees	Interest	Income	Total Income
1989	0	0	0	0
1990	\$ 121,578	0	0	\$ 121,578
1991	\$ 1,646,184	0	0	\$ 1,646,184
1992	\$ 521,759	0	0	\$ 521,759
1993	\$ 873,478	0	0	\$ 873,478
1994	\$ 1,082,332	\$ 95,501	0	\$ 1,177,833
1995	\$ 416,276	\$ 88,020	0	\$ 504,296
1996	\$ 656,201	\$ 103,340	0	\$ 759,541
1997	\$ 667,167	\$ 105,717	\$ 821	\$ 773,705
1998	\$ 1,637,034	\$ 184,924	\$ 49,188	\$ 1,871,146
1999	\$ 1,209,832	\$ 230,422	\$ 5,000	\$ 1,445,254
2000	\$ 710,079	\$ 272,790	\$ 15,000	\$ 997,869
2001	\$ 484,138	\$ 184,757	\$ 31,313	\$ 700,208
2002	\$ 2,336,496	\$ 10,105	\$ 23,642	\$ 2,370,243
2003	\$ 1,313,586	\$ 138,628	\$ 123,081	\$ 1,575,295
2004	\$ 1,166,373	\$ 3,642	\$ 979,864	\$ 2,149,879
2005	\$ 1,566,784	\$ 156,350	\$ 58,905	\$ 1,782,039
2006	\$ 2,913,727	\$ 226,675	\$ 204,225	\$ 3,344,627

2007	\$ 2,700,187	\$ 351,634	\$ 198,592	\$ 3,250,413
2008	\$ 2,270,234	\$ 273,355	\$ 222,170	\$ 2,765,759
2009	\$ 454,668	\$ 123,427	\$ 185,748	\$ 763,843
2010	\$ 257,702	\$ 158,357	\$ 192,127	\$ 608,186
2011	\$ 255,282	\$ 118,144	\$ 242,628	\$ 616,054
2012	\$ 130,389	\$ 235,339	\$ 199,417	\$ 565,145
2013	\$ 382,413	\$ 188,291	\$ 1,466,191	\$ 2,036,895
2014	\$ 387,879	\$ 191,146	\$ 362,430	\$ 941,455
2015	\$ 916,249	\$ 33,472	\$ 1,232,396	\$ 2,182,116
2016	\$ 1,969,735	\$ 51,082	\$ 2,170,588	\$ 4,191,405
2017	\$ 1,070,962	\$ 91,614	\$ 1,865,479	\$ 3,028,055
TOTAL	\$ 30,118,724	\$ 3,616,732	\$ 8,544,824	\$ 43,564,261

The City Housing Trust Fund Developments table and map identifies all properties which received Housing Trust Funds and the total number of units produced.

City Housing Trust Fund Developments

Project Status	Project Name	Total Units
Completed	1048 Jean Avenue	1
Completed	10th and T	13
Completed	1100 Harris Avenue	1
Completed	1221 Rivera Drive	1
Completed	1440 Rene Avenue	1
Completed	1500 Q Street	6
Completed	18th & L Mixed-Use Development	176
Completed	2151 68th Avenue	1
Completed	2221 63rd Avenue	1
Completed	2761 Utah Street	1
Completed	3836 Dayton St.	1
Completed	63 Butterworth Ave.	1
Under Construction	700 Block of K	137
Completed	729 Morrison Avenue	1
Completed	7445 Carella Drive	1
Completed	7588 Red Willow Street	1
Completed	7672 Manorside Drive	1
Completed	7860 Deerhaven Way	1
Completed	7th & H	150
Completed	Atrium Court Apartments	224
Under Construction	Bel-Vue Apartments	22
Completed	Copperstone Village	103
Completed	Coral Gables Apartments	4
Completed	Danbury Park	140

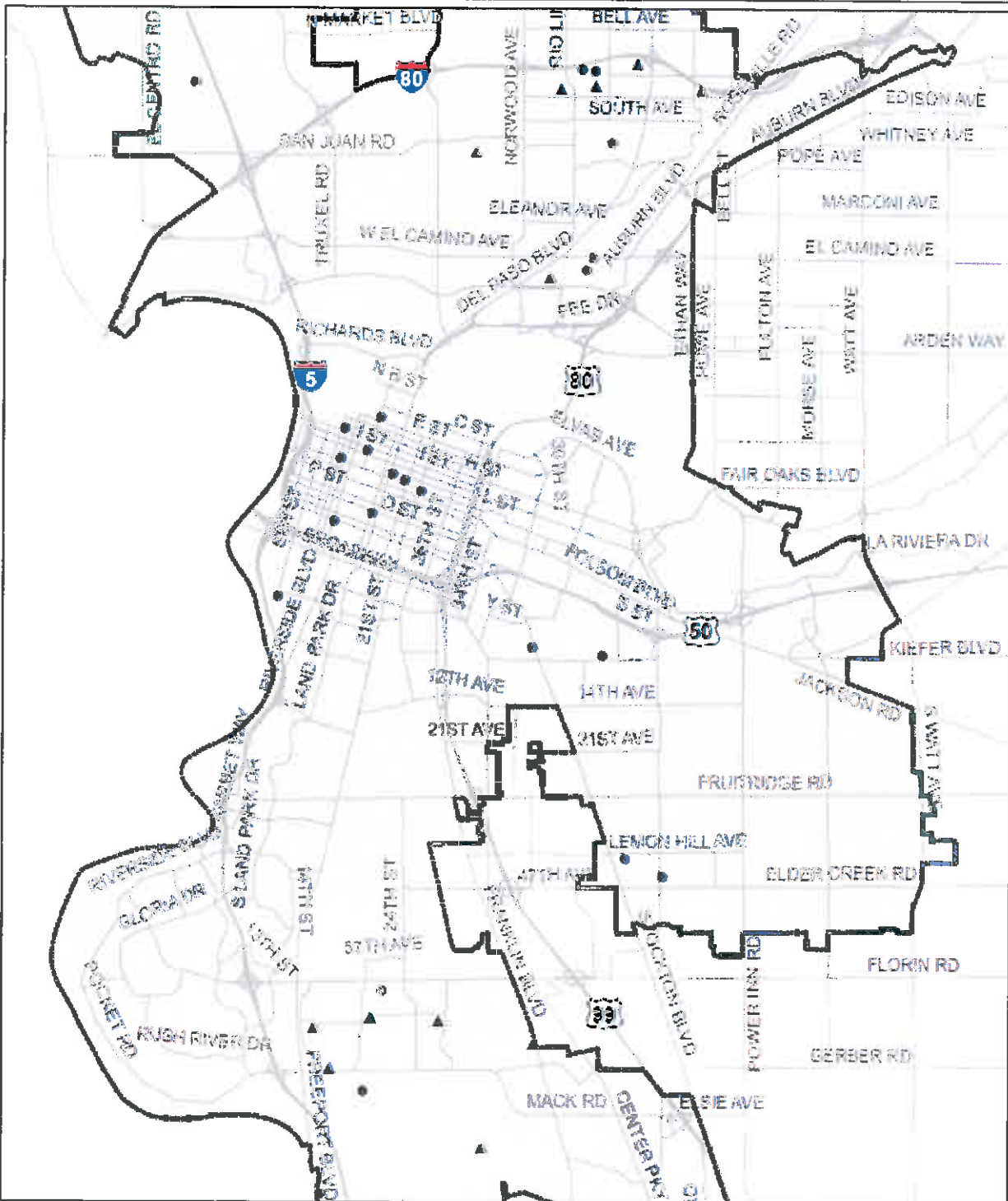
Attachment 2

Completed	Del Paso Nuevo Phases I-III	77
Completed	Del Paso Nuevo Phase IV	37
Completed	Fremont Mews	119
Completed	Kelsey Village	20
Completed	Kennedy Estates Apartments	98
Completed	La Valentina	81
Completed	Land Park Woods	75
Completed	Lemon Hill Townhomes	74
Completed	Morrison Point Subdivision	22
Completed	North Avenue Apartments	80
Under Construction	Pensione K Apartments	137
Completed	Phoenix Park	360
Completed	Phoenix Park II	182
Completed	Ridgeway Studios	22
Completed	Silverado Creek Apartments	168
Completed	St Anton Building	64
Completed	Surreal Estates, Ink	11
Completed	Terracina Gold, Village 1 And 3	160
Completed	Terracina Gold, Village 2	120
Completed	Terracina Meadows Apartments	156
Completed	Valencia Point	168
Completed	Victory Townhomes/Evergreen Estates	76
Completed	Willow Glen	135
TOTAL UNITS		3,431

Parties interested in receiving notices of meetings at which this report is presented may request to be placed on a notification list. Notice of the time and place of the meeting will be mailed 15 days prior to the meeting. Written requests should be made to SHRA and are valid one year from the date on which they are filed. Renewal requests for mailed notices should be made on or before April 1st of each year.



Housing Trust Fund Expenditures



-  City of Sacramento
-  Single Family Housing Trust Fund Project
-  Multi Family Housing Trust Fund Project



SHRA GIS
April 10, 2018

**City of Sacramento Mixed Income Housing Ordinance
Annual Report
for
November 1, 2017 to December 31, 2017**

Sacramento Housing and Redevelopment Agency

May 2018

MIXED INCOME HOUSING ORDINANCE REPORT FOR 2017

On September 1, 2015, the City Council (Council) repealed Chapter 17.712 of the City Code, known as the Mixed Income Housing Ordinance (No. 2000-039), and adopted a revised citywide Mixed Income Housing Ordinance (No. 2015-0029) effective November 1, 2015 (Ordinance). As part of this revision, the City contracted with a consultant to perform a residential nexus analysis which demonstrates the relationship between the development of market-rate residential units and the need for additional workforce housing. The revised Ordinance requires an affordable housing impact fee for all new housing units and large subdivisions to provide housing for a variety of incomes and family types. The fee-generated revenue is placed in a citywide Housing Trust Fund and used to develop affordable housing units with the goal of increasing the supply available for low-income households earning up to 80 percent of the area median income.

