



SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION
TELECONFERENCE MEETING ONLY

REGULAR MEETING

Wednesday, August 3, 2022 – 4:00 pm

NOTICE TO PUBLIC

In compliance with the Americans with Disabilities Act (ADA), SHRA requests that individuals who require special accommodations access and participate in Commission meetings contact the Agency Clerk at 916-440-8544 or aalexander@shra.org, at least 72 hours before the scheduled meeting. Agenda materials are available for review online at www.shra.org. If you need assistance with locating reports, contact the Agency Clerk.

In compliance with AB361, the Sacramento Housing and Redevelopment Commission meetings will be held by teleconference only. The public may participate in this meeting via Zoom or telephone.

Please contact the Agency Clerk's Office at aalexander@shra.org or 916-440-8544 if you have questions about the public comment procedure or remote participation.

ZOOM MEETING LINK:

<https://shra-org.zoom.us/j/87670568289?pwd=WU9KVWI2cE4Q3MyZGt5cVDY1NCdz09>

Webinar ID: 876 7056 8289 Passcode: 080322

Or by Telephone: (877) 853-5257

CALL TO ORDER 4:00 PM

ROLL CALL

Chair Gale Morgan
Vice-Chair Emmanuel Amanfor
Commissioner Stephanie Duncan
Commissioner Melvin Griffin
Commissioner Cecile Nunley
Commissioner Jasmine Osmany
Commissioner Andres Ramos
Commissioner Martin Ross
Commissioner Staajabu
Commissioner Samuel Starks
Commissioner Darrel Woo

PUBLIC COMMENT FOLLOW-UP REPORT

PUBLIC COMMENTS

Persons wishing to address the Commission on subjects not on the agenda but within the jurisdiction of the Commission may do so at this time. The Commission cannot discuss or take action on matters not on the agenda for this meeting, but Commissioners may briefly respond to statements made or questions raised by the public, ask for clarification from staff, refer the matter to staff, request staff to report back to the Commission at a subsequent meeting, or place the matter on a future agenda. Members of the public with questions are encouraged to contact staff before or after the meeting. To speak on an agenda item please use the “raise your hand” feature or press *9 on your phone. Speakers are limited to three minutes per item.

CONSENT ITEMS

All matters listed on consent are to be approved with one motion unless a Commission member or the public requests that separate action be taken on a specific item.

1. Approval of Commission Minutes for June 1, 2022

Recommendation: Approve minutes by minute action.

Contact: Amber Alexander, Agency Clerk, 916-440-8544

2. Resolution SHRC 2022-12 Approving the Sacramento Housing and Redevelopment Agency’s (SHRA) Conflict of Interest Code Amendments

Recommendation: Adopt resolution; Review the report and approve submittal to the City of Sacramento and County of Sacramento.

Contact: Amber Alexander, Agency Clerk, 916-440-8544

3. Resolution SHRC-2022-13 Authorizing for the Sacramento Housing and Redevelopment Agency to Apply for and Administer the State of California’s Emergency Solutions Grant Program within the Sacramento Continuum of Care Allocation Service Area; Execute Documents for the Administration of the State ESG Program and Other Environmental and Related Findings

Recommendation: Adopt resolution.

Contact: Christine Weichert, Director of Development Finance, 916-440-1353

SPECIAL PRESENTATION

4. Resident Success Story

Contact: Sarah O'Daniel, Deputy Executive Director, 916-440-1397

PUBLIC HEARING

5. Resolution SHRC 2022-11 Approving the Amendment to the Standard Agreement with the California Department of Housing and Community Development for the Permanent Local Housing Allocation (PLHA) Program and PLHA Program Annual Report

Recommendation: Adopt resolution; Review the report and approve submittal to the City of Sacramento.

Contact: Amber Alexander, Agency Clerk, 916-440-8544

DISCUSSION / BUSINESS ITEMS

6. Resolution SHRC 2022-10 Authorizing Public Meetings to be Held Via Teleconferencing Under Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same

Recommendation: Adopt resolution.

Contact: Amber Alexander, Agency Clerk, 916-440-8544

7. Approval of Repayment of California Housing Finance Agency (CalHFA) Loan on the Riverview Plaza Project Located at 600 I Street, Sacramento CA 95814 Through the Acceptance of a 0% Interest, 30 Year Term Loan from the Sacramento Housing Authority Repositioning Program (SHARP) to Riverview Plaza Associates

Recommendation: Review the report and approve submittal to the County of Sacramento.

Contact: Mark Hamilton, Director of Housing Authority, 916-440-6248

PRESENTATION

8. SHRA 2023 Budget - Revenue Trends and Projections

Contact: Susana Jackson, Chief Financial Officer, 916-440-1373

EXECUTIVE DIRECTOR REPORT

COMMISSION CHAIR REPORT

COMMISSION MEMBER REPORTS

ADJOURN

I, Amber Alexander, Agency Clerk, do hereby certify that I have caused a true copy of the above notice to be delivered to each of the members of the Sacramento Housing and Redevelopment Commission, at the time and in the manner prescribed by law and that this notice was posted at 801 12th Street, Sacramento, California on July 25, 2022.



**SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION
VIA TELECONFERENCE**

REGULAR MEETING MINUTES

Wednesday, June 1, 2022

CALL TO ORDER

Chair Morgan called the meeting to order at 4:02 PM

ROLL CALL

On roll call were Commissioners Amanfor, Morgan, Nunley, Osmany, Ross, Staajabu, Starks, and Woo via teleconference. Commissioners Boyd and Griffin were absent.

CITIZEN COMMENT REPORT

Amber Alexander, Agency Clerk, reported that the public comment from the last meeting regarding a voucher was followed up on and the issue was resolved.

CITIZENS COMMENTS

There were no public comments received.

CONSENT ITEMS

1. Approval of Commission Minutes for May 4, 2022
2. Resolution SHRC 2022-09 Authorizing Public Meetings to be Held Via Teleconferencing Under Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same

Commissioner Nunley made a motion to approve the consent items as presented. Commissioner Osmany seconded the motion. By a roll call vote, the motion carried by the following vote:

Ayes: Amanfor, Morgan, Nunley, Staajabu, Starks, Woo

Noes: None

Abstain: Ross, Osmany

Absent: Boyd, Griffin

DISCUSSION / BUSINESS ITEMS

3. Approval to include the City of Sacramento in the Article 34 Affordable Housing Ballot Measure Proposed by the County of Sacramento for the November 8, 2022 Election

Helen Petersen presented items 3 and 4 together. She recommended the Commission approve the submittal of a report to the City of Sacramento for approval to include them in the Article 34 Affordable Housing Ballot Measure Proposed by the County of Sacramento for the November 8, 2022 election. She also recommended approval of the report to the County of Sacramento to place Article 34 Affordable Housing Measure on the November 8, 2022, ballot.

Commissioner Ross made a motion to approve submittal to the City of Sacramento. Commissioner Nunley seconded the motion. By a roll call vote, the motion carried by the following vote:

Ayes: Amanfor, Morgan, Nunley, Osmany, Ross, Staajabu, Starks, Woo

Noes: None

Abstain: None

Absent: Boyd, Griffin

4. Approval to Place Article 34 Affordable Housing Measure on the November 8, 2022 Ballot

Commissioner Ross made a motion to approve submittal to the City of Sacramento. Commissioner Nunley seconded the motion. By a roll call vote, the motion carried by the following vote:

Ayes: Amanfor, Morgan, Nunley, Osmany, Ross, Staajabu, Starks, Woo

Noes: None

Abstain: None

Absent: Boyd, Griffin

5. Central City II (Rental Assistance Demonstration 3) Tax Equity and Fiscal Responsibility Act Hearing and Approval of Tax-Exempt Bonds, Loan Commitment and Funding Agreements

Ann Nichols recommended to the Commission that they approve the submittal of a report to the City of Sacramento for the Central City II (Rental Assistance Demonstration 3) tax equity and fiscal Responsibility Act Hearing and Approval of Tax-Exempt Bonds, Loan Commitment and Funding Agreements.

Commissioner Nunley made a motion to approve submittal to the City of Sacramento. Commissioner Woo seconded the motion. By a roll call vote, the motion carried by the following vote:

Ayes: Amanfor, Morgan, Nunley, Osmany, Ross, Staajabu, Starks, Woo

Noes: None

Abstain: None

Absent: Boyd, Griffin

EXECUTIVE DIRECTOR REPORT

La Shelle Dozier, Executive Director, reported that there is no date set yet for the next Commission meeting. The virtual tour will be the first meeting in August if all goes as planned. Two newly appointed commissioners are set to be appointed and join the next meeting. They are Andreas Ramos and Stephanie Duncan. Sam Starks is set to be reappointed.

COMMISSION CHAIR REPORT

Chair Morgan did not have a report.

ITEMS AND QUESTIONS OF COMMISSION MEMBERS

Commissioner Ross called for a moment of silence for those lost to violence. He went to Marisol Village and thought it was a great project. The grand opening is in October.

ADJOURNED MEETING AT 4:37 PM

CLERK

August 3, 2022



Sacramento Housing and Redevelopment Commission
Sacramento, California

Honorable Members in Session:

SUBJECT Sacramento Housing and Redevelopment Agency's (SHRA) Conflict of Interest Code Amendments

RECOMMENDATION

Staff is recommending adoption of the attached resolution and review and approval of the updates to the Conflict of Interest Code before presenting it to the City of Sacramento City Council, City of Sacramento Housing Authority, County of Sacramento Board of Supervisors, and County of Sacramento Housing Authority for final approval.

CONTACT PERSONS

Brad Nakano, General Counsel, 916-440-1330
Amber Alexander, Agency Clerk, 916-440-8544

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachments

1. SHRC Resolution 2022-12
2. City Council/Housing Authority Staff Report
3. City Council Resolution
4. Housing Authority Resolution
5. County Board of Supervisors/Housing Authority Board Letter
6. County Board of Supervisors Resolution
7. County Housing Authority Resolution
8. Exhibit A – Revised Conflict of Interest Code, Disclosure Categories, and Designated Employee List

RESOLUTION NO. SHRC 2022-12

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

August 3, 2022

APPROVING THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S (SHRA) CONFLICT OF INTEREST CODE AMENDMENTS

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 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 that every local government agency review its conflict of interest code periodically to determine whether it is accurate or needs to be amended; and

WHEREAS, all persons holding designated positions file statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. These 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). 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).

BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

Section 1. All evidence presented having been duly considered, the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved and adopted.

Section 2. The revised Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency, Designated Positions and Disclosure Categories as attached as Exhibit A, is hereby approved.

Section 3. The terms of 2 CCR §18730, included as Exhibit A, and any amendments to that section which may be duly adopted by the Fair Political Practices Commission after the date of this resolution, are hereby adopted by reference as the body of the Conflict of Interest Code for both the Sacramento Housing and Redevelopment Agency.

Section 4. This adopted and amended Conflict of Interest Code is effective immediately, and each and every newly added designee is required to file a statement of economic interests with the Agency Clerk within 30 days of the effective date of the Conflict of Interest Code.

PASSED AND ADOPTED BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: _____

NOES: COMMISSIONERS: _____

ABSENT: COMMISSIONERS: _____

ABSTAIN: COMMISSIONERS: _____

CHAIR

ATTEST:

CLERK



**REPORT TO COUNCIL AND
HOUSING AUTHORITY
City of Sacramento**

915 I Street, Sacramento, CA 95814-2671

www.CityofSacramento.org

**Consent
August 23, 2022**

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

Title: Approving the Sacramento Housing and Redevelopment Agency's (SHRA) Conflict of Interest Code Amendments

Location/Council District: Citywide

Recommendation: Adopt: 1) a) a **Housing Authority Resolution** approving the amended SHRA Conflict of Interest Code, list of 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, HA-2016-0020, HA-2018-0008, and HA-2020-0006), and 2) a **Council Resolution** a) approving the amended SHRA Conflict of Interest Code, list of designated positions, and disclosure categories

Contact: Brad Nakano, General Counsel, (916) 440-1330; Amber Alexander, Agency Clerk, (916) 440-8544; Sacramento Housing and Redevelopment Agency

Presenters: Not applicable.

