



November 2023 - Joint Meeting of the Boards of Commissioners

November 14, 2023

5:00 P.M.

1260 Fulton Street - Second Floor

Fresno, CA., 93721

Mosaic Conference Room



Meeting Book - November 2023 - Joint Meeting of the Boards of Commissioners

Regular Joint Meeting of the Boards of Commissioners of Fresno Housing

This Board Meeting will be held via video and audio conferencing, and in person. The meeting can be accessed by members of the public as follows:
Meeting Location: 1260 Fulton Street (2nd Floor), Fresno, CA 93721

Via Zoom: <https://us06web.zoom.us/j/82328598040?pwd=gmzC57bZ7kRmGdDVhFBtYLA0IRobww.TJdsBCtMGc1k2eSh>
To join via teleconference, call: (669) 900-6833. Meeting ID: 823 2859 8040.

Passcode: 421218

Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made at least one (1) full business day prior to the meeting. Please call the Board Secretary at (559) 443-8493 or ExecutiveOffice@fresnohousing.org, TTY 800-735-2929

1. Call To Order

2. Approval of the Agenda as Posted

The Boards of Commissioners may add an item to this agenda if, upon a two-thirds vote, the Boards of Commissioners find that there is a need for immediate action on the matter and the need came to the attention of the Authority after the posting of this agenda.

3. Public Comment and Presentations

This is an opportunity for the members of the public to address the Boards of Commissioners on any matter within the subject matter jurisdiction of the Boards of Commissioners that is not listed on the agenda. The public will have an opportunity to speak on each specific item of business. Comments must be delivered in person or via teleconference when prompted by the chair and must pertain to the specific item of business being heard by the Boards. At the start of your presentation, please state your name and the topic you wish to speak on that is not on the agenda. Presentations are limited to a total of three (3) minutes per speaker.

4. Potential Conflicts of Interest

Any Commissioner who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter. (Gov. Code section 87105)

5. Governance Matters

a. CEO's Report

Presented by Tammy Townsend

CEOs Report

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b. Commissioner's Report

6. Consent Agenda

All Consent Agenda items are considered to be routine action items and will be enacted in one motion unless pulled by any member of the Boards of Commissioners or the public. There will be no separate discussion of these items unless requested, in which event the item will be removed from the Consent Agenda and considered following approval of the Consent Agenda.

a. Governance: Consideration of the Minutes of October 24, 2023

Approval of the minutes of the Board Meeting.

10.24.23- Joint Board Minutes

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b. Consideration of the 2024 Agency Calendar

Approval of the calendar of activities and general Agency operations for 2024

Adoption of the 2024 Agency Calendar - Memo

19

Agency 2024 Calendar-Draft	20
c. Consideration of the Agency Investment Policy	
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d. Consideration of the approval of a legal services contract – General Counsel	
Includes Agency general legal services	
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e. Consideration of the Approval of a Legal Services Contract - Development of Affordable Housing	
Including all development activities associated with affordable housing; including working with state and federal funding sources such as from the Department of Housing and Urban Development, the United States Department of Agriculture, the California Department of Housing and Community Development and others	
Development of Affordable Housing-City Resolution	49
Development of Affordable Housing-County Resolution	51
f. Consideration of the Approval of a Legal Services Contract - Unlawful Detainer	
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Human Resources-County Resolution	59
h. Consideration of Amendment to Homekey Standard Agreement for Manzanilla Commons (fka Step Up on 99)	
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HACF AGP Authorizing the Homekey Standard Agreement Amendment DMFIRM 409282440-City Resolution	66
LP HCD Loan Authorization for Homekey Loan - Manzanilla Commons - Fresno Housing Authority-City Resolution	69
7. Action	
a. Authorization for Purchase of the Investor Limited Partners' Interest in Fresno Pacific Gardens, LP by the Housing Authority of the City of Fresno and Silvercrest, Inc.	
HACF Pacific Gardens Buyout-Memo	71
HACF Pacific Gardens Buyout City Resolution	74
Pacific Gardens Investor Buy-Out Board Presentation	78

b. Authorization for Purchase of the Investor Limited Partners' Interest in Fresno Renaissance at Trinity, LP by the Housing Authority of the City of Fresno and Silvercrest, Inc.