Pursuant to subsection 17.712.070 of the revised Ordinance, this annual report provides information on revenue and production generated by the City Mixed Income Housing Ordinance's housing impact fees.

Housing Impact Fee As of July 1, 2017

Housing Type	July 1, 2017 (per Square Foot)
Single-unit and duplex dwellings (less than 20 dwelling units per net acre)	\$2.68
High density single-unit and duplex dwellings (20 dwelling units per net acre or more*)	\$0.00
Multi-unit dwellings (less than 40 dwelling units per net acre)	\$2.68
High density multi-unit dwellings (40 dwelling units per net acre or more*)	\$0.00
Conversion of a nonresidential building to a residential use	\$0.00
Dwelling units in the Housing Incentive Zone (See Figure 1)	\$1.16

* "Net acre" for the purposes of this fee, means the total area of a site excluding portions that cannot be developed, such as public and private streets, and open space.

The following City Mixed Income Housing Financial Information tables provide the following figures for the fees generated in 2017, including:

- beginning and ending balance
- revenue, including the amount of fees collected, interest earned, and income from loan repayments
- amount of expenditures for developments and operations
- amount budgeted, but not expended, for developments
- balance available for new developments

2017 City Mixed Income Housing Financial Information

Beginning Balance	
	\$ 491,933
Income	
Fees Collected	\$ 1,103,186
Interest	\$ 6,563
Total Income	\$ 1,109,749
Balance and Total Income	
	\$ 1,601,682
Expense	
Operations	\$ 35,137
Ending Balance	
Balance Available for Projects	\$ 1,566,545
Ending Balance	\$ 1,566,545

2017 Fee Revenue Source

Housing Type	Project Name	Fee Revenue
Single-unit and duplex dwellings (less than 20 dwelling units per net acre)	Scattered	\$ 398,245
Multi-unit dwellings (less than 40 dwelling units per net acre)	Sheldon Apartments	\$ 704,941
Total Fee Revenue		\$ 1,103,186

Production Accomplished

There were no developments constructed or assisted under the revised Ordinance during 2017.

Future Funding

SHRA follows its Multifamily Lending and Mortgage Revenue Bond Policies approved by Council on March 17, 2009 for the allocation of the Mixed Income Housing Ordinance funds.

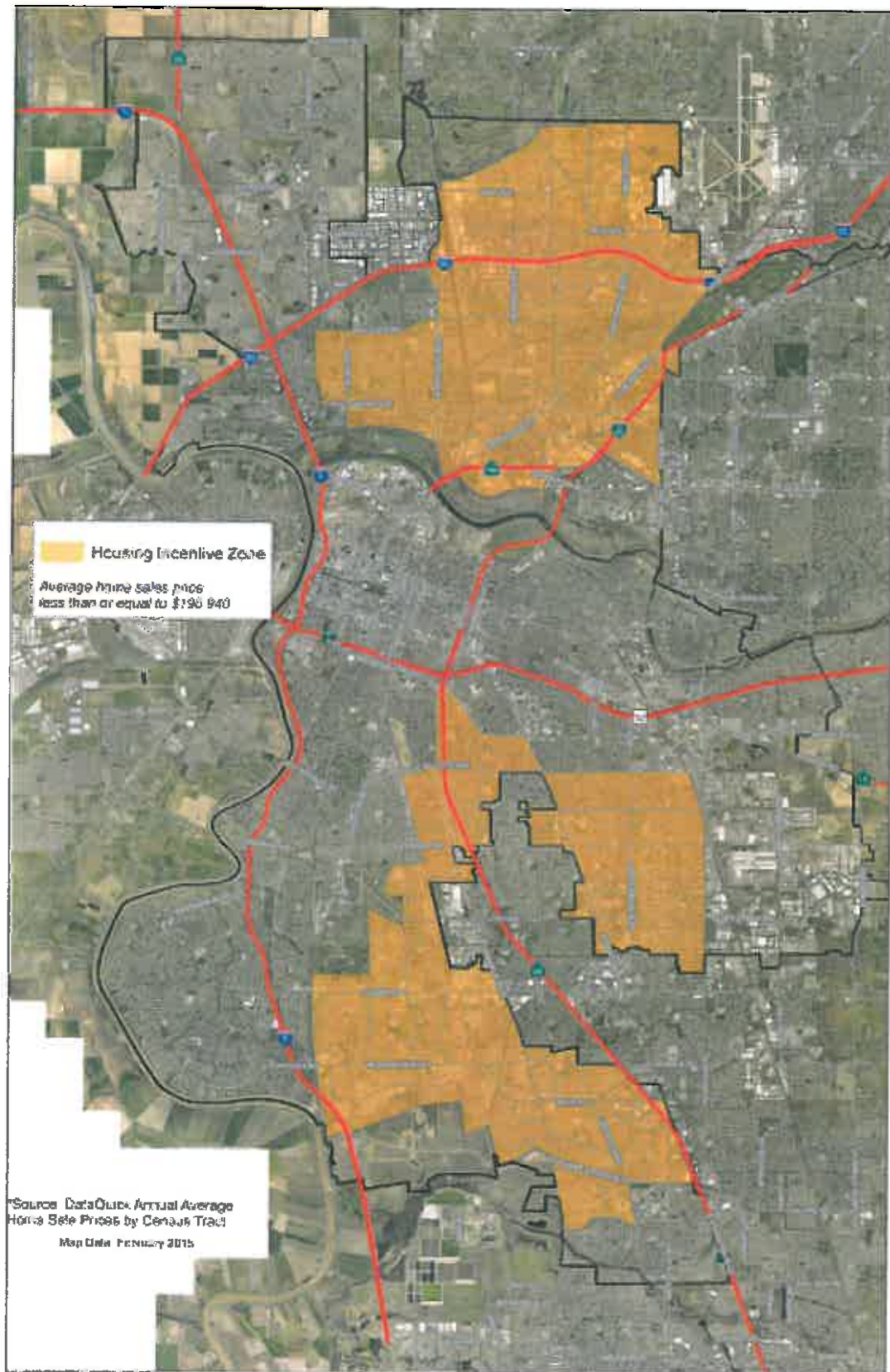
Recommended Changes to Chapter 17.712

There are no recommended changes at this time.

Adjustments to the Fee

The fees established pursuant to this section shall be adjusted automatically to take into consideration inflation on July 1 of each year by a factor equal to the percentage increase, if any, in the construction cost index for San Francisco (based on 1913 U.S. average = 100) during the 12 months ending on the preceding March 1 as published by Engineer News Record/McGraw-Hill Construction Weekly, or any substitute index that the city council adopts by resolution.

Figure 1 – Map of Housing Incentive Zones



Sacramento City HOME Investment Partnerships Program
Annual Report
for
January 1, 2017 to December 31, 2017

Sacramento Housing and Redevelopment Agency

May 2018

HOME INVESTMENT PARTNERSHIPS PROGRAM ANNUAL REPORT FOR 2017

The federal HOME Investment Partnerships Program (HOME) provides grants to fund a wide range of activities including construction, acquisition, and/or rehabilitation of affordable housing. SHRA administers these funds on the City's behalf as an entitlement jurisdiction. At least 20 percent of HOME-assisted units in each project must be reserved for households with incomes below 50 percent of Area Median Income (AMI) and the remaining reserved for households with incomes below 65 percent of AMI. This report quantifies affordable housing production with HOME funds during the reporting period for calendar year 2017.

2017 CITY HOME PROGRAM FINANCIAL INFORMATION

Beginning Balance	
	\$ 6,921,579

Income	
Interest	\$ 20,595
Loan Income	\$ 2,313,604
Total Income	\$ 2,334,199

Balance and Total Income	
	\$ 9,255,778

Expense	
Operations	\$ 35,615
Project Expenses	\$ 1,341,000
Total Expense	\$ 1,376,615

Ending Balance	
Remaining Project Balances	\$ 5,723,525
Balance Available for Projects	\$ 957,584
Ending Balance	\$ 1,198,054

2017 City HOME Program Expenditures

Project	Address	HOME Units	Total Units	Total HOME Budgeted	2017 HOME Expenditure	Remaining Balance	Loan Maturity Date
Bel-Vue	1123 8 th St	4	22	\$ 600,000	\$ 270,000	\$ 330,000	7/1/2059
Lavender Courtyard	16 th & F St	11	53	\$ 1,905,525	\$ 0	\$ 1,905,525	TBA
Pensione K	1100 17 th St	9	129	\$ 1,190,000	\$ 1,071,000	\$ 119,000	3/1/2074
St Francis Terrace	2525 L St	11	48	\$ 2,247,000	\$ 0	\$ 2,247,000	TBA
Village Park	350 Morey Ave	11	50	\$ 1,022,000	\$ 0	\$ 1,022,000	TBA
First Time Homebuyer's Program	Scattered	0	0	\$ 100,000	\$ 0	\$ 100,000	TBA
TOTAL		46	302	\$7,064,525	\$ 1,341,000	\$ 5,723,525	

Production Accomplished

The Unit Production table identifies affordable units constructed during the reporting period utilizing HOME funds.

A Regulatory Agreement is recorded on the property's Title and remains in effect for either 15 to 20 years, during which rents remain affordable. Completed projects are monitored by SHRA's Portfolio Management Department for the duration of the Regulatory Agreement.

2017 HOME PROGRAM UNIT PRODUCTION

2017	Units Constructed		
	ELI	VLI	LI
Bel-Vue	0	0	4
Pensione K	0	3	6
TOTAL Units	0	3	10

The City HOME Developments table identifies all properties that received HOME funds and the total number of units produced and currently regulated, followed by a map with the location of each development.