Department: Sacramento Housing and Redevelopment Agency (SHRA)

Description/Analysis

Issue Detail: The Sacramento Housing and Redevelopment Agency (SHRA) is a public agency providing exclusive staffing for the Housing Authority of the City of Sacramento and administering federal housing and community development funds 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 was adopted by reference to the provisions of the California Administrative Code. SHRA has periodically updated that code and currently desires to make minor changes to reflect recent statewide updates. In addition,

relevant federal citations related to conflict of interest have been modified to represent current regulations.

The detailed disclosure categories have been modified. A disclosure category is a description of the types of financial interests' officials in one or more job classifications must disclose on their Form 700s. The categories must be tailored to the financial interests affected, and must not require public officials to disclose private financial information that does not relate to their public employment.

Staff is also recommending amending SHRA's designated employee list to reflect added or modified employee positions, to remove those no longer needed, and to represent the current disclosure categories. Exhibit A outlines the updated code, designated positions list, and disclosure categories.

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; deletion of positions that have been deemed to no longer have authorities that require filing; and updated disclosure categories.

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). **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).

Sustainability Considerations: Not applicable.

Commission Action: *Sacramento Housing and Redevelopment Commission:* At its August 3, 2022, meeting, the Sacramento Housing and Redevelopment Commission reviewed the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

ABSENT:

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 the incorporation of provisions contained in California Code Regulations Section 18730 that have changed since the previous approval of SHRA's code and allows for the inclusion of relevant federal conflict of interest code provisions.

Financial Considerations: None.

LBE - M/WBE and Section 3 requirements: The activities recommended in this 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

Attachments

- 1-Description/Analysis
- 2-Housing Authority Resolution
- 3-City Council Resolution
- 4-Exhibit A – Revised Conflict of Interest Code and Designated Employee List

RESOLUTION NO. 2022 -

Adopted by the Sacramento City Council

On date of

APPROVING THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S (SHRA) CONFLICT OF INTEREST CODE AMENDMENTS

BACKGROUND

- A. 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.
- B. The City of Sacramento is the code-reviewing body for the Sacramento Housing and Redevelopment Agency (Agency).
- C. 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.
- D. The Political Reform Act requires that every local government agency review its conflict of interest code periodically to determine whether 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. These statements will be made available for public inspection and reproduction. Statements for all designated positions are retained by the Agency Clerk.
- F. The recommended activity is not a project under the California Environmental Quality Act (CEQA) pursuant to 14 CCR §15378(b)(2). 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).

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

- Section 1. All evidence presented having been duly considered, the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved adopted.

- Section 2. The revised Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency, Designated Positions and Disclosure Categories as attached as Exhibit A, is hereby approved.
- Section 3. The terms of 2 CCR §18730, included as Exhibit A, and any amendments to that section which may be duly adopted by the Fair Political Practices Commission after the date of this resolution, are hereby adopted by reference as the body of the Conflict of Interest Code for both the Sacramento Housing and Redevelopment Agency and the Housing Authority of the City of Sacramento.
- Section 4. This adopted and amended Conflict of Interest Code is effective immediately, and each and every newly added designee is required to file a statement of economic interests with the Agency Clerk within 30 days of the effective date of the Conflict of Interest Code.

Table of Contents:

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

RESOLUTION NO. 2022 -

Adopted by the Housing Authority of the City of Sacramento

On date of

APPROVING THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S (SHRA) CONFLICT OF INTEREST CODE AMENDMENTS

BACKGROUND

- A. 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.
- B. The City 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 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.
- D. The Political Reform Act requires that every local government agency review its conflict of interest code periodically to determine whether it is accurate or needs to be amended.
- E. All persons holding designated positions must 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.
- F. The recommended activity is not a project under the California Environmental Quality Act (CEQA) pursuant to 14 CCR §15378(b)(2).
- G. 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).

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

- Section 1. All evidence presented having been duly considered, the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved and adopted.
- Section 2. 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, and HA 2014-0012, HA 2016-0020, HA 2018-0008, and HA 2020-0006 which are previously adopted Housing Authority Resolutions related to the Agency's Conflict of Interest Code, 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, is hereby approved.
- Section 4. The terms of 2 CCR §18730, attached as Exhibit A, and any amendments to 2 CCR §18730 which may be duly adopted by the Fair Political Practices Commission after the date of this resolution, are 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 each and every newly added designated person is required to file a Form 700 - Statement of Economic Interests with the Agency Clerk within 30 days of the effective date of the Conflict of Interest Code.

Table of Contents:

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

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
August 23, 2022

To: Board of Supervisors and Housing Authority

Through: Ann Edwards, County Executive
Chevon Kothari, Deputy County Executive, Social Services

From: La Shelle Dozier, Executive Director, Sacramento Housing
and Redevelopment Agency

Subject: Approving the Sacramento Housing and Redevelopment
Agency's (SHRA) Conflict of Interest Code Amendments

District(s): All

RECOMMENDED ACTION

1. 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, HA-2395, HA-2419, and HA-2454.
 - c) Making related environmental findings.
2. Adopt a Board of Supervisors Resolution:
 - a) Approving the updated Conflict of Interest Code, designated positions, and disclosure categories for SHRA.
 - b) Making related environmental findings.

BACKGROUND

The Sacramento Housing and Redevelopment Agency (SHRA) is a public agency providing exclusive staffing for the Housing Authority of the County of Sacramento and administering federal housing and community development funds on behalf of the County 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 was adopted by reference the provisions of the California Administrative Code. SHRA has periodically updated that code and currently desires to make minor changes to reflect recent statewide code updates. In addition, relevant federal citations related to conflict of interest have been modified to represent current regulations.

The detailed disclosure categories have been modified. A disclosure category is a description of the types of financial interests' officials in one or more job classifications must disclose on their Form 700s. The categories must be tailored to the financial interests affected, and must not require public officials to disclose private financial information that does not relate to their public employment.

Staff is also recommending amending SHRA's designated employee list to reflect added or modified employee positions, to remove those no longer needed, and to represent the current disclosure categories. Exhibit A outlines the updated code, designated positions list, and disclosure categories.

COMMISSION ACTION

At its meeting on August 3, 2022, the Sacramento Housing and Redevelopment Commission approved the staff recommendation for this item.

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; deletion of positions that have been deemed to no longer have authorities that require filing; and updated disclosure categories.

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). **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).

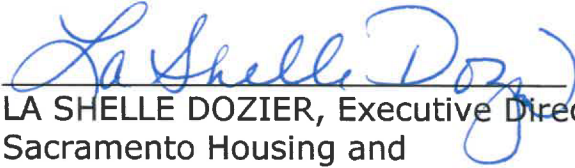
M/WBE/SECTION 3 CONSIDERATIONS

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

FINANCIAL ANALYSIS

Not applicable.

Respectfully Submitted,



LA SHELLE DOZIER, Executive Director
Sacramento Housing and
Redevelopment Agency

APPROVED
ANN EDWARDS
County Executive

By: _____
CHEVON KOTHARI
Deputy County Executive
Redevelopment Agency

Attachment(s):

RES – Board of Supervisors Resolution

RES - Housing Authority Resolution

ATT 1 – Exhibit A Revised Conflict of Interest Code, Designated Employee List,
and Disclosure Categories

RESOLUTION NO.

APPROVING THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S (SHRA) CONFLICT OF INTEREST CODE AMENDMENTS

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

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 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, Government Code §§ 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 designated positions must file annual statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. These statements are 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 § 15378(b)(2); 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. All evidence presented having been duly considered, the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved adopted.

Section 2. The terms of 2 CCR § 18730, and any future amendments to that section which may be duly adopted by the Fair Political Practices Commission, are hereby 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, Designated Positions, and Disclosure Categories, is hereby approved.

Section 4. This Conflict of Interest Code is effective immediately, and each and every newly added designee is required to file a statement of economic interests with the Agency Clerk within 30 days of the effective date of the Code.

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 this 23rd day of August, 2022, 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, Board of Supervisors

RESOLUTION NO.

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

**APPROVING THE SACRAMENTO HOUSING AND REDEVELOPMENT
AGENCY'S (SHRA) CONFLICT OF INTEREST CODE AMENDMENTS**

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 (the "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; and

WHEREAS, all persons holding designated positions must file annual statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. These statements are 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

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, HA-2395, HA 2419, and HA 2454) are hereby
repealed.

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

Section 4. The Conflict of Interest Code for the Housing Authority of the
County of Sacramento 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
Board of the Housing Authority of the County of Sacramento this 23rd day of
August, 2022, by the following vote, to wit:

AYES: Members,

NOES: Members,

ABSENT: Members,

Approving the Sacramento Housing and Redevelopment Agency's (SHRA)
Conflict of Interest Code Amendments
Page 3

ABSTAIN: Members,

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

Chair of the Board of the Housing Authority
of Sacramento County, California

(SEAL)

ATTEST: _____
Clerk

**Sacramento Housing and Redevelopment Agency (SHRA) Conflict of Interest
Code – 2022**

Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.) § 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 the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of 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, 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 Section 87100, and to other state or local laws pertaining to conflicts of interest.

(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 (Regulations 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 the Appendix 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.

Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in 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, Sections 87200, et seq.

- 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, Section 87200; and

C. The filing officer is the same for both agencies¹.

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

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

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code².

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 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following the person's return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the person's military status.

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 the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's 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 the person 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 Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 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 property³ is required to be reported⁴, 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 \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$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 \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$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,⁶ 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 \$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 the employee is a director, officer, partner, trustee, employee, or in which the employee 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 the member's or employee's statement of economic interests.
- (B) 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.
- (C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.
- (D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

Section 8.1. Prohibition on Receipt of Gifts in Excess of \$520.

- (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 \$520 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 the member's or employee's statement of economic interests.

- (B) 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.
- (C) Subdivisions (e), (f), and (g) of 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 the election to office through the date that the officer 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 the election to office through the date that the officer 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 the official 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 \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.(8.3)

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 the officer's election to office through the date the officer vacates office, receive a personal loan of \$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 (B), 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.
 - (a) If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - (b) The date the loan was made.
 - (c) The date the last payment of \$100 or more was made on the loan.
 - (d) The date upon which the debtor has made payments on the loan aggregating to less than \$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 the employee's official position to influence the making of any governmental decision which the employee 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 the official's immediate family or on:

- (A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;
- (B) Any real property in which the designated employee has a direct or indirect interest worth \$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 \$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 \$500 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 the employee's 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 the employees' 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 the official's 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 the official's 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 \$1,000 or more.

Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental

decision because the employee 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 the duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for the employee's 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, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to 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 Section 81004.