HACF Trinity Buyout-Memo	83
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c. Authorization to Record Regulatory Agreement for Housing Authority of Fresno County Loan to Wedgewood Villas located at 2415 5th Street, Sanger, California

H AFC Sanger Wedgewood-Memo	95
H AFC Sanger Wedgewood-County Resolution	97

d. Consideration of Execution of Memorandum of Understanding with State Center Community District Regarding Feasibility of Student Housing Project and Potential Funding for Property located at 1302 Fulton Street, Fresno, 93721

HACF SCCCCD MOU-Memo	99
HACF SCCCCD MOU-City Resolution	101
SCCCD MOU Board Presentation	103

8. Information Item

a. 2024 Agency Budget Development Discussion #4

2024 Budget 2nd Draft and Year End Projections Memo	107
2024 Operating Budget 2nd Draft Presentation	108

b. Update on Home Ownership Initiatives

Staff will provide an update to the Boards on efforts to support residents on home ownership goals

Homeownership Update-Memo	120
Homeownership Initiatives Board Presentation	121

9. Adjournment

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www.fresnohousing.org

EXECUTIVE DIRECTOR'S REPORT

TO: Boards of Commissioners

Fresno Housing Authority

FROM: Tyrone Roderick Williams

Chief Executive Officer

SUBJECT: CEO's REPORT

DATE: November 07, 2023

BOARD MEETING: November 14, 2023

AGENDA ITEM: 5a

AUTHOR: Various Staff

Executive Summary

The Boards of the Fresno Housing Authority have established the four strategic goals as: Place, People, Public, and Partnership. In addition, the following have been outlined as the management goals: Sustainability, Structure, and Strategic Outreach. The following report demonstrates the efforts of the Executive Leadership and Staff to progress towards the realization of these goals.

PLACE

Overview

Fresno Housing seeks to develop and expand the availability of quality affordable housing options throughout the City and County of Fresno by growing and preserving appropriate residential assets and increasing housing opportunities for low-income residents.

The matrix below outlines the Development Pipeline and status of each project.

Development Project Overview

Name of Property	Status/Type	Address	Total Units	Percent Complete
Esperanza Commons (<i>fka Mendota Farm Labor</i>)	Under Construction	241 Tuft Street Mendota, CA	60	76%
Corazón del Valle Commons (<i>fka Huron RAD</i>)	Under Construction HCD HOME Awarded CPF Funds Awarded	Fresno and 12 th Street Huron, CA	61	99%
The Arthur @ Blackstone (<i>fka Blackstone/Simpson</i>)	Under Construction	3039 N Blackstone Avenue Fresno, CA	41	95%
Promesa Commons (<i>fka Sun Lodge/Day's Inn</i>)	Under Construction	1101 N. Parkway Drive Fresno, CA	64	82%
Citrus Commons (<i>fka Citrus Gardens</i>)	Under Construction	201 Citrus & 451 10 th St. Orange Cove, CA	30	98%
Avalon Commons Phase I (<i>fka Chestnut/Alluvial</i>)	Under Construction	7521 N. Chestnut Ave. Fresno, CA	60	13%
La Joya Commons Phase I (<i>fka Firebaugh Family</i>)	Under Construction	1501 Clyde Fannon Road Firebaugh, CA	68	0%
Manzanilla Commons (<i>fka Step Up on 99/Motel 99</i>)	Under Construction	1240 & 1280 Crystal Ave Fresno, CA	63	0%
Heritage Estates (<i>fka Florence & Plumas</i>)	Pre-Development Pending City of Fresno PLHA Award	Southwest Fresno-TBD	33	N/A
Cordillera Commons Phase I (<i>fka San Joaquin Commons</i>)	Pre-Development Pending HCD SuperNOFA Application	Corner of West Colorado Avenue & 5th Street, San Joaquin, CA 93660	51	N/A
Parkside Inn/Golden State Triage	Pre-Development Pending HCD SuperNOFA Application	1415 W. Olive Avenue, Fresno	39	N/A