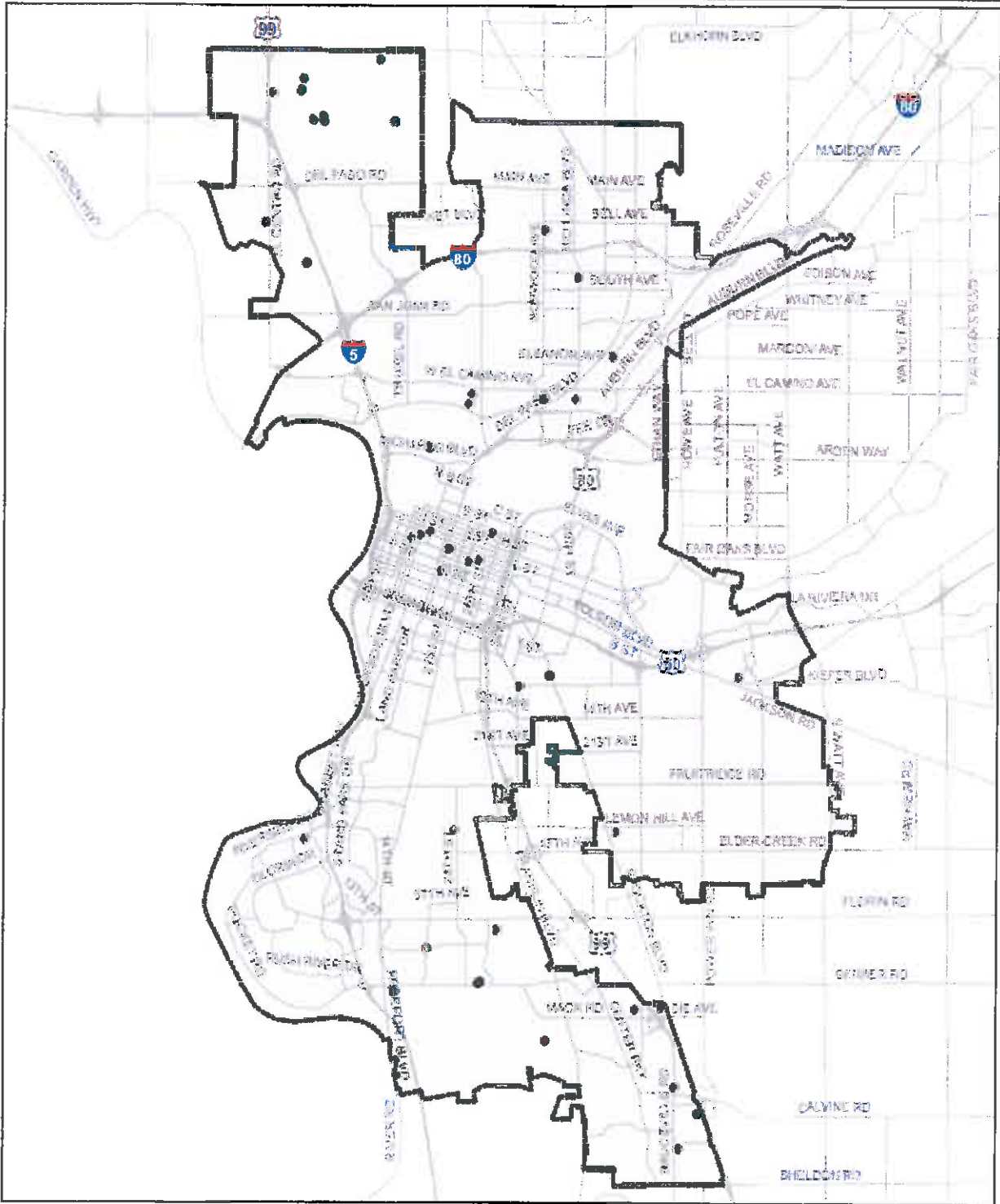
City HOME Developments

Project Name	Total Units
7th & H Street	150
Arbors (Oak Park Senior), The	56
Atrium Court	224
Bel-Vue	22
Broadway Sr.	120
Cannery Place (Township 9)	180
Casa de Angelo Sr.	100
Casa Natomas Sr.	59
Copperstone I Family	103
Coral Gables	3
Creekside Village Sr.	296
Curtis Park Court	91
Evergreen Estates	55
Florin Meadows	244
Forrest Palms Sr.	40
Fremont Building	69
Glen Ellen Circle	35
Globe Mills	143
Greenfair Sr.	386
Hurley Creek Sr.	207
Kelsey Village	20
La Valentina	81
Land Park Woods	75
Lemon Hill	73
Natomas Park	213
Northpointe Park	180
Pensione K	129
Phoenix Park I	178
Phoenix Park II	182
Quinn Cottages	60
Ridgeway Studios	22
River Garden Estates	124
Russell Manor Senior	66
Serna Village	83
Shenendoah	100
Sherwood	14
Shiloh Arms	106
Sierra Vista	78

Silverado Creek	85
Southcrest	30
St. Anton Building	65
Steven's Place Apts.	16
Victory Townhomes	21
Villa Jardin Apts.	44
Washington Plaza	76
Washington Square	40
Westview Ranch	126
Whispering Pines Apts.	96
Willow Tree	108
Woodhaven Sr.	104
TOTAL UNITS	5,178



HOME Fund Expenditures



City of Sacramento



Multi-Family HOME Fund Project



SHRA GIS
April 10, 2018

RESOLUTION NO. 2018 -

Adopted by the Sacramento City Council

on date of

BUILDING HOMES AND JOBS ACT : APPROVAL OF THE AUTHORIZATION OF THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY TO RECEIVE AND ADMINISTER FUNDS FROM THE BUILDING HOMES AND JOBS ACT (SENATE BILL 2) ON BEHALF OF THE CITY OF SACRAMENTO

BACKGROUND

- A. The Governor of California approved and signed into law the Building Homes and Jobs Act (Senate Bill 2) on September 29, 2017.
- B. Senate Bill 2 imposes a fee of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice.
- C. Senate Bill 2 will establish the Building Homes and Jobs Fund, of which a portion of funds will be made available to local entitlement jurisdictions beginning January 1, 2019.
- D. The Sacramento Housing and Redevelopment Agency, on behalf of the City of Sacramento, will receive and administer the funds made available from the Buildings Homes and Jobs Act (Senate Bill 2) fund, in accordance with the previously approved Multifamily Lending and Mortgage Revenue Bond Policies. Every proposed project will be subject to governing board approval.
- E. The action is not a project pursuant to the California Environmental Quality Act per 14 California Code of Regulations §15378.
- F. The action is exempt under the National Environmental Policy Act per 24 Code of Federal Regulations §58.34(a)(2) and (3).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The above recitals, including the environmental determinations, are determined to be true and correct.
- Section 2. The Sacramento Housing and Redevelopment Agency is approved as the delegated authority to receive and administer any and all proceeds from the Building Homes and Jobs Act (Senate Bill 2) fund on behalf of the City of Sacramento.

RESOLUTION NO. SHRC-_____

ADOPTED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION UNDER THE AUTHORITY DELEGATED TO THE COMMISSION PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 33202 BY RESOLUTION NO. RA 81-083 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. RA-83 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981, AND PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34292 BY RESOLUTION NO. HA 81-098 ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. HA-1497 ADOPTED BY THE HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981.

ON DATE OF
May 2, 2018

BUILDING HOMES AND JOBS ACT: APPROVAL OF THE AUTHORIZATION TO RECEIVE AND ADMINISTER FUNDS FROM THE BUILDING HOMES AND JOBS ACT (SENATE BILL 2) ON BEHALF OF THE CITY OF SACRAMENTO

BACKGROUND

- A. The Governor of California approved and signed into law the Building Homes and Jobs Act (Senate Bill 2) on September 29, 2017; and
- B. Senate Bill 2 imposes a fee of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice; and
- C. Senate Bill 2 will establish the Building Homes and Jobs Fund, of which a portion of funds will be made available to local entitlement jurisdictions beginning January 1, 2019; and
- D. The Sacramento Housing and Redevelopment Agency (SHRA), on behalf of the County of Sacramento, will receive and administer the funds made available from the Buildings Homes and Jobs Act (Senate Bill 2) fund, in accordance with the previously approved Multifamily Lending and Mortgage Revenue Bond Policies and subject to governing body approval of allocation of funds.
- E. This action is not a project pursuant to the California Environmental Quality Act per 14 California Code of Regulations §15378.
- F. This action is exempt under the National Environmental Policy Act per 24 Code of Federal Regulations §58.34(a)(2) and (3).

BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

- Section 1. The above recitals, including the environmental determinations, are determined to be true and correct.
- Section 2. Subject to approval by the City Council, the Executive Director, or her designee, is authorized to receive and administer any and all proceeds from the Building Homes and Jobs Act (Senate Bill 2) fund on behalf of the County of Sacramento.

CHAIR

ATTEST:

CLERK



April 26, 2018

Sacramento Housing and
Redevelopment Commission
Sacramento, CA

Honorable Members in Session:

SUBJECT:

Annual Reports of the Housing Trust Fund, Affordable Housing Ordinance, and HOME Investment Partnership Program (HOME) and Authorization to Building Homes and Jobs Act (Senate Bill 2) Funds

SUMMARY

The attached report is submitted to you for review prior to submission to the County of Sacramento.

RECOMMENDATION

Staff recommends approval of the actions outlined in the attached resolutions.

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachment

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
May 22, 2018

To: Board of Supervisors of the County of Sacramento

From: Sacramento Housing and Redevelopment Agency

Subject: Annual Reports Of The Housing Trust Fund, Affordable Housing Ordinance, And HOME Investment Partnership Program (HOME) And Authorization To Administer Funds From The Building Homes And Jobs Act (Senate Bill 2)

Supervisory
District: All

Contact: Christine Weichert, Assistant Director, 440-1353
Tyrone Roderick Williams, Director of Development, 440-1316

Overview

This report provides information on the status of the County Housing Trust Fund, the County Affordable Housing Program, and the County HOME Investment Partnership Program for the calendar year 2017 and also requests authorization for the Sacramento Housing and Redevelopment Agency (SHRA) to receive and administer funds from the Building Homes and Jobs Act (Senate Bill 2).