² See Section 81010 and Regulation 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 the employee's community property interest in the income of the employee's 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)(B)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)(B) 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 title 1, section 100, 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 History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (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)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), 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)(B)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)(8.1)(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)(8.1)(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, nonpublished 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)(B)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, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).
24. Amendment of subsections (b)(8.1)-(b)(8.1)(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,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (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)(8.1)(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)(8.1), (b)(8.1)(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, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).
30. Amendment of subsections (b)(8.1)-(b)(8.1)(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, 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 2008, No. 44).
31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. 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 2010, No. 47).
32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. 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 2013, No. 2).
33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing and printing 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) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). 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 2016, No. 49).
35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing 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 2018, No. 50).
36. Amendment of subsections (b)(8.1)-(8.1)(A) filed 12-23-2020; operative 1-1-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). 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 2020, No. 52).
37. Amendment of subsections (b)(3)(C), (b)(5)(C), (b)(5.5), (b)(5.5)(A)(2), (b)(7)(D), (b)(8)(A), (b)(8.1)(A), (b)(8.2)(A), (b)(8.2)(C)-(D), (b)(8.3)(A), (b)(9), (b)(9.3), (b)(9.5), (b)(10) and (b)(11) and footnote 5 filed 5-12-2021; operative 6-11-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). 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 2021, No. 20).

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY DISCLOSURE

Federal Requirements that apply to all SHRA designated filers.

2 CFR 200.112 (Uniform Administrative Requirements for Federal Awards)

The Federal awarding agency must establish conflict of interest policies for Federal awards. The non-Federal entity must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.

24 CFR 982.161 (Housing Choice Voucher/Section 8 Conflict of interest Requirements)

(a) Neither the Public Housing Authority (PHA) nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with the Housing Choice Voucher (HCV) program in which any of the following classes of persons has any interest, direct or indirect, during tenure or for one year thereafter:

- (1) Any present or former member or officer of the PHA (except a participant commissioner);
- (2) Any employee of the PHA, or any contractor, subcontractor or agent of the PHA, who formulates policy or who influences decisions with respect to the programs;
- (3) Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs; or
- (4) Any member of the Congress of the United States.

(b) Any member of the classes described in paragraph (a) of this section must disclose their interest or prospective interest to the PHA and United States Department of Housing and Urban Development (HUD).

(c) The conflict of interest prohibition under this section may be waived by the HUD field office for good cause.

Section 19 - Annual Contributions Contract (ACC) – Housing Authority (HA) Conflict of Interest

(A)(I) In addition to any other applicable conflict of interest requirements, neither the HA nor any of its contractors or their subcontractors may enter into any contract, subcontract, or arrangement in connection with a project under this ACC in which any of the following classes of people has an interest, direct or indirect, during his or her tenure or for one year thereafter:

- (i) Any present or former member or officer of the governing body of the HA, or any member of the officer's immediate family. There shall be excepted from this prohibition any present or former tenant commissioner who does not serve on the governing body of a resident corporation, and who otherwise does not occupy a policymaking position with the resident corporation, the HA or a business entity.

(ii) Any employee of the HA who formulates policy or who influences decisions with respect to the project(s), or any member of the employee's immediate family, or the employee's partner.

(iii) Any public official, member of the local governing body, or State or local legislator, or any member of such individuals' immediate family, who exercises functions or responsibilities with respect to the project(s) or the HA.

(2) Any member of these classes of persons must disclose the member's interest or prospective interest to the HA and HUD.

(3) The requirements of this subsection (A) (1) may be waived by HUD for good cause, if permitted under State and local law. No person for whom a waiver is requested may exercise responsibilities or functions with respect to the contract to which the waiver pertains.

(4) The provisions of this subsection (A) shall not apply to the General Depository Agreement entered into with an institution regulated by a Federal agency, or to utility service for which the rates are fixed or controlled by a State or local agency.

(5) Nothing in this section shall prohibit a tenant of the HA from serving on the governing body of the HA.

(B)(I) The HA may not hire an employee in connection with a project under this ACC if the prospective employee is an immediate family member of any person belonging to one of the following classes:

(i) Any present or former member or officer of the governing body of the HA. There shall be excepted from this prohibition any former tenant commissioner who does not serve on the governing body of a resident corporation, and who otherwise does not occupy a policymaking position with the HA.

(ii) Any employee of the HA who formulates policy or who influences decisions with respect to the project(s).

(iii) Any public official, member of the local governing body, or State or local legislator, who exercises functions or responsibilities with respect to the project(s) or the HA.

(2) The prohibition referred to in subsection (B) (I) shall remain in effect throughout the class member's tenure and for one year thereafter.

(3) The class member shall disclose to the HA and HUD the member's familial relationship to the prospective employee.

(4) The requirements of this subsection (B) may be waived by the HA Board of Commissioners for good cause, provided that such waiver is permitted by State and local law.

(A) The requirements of subsections (A) and (B) of this section do not apply to contracts entered into by an Indian Housing Authority, its contractors or subcontractors, although such contracts remain subject to other applicable conflict of interest requirements.

(B) For purposes of this section, the term "immediate family member" means the spouse, mother, father, brother, sister, or child of a covered class member (whether related as a full blood relative, or as a "half" or "step" relative, e.g., a half-brother or stepchild).

2 CFR 200.318 General Federal Procurement Standards regarding Conflict of Interest

(a) The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(c) (2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical

approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also § 200.213 Suspension and debarment.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(j) (1) The non-Federal entity may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(j) (2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal

entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

24 CFR 570.611 – Community Development Block Grant (CDBG) Program requirements regarding Conflict of Interest

(a) *Applicability.*

(1) In the procurement of supplies, equipment, construction, and services by recipients and by sub recipients, the conflict of interest provisions in 2 CFR 200.317 and 200.318 shall apply.

(2) In all cases not governed by 2 CFR 200.317 and 200.318, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient or by its subrecipients to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to § 570.202; or grants, loans, and other assistance to businesses, individuals, and other private entities pursuant to § 570.203, 570.204, 570.455, or 570.703(i)).

(b) *Conflicts prohibited.* The general rule is that no persons described in paragraph c of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the Urban Development Action Grant (UDAG) program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at anytime after, such person's tenure.

(c) *Persons covered.* The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

(d) *Exceptions.* Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis when it has satisfactorily met the threshold requirements of (d)(1) of this section, taking into account the cumulative effects of paragraph (d)(2) of this section.

(1) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:

(i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was

made; and **(ii)** An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(2) Factors to be considered for exceptions. In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient administration of the recipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

- (i)** Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- (ii)** Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii)** Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv)** Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision making process with respect to the specific assisted activity in question;
- (v)** Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section;
- (vi)** Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- (vii)** Any other relevant considerations.

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]); and
- b. Sources and amounts of all income, loans (excluding those for your primary residence), 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; investments in privately held companies (i.e., companies not publicly traded on a stock exchange); positions and ownership interests of 10% or greater in any company or 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.

Category 2:

- 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]); and
- b. Sources and amounts of all income, loans (excluding those for your primary residence), 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, investments in privately held companies (i.e., companies not publicly traded on a stock exchange), positions and ownership interests of 10% or greater in any company or 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.

SHRA Designated Positions

Designated position	Change	Disclosure Category
AGENCY CLERK	No change	1
AGENCY COUNSEL	No change	1
ASSET MANAGER	No Change	1
ASSISTANT AGENCY CLERK	No Change	2
ASSISTANT DIRECTOR (includes Assistant Directors in all departments)	No change	1
CHIEF FINANCIAL OFFICER	No change	1
COMMUNITY DEVELOPMENT ANALYST 1, 2, or 3	No change	2

Designated position	Change	Disclosure Category
COMPLIANCE/PROCUREMENT ANALYST	No change	1
CONSTRUCTION ARCHITECT	Change disclosure category from 3 to 1	1
CONSTRUCTION ENGINEER	Change disclosure category from 3 to 1	1
CONSTRUCTION TECHNICIAN	Change disclosure category from 3 to 2	2
CONTRACT ADMINISTRATOR	Change disclosure category from 1 to 2	2
DEPUTY EXECUTIVE DIRECTOR	No change	1
DIRECTOR (includes Directors in all departments)	No change	1
ENGINEERING PROJECT MANAGER	No change	1
EXECUTIVE DIRECTOR	No change	1
FACILITIES COORDINATOR	Change disclosure category from 3 to 2	2
FINANCE ANALYST	Add position	2
GENERAL COUNSEL	No change	1
GRANT WRITER	No change	2
HOUSING PROGRAM – SPECIALIST - HCV & HSG	Change disclosure category from 3 to 2	2
HOUSING AUTHORITY ANALYST – HCV & HSG	Change disclosure category from 3 to 2	2
HOUSING FINANCE ANALYST - RANGE 1, 2 or 3	No change	2
HOUSING PROGRAM TECHNICIAN 1 or 2	Remove	3
HOUSING SERVICES COORDINATOR	Change disclosure category from 3 to 2	2
HUMAN RESOURCE ANALYST	Change disclosure category from 3 to 2	2
IT APPLICATIONS AND SUPPORT ANALYST	ADD	2
IT APPLICATIONS/DEV ANALYST	Change disclosure category from 4 to 2	2
IT BUSINESS ANALYST	Change disclosure category from 4 to 2	2
IT MANAGER	ADD	1
IT NETWORK/MIDRANGE SPECIALIST	Remove	4

Designated position	Change	Disclosure Category
LEASING AGENT	Change disclosure category from 3 to 2	2
LOAN ADMINISTRATOR	Remove – position not active	2
LOAN SERVICING ANALYST	No change	2
MANAGEMENT ANALYST (includes Environmental Analyst and Risk Services Manager positions)	No change	1
MAINTENANCE LEAD	Remove- position not active	2
MAINTENANCE SPECIALIST – (includes Stationery Engineer and Fire and Life Safety Specialist)	No change	2
MAINTENANCE SUPERVISOR	Add	1
PORTFOLIO MANAGER	Change disclosure category from 2 to 1	1
PRINCIPAL CONSTRUCTION ARCHITECT/CONSTRUCTION ENGINEER	Remove – position not active	2
PRINCIPAL CONSTRUCTION TECHNICIAN	No change	2
PRINCIPAL HOUSING AUTHORITY ANALYST – HCV or HSG	Remove- position not active	2
PRINCIPAL LOAN PROCESSING ANALYST	Remove- position not active	2
PRINCIPAL REGULATORY COMPLIANCE ANALYST	Remove- position not active	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 COORDINATOR	Add	2
PROJECT MANAGER	No change	1
PUBLIC INFORMATION OFFICER	No change	1
REAL ESTATE ADMINISTRATOR	Add	2
REAL ESTATE ANALYST	No change	1
REAL ESTATE COORDINATOR	No change	1
REAL ESTATE SPECIALIST	No change	1
REDEVELOPMENT ANALYST RANGE 1, 2 or 3	Remove- position not active	2

Designated position	Change	Disclosure Category
REDEVELOPMENT PLANNER - RANGE 1, 2, or 3	Remove- position not active	2
REDEVELOPMENT SPECIALIST 1, 2, OR 3	Remove- position not active	2
REGIONAL MANAGER	No change	1
REGULATORY COMPLIANCE ANALYST	No change	2
RESIDENT SERVICES SUPERVISOR	ADD	2
RESIDENT TRAINEE SUPERVISOR	ADD	2
SECTION 3 ADMINISTRATOR	No change	1
SENIOR HR ANALYST	No change	1
SENIOR LOAN SERVICING ANALYST	No change	2
SENIOR MANAGEMENT ANALYST	No change	1
SENIOR PROGRAM ANALYST – PROMISE ZONE COORDINATOR	No change	2
SITE MANAGER I/II	No change	2
STAFF MANAGER	No change	1
SUPERVISOR (includes Homeownership, Housing Authority, Resident Services and Procurement Supervisors)	No change	1
SHRA COMMISSION MEMBERS	No change	1
CITY AND COUNTY HOUSING AUTHORITY BOARD MEMBERS	No change	1
SACRAMENTO CITY COUNCIL MEMBERS	No change	1
SACRAMENTO COUNTY BOARD OF SUPERVISOR MEMBERS	No change	1
LOAN COMMITTEE MEMBERS	Remove- Not active	1
CONSULTANTS/NEW POSITIONS	No change	1

CONSULTANTS

Definition: A "consultant" for purposes of this Code is a natural person: (1) who provides, under contract, information, advice, recommendation or counsel to a local government agency; and (2) whose consulting position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. "Natural person" includes only the specific individual or individuals providing the consulting services, and does not include the corporate or other business entity which employs the individual.