	Pending City of Fresno Application Pending CTCAC Application			
North Fulton Development	Pre-Development IIG-C Contingent Award Pending City of Fresno Application	1302 Fulton Street, Fresno	TBD	N/A
Avalon Commons Phase II (<i>fka Chestnut/Alluvial</i>)	Pre-Development City of Fresno LHTF Awarded Pending HCD SuperNOFA Application Pending City of Fresno Application	7521 N. Chestnut Ave. Fresno, CA	45	N/A
La Joya Commons Phase II (<i>fka Firebaugh Family</i>)	Pre-Development	1501 Clyde Fannon Road Firebaugh, CA	TBD	N/A
California Avenue Neighborhood	Pre-Development Planning CNI Awarded	Southwest Fresno - TBD	TBD	N/A

Project Highlights

PG&E has energized the Corazon del Valle Commons project, and construction is estimated to be completed by the end of November, 2023.

PUBLIC

Overview

Fresno Housing seeks to build support for housing as a key component of vibrant, sustainable communities through public information, engagement, and advocacy that promotes affordable housing and supports the advancement of Fresno’s low-income residents.

Efforts are ongoing and we will report on those items as outcomes are achieved.

PARTNERSHIP

Overview

Fresno Housing seeks to collaborate to strengthen its ability to address the challenges facing Fresno communities.

Fresno Housing is exploring several partnerships in the course of pre-development activities.

Project	Organization	Role
The Arthur @ Blackstone (<i>fka Blackstone/Simpson</i>)	Fresno County Department of Behavioral Health	Partner in application to the No Place Like Home program to provide housing and services to homeless populations
Avalon Commons Phase I (<i>fka Chestnut/Alluvial</i>)	Fresno County Department of Behavioral Health	Partner in application to the No Place Like Home program to provide housing and services to homeless populations
Project Homekey	City of Fresno Turning Point Fresno County	Partner in application to the Homekey program and operational funding to provide housing to populations most vulnerable to COVID-19

MANAGEMENT GOALS

The goals of management include our efforts to stabilize, focus, and extend activities to meet the mandate of our mission through good decision making related to Sustainability (staffing, finances, effectiveness, evaluation, technology, facilities); Structure (governance); and Strategic Outreach (communications, image, visibility, public affairs, policy).

Sustainability

Build and maintain an innovative, engaged, visible, and sustainable organization, committed to its mission of providing housing for low-income populations.

Efforts are ongoing and we will report on those items as outcomes are achieved.

Human Resources

This month the Supervisor Academy cohort is delving into the final three modules: "The Hiring Process," "Recognition, Coaching and Progressive Discipline," and "Change Management." These modules provide essential insights into the hiring process, effective recognition and coaching, and readiness for organizational and operational changes. The Aspire Academy is also conducting its last workshop, "Labor and Employee Relations and The Hiring Process," offering a comprehensive understanding of labor relations and how the MOU comes into play for supervisors and managers. In addition, we have a thorough conversation about the hiring process and the critical role the supervisor plays in it.

Consistent with the statutory obligation we are conducting in person Sexual Harassment prevention training for all employees, featuring six workshops for general employees and two specialized workshops for Supervisors and Managers. These sessions are one element of a proactive effort to create an inclusive work environment that is free of harassment.

Our safety focus for November centers on "Electrical Safety." Given the critical role of reliable electricity in our workplace, it is imperative that employees are well-versed in electrical safety to prevent accidents, such as shocks and fires, which can lead to injuries and property damage. Emphasizing this safety topic is part of our commitment to nurturing a workplace culture that prioritizes safety.