Recommendations

1. Receive and File the annual reports of the Housing Trust Fund, Mixed Income Housing Ordinance and HOME Investment Partnerships Program.
2. Authorize the Sacramento Housing and Redevelopment Agency to receive funds from the Building Homes and Jobs Act (SB 2) on behalf of the County of Sacramento.

Measures/Evaluation

The Sacramento Housing and Redevelopment Agency develops and finances a continuum of affordable housing projects. This report provides the status of the County's Housing Trust Fund for 2017 and the expenditures made toward this goal. It also serves as the report on the County's Affordable Housing Program for 2017.

Fiscal Impact

None

BACKGROUND

Existing Funding Sources

This report provides information on the status of the County Housing Trust Fund Ordinance, Affordable Housing Ordinance and HOME Investment Partnerships Program (HOME) for calendar year 2017. SHRA administers these funds on behalf of the County of Sacramento.

Housing Trust Fund - The County Housing Trust Fund (HTF) ordinance authorizes the collection of fees on non-residential construction to fund very low-income housing. The ordinance requires an annual report to the Board of Supervisors. The HTF ordinance was adopted in 1990 to raise local financing for affordable housing near employment centers. Fees on non-residential developments generate revenue based on an economic nexus analysis. The analysis determined that the construction of commercial projects such as offices, business parks, hotels, warehouses, and shopping centers played a major role in attracting new very low- and low-income workers to Sacramento. The fee-generated revenue is used to develop affordable housing units with the goal of increasing the supply available for lower-income workers. See Attachment 1 for the Housing Trust Fund Annual Reports.

Affordable Housing Ordinance - The County Affordable Housing Ordinance created a standard affordable housing fee on residential construction and provides a variety of other options for developers to satisfy affordable housing obligations. Affordable Housing Program activities are reported on biennially. On February 25, 2014, the Sacramento County Board of Supervisors (Board) repealed Chapter 22.35 of the County Code known as the County's Affordable Housing Ordinance (Repealed Ordinance) and adopted a revised Ordinance (Ordinance) on March 26, 2014. Though the Ordinance requires a biennial report, SHRA is reporting on the Ordinance annually to align with the HTF report.

The revised Ordinance created a standard affordable housing fee applicable to all developers (with limited exceptions) and provided a variety of other options that applicants/developers may utilize to satisfy a project's affordable housing obligation. In order to implement the Ordinance, the County and SHRA prepared the Affordable Housing Program Guidelines (Guidelines) and the Board approved the Guidelines on June 9, 2015. This report quantifies affordable housing production under the revised ordinance during the reporting period encompassing the calendar year 2017. See Attachment 2 for the Affordable Housing Ordinance Annual Report.

HOME Investment Partnership Program – The federal HOME Investment Partnership Program (HOME) provides grants to fund a wide range of activities including construction, acquisition, and/or rehabilitation of affordable housing. This report quantifies affordable housing production with HOME funds during the reporting period encompassing the calendar year 2017. See Attachment 3 for HOME Annual Report.

SHRA follows the Multifamily Lending and Mortgage Revenue Bond Policies approved by the Board of Supervisors on March 10, 2009, for the allocation of the HTF, Affordable Housing Ordinance, and HOME funds. As approved by the Board of Supervisors on December 5, 2017,

pre-applications for funding in 2018 will be accepted on January 2nd, August 1st, and October 1st (based on funding availability).

New Funding Source

Building Homes and Jobs Act (SB 2) – In September of 2017, Governor Jerry Brown signed the Building Homes and Jobs Act (SB 2). The bill imposes a recording fee on real estate transactions to be made available to the Department of Housing and Community Development and to local entitlement jurisdictions. It is estimated the proceeds from SB 2 will amount to approximately \$250 million statewide to help finance new and rehabilitated developments for low-income residents. As an entitlement jurisdiction, it is expected the County of Sacramento will receive a portion of these funds. This report requests authorization for SHRA to receive the SB 2 funds on behalf of the County of Sacramento. SHRA will administer these funds in accordance with the Multifamily Lending and Mortgage Revenue Bond Policies approved by the Board of Supervisors March 10, 2009. Administration of the funds generated under SB2, in concert with the other funds administered by SHRA, will allow for additional leverage opportunities and increase the production of affordable housing units.

COMMISSION ACTION

At its meeting of May 2, 2018, the Sacramento Housing and Redevelopment Commission (Commission) reviewed the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

ABSTAIN:

ABSENT:

MEASURES/EVALUATIONS

This report gives the status of the County's Housing Trust Fund for 2017 and the expenditures made toward this goal. It also serves as the required report on the County's Affordable Housing Ordinance for 2017 and the expenditures made toward this goal. This is the first year the report includes information on the County's HOME Investment Partnerships Program.

FINANCIAL ANALYSIS

The County Housing Trust Fund has collected a total of \$45,321,294 in fees, interest, and loan repayments since the inception of the fund in 1990. A total of \$37,524,739 has been expended on projects, and \$4,170,362 on administration which is approximately nine percent of total fee revenue. The 2017 ending balance was \$3,626,193. After receiving less revenue in 2017 than budgeted and subtracting for projects with budgeted expenditures, the balance available for new

Annual Reports Of The Housing Trust Fund, Affordable Housing Ordinance, And HOME Investment Partnership Program (HOME) And Authorization To Administer Funds From The Building Homes And Jobs Act (Senate Bill 2)

Page 4

projects was negative \$303,388 as of December 31, 2017. Funds received in 2018 will compensate for this negative balance.

The County Affordable Housing Program has collected a total of \$5,251,570 in fees, interest, and loan repayments since the inception of the revised Ordinance in 2014. A total of \$1,115,000 has been expended on projects, and \$293,708 on administration, which is approximately six percent of the total fee revenue. The balance available for new projects was \$1,451,415 as of December 31, 2017.

The County HOME Investment Partnerships Program collected a total of \$2,922,563 in interest and loan repayments in 2017. A total of \$403,300 was expended on projects, and \$106,082 on administration, which is approximately five percent of the total 2017 HOME entitlement of \$2,024,016. The balance available for new projects was \$1,662,998 as of December 31, 2017.

POLICY CONSIDERATIONS

No action is required and no policy changes are being recommended.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA): The action is not a project per 14 California Code of Regulations (CCR) §15378(b).

National Environmental Policy Act (NEPA): The action is exempt per 24 Code of Federal Regulations (CFR) §58.34(a)(2) and (3).

M/WBE AND SECTION 3 CONSIDERATIONS

The activities recommended in this staff report do not involve federal funding; therefore, there are no M/WBE or Section 3 requirements.

Respectfully submitted,



LA SHELLE DOZIER
Executive Director
Sacramento Housing and Redevelopment Agency

APPROVED

NAVDEEP S. GILL
County Executive

Attachments:

- ATT 1 – Housing Trust Fund Annual Report for 2017
- ATT 2 – Affordable Housing Ordinance Report for 2017
- ATT 3 – HOME Annual Report for 2017
- RES – Authority to Receive Senate Bill 2 Funds

Sacramento County Housing Trust Fund
Annual Report
for
January 1, 2017 to December 31, 2017

Sacramento Housing and Redevelopment Agency
May 2018

HOUSING TRUST FUND ANNUAL REPORT FOR 2017

The County Housing Trust Fund (HTF) ordinance was adopted in 1990 to raise local financing for affordable housing near employment centers. Fees on non-residential developments generate revenue based on an economic nexus analysis. The analysis determined that the construction of commercial projects such as offices, business parks, hotels, warehouses, and shopping centers played a major role in attracting new very low- and low-income workers to Sacramento. The fee-generated revenue is used to develop affordable housing units with the goal of increasing the supply available for lower income workers. SHRA administers these funds on behalf of the County of Sacramento (County).

The County’s HTF benefits very low-income households who earn up to 50 percent of the County median income. The jobs/housing linkage requires that housing projects funded with HTF be occupied by persons in the labor force. Additionally, projects must be located within a seven-mile radius of the employment-generating uses that pay HTF fees.

Pursuant to the Mitigation Fee Act (California Government Code §66000 et. seq.), this report provides the public with information on revenue and production generated by the County Housing Trust Fund for calendar year 2017.

Current Fee Schedule

Building Use	Fee Per Square Foot
Office	\$0.97
Hotel	\$0.92
Research & Development	\$0.82
Commercial	\$0.77
Manufacturing	\$0.61
Warehouse	\$0.26

The following 2017 County Housing Trust Fund Financial Information tables provide financial information for the fund in 2017, including:

- beginning and ending balance
- revenue, including the amount of fees collected, interest earned, and income from loan repayments
- amount of expenditures for projects and operations
- amount budgeted, but not expended, for projects
- balance available for new projects

2017 County Housing Trust Fund Financial Information

Beginning Balance (2016)	
\$3,890,064	

Income	
Fees Collected	\$176,982
Interest	\$42,524
Loan Repayment	\$1,019,684
Total Income	\$1,239,190

Balance and Total Income	
\$5,129,254	

Expense	
Projects	\$468,229
Loan Assumptions ¹	\$836,195
Operations	\$198,637
Total Expense	\$1,503,061

Ending Balance	
Remaining Project Balances	\$3,929,581
Balance Available for Projects	(\$303,388) ²
Ending Balance	\$3,626,193

¹An existing HTF loan for Crossroad Gardens was assigned and assumed.

²Less revenue was received in 2017 than was anticipated. Revenue received in 2018 will resolve this negative balance.

The interest earnings include both interest earned from the investment pool and interest earned from the interest portion of Housing Trust Fund loan repayments.

The 2017 County Housing Trust Fund Expenditures table, below, identifies current HTF projects, expenditures, and balance available. For each project the chart also identifies the HTF restricted units, the total number of housing units, and the loan maturity date.