Exclusions: The term "consultant" excludes a person who: (1) conducts research and arrives at conclusions with respect to his or her rendition of information, advice, recommendation or

counsel independent of the control and direction of the agency or any Agency official, other than normal contract monitoring; and (2) possesses no authority with respect to any Agency decision beyond the rendition of information, advice, recommendation or counsel. A person who provides consulting services, advice, information, recommendations or counsel on a regular basis, is not excluded. However, persons hired to produce a finished product or study, construct a project, represent the Agency in a piece of litigation, or conduct similar activities on an ad hoc basis are excluded.

Where a natural person is a "consultant" as defined above, such person is a designated employee under government code Section 82019 and is deemed to make or participate in the making of decisions which may foreseeably have a material effect on any financial interest.

Except as otherwise set forth in this Code, any reference hereto to "designated employee" shall include a natural person who is a consultant covered by this Code.

The Executive Director or designated representative, shall make the initial determination as to whether a person qualifies as a consultant under this code. In making such determination, the Executive Director or designated representative may consult with and rely upon the advice of the Agency's General Counsel.

The disclosure categories for a consultant who is subject to this Code shall be the broadest group of categories for the employees of the of the Agency, provided, however, that the Executive Director or designated representative may select a lesser group of categories where the circumstances so warrant.

The requirements of this code shall be included in the contract which is entered into between the Agency and the consultant.

August 3, 2022



Sacramento Housing and Redevelopment Commission
Sacramento, California

Honorable Members in Session:

SUBJECT Authorization for the Sacramento Housing and Redevelopment Agency to Apply for and Administer the State of California's Emergency Solutions Grant Program Within the Sacramento Continuum of Care Allocation Service Area; Execute Documents for the Administration of the State ESG Program and Other Environmental and Related Findings

RECOMMENDATION

Staff recommends adoption of the attached resolution, authorizing the Executive Director, or her designee, to 1) use the grant pursuant to the 2022 Emergency Solutions Grant (ESG) Notice of Funding Availability (NOFA) funds in a manner consistent and in compliance with all applicable State, federal, and other statutes, rules, regulations, guidelines, and laws, including without limitation to all rules and laws regarding the ESG Program (Program), as well as any and all contracts Sacramento Housing and Redevelopment Agency (SHRA) may have with the California Department of Housing and Community Development (HCD); 2) receive an ESG grant from HCD, in an amount not to exceed \$400,000 and amend SHRA's budget accordingly. If the award is less than \$400,000, SHRA is authorized to amend its budget to accept the actual amount of the award; 3) use the ESG funds for eligible activities as approved by HCD and in accordance with all Program requirements and other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between SHRA and HCD; 4) execute the Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents related to the Program or the ESG grant awarded to State ESG Administrative Entity, as HCD may deem appropriate; and 5) execute the contract(s) and any subsequent amendments with duly awarded sub-recipient(s) procured through solicitation for the ESG Rapid Re-Housing Program and with the emergency shelter provider selected.

CONTACT PERSONS

Christine Weichert, Director of Development Finance, 916-440-1353
Celia Yniguez, Program Manager, 916-440-1350

SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION

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SUMMARY

Annually, the California Department of Housing and Community Development (HCD) issues an application for the Continuum of Care (CoC) allocation for the ESG Program as a designated Administrative Entity (AE) for the 2022-2023 period. SHRA is required to submit a resolution along with the response to the 2022 application to continue receiving funding.

BACKGROUND

Administrative Entity Process

Beginning in 2016 and every two years thereafter, HCD has solicited for qualified local government entities to act as the AE within its CoC Service Area to administer ESG funding in collaboration with its CoC. To qualify, an AE must:

- be a unit of general-purpose local government that has administered ESG funds as a U.S. Department of Housing and Urban Development (HUD) entitlement during at least one of the past five years;
- have no unresolved ESG monitoring findings with HUD or HCD that have been determined to pose a substantial risk to HCD;
- demonstrate the ability and willingness to perform functions of an AE; and
- be recommended by the CoC and willing to collaborate to the maximum extent feasible with its CoC.

Non-Entitlement Areas

The application requires AEs to ensure that all funded activities are available to non-entitlement areas of the service area using the Coordinated Entry System and other means. In Sacramento County, the non-entitlement areas are Citrus Heights, Elk Grove, and Rancho Cordova. All remaining cities are under the County of Sacramento entitlement umbrella. The AE facilitates outreach to populations in the non-entitlement areas and evaluates participation from these areas at least annually. Funded activities may also serve households in ESG entitlement areas.

SHRA has and will continue to consult and collaborate with Sacramento Steps Forward, the County of Sacramento, and its cities on client outreach and performance measures. SHRA will continue to follow HCD's annual reporting instructions and provide accomplishments in the Action Plan. To satisfy HCD's annual reporting requirements, Sacramento Steps Forward will extract client Coordinated Entry System enrollment location from the Homeless Management Information System (HMIS) and provide that information to HCD.

Original Governing Board Approvals

In April 2016, the Sacramento Housing and Redevelopment Commission (Commission) and the Sacramento County Board of Supervisors (Board) authorized and approved SHRA to receive funds and administer HCD's ESG Rapid Re-Housing (RRH) program by Commission Resolution No. 2016-04 and Board Resolution No. 2016-0233.

SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION

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As part of this action, the Board also authorized SHRA, through the Commission, to:

- Apply annually for the grant.
- Accept grant funds.
- Execute State agreements.
- Amend its budget to administer the State ESG Program within the designated CoC Service Area of Sacramento County as determined by the State.

Attachment 1 summarizes the performance outcomes for February 1, 2021, to May 31, 2022, SHRA administered State ESG program grants. Rapid re-housing services are provided by Volunteers of America, and emergency shelter services by First Steps Communities.

2022 State ESG AE Statement of Interest

Once the two-year initial grant agreement period elapsed, HCD required grantees to submit a new Statement of Interest (SOI) to provide services to continue receiving funding. As a result, SHRA submitted the AE SOI on February 10, 2022, to HCD for the subsequent two funding cycles (2021/2022 and 2022/2023). In correspondence, HCD notified staff that SHRA was approved to continue as the AE for the Sacramento Continuum of Care Service Area. The Service Area includes the County of Sacramento, the City of Sacramento, and the remaining incorporated cities.

2022 State ESG Grant Award Summaries

Anticipated State ESG 2022 Grant Award - \$222,585

The allocation is comprised of the State's federal ESG only.

2022 State of California ESG

The anticipated Sacramento allocation is \$222,585, with a decrease of \$14,341 (\$86,414 for rapid re-housing, \$129,622 for emergency shelter activities, and \$6,549 for SHRA administration). HCD will notify AEs of final allocations this fall. HCD encouraged AEs to request double the anticipated allocation as resolutions with a lower than the final award would be rejected.

Anticipated Allocations at \$222,585:

Sacramento County Rapid Re-Housing: \$86,414
Sacramento County Emergency Shelter: \$129,622
SHRA administration: \$ 6,549
Total - \$222,585

Anticipated Allocations for purposes only of the Resolution at \$400,000:

Sacramento County Rapid Re-Housing: \$243,000
Sacramento County Emergency Shelter: \$150,000
SHRA administration - \$7,000
Total - \$400,000

SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION

State Emergency Solutions Grant Program 2022
August 3, 2022
Page 4

Administrative amounts and expenditure dates are established by HCD.

Anticipated HCD Standard Agreement Period:
November 1, 2022 through October 31, 2024.

Anticipated 2022 State ESG Grant Year Required Vendor Solicitation and Award:
In this report, staff requests authorization to submit the 2022 grant year application, accept funds and execute contracts with the rapid re-housing provider and emergency shelter provider selected through a process consistent with SHRA procurement policies.

Anticipated Provider Contract Period:
November 1, 2022 through July 31, 2024
(Allows time for HCD to process reimbursement requests.)

Anticipated 2022 Grant Year Accomplishments

Sacramento: Will provide RRH services to at least 20 unduplicated countywide households. Activities will/may include:

- Housing search and placement.
- Case management.
- Rental application fees.
- Security/utility deposits.
- Utility payments.
- Short-term rental assistance for literally homeless individuals and non-CalWorks eligible families.
- Provide emergency shelter and services to approximately 80 unduplicated homeless individuals.

FINANCIAL CONSIDERATIONS

On June 13, 2022, NOFA announced Sacramento's anticipated funding amount at \$222,585. Staff is following HCD's August 2020 application webinar instructions for AEs to double the amount as resolutions with a lesser amount for the final award to be accepted.

For purposes of this report, utilizing the \$400,000 figure, staff anticipates \$243,000 will fund RRH services, including housing search and placement, case management, short-term rental assistance, rental application fee, security/utility deposits, and utility payments for approximately 20 unduplicated literally homeless households; \$150,000 will fund emergency shelter for up to approximately 80 unduplicated individuals, and the remaining \$7,000 is available to SHRA for administering the Program for a total of \$400,000. The allocation could be less depending on the final award.

POLICY CONSIDERATIONS

SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION

State Emergency Solutions Grant Program 2022

August 3, 2022

Page 5

The actions recommended in this report are consistent with previously approved policies, and state and federal requirements.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA): The recommended activity is considered an administrative activity and therefore is determined not to be a project subject to provisions of CEQA per 14 California Code of Regulations (CCR) §15378(b). Additional environmental review will be completed prior to approval of or commitment to any specific activities or projects under the ESG program.

National Environmental Policy Act (NEPA): The recommended activity is considered an administrative and management activity and therefore is determined to be Exempt from NEPA per 24 CFR §58.34(a) (3), "administrative and management activities." Additional environmental review will be completed prior to approval of or commitment to any specific activities or projects under the ESG program.

M/WBE AND SECTION 3 CONSIDERATIONS

Minority and Women's Business Enterprise requirements will be applied to all activities to the extent required by federal funding to maintain that federal funding. Section 3 requirements will be applied to the extent they may be applicable. LBE Considerations are not applicable to this report.

Respectfully submitted,


LA SHELL DOZIER
Executive Director

Attachments

1 - Performance Outcomes

2 - Resolution

**2021 and 2022 State ESG
(federal) Summary of
Performance Outcomes**

**CA-503: Volunteers Of
America**

Report period 02/1/2021 - 5/31/2022

Q5a. Report Validations Table

Program Applicability: All Projects

	Countywide	Total
Total number of persons served	46	46
Number of adults (age 18 or over)	22	22
Number of children (under age 18)	24	24
Number of persons with unknown age	0	0
Number of leavers	30	30
Number of adult leavers	16	16
Number of adult and head of household leavers	16	16
Number of stayers	16	16
Number of adult stayers	6	6
Number of veterans	1	1
Number of chronically homeless persons	10	10
Number of youth under age 25	1	1
Number of parenting youth under age 25 with children	1	1
Number of adult heads of household (HH)	19	19
Number of child and unknown-age heads of household	0	0
HH and adult stayers in the project 365 days or more	2	2

Permanently Housed - Exit Destination	14	14
Temporarily* Housed - Exit Destination	0	0
Total Number of Permanent and Temporarily Housed	14	14

*Includes temporary and institutional housing or client declined to state/refused. Sacramento Steps Forward (HMIS lead) instructs providers to use exit destinations like "client refused" or "no exit interview conducted" when clients disappear/unknown/missed all meetings/no contact/other. SSF states that HMIS/Clarity cannot add or change the destination or reason options.