The Human Resources department is in varying stages of conducting recruitments for the job titles noted below. Over the last month, **22** interviews have been conducted.

<u>Working Title</u>	<u>Internal/External</u>	<u>Vacancies</u>	<u>Department</u>
Community Coordinator	Both	1	Resident Empowerment
Maintenance Technician	Both	1	Property Management
Real Estate Development Manager	Both	1	Real Estate Development

The Human Resources department is proud to announce the following **new hires**:

Type	Date of Hire	Name	Title	Department
New Hire	11/6/2023	Rogelia Lopez	HMIS Data Quality Coordinator	Resident Empowerment
New Hire	11/6/2023	Ruben Gonzales	Maintenance Technician-Mendota	Property Management
New Hire	11/6/2023	Adrian Rivas	Maintenance Technician - Mendota	Property Management
New Hire	11/6/2023	David Silos	Maintenance Technician-Santa Clara	Property Management

Structure

Maintain a committed, active, community-based Boards of Commissioners.

Efforts are ongoing and we will report on those items as outcomes are achieved.

Strategic Outreach

Heighten agency visibility, facilitate community dialogue about housing solutions; and build support for the agency and quality affordable housing.

Efforts are ongoing and we will report on those items as outcomes are achieved.

Property Management

FRESNO HOUSING PORTFOLIO - MANAGED ASSETS, 03/01/2023-03/31/2023			
	Total No. of Units	Total Vacant	Current Occupancy
CITY OF FRESNO			
City of Fresno	1185	38	95.86%
COUNTY OF FRESNO			
County of Fresno	1158	42	96.11%
COUNTY OF FRESNO - SEASONAL			
Seasonal Properties	191	136	28.79%
Hold/In Construction	237	124	47.67%

Our Property Management Team in County East hosted several Harvest Events for our residents. They included pumpkin carving, door-decorating and a Halloween Party. Prizes included zoo tickets, Candy baskets, and designer cookie kits.

Congratulations to our seniors! Eight Senior residents from Rio Villas in Firebaugh and 12 Senior residents from Wedgwood in Sanger received new iPads after graduating from a 4-week program through Senior Tech Connect. Each resident spent 2 days a week for 4 weeks working with folks from CMAC to complete the program. Graduation Ceremonies were hosted at each of the two sites.

Our Compliance Trainer, Brittany completed 22 trainings with property management staff in the month of October. Additional training opportunities will continue to be offered, both in

group settings and specialized one-on-one trainings. A sign-up sheet is available for staff or their supervisors to request trainings on any subject at any time. Staff are utilizing this feature across the portfolio and have appreciated the extra support.

Our Compliance Coordinator, Crystal Adalpe has completed a total of 215 file reviews from 1/1/2013 to present.

Property Specialist II, Cynthia Garza along with DSS Job Specialist purchased 25 costumes for the children currently staying in Emergency Housing at Sierra Terrace.

Angela Dundore, Ken Cobarrubias and Tracy Navarro attending NAHRO National Conference and were able to share with the Team items learned from the attended sessions.

Parlier Migrant Center has officially closed for the season. The last family moved out on October 31, 2023. The maintenance team is now working on turning units while on-site closes out current files and prepares packets for Opening Day on April 7, 2024.

The Compliance Team attended the Rural Housing Specialist Training online course conducted in four sessions. This training ensures they are up to date on current policies and regulatory changes that have occurred for our USDA sites; Mariposa Commons in Fresno, Orchard Commons in Parlier, and Esperanza Commons in Mendota.

Innovation Technology and Information Systems

The Innovation and Technology (IT) department has successfully implemented an enhanced firewall service. This upgraded system allows for more straightforward and secure access to our systems and applications, enhancing user experience and providing us with improved security and increased flexibility for future expansions.