2017 County Housing Trust Fund Expenditures

Project	Address	HTF Units	Total Units	Total HTF Budgeted	2017 HTF Expenditure	Remaining Balance	Loan Maturity Date
Anton Arcade	2134 Butano Drive	18	148	\$3,210,000	\$310,000	\$0	5/1/2072
Colonia San Martin	7271 Florin Mall Drive	40	60	\$2,100,000	\$158,229	\$409,581*	11/19/2062
Courtyard Inn (Acquisition)	3425 Orange Grove Ave	14	92	\$2,200,000	\$0	\$2,200,000	1/31/2076
Ethan Terrace	1820-1824 Ethan Terrace	14	92	\$2,200,000	\$0	\$220,000	12/1/2072
Southwind Court	7371, 7399, 7401 Power Inn Road	7	88	\$1,100,000	\$0	\$1,100,000	N/A
TOTAL		93	480	\$10,810,000	\$468,229	\$3,929,581	

*Colonia San Martin has a remaining balance available for operating reserves. Construction of this project is complete.

1991-2017 County Housing Trust Fund Income Report

Year	Fees	Interest	Income	Total Income
1991-1993	\$4,337,485	\$587,152	-	\$4,924,637
1994	\$774,285	\$159,238	-	\$933,523
1995	\$1,508,924	\$130,937	\$9,840	\$1,649,701
1996	\$1,051,242	\$167,955	\$14,500	\$1,233,697
1997	\$1,894,423	\$204,847	\$25,043	\$2,124,313
1998	\$2,636,297	\$154,380	\$534,170	\$3,324,847
1999	\$1,065,536	\$323,039	\$108,612	\$1,497,187
2000	\$2,164,212	\$420,805	\$118,073	\$2,703,090
2001	\$2,334,409	\$519,351	\$429,323	\$3,283,083
2002	\$1,177,864	\$327,057	\$70,023	\$1,574,943
2003	\$1,238,436	\$286,061	\$79,224	\$1,603,721
2004	\$1,076,037	\$283,381	\$830,788	\$2,190,206
2005	\$1,394,429	\$108,026	\$49,510	\$1,551,965
2006	\$731,093	\$409,360	\$66,279	\$1,206,732
2007	\$744,941	\$492,043	\$81,824	\$1,318,808
2008	\$797,206	\$388,626	\$121,439	\$1,307,272
2009	\$218,366	\$248,569	\$140,425	\$607,360
2010	\$67,427	\$235,588	\$193,611	\$496,626
2011	\$118,195	\$287,400	\$206,869	\$612,464
2012	\$243,621	\$278,580	\$210,414	\$732,616

Housing Trust Fund Annual Report for 2017

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2013	\$350,148	\$483,884	\$718,437	\$1,552,468
2014	\$354,655	\$904,552	\$1,609,790	\$2,868,997
2015	\$451,431	\$36,608	\$2,456,386	\$2,944,424
2016	\$393,295	\$46,291	\$1,399,838	\$1,839,424
2017	\$176,982	\$42,524	\$1,019,684	\$1,239,190
TOTAL	\$27,300,939	\$7,526,256	\$10,494,100	\$45,321,294

The County Housing Trust Fund Developments table identifies all properties which received Housing Trust Funds and the total number of units produced. The location of each of the Housing Trust Fund Expenditures are detailed in the below table, followed by a map of the development locations.

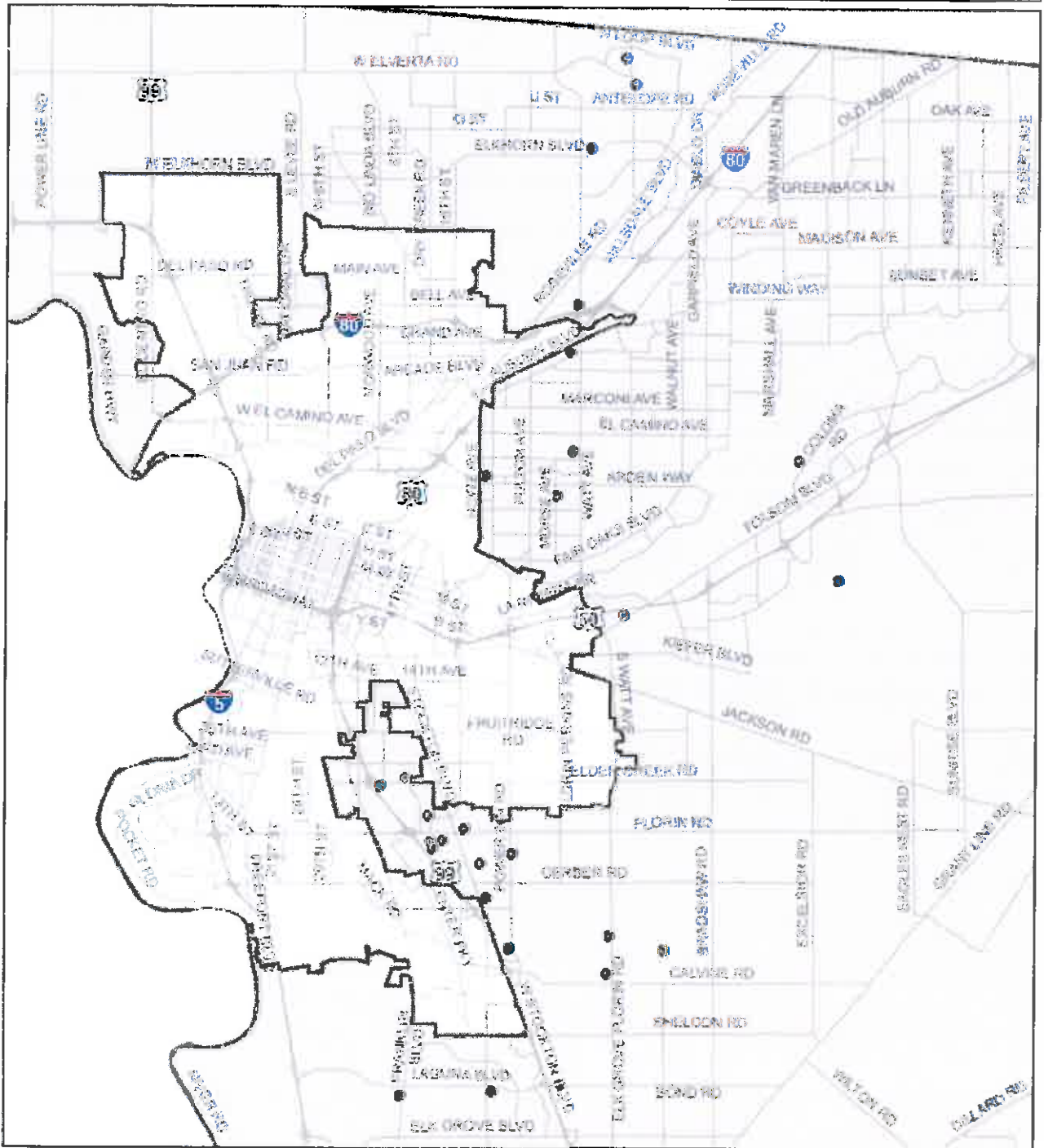
County Housing Trust Fund Developments

Project Status	Project Name	Total Units
Completed	Acacia Meadows Apartments	140
Completed	Anton Arcade	148
Completed	Arbor Creek Family Apartments	102
Completed	Arlington Creek Apartments	148
Completed	Asbury Place	104
Completed	Auberry Park	112
Completed	Churchill Downs Apartments	204
Completed	Colonia San Martin	60
Completed	Cordova Meadows Apartments/Park Meadows	183
Awaiting Tax Credit Award	Courtyard Inn	92
Completed	Danbury Park	140
Completed	Ethan Terrace	92
Completed	Fleming Phase II	15
Completed	Fleming Place	30
Under Construction	Florin Woods/Crossroads Gardens	70
Completed	Greenway Village	54
Completed	Los Robles (Sky Parkway)	80
Completed	Mather Transitional Housing (Phase II)	273
Completed	Morse Glen Estates (Lerwick)	50
Completed	Norden Terrace Apartments	204
Completed	Olivewood Apartments	68
Completed	Pacific Rim/Sunnyslope	31
Completed	Sac Veterans Resource Center	32
Completed	Saybrook	61
Pending Approval Final Loan Docs	Southwind Court	88
Completed	Terracina Laguna	136
Completed	Terracina Vineyard	64
Completed	Village Crossings Apartments	196
	TOTAL UNITS	2,977

Parties interested in receiving notices of meetings at which this report is presented may request to be placed on a notification list. Notice of the time and place of the meeting will be mailed 15 days prior to the meeting. Written requests should be made to SHRA and are valid one year from the date on which they are filed. Renewal requests for mailed notices should be made on or before April 1st of each year.



Housing Trust Fund Expenditures



Sacramento County



Housing Trust Fund Funded Project



SHRA GIS
April 10, 2018

Sacramento County Affordable Housing Ordinance

Annual Report

for

January 1, 2017 to December 31, 2017

Sacramento Housing and Redevelopment Agency

May 2018

AFFORDABLE HOUSING ORDINANCE ANNUAL REPORT FOR 2017

On February 25, 2014, the Sacramento County Board of Supervisors (Board) repealed Chapter 22.35 of the County Code, known as the County's Affordable Housing Ordinance (Repealed Ordinance), and adopted a revised Ordinance (Ordinance) on March 26, 2014. The revised Ordinance creates a standard affordable housing fee applicable to all developers (with limited exceptions) and also provides a variety of other options an applicant/developer may choose to satisfy a development project's affordable housing obligations. For a variety of factors and economic circumstances, including increasing housing-development costs, new residential development does not always provide housing to low, very low, and extremely low-income households. Under the Ordinance, low income is defined as 80 percent of the Area Median Income (AMI) and very low income is defined as 50 percent of AMI. In order to implement the Ordinance, the County and SHRA prepared the Affordable Housing Program Guidelines (Guidelines) and the County approved the Guidelines on June 9, 2015.