RESOLUTION NO. SHRC-2022-13

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

August 3, 2022

AUTHORIZATION FOR THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY TO APPLY FOR AND ADMINISTER THE STATE OF CALIFORNIA'S EMERGENCY SOLUTIONS GRANT PROGRAM WITHIN THE SACRAMENTO CONTINUUM OF CARE ALLOCATION SERVICE AREA; EXECUTE DOCUMENTS FOR THE ADMINISTRATION OF THE STATE ESG PROGRAM AND OTHER ENVIRONMENTAL AND RELATED FINDINGS

WHEREAS, a necessary quorum and majority of the Commissioners of the Sacramento Housing and Redevelopment Commission, of the Sacramento Housing and Redevelopment Agency, a Corporate Body, corporate and politic (Applicant) hereby consent to, adopt and ratify the following; and

WHEREAS, the State of California (State), Department of Housing and Community Development (Department) issued a Notice of Funding Availability (NOFA) for the Continuum of Care Allocation dated June 13, 2022, under the Emergency Solutions Grants (ESG) Program (Program, or ESG Program); and

WHEREAS, Applicant is an approved ESG Administrative Entity; and

WHEREAS, the Department may approve funding allocations for the ESG Program subject to the terms and conditions of the NOFA, Program regulations and requirements, and the Standard Agreement and other contracts between Department and ESG grant recipients; and

WHEREAS, the recommended activity is not a project subject to the provisions of the California Environmental Quality Act per 14 California Code of Regulations §15378(b); and

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

BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

Section 1. All evidence presented having been duly considered, the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved adopted.

Section 2. If Applicant receives a grant of ESG funds from Department pursuant to the above-referenced ESG NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including, without limitation, all rules, rules and laws regarding the ESG Program, and any and all contracts Applicant may have with Department.

Section 3. Applicant is hereby authorized and directed to receive an ESG grant in an amount not to exceed \$400,000 in accordance with all applicable rules and laws. SHRA's Executive Director is authorized to amend the Agency's budget to reflect the actual grant amount.

Section 4. Applicant hereby agrees to use the ESG funds for eligible activities as approved by the Department and in accordance with all Program requirements, other rules and laws, and in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and Department.

Section 5. La Shelle Dozier, the Executive Director (ED) or her designee are authorized to execute the Standard Agreement and any subsequent amendments or modifications thereto, as well as any documents which are related to the Program or the ESG grant awarded to Applicant, as the Department may deem appropriate.

Section 6. The ED, her designee, or the Deputy are authorized to execute all contracts and any subsequent amendments or agreements Applicant deems appropriate with duly awarded subrecipient(s) procured through solicitations for the ESG Rapid Re-Housing Program and emergency shelter services, all as approved by Applicant's legal counsel.

PASSED AND ADOPTED BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: _____

NOES: COMMISSIONERS: _____

ABSENT: COMMISSIONERS: _____

ABSTAIN: COMMISSIONERS: _____

CHAIR

ATTEST:

CLERK

August 3, 2022



Sacramento Housing and Redevelopment Commission
Sacramento, California

Honorable Members in Session:

SUBJECT Approval of Amendment to Standard Agreement with the California Department of Housing and Community Development for the Permanent Local Housing Allocation (PLHA) Program and PLHA Program Annual Report

RECOMMENDATION

Staff is recommending the adoption of the attached resolution approving the amendment to the standard agreement with the California Department of Housing and Community Development for the Permanent Local Housing Allocation (PLHA) Program and PLHA Program Annual Report, and approval of the same for submittal to the City of Sacramento City Council for final approval.

CONTACT PERSONS

Christine Weichert, Director of Housing Finance, 916-440-1353, cweichert@shra.org;
Sacramento Housing and Redevelopment Agency

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachments

- 1-SHRC Resolution
- 2-City Council Description/Analysis
- 3-City Council Resolution
- 4-PLHA Annual Report

RESOLUTION NO. SHRC-2022-11

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

AUGUST 3, 2022

APPROVAL OF AMENDMENT TO STANDARD AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM AND PLHA PROGRAM ANNUAL REPORT

WHEREAS, in 2017, Senate Bill 2 created the first permanent funding source for affordable housing in the State of California, which became known as the Permanent Local Housing Allocation (PLHA). PLHA revenue is generated through recording fees on real estate transactions and varies from yearly depending upon activity. On November 12, 2019, the City Council authorized the Sacramento Housing and Redevelopment Agency (SHRA) to apply to the California Department of Housing and Community Development (HCD) on behalf of the City to receive and administer the City's entitlement under the PLHA. At that time Council also approved a five-year allocation plan; and

WHEREAS, in the original application, down payment assistance funds were targeted at households earning 80% or less than the Area Median Income (AMI). The rise in home prices has caused the failure of qualified homebuyers at the 80% of AMI level. To expedite the distribution of the funds, staff recommends allowing households up to 120% of AMI to be eligible for the down payment program. The new eligibility will allow for a much larger pool of applicants yet while still assisting low and moderate-income households; and

WHEREAS, PLHA Guidelines Section 301(a)(2) allows for the predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas; and

WHEREAS, HCD requires a noticed public hearing annually to report on the use of PLHA funds, and this public hearing was held at the Sacramento Housing and Redevelopment Commission meeting on August 3, 2022; and

WHEREAS, California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA): The proposed action is administrative and, therefore, not a project pursuant to CEQA Guidelines Section 15378, and exempt under NEPA pursuant to 24 Code of Federal Regulations 58.34(a)(3).

BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

Section 1. All evidence presented having been duly considered, the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved adopted.

Section 2. The amendment to the Standard Agreement with the California Department of Housing and Community Development for the Permanent Local Housing Allocation Program to allow for participants up to 120% of Area Median Income (AMI) to participate in the PLHA funded down payment assistance program is approved.

Section 3. The Executive Director, or her designee, is authorized to execute the amendment with HCD.

PASSED AND ADOPTED BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: _____

NOES: COMMISSIONERS: _____

ABSENT: COMMISSIONERS: _____

ABSTAIN: COMMISSIONERS: _____

CHAIR

ATTEST:

CLERK



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

Consent
August 23, 2022

Honorable Mayor and Members of the City Council

Title: Approval of Amendment to Standard Agreement with the California Department of Housing and Community Development for the Permanent Local Housing Allocation (PLHA) Program and PLHA Program Annual Report

Location/Council District: Citywide

Recommendation: Adopt a Council Resolution authorizing: 1) an amendment to the Standard Agreement with the California Department of Housing and Community Development (HCD) for the Permanent Local Housing Allocation Program, 2) the Sacramento Housing and Redevelopment Agency to execute the amendment as required by HCD, and 3) receiving and filing the annual report for the PLHA program.

Contact: Christine Weichert, Director of Housing Finance, 916-440-1353, cweichert@shra.org; Sacramento Housing and Redevelopment Agency

Presenters: None

Department: Sacramento Housing and Redevelopment Agency

Description/Analysis

Issue Detail: In 2017, Senate Bill 2 created the first permanent source of funding for affordable housing in the State of California, which became known as the Permanent Local Housing Allocation (PLHA). PLHA revenue is generated through recording fees on real estate transactions and varies from year to year depending upon activity. On November 12, 2019, the City Council authorized the Sacramento Housing and Redevelopment Agency (SHRA) to apply to the California Department of Housing and Community Development (HCD) on behalf of the City to receive and administer the City's entitlement under the PLHA. At that time, Council also approved a five-year allocation plan.

For the first two years of PLHA funding (2020 and 2021), SHRA applied for \$6,020,679 in PLHA funds. In mid-2021, SHRA received the 2020 allocation of \$2,357,067, and in August of 2022, the 2021 allocation of \$3,663,612 should arrive.

Per the original application, funds were allocated as follows for the two-year period:

- \$4,510,000 (75%) to affordable multifamily housing projects
- \$1,327,679 (20%) to down payment assistance
- \$183,000 or (5%) to program administration.

In the original application, down payment assistance funds were targeted at households earning 80% or less than the Area Median Income (AMI). Due to the rise in home prices, staff has failed to qualify a homebuyer at the 80% of AMI level. The primary reason is an increase in the average home price in Sacramento. According to Zillow, the average home price in Sacramento is \$517,612, and Redfin reports \$520,000. The average price increase, combined with a rise in interest rates, has dramatically increased the household's income to qualify for a standard first mortgage. To expedite the funds' distribution, staff recommends allowing households up to 120% of AMI to be eligible for the down payment program. The new eligibility will allow for a much larger pool of applicants while still assisting low, and moderate-income households should the price of homes decrease in the future. Raising the AMI is authorized under PLHA guidelines. Section 301(a)(2) allows for the predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing that meets the needs of a growing workforce earning up to 120% of AMI.

Included in this report as Attachment 3 is the PLHA annual report required by HCD. PLHA affordable multifamily housing funds have been allocated to the Central Sacramento Studios Homekey Project, Mirasol Village Phase D, in addition to the allocations made to the down payment assistance program. On August 3, 2022, the Sacramento Housing and Redevelopment Commission held a public hearing for these changes.

Policy Considerations: The recommended actions are consistent with:
1) SHRA's previously approved Multifamily Lending and Mortgage Revenue Bond Policies; and 2) The 2021-2029 Housing Element (a) Goal 2, Increasing Affordable and Workforce Housing Production, H-2.1 Provide Opportunities for Affordable Housing Throughout the City of Sacramento, H-2.3 Assist in Development of Affordable Housing.

Economic Impacts: Not applicable.

Environmental Considerations: California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA): The proposed action is administrative and therefore not a project pursuant to CEQA Guidelines Section 15378, and exempt under NEPA pursuant to 24 Code of Federal Regulations 58.34(a)(3).

Sustainability Considerations: Not applicable.

Commission Action: *Sacramento Housing and Redevelopment Commission:* At its August 3, 2022, meeting, the Sacramento Housing and Redevelopment Commission reviewed the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

ABSENT:

Rationale for Recommendation: The actions recommended in this report enable SHRA to continue to fulfill its mission of providing a range of affordable housing opportunities in the City and are consistent with SHRA's previously approved Multifamily Lending and Mortgage Revenue Bond Policies, the City of Sacramento's 2021-2029 Housing Element as part of Sacramento's 2035 General Plan, and the Opportunity Zone.

Financial Considerations: Not applicable.

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

Respectfully Submitted by:



LA SHELLE DOZIER
Executive Director

Attachments

- 1-Description/Analysis
- 2-Resolution
- 3-PLHA Annual Report

RESOLUTION NO. 2022 -

Adopted by the Sacramento City Council

On date of

APPROVAL OF AMENDMENT TO STANDARD AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM AND PLHA PROGRAM ANNUAL REPORT

BACKGROUND

- A. In 2017, Senate Bill 2 created the first permanent funding source for affordable housing in the State of California, known as the Permanent Local Housing Allocation (PLHA). PLHA revenue is generated through recording fees on real estate transactions and varies yearly, depending upon activity. On November 12, 2019, the City Council authorized the Sacramento Housing and Redevelopment Agency (SHRA) to apply to the California Department of Housing and Community Development (HCD) on behalf of the City to receive and administer the City's entitlement under the PLHA. At that time, Council also approved a five-year allocation plan.
- B. In the original application, down payment assistance funds targeted households earning 80% or less than the Area Median Income (AMI). Since the program's start, due to the rise in home prices, staff has failed to qualify homebuyers at the 80% of AMI. To expedite the distribution of the funds, staff recommends allowing households up to 120% of AMI to be eligible for the down payment program. The new eligibility will allow for a much larger pool of applicants while assisting low and moderate-income households.
- C. PLHA Guidelines Section 301(a)(2) allows for the predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing that meets the needs of a growing workforce earning up to 120% of AMI, or 150% of AMI in high-cost areas.
- D. HCD requires a noticed public hearing annually to report on the use of PLHA funds, and this public hearing was held at the Sacramento Housing and Redevelopment Commission meeting on August 3, 2022.
- E. California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA): The proposed action is administrative and therefore not a project pursuant to CEQA Guidelines Section 15378, and exempt under NEPA pursuant to 24 Code of Federal Regulations 58.34(a)(3).