The Information Systems (IS) team has developed data analytics by creating dashboards and reports for budget and finance. Additionally, they are actively engaged in further analysis and evaluation, delivering valuable insights to facilitate informed, data-driven decision-making within the organization.

Edgar Rodriguez, Manager of Innovation and Technology, represented our organization at the CLPHA CIO Convening. This event brought together IT leaders from public housing authorities, fostering knowledge exchange and discussions on best practices to address common technical challenges.

Resident Empowerment

Fresno Unified Partnership

Local Control and Accountability Plan (LCAP)

Fresno Unified will be providing information on their Local Control and Accountability Plan (LCAP). Residents will have the opportunity to gain information on their strategic plan and spending priorities. Resident will also have the opportunity to share their thoughts on how they can support student success.

Parc Grove Commons (Community Center)

Tuesday, November 14th at 5:00pm

“The Right to Read” Screening

The Foundation for Fresno Unified Schools will be visiting several Fresno Housing properties for a screening night of the documentary “The Right to Read”. The documentary shares the stories of an NAACP activist, a teacher and two American families who fight to provide the youngest generation with the most foundational indicator of life-long success: the ability to read.

Legacy Commons

Monday, November 13th @ 5:30pm

Cedar Courts

Wednesday, November 15th @ 5:30pm

Parc Grove Commons

Thursday, November 16th @ 5:30pm

CPR Training Class

The Health Disparity program in partnership with West Fresno Family Resource Center will be offering a CPR Training class. The class will provide residents the training on how to provide immediate care for someone experiencing cardiac arrest or sudden medical emergency.

Legacy Commons

Monday, November 16th – 1:00pm -5:00pm

Veteran’s Day Events

Veteran’s Day (observed November 11th) workshops and celebrations will be held at various Fresno Housing properties. Residents will celebrate Veteran stories and history along with resources to local veteran programs offered in the Central Valley.

Rios Terrace

Wednesday, November 1st @ 10:00am

Mariposa Commons

Monday, November 6th @ 2:00pm

Paseo 55

Monday, November 6th @ 1:00pm

Parc Grove Commons Veterans

Tuesday, November 7th @ 1:30 pm

Legacy Commons

Monday, November 13th @ 10:00am

Cedar Courts

Wednesday, November 15th @ 1:30pm

Bridges at Florence

Thursday, November 30th 2:00pm -4pm

Thanksgiving Celebration

The following Fresno Housing properties will be hosting a Thanksgiving celebration with residents to gather and share a meal. Residents will have the opportunity to share what they are thankful for in 2023.

Marion Villas	Thursday, November 22 nd 11:00AM – 1:00PM
Bridges at Florence	Monday, November 13 th 1:00PM – 4:00PM
Mariposa Commons	Monday, November 13 th 3pm to 5pm
Rio Villas	Tuesday, November 14 th 1pm to 3pm
Rios Terrace	Wednesday November 15 th 1pm to 3pm
Granada Commons	Thursday, November 16 th 3:30pm to 5pm
Legacy Commons	Monday, November 20 th 3:00PM – 5:00PM
Linnaea Villas	Monday, November 20 th 11:00AM – 1:00PM
Cedar Courts	Tuesday, November 21 st 12:00PM – 3:00PM
Parc Grove Commons	Tuesday, November 21 st 1:00 PM- 4:00PM

Minutes of the Joint Meeting
of the Boards of Commissioners of the
HOUSING AUTHORITIES OF THE CITY AND COUNTY OF FRESNO

Tuesday, October 24, 2023

5:00 P.M.

The Boards of Commissioners of the Housing Authorities of the City and County of Fresno met in a regular joint session on Tuesday, October 24, 2023, at 2530 Sierra St., Kingsburg, CA. The public was able to join in person at Linnaea Villas.