Sacramento County Code Section 22.35.060(D) calls for biennial reports to monitor the performance of the affordable housing program, including the number of units produced, the amount of land dedicated and purchased, the amount of funds collected and expended and the level of affordability of units constructed. Though the Ordinance requires a biennial report, SHRA is electing to report on the Ordinance annually to align with the Housing Trust Fund report. This annual report quantifies affordable housing production since the adoption of the revised Ordinance during the reporting period encompassing calendar year 2017.

Under the new Ordinance, new residential development projects have the following options to comply with the affordable housing requirement:

- Pay an affordability fee on all newly constructed market-rate units;
- Comply with the development project's approved affordable housing plan if one exists under the repealed ordinance; or
- Enter into a development agreement or other form of agreement with the County, which provides for a fee credit for land dedication, construction of affordable housing units, or other mechanism that leads to the production of affordable housing in an amount at least equivalent to the affordability fee.
- Purchase Unit Credits for affordable housing units banked with SHRA.

Current Fee Schedule

As of March 31, 2018, the current affordability fee is equal to \$2.78 per habitable square foot of each market-rate residential unit and is paid concurrently with payments for building permit fees for the development project. The fee is adjusted annually based on the Building Cost Index 20-City Average published by Engineer News-Record/McGraw Hill.

**2017 COUNTY AFFORDABLE HOUSING
 PROGRAM FINANCIAL INFORMATION**

Beginning Balance	
\$3,878,362	

Income	
Fees Collected	\$1,193,116
Interest	\$49,087
Total Income	\$1,242,203

Balance and Total Income	
\$5,120,565	

Expense	
Operations	\$169,150
Total Expense	\$169,150

Ending Balance	
Remaining Project Balances	\$3,500,000
Balance Available for Projects	\$1,451,415
Ending Balance	\$4,951,415

At least 10 percent of the affordability fees collected are to be utilized to generate extremely low-income units by buying down affordability in very low-income units constructed as a result of the ordinance or constructed on dedicated sites.

At least fifty percent of the affordability fees collected must be used to produce affordable housing in large development projects consisting of at least 750 residential units. To fulfill the intent of the Ordinance, the County and SHRA are recommending that large development projects comply with the affordable housing requirement through a combination of land dedication and affordability fee payment. Strategies will be determined on a project-by-project basis.

2017 County Affordable Housing Ordinance Expenditures

Project	Address	AHO Units	Total Units	Total AHO Budgeted	2017 AHO Expenditure	Remaining Balance	Loan Maturity Date
Courtyard Inn (Acquisition)	3425 Orange Grove Ave	14	92	\$2,200,00	\$0	\$2,200,000	1/31/2076
Southwind Court	7371, 7399, 7401 Power Inn Road	7	88	\$1,300,000	\$0	\$1,300,000	TBD
TOTAL		21	208	\$3,500,000	\$0	\$3,500,000	

Other Development Options

Compliance with the revised Ordinance requires coordination among the project sponsor/developer, SHRA staff and County staff. If a developer enters into a development agreement, a project’s application for entitlements includes preparation of an Affordable Housing Strategy which details how the affordability obligation will be met. The strategy is approved by the County Board of Supervisors concurrently with the project’s first legislative entitlements. An Affordable Housing Regulatory Agreement is then executed between the developer and SHRA concurrently with the final map for the project.

Production Accomplished

The Unit Production table identifies all affordable units completed under the Repealed Ordinance and the Revised Ordinance.

The Regulatory Agreement is recorded on the property’s Title and remains in effect for either 30 years (for-sale units) or 55 years (rental units), during which rents remain affordable. Completed projects are monitored by SHRA’s Portfolio Management Department for the duration of the Regulatory Agreement.

Under the Revised Ordinance, SHRA and County staff have completed two Affordable Housing Strategies for large development projects that are pending Board approval (the NewBridge Specific Plan and the Elverta Specific Plan) that include dedication of land for affordable housing development. Staff is continuing to work on Strategies for three other large development projects throughout the County, Mather South, Jackson Township and West Jackson Highway. Another Strategy for Victoria Park was recently approved for construction of multifamily affordable units.

2017 AFFORDABLE HOUSING PROGRAM UNIT PRODUCTION

REVISED ORDINANCE

2014-2017	Units Completed		
	ELI	VLI	LI
None	0		

REPEALED ORDINANCE

2004-2013	Units Constructed		
	ELI	VLI	LI
Glenwood #5 Subdivision (Single Family)	0	0	4
2009-2010			
Arbor Creek Family (Multi-family)	41	41	19
Arbor Creek Senior (Multi-family)	7	32	20
Corsair Park Senior Apartments (Multi-family)	0	11	6
Norden Terrace Apartments (Multi-family)	0	20	10
Varenna Senior (Multi-family)	0	13	6
2007-2008			
Vineyard Creek/Vineyard Pointe (Multi-family)	35	71	70
Sierra Sunrise II (Multi-family)	0	2	1
Colonia San Martin (Multi-family)	0	6	3
Robbin's Nest (Single Family)	0	0	1
Foothill Farms Senior (Multi-family)	0	17	8
Mutual Housing at the Highlands (Multi-family)	0	8	4
2005-2006			
Walerga Road Apartments (Multi-family)	0	0	26
Total Units Constructed by Affordability	83	221	178
Total Units Constructed	482		

Land Dedication

No transfer of dedicated land or land purchase has occurred.

Unit Purchase Program

No unit credits were purchased from SHRA during 2017.

Sacramento County HOME Investment Partnerships Program (HOME)

Annual Report

for

January 1, 2017 to December 31, 2017

Sacramento Housing and Redevelopment Agency

May 2018

HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) ANNUAL REPORT FOR 2017

The federal HOME Investment Partnerships Program (HOME) provides grants to fund a wide range of activities including construction, acquisition, and/or rehabilitation of affordable housing. SHRA administers these funds on the County's behalf as an entitlement jurisdiction. At least 20 percent of HOME-assisted units in each project must be reserved for households with incomes below 50 percent of Area Median Income (AMI) and the remaining reserved for households at incomes below 65 percent of AMI. This report quantifies affordable housing production with HOME funds during the reporting period encompassing the calendar year 2017.

The County of Sacramento is part of a HOME Consortium, which is a means by which local governments that would not otherwise qualify for federal funding join with other contiguous units of local government to directly participate in the HOME program. The Cities of Citrus Heights, Folsom, Isleton, Galt, and Rancho Cordova are members of the County of Sacramento's HOME Consortium.

**2017 COUNTY HOME PROGRAM
 FINANCIAL INFORMATION**

Beginning Balance	
	\$9,329,259

Income	
Interest	\$31,827
Loan Income	\$2,850,736
Miscellaneous	\$40,000
Total Income	\$2,922,563

Balance and Total Income	
	\$12,251,822

Expense	
Operations	\$106,082
Loan Expense	\$996,000
Project Expenses	\$403,300
Total Expense	\$1,505,382

Ending Balance	
Remaining Project Balances	\$7,283,892
Balance Available for Projects	\$1,799,549
Ending Balance	\$1,662,998

2017 County HOME Program Expenditures

Project	Address	HOME Units	Total Units	Total HOME Budgeted	2017 HOME Expenditure	Remaining Balance	Loan Maturity Date
Anton Arcade	2134 Butano Drive	11	148	\$1,990,000	\$210,000	\$0	5/1/2072
Courtyard Inn (Construction)	3425 Orange Grove Ave	11	92	\$1,500,000	\$0	\$1,500,000	TBD
Crossroad Gardens	7322 Florin Woods Drive	16	70	\$3,300,000	\$0	\$3,300,000	7/1/2074
Ethan Terrace	1820-1824 Ethan Way	11	92	\$1,800,000	\$0	\$180,000	1/1/2073
Southwind Court	7371, 7399, 7401 Power Inn	11	88	\$1,600,000	\$0	\$1,600,000	TBD
Sutter Place	5801 Sutter Avenue	11	47	\$775,000	\$157,000	\$0	4/1/2073
Sac County FTHB	N/A	N/A	N/A	\$100,000	\$0	\$100,000	N/A
Citrus Heights FTHB	N/A	N/A	N/A	\$640,192	\$36,300	\$603,892	N/A
TOTAL		71	537	\$11,705,192	\$403,300	\$7,283,892	

In 2017, the City of Citrus Heights First Time Homebuyers' (FTHB) program had a total HOME budget of \$640,192.