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

- Section 1. All evidence presented having been duly considered, the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved adopted.
- Section 2. The amendment to the Standard Agreement with the California Department of Housing and Community Development for the Permanent Local Housing Allocation Program to allow for participants up to 120% of Area Median Income (AMI) to participate in the PLHA funded down payment assistance program is approved.
- Section 3. Sacramento Housing and Redevelopment Agency is authorized to execute the amendment with HCD.
- Section 4. The City acknowledges the receipt of the annual report for the PLHA program.

Table of Contents:

Exhibit A: PLHA Annual Report



PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM

Annual Report
 Cover Page

Last Revised: 06/28/2022

HCD Contract Number:	20-PLHA-15094	Local Government (Contractor Name):	Sacramento Housing and Redevelopment Agency
Preparer Name:	Vickie Smith	Preparer Title:	Sr. Management Analyst
Preparer Email:	vsmith@stra.ca.gov	Preparer Phone Number:	916-440-1353
Reporting Period:	July 1, 2021- June 30, 2022, Due July 31, 2022	Allocation Type Pursuant to Guidelines Articles III and IV	Formula
Was an application submitted on behalf of the Local Government by a delegated entity to administer on its behalf? (See Guidelines §309(c)(4))	Yes		
Name of Administering Local Government, Local Housing Trust Fund, or Regional Housing Trust Fund:	City of Sacramento		

Allocation Summary

Please enter awarded annual allocation amounts to date (through June 30th of the current reporting year and found in Exhibit E of the fully executed Standard Agreement or subsequent fully executed amendments to the Standard Agreement).

2019 Allocation	2020 Allocation	2021 Allocation	2022 Allocation	2023 Allocation	Total Allocation
\$2,357,067.00	\$3,663,612.00	\$0.00	\$0.00	\$0.00	\$6,020,679.00
Amount of 2019 allocation that will be used for AOWH (See §303(e))	Amount of 2020 allocation that will be used for AOWH (See §303(e))	Amount of 2021 allocation that will be used for AOWH (See §303(e))	Amount of 2022 allocation that will be used for AOWH (See §303(e))	Amount of 2023 allocation that will be used for AOWH (See §303(e))	Total of Planned AOWH
\$471,415.40	\$732,722.40	\$0.00	\$0.00	\$0.00	\$1,204,137.80

Disbursement Summary

Please enter amounts disbursed by HCD to date (through June 30th of the reporting year). If an award year has not been disbursed, please enter "0" in the corresponding column.

2019 Allocation Disbursed:	2020 Allocation Disbursed:	2021 Allocation Disbursed:	2022 Allocation Disbursed:	2023 Allocation Disbursed:	Total Disbursed
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Amount of 2019 disbursements used for AOWH (See §303(e))	Amount of 2020 disbursements used for AOWH (See §303(e))	Amount of 2021 disbursements used for AOWH (See §303(e))	Amount of 2022 disbursements used for AOWH (See §303(e))	Amount of 2023 disbursements used for AOWH (See §303(e))	Total of Disbursed AOWH
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Awarded Activity Summary

Please enter the awarded allocation amount (in dollars) for each year by activity. If an allocation year has not yet been awarded (evidenced by a fully executed Standard Agreement or subsequent fully executed amendments to the Standard Agreement), please leave "\$0.00" in the corresponding column. Below that, select the year in which funds were disbursed. If funds have been awarded, but not yet been disbursed, please select "Not yet disbursed"

Activity	2019 Allocation Amount Per Activity	2020 Allocation Amount Per Activity	2021 Allocation Amount Per Activity	2022 Allocation Amount Per Activity	2023 Allocation Amount Per Activity
Activity 1: §301(a)(1)	\$1,767,800.25	\$2,747,709.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Not Yet Disbursed	Not Yet Disbursed	Please Select One	Please Select One	Please Select One
Activity 2: §301(a)(2)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Please Select One	Please Select One	Please Select One	Please Select One	Please Select One
Activity 3: §301(a)(3)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Please Select One	Please Select One	Please Select One	Please Select One	Please Select One
Activity 4: §301(a)(4)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Please Select One	Please Select One	Please Select One	Please Select One	Please Select One
Activity 5: §301(a)(5)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Please Select One	Please Select One	Please Select One	Please Select One	Please Select One
Activity 6: §301(a)(6)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Please Select One	Please Select One	Please Select One	Please Select One	Please Select One
Activity 7: §301(a)(7)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Please Select One	Please Select One	Please Select One	Please Select One	Please Select One
Activity 8: §301(a)(8)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Please Select One	Please Select One	Please Select One	Please Select One	Please Select One
Activity 9: §301(a)(9)	\$471,415.40	\$732,722.40	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Not Yet Disbursed	Not Yet Disbursed	Please Select One	Please Select One	Please Select One
Activity 10: §301(a)(10)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Please Select One	Please Select One	Please Select One	Please Select One	Please Select One
Admin: §301(b)	\$117,851.35	\$183,180.60	\$0.00	\$0.00	\$0.00
Reporting year in which funds were disbursed (e.g. if you requested your 2019 allocation in the 2021 reporting year, select 2021).	Not Yet Disbursed	Not Yet Disbursed	Please Select One	Please Select One	Please Select One
Total: (must match Allocation Summary from row 36)	\$2,357,067.00	\$3,663,612.00	\$0.00	\$0.00	\$0.00

**PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM
Annual Report
Narrative Summary**

1. Please describe any issues or barriers you encountered in securing required entitlements, permits, zoning changes, and environmental clearances as applicable.

none

2. Please describe the targeted beneficiaries of your project including services to be provided.

Activity 1 - households earning 30% or below area median income. Services to be provided include housing and full case management which includes mental health, substance abuse, counseling, job placement, low-households, childcare, tutoring, and other services as determined by management.
Activity 9-downpayment assistance to low and moderate income households.

3. Please describe any proposed amendment(s) to the approved Activities and schedule (pursuant to Guidelines Section 503(b))

Staff preparing an amedment to downpayment assistance program to be submitted to HCD

4. Please describe additional revenue generated from program funding in this reporting period and how revenue was generated (e.g. loan repayments, interest, fees). Please provide a description of how your estimate of households to be assisted was determined. (pursuant to Guidelines Section 302 (8))

none

4a. Program Income Earned this reporting period:

none

4b. Approximate Number of Households to be assisted with this period's Reuse Revenue:

na

4c. Current Balance of Reuse Revenue:

none

5. Please share any success stories you've had from PLHA-funded projects

Optional: Grantees may sent attachments and photos to PLHASGM@hcd.ca.gov

Closed escrow on initial project which is Central Sacramento Studios which will provide housing for 92 formerly homeless households

6. If your five-year plan includes any of the following activities: 2, 3, 4, 7, 8, 9, or 10, explain how you are targeting 20% of your allocation toward AOWH. See Guidelines §303(e) If AOWH is not applicable (e.g. if your plan only includes activities 1, 5, or 6), please enter "N/A."

100% of the downpayment assistance grant is targeted to AOWH

PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM

Annual Report

#NAME?

Instructions: Enter the total amount of PLHA funds expended on Administrative Costs to date in cell F8. Use the table below to provide detail on project sites receiving PLHA funding. All projects must be given a unique identifying name in column A to be referenced on subsequent Activity and Outcome pages. Responses should reflect all annual PLHA funds expended or committed to date.

Local Government or Administering Local Entity:		#NAME?	HCD Contract Number:	20-PLHA-15094	Reporting Period:	July 1, 2021- June 30, 2022, Due July 31, 2022		
Total Amount of PLHA Funds Awarded:	Total Amount of PLHA Funds Committed:	Total Amount of PLHA Funds Not Yet Committed	Percentage of Funds Committed	Total Amount of Program Funds Expended on Activity Costs to Date	Amount Spent on Administrative Expenses to Date:	Percentage of Funds Expended on Administrative Expenses:	Balance of Unexpended PLHA Funds	% of Unexpended PLHA Funds
\$6,020,679.00	\$4,515,509.25	\$1,505,169.75	0.00%	\$0.00	\$0.00	0.00%	\$6,020,679.00	100.00%
Project(s) Name/Identifier	Project Address Street, City, Zip	Project County Please select one	Activities Please select all that apply Refer to Cover Sheet or Guidelines 301 (a) and 401 (a) for Activity references	Total Amount of Program Funds Committed (all allocation years to date)	Amount of Program Funds Expended on activity costs	Length of Affordability Restriction (in years), if applicable	Date of Affordability Covenant Expiration, if applicable	Total Cost of Project (include non-PLHA funds)
Central Sac Studios	1100 H Street Sacramento CA 95814	Sacramento County	Activity 1	\$1,767,800.25	\$0.00	55	12/1/2077	\$32,000,000.00
Mirasol D	1200 Richards Blvd Sacramento CA 95814	Sacramento County	Activity 1	\$2,747,709.00	\$0.00	55	3/1/2078	\$17,000,000.00
Downpayment Assistance	na	Sacramento County	Activity 9	\$0.00	\$0.00	na	na	na
Projects Total				\$4,515,509.25	\$0.00			\$49,000,000.00

Formula Activity Reference
Activity 1: §301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is Affordable to Extremely low, 'Very low', Low-, or Moderate income households, including necessary operating subsidies
Activity 2: §301(a)(2) The predevelopment, development, acquisition, rehabilitation, and preservation of Affordable rental and ownership Housing Including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120% of AMI, or 150% of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.
Activity 3: §301(a)(3) Matching Portion of Funds placed into Local or Regional Housing Trust Funds
Activity 4: §301(a)(4) Matching portions of funds available through the Low- and Moderate-income Housing Asset Fund pursuant to subdivision (d) of HSC Section §4176
Activity 5: §301(a)(5) Capitalized Reserves for Services connected to the preservation and creation of new Permanent supportive housing.
Activity 6: §301(a)(6) Assisting persons who are experiencing or At risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.
Activity 7: §301(a)(7) Accessibility modifications in Lower-income Owner-occupied housing.
Activity 8: §301(a)(8) Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.
Activity 9: §301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance
Activity 10: §301(a)(10) Fiscal incentives made by a county to a city within the county to incentivize approval of one or more Affordable housing Projects, or matching funds invested by a county in an Affordable housing development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an Affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the Affordable housing project.

Competitive Activity Reference
Activity 1 Competitive: §401(a)(1) Development of new multifamily rental housing that is Affordable to households at or below 60% of AMI or substantial rehabilitation of multifamily rental housing that will be Affordable to households at or below 60% of AMI, but which is not currently restricted as Affordable housing.
Activity 2 Competitive: §401(a)(2) Assistance to persons who are experiencing or At risk of homelessness, including, but not limited to, through rapid rehousing, or rental assistance, supportive services, and case management services, that allow people to obtain and retain housing, operating and capital costs for navigation centers, or new construction, rehabilitation, or preservation of permanent or transitional rental housing.

PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUND

Activity 1 Outcomes

§301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is Affordable to Extremely low, Very low, Low, or Moderate income households, including necessary operating subsidies

Contract Number:	20-PLHA-10094	Total Award for Activity:	\$4,515,009.25	% of Total PLHA Award:	75.00%	Amount Expended on Activity:	\$0.00	% of Activity Award Expended:	0.00%	Remaining Balance for Activity:	\$4,515,009.25	% of Activity Funds Remaining:	100.00%
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General Project Information and Expenditure Breakdown

Project: (Select from Drop-Down)	Developer Name	Grant or Loan	Amount Expended on					Households Served							
			Predevelopment	Construction/Development	Acquisition	Rehabilitation/Preservation	Operating Subsidies	Total Number of Individuals to occupy project	Total Number of Households to occupy the project	Seniors (65 and older) to occupy project	Veterans to occupy project	Disabled Persons to occupy project	Families with Minor Children to occupy project	Transition-Aged Youth (ages 18-24) to occupy project	Farmworkers to occupy project
Central Sac Studios	Danco Communities	Low Interest Deferred Loan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	tbd	tbd	tbd	tbd	tbd	tbd	tbd	tbd
Mirasol D	SHARP	Low Interest Deferred Loan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	tbd	tbd	tbd	tbd	tbd	tbd	tbd	tbd
		Select One													
		Select One													
		Select One													
		Select One													
Total:			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0	0	0	0	0

Unit Details

Project	Total Number of Units in Project	Total Number of Units restricted for Affordability in Project	Type of Housing	Number of Units Receiving Operating Subsidy	Number of ADA Accessible Units Developed, Rehabilitated or Preserved	Number of Units Developed, Rehabilitated or Preserved for Formerly Homeless Individuals	Number of Extremely Low-Income Units Developed, Rehabilitated or Preserved (Max 30% AMI) (Per Guidelines 10'(f)(i)):	Number of Very Low-Income Units Developed, Rehabilitated or Preserved (Max 50% AMI) (Per Guidelines 10'(c)(i)):	Total Number of Units at or below 60% AMI Developed, Rehabilitated or Preserved	Number of Low(er)-Income Units Developed, Rehabilitated or Preserved (Max 80% AMI) (Per Guidelines 10'(s)):	Number of Moderate-Income Units Developed, Rehabilitated or Preserved (Max 100% AMI, or if in High Cost Area 150% (Per Guidelines 10'(t)):	Project Status and Evidence of Compliance			
												Project Status	Is Award Letter to Affordable Housing Project Attached?	Date of Project Completion (if applicable)	If Completed, is Certificate of Occupancy Attached?
Central Sac Studios	92	92	Multifamily Rental Housing	92	9	92	92	0	0	0	0	Predevelopment	N/A	2023	N/A
Mirasol D	115	115	Multifamily Rental Housing	115	20	47	47	47	43	25	0	Predevelopment	N/A	2023	N/A
			Select One									Select One			
			Select One									Select One	Select One		Select One
			Select One									Select One	Select One		Select One
			Select One									Select One	Select One		Select One
			Select One									Select One	Select One		Select One
Total:	207	207		207	29	139	139	47	43	25	0				

Additional Comments on Outcomes and Activity Expenditures

PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUND

Activity 9 Outcomes

§301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance

Contract Number:	20-PLHA-15094	Total Award for Activity:	\$1,204,137.80	% of Total PLHA Award:	20.00%	Amount Expended on Activity:	\$0.00	% of Activity Award Expended:	0.00%	Remaining Balance for Activity:	\$1,204,137.80	% of Activity Funds Remaining:	100.00%
Expenditure Breakdown				Households Served									
Project: (Select from Drop-Down)	Amount Expended on Down Payment Assistance	Amount Expended on Other Homeownership Opportunities	Description of Other Homeownership Opportunity Activities	Total Number of Households Assisted	Total Number of Individuals Assisted	Total Number of Seniors (65 and older) Assisted	Total Number of Veterans Assisted	Total Number of Disabled Persons Assisted	Total Number of Families with Minor Children Assisted	Total Number of Transition-Aged Youth (ages 18-24) Assisted	Total Number of Farmworkers Assisted		
Downpayment Assistance	\$0.00	\$0.00	na	0	0	0	0	0	0	0	0		
Total:	\$0.00	\$0.00		0	0	0	0	0	0	0	0		
Unit Details							Project Status and Evidence of Compliance						
Project	Total Homeownership Units Assisted	Type of Housing	Number of Extremely Low-Income Households Assisted (Max 30% AMI) (Per Guidelines 101(n)):	Number of Very Low-income Households Assisted (Max 50% AMI) (Per Guidelines 101(cc)):	Total Number of Households at or below 60% AMI Assisted	Number of Low(er)-Income Households Assisted (Max 80%AMI) (Per Guidelines 101(s)):	Number of Moderate-Income Households Assisted (Max 120% AMI, or if in High Cost Area 150%) (Per Guidelines 101(t)):	Is Deed Restriction Recorded?	Project Status	Are homeownership program policies attached?	Are proof of awards to homeowners attached?	Date of Project Completion (if applicable)	If Completed, is Certificate of Completion or Occupancy attached?
Downpayment Assistance	0	Detached Single Family Home	0	0	0	0	0	N/A	Other - please explain in additional comments	Previously Submitted	N/A	na	N/A
		Select One						Select One	Select One	Select One	Select One		Select One
		Select One						Select One	Select One	Select One	Select One		Select One
		Select One						Select One	Select One	Select One	Select One		Select One
		Select One						Select One	Select One	Select One	Select One		Select One
		Select One						Select One	Select One	Select One	Select One		Select One
Total:	0		0	0	0	0	0						
Additional Comments on Outcomes and Activity Expenditures													
pending change to program eligibility to be submitted to HCD in August of 2022													

Grantee Name:	Sacramento Housing and Redevelopment Agency	HCD Grant Number: 20-PLHA-15094
Reporting Period:	July 1, 2021- June 30, 2022, Due July 31, 2022	

CERTIFICATION

****By signing this request, I certify to the best of my knowledge and belief that the request is true, complete, and accurate, and the expenditures, disbursements and cash receipts will be for the purposes and objectives set forth in the terms and conditions of the State award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812)*

Signature Method:	Certification by Printed Name	
Name of PLHA Administrator (per Guidelines 503(b))	Title of PLHA Administrator	
Christine Weichert	Director of Development	
Signature of PLHA Administrator	Date	
Christine Weichert	7/15/22	
Signature Method:	Certification by Printed Name	
Name of Authorized Executive Official (City Manager, CFO, CEO or designee per Guidelines 503(b))	Title of Authorized Executive Official	
La Shelle Dozier	Executive Director	
Signature of Authorized Executive Official	Date	
La Shelle Dozier	7/15/22	

August 3, 2022



Sacramento Housing and Redevelopment Commission
Sacramento, California

Honorable Members in Session:

SUBJECT Resolution of the Sacramento Housing and Redevelopment Commission Authorizing Public Meetings to be Held via Teleconference Pursuant to Government Code Section 54953(E) and Making Findings and Determinations Regarding the Same

RECOMMENDATION

Staff recommends adoption of the attached resolution which authorizes the Executive Director or her designee to take all actions necessary to carry out the intent and purpose of continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

CONTACT PERSONS

James Shields, Deputy Executive Director of Administration, 916-440-1319
Amber Alexander, Agency Clerk, 916-440-8544

SUMMARY

The attached resolution authorizes the Executive Director to take all actions necessary to carry out the intent and purpose of continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

BACKGROUND

AB 361 suspends the teleconferencing requirements located in California Government Code section 54953(b)(3). This means that, during a state of emergency, under specified circumstances, local agencies can meet pursuant to modified Brown Act requirements.

If the Sacramento Housing and Redevelopment Agency (Agency) wishes to rely on the provisions of AB 361, it must meet one of the following criteria:

SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION

AB 361 – Brown Act: Remote Meetings During a State of Emergency
August 3, 2022
Page 2

1. The Agency is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
2. The Agency is holding a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. The Agency is holding a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

These criteria permit the Agency to schedule a remote meeting to determine whether meeting in person during a state of emergency would pose an imminent risk to the health or safety of attendees. At that remote meeting, the Agency may determine by majority vote taken by roll call that sufficient risks exist to the health or safety of attendees as a result of the emergency and pass a resolution to that effect. These criteria also permit the Agency to meet remotely in the event that there is a state of emergency declaration while state or local officials have recommended or required measures to promote social distancing.

If the Agency passes a resolution by majority vote determining that a meeting in person would present imminent risks to the health or safety of attendees, the resolution would permit meeting under the provisions of Gov Code 54953(e) for a maximum period of 30 days. After 30 days, the Agency would need to renew its resolution, consistent with the requirements of Gov Code 54953(e)(3), if the Agency desires to continue meeting under the modified Brown Act requirements or allow the resolution to lapse.

ENVIRONMENTAL REVIEW

The proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 and is exempt under the National Environmental Policy act pursuant to 24 CFR 58.34(a)(3).

Respectfully submitted,


LA SHELL DOZIER
Executive Director

Attachments:

Attachment 1: Resolution

RESOLUTION NO. SHRC-2022-10

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

August 3, 2022

RESOLUTION OF THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSISON AUTHORIZING PUBLIC MEETINGS TO BE HELD VIA TELECONFERENCE PURSUANT TO GOVERNMENT CODE SECTION 54953(E) AND MAKING AND MAKING FINDINGS AND DETERMINATIONS REGARDING THE SAME

WHEREAS, the Sacramento Housing and Redevelopment Agency (Agency) is committed to preserving and nurturing public access and participation in meetings of the Sacramento Housing and Redevelopment Commission (Commission); and

WHEREAS, all meetings of the Commission are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Commission conduct business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the State of California, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the State of California, specifically, an outbreak of respiratory illness due to a novel coronavirus disease known as COVID-19; and

WHEREAS, by Executive Order N-25-20 on March 12, 2020 (N-25-20), all residents were directed to heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19. By Executive Order N-29-20 on March 17, 2020 (N-29-20) and in furtherance of the imposition of social distancing measure, notwithstanding any other provision of state or local law, including the Brown Act, N-29-20 authorized a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, during the period in which state or local public officials impose or recommend measures to promote social distancing, including but not limited to limitations on public events. All requirements in the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting were waived; and

WHEREAS, by Order of the Health Officer of the County of Sacramento dated July 29, 2021, persons should continue to follow CDC guidance for unvaccinated people and for fully vaccinated people to protect themselves and others, including the recommendation that people social distance 6 feet apart from other people who do not live in the same household; and

WHEREAS, the Commission does hereby find that the Proclamation of a State of Emergency for COVID-19 on March 4, 2020, and Executive Orders N-25-20 and N-29-20 imposing social distancing measures has caused, and will continue to cause, conditions of peril to the safety of persons within the State of California and Sacramento County that are likely to be beyond the control of services, personnel, equipment, and facilities of the Commission, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Commission does hereby find that it shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the public is assured access as, Commission meetings are broadcast live on YouTube, as well as made available for later viewing. No log in is required. Public comment is being facilitated as the Commission has provided a telephone line for live comment, as well as an e-mail address which is monitored throughout the meeting; and

WHEREAS, the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to 14 CCR §15378 and is exempt from the National Environmental Policy Act (NEPA) pursuant to 24 CFR 58.34(a)(3).

BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

Section 1. All evidence presented having been duly considered, the recitals and the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved adopted.