1. The regular joint meeting was called to order at 5:04 p.m. by Board Chair, Commissioner Jones of the Board of Commissioners of the Housing Authority of the City of Fresno. Roll call was taken and the Commissioners present and absent were as follows:

PRESENT: Adrian Jones, Chair
 Areli Rios
 Isaiah Green
 Paul Idsvoog
 Sharon Williams
 Ruby Yanez
 Emogene Nelson

The regular joint meeting was called to order at 5:04 p.m. by Board Chair, Commissioner Catalano, of the Board of Commissioners of the Housing Authority of Fresno County. Roll call was taken and the Commissioners present and absent were as follows:

PRESENT: Cary Catalano, Chair
 Valori Gallaher
 Kyle Chaney
 Joey Fuentes
 Sophia Ramos
 Amadeo Garcia

Also, in attendance were the following: Tyrone Roderick Williams, CEO; Ken Price, Baker Manock and Jensen - General Counsel

2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

COUNTY MOTION: *Commissioner Fuentes moved, seconded by Commissioner Gallaher to approve the agenda as posted.*

MOTION PASSED: 6 – 0

CITY MOTION: *Commissioner S. Williams moved, seconded by Commissioner Rios to approve the agenda as posted.*

MOTION PASSED: 7– 0

There was no public comment.

3. PUBLIC COMMENT AND PRESENTATIONS

Council Member Silva, Kingsburg City/County Official was welcomed by Fresno Housing Leadership, Board Commissioners, and Staff to join us at our October Joint Board Meeting. He stood and thanked us for having him and shared a few words on behalf of himself and his colleagues.

4. POTENTIAL CONFLICTS OF INTEREST

There were no conflicts of interest.

5. GOVERNANCE MATTERS

- a. CEO’s Report – Presented by Tyrone Roderick Williams

In addition to the written report, Mr. Williams shared:

- Fresno Housing was the recipient of two National Merit Awards presented at NAHRO. We received one for Resident Services - Fresno Housing Community Safety Initiative and the second for Community Revitalization for Monarch and Chinatown (mixed use residential and commercial space revitalization).
- Focus Forward event was highlighted as our very own Joey Fuentes’ (County Board Commissioner) wife, Ms. Nunez was featured.

- Customer Service across the Agency is a goal 2023 and the training will be kicked off in November
- Opportunity to tour one of the available units at Linnaea Villa after the meeting was made possible by property staff.

There was no public comment.

b. Commissioners’ report - Presented by Chair Cary Catalano

- Chair Catalano opened the floor to the commissioners that traveled to the NAHRO Conference in New Orleans. Each commissioner shared a bit about their experience, things learned, feedback on the conferences and any other details deemed important. The commissioners that traveled to NAHRO were Valori Gallaher, Sophia Ramos, Isaiah Green, Emogene Nelson, Cary Catalano, and Adrian Jones
- Chair Catalano thanked the staff for their work and dedication for the Firebaugh Groundbreaking. The City Manager shared his story on growing up in Firebaugh.
- Commissioner Ramos shared that she participated in the American Heart Association at Linnaea Villas with the seniors/tenants of the property.

c. Nomination for Board Officers – Housing Authority of City of Fresno

- Ken presented that the Agency is required to nominate the City Chair and Vice Chair and voting would take place at the December Joint Board Meeting. The current Vice Chair, Sharon Williams, is not interested in running for Chair. Nominations for Chair was opened up. Adrian Jones was nominated. Nominations for Vice Chair was opened up and Sharon Williams was nominated.

6. CONSENT AGENDA

- a. Governance: Consideration of the Minutes for the Joint Regular Board Meeting on September 26, 2023.
Approval of the minutes of the Board Meeting
- b. Consideration of the Medical Standards and Examination Policy
- c. Consideration of Resolution Deleting the Probationary Period, Footwear, and Frequent Flyer Policies
- d. Consideration of the Resignation, Retirement, or Death of an Employee Policy
- e. 2024 Utility Allowance

*Joint Board Meeting
Action Minutes: 10.24.23 Minutes
Adopted:*

COUNTY MOTION: *Commissioner Chaney moved, seconded by Commissioner Ramos to approve the amended consent agenda.*

MOTION PASSED: 6 – 0

CITY MOTION: *Commissioner Idsvoog moved, seconded by Commissioner Rios to approve the amended consent agenda.*

MOTION PASSED: 7 – 0

There was no public comment.