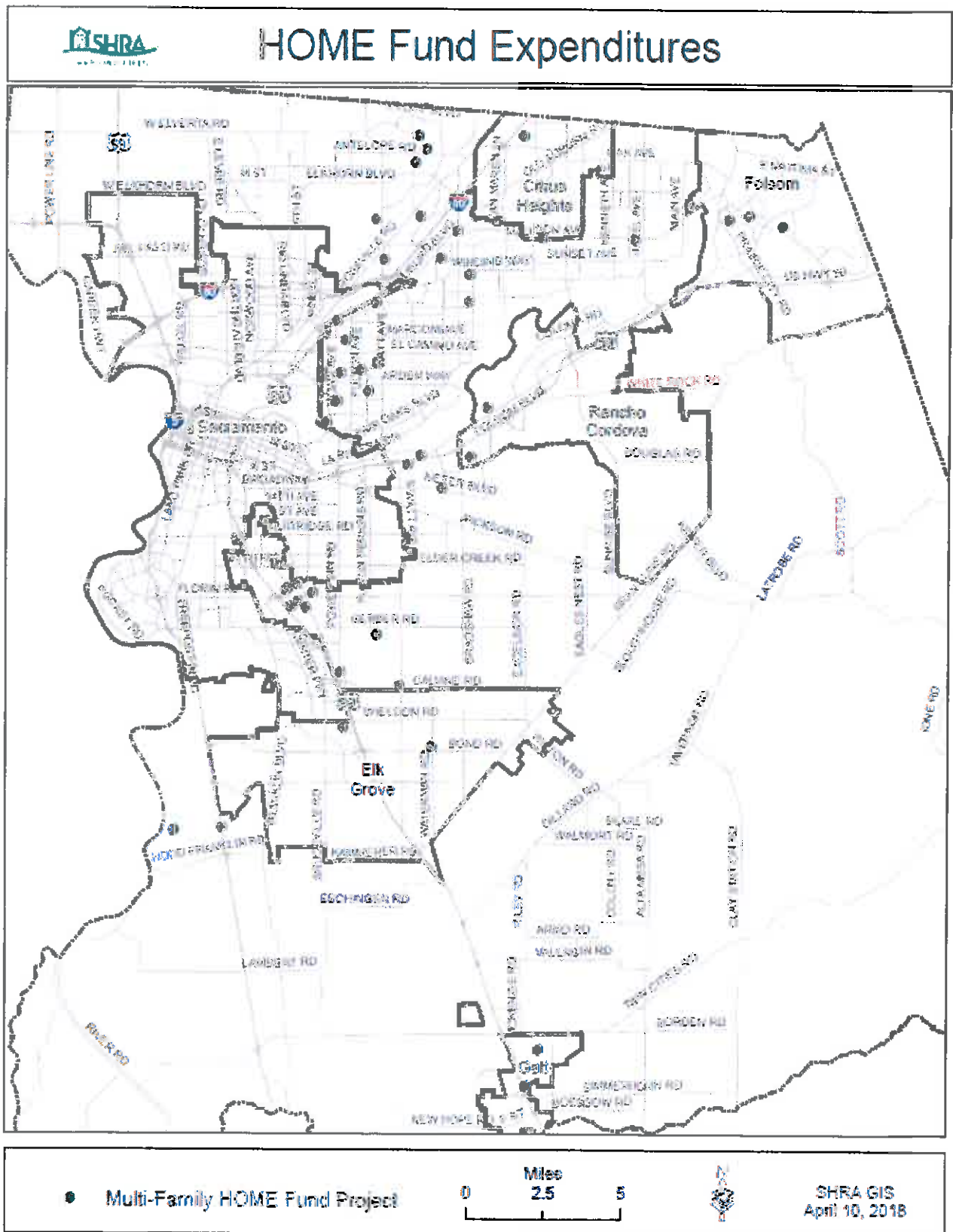
The County of Sacramento's FTHB program had a total HOME budget of \$100,000 and a remaining project budget of \$100,000. In 2017, CalHome funds were expended for the Sacramento FTHB program.

The County HOME Developments table identifies all properties that received HOME funds and the total number of units produced and currently regulated, followed by a map with the location of each development.

County HOME Developments

Project Name	Total Units
Anton Arcade Apartments	148
Arbor Creek Family	102
Arbor Creek Senior	68
Ardenaire Apartments	53
Asbury Place	105
Ashford Heights (The Oaks)	300
Bell Street Apartments	18
Breckenridge Village	160
Broadway Senior	120

Cardosa Village	20
The Cascades (Village East Apartments)	112
Centennial Place	15
Colonia San Martin	60
Cottage Estate Apartments	152
Creekview Manor Senior (Folsom Senior)	138
Crossroad Gardens	70
Curtis Park Court Apartments	91
Diogenes Youth Center	2
Ethan Terrace Apartments	92
Folsom Oaks	19
Foothill Farms Senior	138
Forestwood at Folsom	55
Garden Village (Willow Pointe)	195
Globe Mills	143
Greenbriar Apartments	138
Greenway Village	54
Grizzly Hollow III	54
Hastings Park	242
La Loma	34
Ladi Senior	147
Land Park Woods	75
Los Robles (Sky Parkway)	79
Lotus Landing (Azure Park)	220
Mercy Village Folsom (Duchow Homes)	80
Morse Glen Estates	50
Mulberry Gardens (Campus Gardens)	126
Normandy Park Senior	116
Olivewood	68
Rosswood Manor	97
Serna Village	84
Shiloh Arms	106
Sierra Vista Apartments	78
Sierra Creek	144
Sierra Sunrise Senior	119
Sierra Sunrise Senior – Phase 2	20
Sky Parkway Terraces Senior	59
Sutter Place Apartments	47
Terracina Park Meadows	144
Varena Senior Apartments	152
The Verandas	180
Vintage Woods Senior	185
Waterman Square	84
TOTAL UNITS	5,358



RESOLUTION NO. _____

BUILDING HOMES AND JOBS ACT: AUTHORIZING THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY TO RECEIVE AND ADMINISTER FUNDS FROM THE BUILDING HOMES AND JOBS ACT (SENATE BILL 2) ON BEHALF OF THE COUNTY OF SACRAMENTO

WHEREAS, the Governor of California approved and signed into law the Building Homes and Jobs Act (Senate Bill 2) on September 29, 2017; and

WHEREAS, Senate Bill 2 imposes a fee of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice;

WHEREAS, Senate Bill 2 will establish the Building Homes and Jobs Fund, of which a portion of funds will be made available to local entitlement jurisdictions beginning January 1, 2019; and

WHEREAS, the Sacramento Housing and Redevelopment Agency (Agency), on behalf of the County of Sacramento, will receive and administer the funds made available from the Buildings Homes and Jobs Act (Senate Bill 2) fund, in accordance with the previously approved Multifamily Lending and Mortgage Revenue Bond Policies and subject to the governing bodies approval of allocation of funds;

WHEREAS, this action is not a project pursuant to the California Environmental Quality Act per 14 California Code of Regulations §15378(b).

WHEREAS, this action is exempt under the National Environmental Policy Act per 24 Code of Federal Regulations §58.34(a)(2) and (3).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO

Section 1. The above recitals, including the environmental determinations, are determined to be true and correct.

Section 2. The Agency is approved as the delegated authority to receive and administer any and all proceeds from the Building Homes and Jobs Act (Senate Bill 2) fund on behalf of the County of Sacramento.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California this 22nd day of May 2018, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

ABSENT: Supervisors,

Page 2

ABSTAIN: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

Chair of the Board of Supervisors
of Sacramento County, California

(SEAL)

ATTEST: _____
Clerk, Board of Supervisors

RESOLUTION NO. SHRC-_____

ADOPTED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION UNDER THE AUTHORITY DELEGATED TO THE COMMISSION PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE, SECTION 33202 BY RESOLUTION NO. RA 81-083 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. RA-83 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981, AND PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34292 BY RESOLUTION NO. HA 81-098 ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. HA-1497 ADOPTED BY THE HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981.

ON DATE OF
May 2, 2018

BUILDING HOMES AND JOBS ACT: APPROVAL OF THE AUTHORIZATION TO RECEIVE AND ADMINISTER FUNDS FROM THE BUILDING HOMES AND JOBS ACT (SENATE BILL 2) ON BEHALF OF THE COUNTY OF SACRAMENTO

BACKGROUND

- A. The Governor of California approved and signed into law the Building Homes and Jobs Act (Senate Bill 2) on September 29, 2017; and
- B. Senate Bill 2 imposes a fee of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice; and
- C. Senate Bill 2 will establish the Building Homes and Jobs Fund, of which a portion of funds will be made available to local entitlement jurisdictions beginning January 1, 2019; and
- D. The Sacramento Housing and Redevelopment Agency (SHRA), on behalf of the County of Sacramento, will receive and administer the funds made available from the Buildings Homes and Jobs Act (Senate Bill 2) fund, in accordance with the previously approved Multifamily Lending and Mortgage Revenue Bond Policies and subject to governing body approval of allocation of funds.
- E. This action is not a project pursuant to the California Environmental Quality Act per 14 California Code of Regulations §15378.
- F. This action is exempt under the National Environmental Policy Act per 24 Code of Federal Regulations §58.34(a)(2) and (3).

BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

- Section 1. The above recitals, including the environmental determinations, are determined to be true and correct.
- Section 2. Subject to approval by the Board of Supervisors, the Executive Director, or her designee, is authorized to receive and administer any and all proceeds from the Building Homes and Jobs Act (Senate Bill 2) fund on behalf of the County of Sacramento.

CHAIR

ATTEST:

CLERK



April 26, 2018

Sacramento Housing and
Redevelopment Commission
Sacramento, CA

Honorable Members in Session:

SUBJECT:

Annual Report on Residential Hotels

SUMMARY

Receive and file – informational report only.

RECOMMENDATION

Review only no specific recommendation required.

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachment



REPORT TO CITY COUNCIL
City of Sacramento
915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

Consent
May 22, 2018

Honorable Mayor and Members of the City Council

Title: Annual Report on Residential Hotels

Location/Council District: Central City/Districts 3 and 4

Recommendation: Receive and file

Contact: Christine Weichert, (916) 440-1353; Tyrone Roderick Williams, (916) 440-1319, Sacramento Housing and Redevelopment Agency

Presenter: Not Applicable

Department: Sacramento Housing and Redevelopment Agency

Description/Analysis

Issue Detail: Beginning in the 1920s, residential hotels were a major source of affordable housing in the downtown Sacramento area. By 1986, only sixteen residential hotels remained. To mitigate the effect of displacement of very low income households (who were the hotels' primary residents) as the hotels were closed, the Sacramento City Council (Council) adopted an ordinance requiring that relocation benefits be paid to residents of Single Room Occupancy (SRO) residential hotels upon withdrawal or conversion to other uses.

Adoption of the 1986 relocation ordinance followed a moratorium on residential hotel conversion passed in 1983 in response to the loss of six hotels from the 1970s to 1983. In 2006, Council adopted an amendment to the relocation ordinance that specifically identified ten SRO hotels and required that relocation benefits be paid to residents in the event of a conversion or demolition of one of these properties. The amended relocation ordinance also imposed an obligation on the City to maintain an inventory of not less than 712 SRO units.