Section 2. The Commission hereby ratifies the Governor of the State of California’s Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 3. The Executive Director, or her designee, is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) September 3, 2022, or (ii) such time the Commission adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Agency may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: _____

NOES: COMMISSIONERS: _____

ABSENT: COMMISSIONERS: _____

ABSTAIN: COMMISSIONERS: _____

CHAIR

ATTEST:

CLERK

August 3, 2022



Sacramento Housing and Redevelopment Commission
Sacramento, California

Honorable Members in Session:

SUBJECT Approval of Repayment of California Housing Finance Agency (CalHFA) Loan on the Riverview Plaza Project Located at 600 I Street, Sacramento CA 95814 Through the Acceptance of a 0% Interest, 30 Year Term Loan from the Sacramento Housing Authority Repositioning Program (SHARP) to Riverview Plaza Associates

RECOMMENDATION

Staff is recommending review and approval by the Commission to present the Sacramento Board of Supervisors acting as the Board for Sacramento Housing Development Corporation, a resolution of the Sacramento Housing Development Corporation that will: a) authorize the Executive Director, or her designee, to negotiate, enter into, and execute a loan agreement in an amount not to exceed \$869,761.45 with the Sacramento Housing Authority Reposition Program, Inc. (SHARP) at 0% percent interest to Riverview Plaza Associates to allow for the repayment of a loan issued by the California Housing Finance Agency for Riverview Plaza Project (Project) in the same amount, b) authorize the Executive Director, or her designee, to execute any related documents and perform other necessary actions to implement the activities necessary to ensure the proper repayment of this loan, and c) make any related findings.

CONTACT PERSONS

Mark Hamilton, Director, 916-449-6248, mhamilton@shra.org

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachments

1-County Board of Supervisors Board Letter

2-SHDC Resolution

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
August 9, 2022
Time:

To: Board of Supervisors acting as the Board for Sacramento Housing Development Corporation, General Partner of Riverview Plaza Associates

Through: Ann Edwards, County Executive
Chevon Kothari, Deputy County Executive, Social Services

From: La Shelle Dozier, Executive Director, Sacramento Housing Development Corporation

Subject: Approval Of Repayment Of California Housing Finance Agency (CalHFA) Loan On The Riverview Plaza Project Located At 600 I Street, Sacramento CA 95814 Through The Acceptance Of A 0% Interest, 30-Year Term Loan From The Sacramento Housing Authority Repositioning Program (SHARP) To Riverview Plaza Associates

District(s): All

RECOMMENDED ACTION

Adopt a resolution of the Sacramento Housing Development Corporation that will: a) authorize the Executive Director, or her designee, to negotiate, enter into, and execute a loan agreement in an amount not to exceed \$869,761.45 with the Sacramento Housing Authority Reposition Program, Inc. (SHARP) at 0% percent interest to Riverview Plaza Associates to allow for the repayment of a loan issued by the California Housing Finance Agency for Riverview Plaza Project (Project) in the same amount, b) authorize the Executive Director, or her designee, to execute any related documents and perform other necessary actions to implement the activities necessary to ensure the proper repayment of this loan, and c) make any related findings.

BACKGROUND

Riverview Plaza, located at 600 I Street in downtown Sacramento, was developed as a tax credit project in 1989. The building consists of 123 senior units. The residential portion is owned by Riverview Plaza Associates, a

Approval Of Repayment Of California Housing Finance Agency (CalHFA) Loan
On The Riverview Plaza Project Located At 600 I Street, Sacramento CA
95814 Through The Acceptance Of A 0% Interest, 30 Year Term Loan From
The Sacramento Housing Authority Repositioning Program (SHARP) To
Riverview Plaza Associates
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California Limited Partnership which is composed of an investor limited partner which is the Housing Authority of the City of Sacramento (HACS) and a non-profit general partner, the Sacramento Housing Development Corporation (SHDC). The County Board of Supervisors sits as the Board of SHDC. The commercial portion of the building, consisting of the office and the first two floors, is owned by HACS.

The Sacramento Housing Authority Repositioning Program, or SHARP, is a non-profit entity created by the Housing Authority to facilitate the development and repositioning of Housing Authority assets. SHARP would make this loan as a predevelopment loan, to be paid when the project is able to financially close on a tax credit conversion.

As part of the financing for the development of the Project, an agreement was entered into with the California Housing Finance Agency (CalHFA) to provide permanent financing in the form of a 30-year loan in the amount of \$932,743.76 accruing at 3% simple interest. This loan fully matured in 2019, and has been extended twice due to the lack of funding needed to pay off the loan.

To address the lack of funding, Riverview Plaza Associates has attempted to make the property more economically viable and increase cash flow. Most recently, in 2021 the Project was converted to a Section 8 Project-Based voucher community working in conjunction with the Housing Authority. This allowed for the rents in the building to be increased while not financially impacting the low-income seniors who call the building home. This effort, while positively impacting the development's financial stability, was not enough to secure the needed capital to pay down the outstanding loan and manage the ongoing maintenance of the aging building.

To address both the building needs and financial situation, a bond application and a 4% Low Income Housing Tax Credit application for the Project were submitted to the California Debt Allocation Committee (CDLAC) and the California Tax Credit Allocation Committee in the second round of funding in 2021 as a preservation project. While the project scored well, it did not receive credits.

Staff will be applying for the second round of 4% tax credits for the Project in July of this year, this time being packaged with several of the Housing Authority's RAD developments in a project named Central City II. This addition will make the Project's application more competitive and will make it more

Approval Of Repayment Of California Housing Finance Agency (CalHFA) Loan
On The Riverview Plaza Project Located At 600 I Street, Sacramento CA
95814 Through The Acceptance Of A 0% Interest, 30 Year Term Loan From
The Sacramento Housing Authority Repositioning Program (SHARP) To
Riverview Plaza Associates
Page 3

likely that credits will be awarded. As part of the tax credit transaction, an option agreement would be submitted allowing Riverview Plaza Associates to sell its ownership of Riverview Plaza to a new partnership consisting of SHARP and a new limited partner. Part of the proceeds from this sale will be used to pay back SHARP, should authority be granted to enter into this loan agreement. The proposed loan would be a zero (0) percent interest loan, and would be repaid once the project was approved as a tax credit project.

Approval of this recommendation will allow for the loan on the property to be paid back at a considerable discount. Through a series of discussions with CalHFA regarding the loan, it was agreed that the accumulated interest on the loan would be waived. This savings equates to \$969,690.98 as of May 23, 2022. Staff has recognized there is of mutual interest between CalHFA, SHDC, and Riverview Plaza Associates to have this debt repaid at this time, not only to eliminate the debt on the property at a significant discount but to allow for the project to have a greater degree of financial stability going into the asset repositioning process.

COMMISSION ACTION

Sacramento Housing and Redevelopment Commission: It is anticipated that at its August 3, 2022 meeting, the Sacramento Housing and Redevelopment Commission will approve the staff recommendation for this item. Staff will notify the Board in the event this does not occur.

POLICY CONSIDERATIONS

This request is consistent with the policies of the County of Sacramento and SHDC which support the preservation of affordable housing. Approval of this action will allow for more of the financial resources to be applied to the project, as the amount of existing debt on the property will be significantly reduced. Affordability restrictions will remain on the property. Compliance with the regulatory agreement will be monitored by the Agency on a regular basis, and repayment will commence upon the successful conversion and closing of the Central City II project.

Approval Of Repayment Of California Housing Finance Agency (CalHFA) Loan On The Riverview Plaza Project Located At 600 I Street, Sacramento CA 95814 Through The Acceptance Of A 0% Interest, 30 Year Term Loan From The Sacramento Housing Authority Repositioning Program (SHARP) To Riverview Plaza Associates
Page 4

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA): The proposed action is not a project requiring review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

M/WBE/SECTION 3 CONSIDERATIONS

Local Business Enterprise (LBE)/Minority and Women's Business Enterprise (MBE/WBE): Local Business Enterprise requirements do not apply to this report

FINANCIAL ANALYSIS

Approval of this action will allow for Riverview Plaza Associates to save \$969,690.68 by accepting the loan from SHARP for Riverview Plaza which will enable the repayment of the CalHFA loan. SHARP will be repaid upon the project closing through acquisition proceeds. This transaction will have no adverse financial impacts on the Riverview Plaza project.

The project will be required to record an extension of the loan with CalHFA to allow time for the funds to be drawn. There will also be a requirement that the new promissory note between Riverview Plaza Associates and SHARP to allow for the repayment of the new loan at project conversion.

Respectfully Submitted,

APPROVED
ANN EDWARDS
County Executive


LA SHELLÉ DOZIER, Executive Director
Sacramento Housing and
Redevelopment Agency

By: _____
CHEVON KOTHARI
Deputy County Executive

Attachment(s):
RES – Resolution

RESOLUTION NO. SHDC _____

ADOPTED BY THE SACRAMENTO HOUSING DEVELOPMENT CORPORATION

ON DATE OF

APPROVAL OF REPAYMENT OF CALIFORNIA HOUSING FINANCE AGENCY (CALHFA) LOAN ON THE RIVERVIEW PLAZA PROJECT LOCATED AT 600 I STREET, SACRAMENTO CA 95814 THROUGH THE ACCEPTANCE OF A 0% INTEREST, 30 YEAR TERM LOAN FROM THE SACRAMENTO HOUSING AUTHORITY REPOSITIONING PROGRAM (SHARP) TO RIVERVIEW PLAZA ASSOCIATES

WHEREAS, in 1989, Riverview Plaza was developed as a high rise tax credit project. Riverview Plaza Associates, a California Limited Partnership, was formed with SHDC as the General Partner; and

WHEREAS, a 30-year permanent loan from CalHFA in the amount of \$932,743.76 with a maturity date of June 21, 2019, was utilized to complete the funding of the Riverview Plaza project; and

WHEREAS, Riverview Plaza Associates applied for new tax credits and has added project-based vouchers to the property in an attempt to place the property in a financial position to repay the CalHFA loan; and

WHEREAS, CalHFA has applied the previous payments towards the interest of the loan, reducing the total owed to \$869,761.45; and

WHEREAS, CalHFA has agreed to waive the accumulated interest on the loan for a total savings of \$969,690.98; and

WHEREAS, SHARP will loan Riverview Plaza Associates the necessary funds to repay the loan. SHARP will be reimbursed through closing proceeds when the Riverview Plaza project is awarded tax credits and new limited partner equity; and

WHEREAS, the proposed action is not a project requiring review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

Approval Of Repayment Of California Housing Finance Agency (CalHFA) Loan On The Riverview Plaza Project Located at 600 I Street, Sacramento CA 95814 Through The Acceptance Of A 0% Interest, 30 year term Loan From The Sacramento Housing Authority Repositioning Program (SHARP) to Riverview Plaza Associates
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NOW THEREFORE BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO HOUSING DEVELOPMENT CORPORATION

Section 1. All evidence presented having been duly considered, the findings, including environmental findings regarding this action, as stated above, are found to be true and accurate and are hereby approved adopted.

Section 2. The Executive Director, or her designee, is authorized to negotiate, enter into, execute and amend a loan agreement with SHARP to repay the original CalHFA loan for an amount not to exceed \$869,761.45 at 0% interest to allow for the repayment of a loan issued from CalHFA to Riverview Plaza Associates for the same amount.

Section 3. The Executive Director, or her designee, is authorized to execute any related documents and perform other necessary actions to implement the activities necessary to ensure the proper repayment of this loan

Section 4. This resolution shall take effect immediately upon its adoption.

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Sacramento Housing Development Corporation, State of California, this 9th day of August, 2022, by the following vote, to wit:

AYES: Directors,

NOES: Directors,

ABSTAIN: Directors,

ABSENT: Directors,

ABSTAIN: Directors,

Approval Of Repayment Of California Housing Finance Agency (CalHFA) Loan
On The Riverview Plaza Project Located at 600 I Street, Sacramento CA
95814 Through The Acceptance Of A 0% Interest, 30 year term Loan From
The Sacramento Housing Authority Repositioning Program (SHARP) to
Riverview Plaza Associates

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(PER POLITICAL REFORM ACT (§ 18702.5.))

Chair, Board of Directors
Sacramento Housing Development
Corporation

(SEAL)

ATTEST: _____
Clerk, Board of Supervisors