On November 1, 2016, Council adopted an amendment to the Residential Hotel Unit Withdrawal, Conversion, and Demolition Ordinance, No. 2016-0043 (Ordinance), City Code Chapter 18.20. Council approved the amendments to the Ordinance and other technical changes. The amendments included removal of seven of the ten rehabilitated,

regulated or replaced SROs, and required the remaining four un-rehabilitated and un-regulated SROs to remain subject to the Ordinance.

Pursuant to the Ordinance, the Sacramento Housing and Redevelopment Agency (SHRA) is required to provide an annual report to the Sacramento Housing and Redevelopment Commission (Commission) and Council on the number of residential hotel units withdrawn, the number of new units expected based on approved replacement housing plans, and the number of units constructed in anticipation of conversions or withdrawals. In order to comply with Ordinance reporting requirements, SHRA sent correspondence in January of 2018 to the owners of residential hotels subject to the Ordinance, including an annual certification on the status of the residential hotel (Residential Hotel Certification Summary - Attachment 3).

SRO Residential Hotels Subject to the Ordinance

The Ordinance currently pertains to the following four unregulated residential hotels:

- Capitol Park
- Congress
- Golden
- Sequoia

With the exception of Capitol Park and Golden, vacancy rates are less than three percent. According to the property management at Capitol Park and Golden, the vacancy rate is high due to selective screening. The owner of the Golden reported that there will be electrical and aesthetic upgrades completed by the summer of 2018.

Replacement/Withdrawn Units

A list of replacement and withdrawn units covered by the Ordinance is included in Attachment 3.

Replacement units must be comparable units with rents that do not exceed 40% of the Sacramento area median income (AMI), are located in close proximity to transportation and services, and have recorded affordability covenants.

Boulevard Court

Information on the 75-unit Boulevard Court development, completed in 2011, is also included in the Certification Summary pursuant to the development's special permit and Council Resolution 2008-526 (Certification Summary - Attachment 4).

Policy Considerations: This report complies with City Code Section 18.20.160, which requires an annual report on the number of residential hotel units withdrawn, the number of units expected based on approved replacement housing plans, and units constructed in anticipation of conversions or withdrawals.

Economic Impacts: Not Applicable.

Environmental Considerations: California Environmental Quality Act (CEQA): This report is not a project per 14 California Code of Regulations (CCR) §15378.

Sustainability Considerations: Not applicable.

Other: National Environmental Policy Act (NEPA): This report is exempt per 24 Code of Federal Regulations (CFR) §58.34(a) (3)

Commission Action: This report was reviewed by the Sacramento Housing and Redevelopment Commission as an information-only item on May 2, 2018.

Rationale for Recommendation: Not applicable; receive and file.

Financial Considerations: None.

LBE - M/WBE and Section 3 requirements: Not applicable.

Respectfully Submitted by:



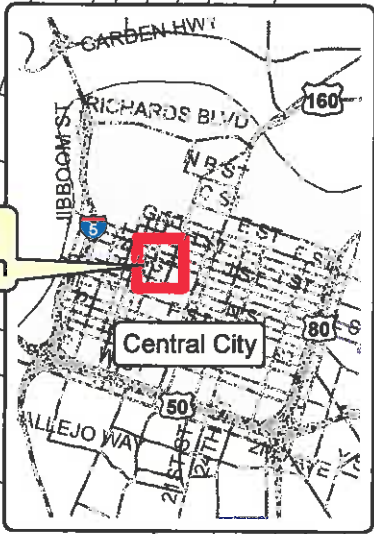
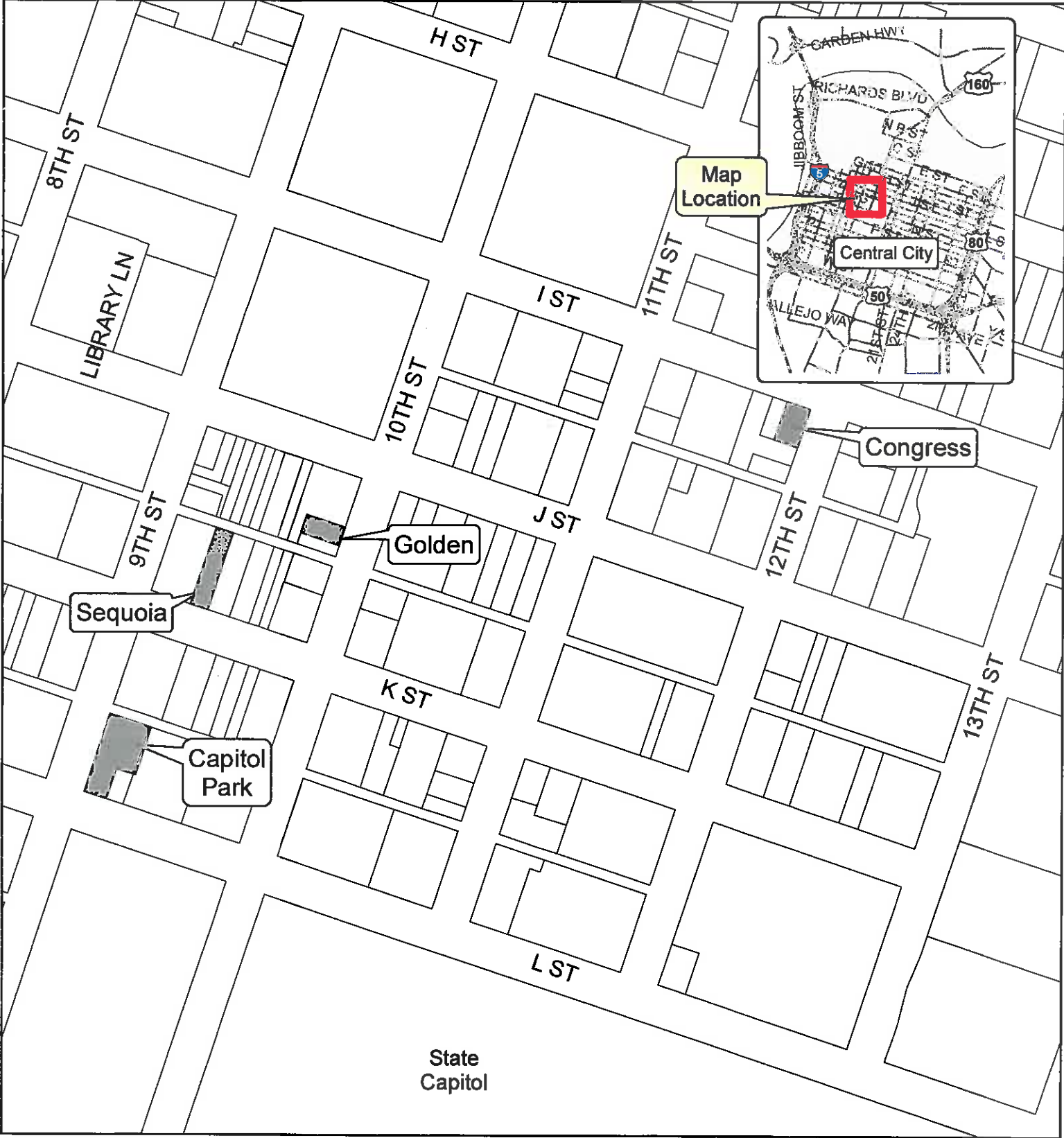
LA SHELLE DOZIER
Executive Director

Attachments

- 01 Description/Analysis and Background
- 02 2018 Map of Residential Hotels
- 03 2018 Residential Hotel Certification Summary
- 04 2018 Boulevard Court Certification Summary



Residential Hotels Identified In City Code 18.20 Subject To Withdrawn And/Or Replacement Units



Map Location

Congress

Golden

Sequoia

Capitol Park

State Capitol



Residential Hotel Included In Ordinance



SHRA GIS
April 10, 2018

Residential Hotel Certification Summary

May 2018

Non-Regulated Units Subject to the Ordinance						
Property	Address	Vacant Units	Total Units	Monthly Rent w/ Bath	Monthly Rent w/o Bath	Comments
Capitol Park	1125 9th St.	62	180	\$550	\$525	Four (4) vacant units used for storage, laundry, or maintenance supplies.
Congress	906 12th St.	0	27	\$560	\$525	
Golden	1010 10th St.	17	26	N/A	\$450-550	Electrical and aesthetic upgrades to be completed by summer 2018.
Sequoia	911 K St.	2	90	\$455	\$430	
Subtotal			323			

Regulated/Replacement Units		
Property	Address	Total Units
7th & H Project	625 H St.	150
Bel-Vue (Pending)	1123 8th St.	5
Cannery Place	601 Cannery Ave.	2
Globe Mills	1131 C St.	12
La Valentina	429 12th St.	11
Ridgeway	914 12th St.	22
Shasta	1017 10th St.	80
Studios at Hotel Berry	729 L St.	105
The WAL	1108 R St.	21
YWCA	1122 17th St.	32
Subtotal		440

Total Units	
Total Subject to the Ordinance and Regulated/Replacement Units	763
Total Required per the Ordinance	712
Total Surplus/Banked Units	51

Withdrawn Units				
Property	Address	Original Number Units	Approved Withdrawn Units	Comments
Marshall Hotel	1122 7th St.	95	95	7th & H provided 150 Replacement units for the withdrawn Wendell (19), Ridgeway (36) and Marshall (95).
Ridgeway	914 12th St.	58	36	
Wendell	1208 J St.	19	19	
Total			150	

SHRA Regulated Boulevard Court Certification Summary
May 2018

Address	Current Number Units w/ Bath	Vacant Units	Mthly Rent w/ Bath	Resident Services	Comments
5321 Stockton Blvd	75	3	\$730-\$804	Yes	On March 5, 2018, a fire caused by a vapor cigarette affected three units. Repairs to be completed by April 30, 2018.