7. INFORMATION ITEMS

a. Strategic Plan Update

Marc' Bady, Chief Inclusion & Empowerment Officer, presented on this item

b. 2024 Federal Budget Update and Budget Development Discussion #3

Tammy Townsend, Deputy Executive Director, and Nicole Diaz, Director of Finance & Accounting presented on this item.

c. HCV Update

Brandy Woodard, Chief of Housing Choice Programs and Initiatives, presented on this item.

d. Real Estate Update

Michael Duarte, Chief Real Estate Officer, presented on this item.

- Mr. Duarte reported that the Helm Home property located at 1749 L Street in Fresno was sold on 9/29/2023 to Joe B. Anaya and Maribel Vera-Anaya for \$570,000

Eric Payne, Central Valley Urban Institute, shared his thoughts on the budgeting process and Agency commitments. There was the concern that the residents needing to be engaged in the survey and budgeting process. Mr. Payne also shared his concerns for the residents and requested they be brought to the table and more work needs to be done when it comes to participatory budgeting.

8. CLOSED SESSION

Joint Board Meeting

Action Minutes: 10.24.23 Minutes

Adopted:

a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Gov. Code section 54956.9(d)(2.) Number of Matters: 1

The Boards of Commissioners entered closed session at 7:00 p.m.

The Boards of Commissioners returned from closed session at 7:28p.m. and resumed open session.

No report from closed session

9. ACTION

- a. County of Fresno Housing Authority Co-Guarantor for Step Up on 99

***COUNTY MOTION:** Commissioner Gallaher moved, seconded by Commissioner Garcia to approve the County of Fresno Housing Authority Co-Guarantor for Step Up on 99.*

***MOTION PASSED:** 6 – 0*

***CITY MOTION:** Commissioner Yanez moved, seconded by Commissioner Green to approve the County of Fresno Housing Authority Co-Guarantor for Step Up on 99.*

***MOTION PASSED:** 7 – 0*

10. ADJOURNMENT

There being no further business to be considered by the Boards of Commissioners for the Housing Authorities of the City and County of Fresno, the meeting was adjourned at approximately 7:30 p.m.

Tyrone Roderick Williams, Secretary to the Boards of Commissioners

*Joint Board Meeting
Action Minutes: 10.24.23 Minutes
Adopted:*

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 11/14/2023
AGENDA ITEM: 6b
SUBJECT: Consideration of Adoption of the 2024 Agency Calendar

AUTHOR: Hyasha Anderson
DEPARTMENT: Executive Office
MEMO DATE: 11/09/2023

Executive Summary

The Boards of Commissioners annually take action to approve the Agency's calendar. Thus, the attached calendar for 2024 indicates the Agency-recognized holidays, Friday office closures, board meetings, and other important activities of the Agency.

Additional trainings and special meetings will be scheduled and are subject to the availability of the Commissioners.

Recommendation

It is recommended the Boards of Commissioners review and approve the proposed 2024 Agency calendar.

Fiscal Impact

None.

Agency Calendar - 2024

January						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Friday Office Closure
Holiday Observance
Executive Committee Meeting
Joint Board Meeting
NAHRO National Events

January 1	-	New Year's Day	July 4	-	Independence Day
January 15	-	Martin Luther King Jr. Day	September 2	-	Labor Day
February 12	-	Lincoln's Birthday	November 11	-	Veterans Day
February 19	-	President's Day	November 28	-	Thanksgiving Holiday
April 1	-	Cesar Chavez Day (Observed)	November 29	-	Day after Thanksgiving
May 27	-	Memorial Day	December 24	-	Christmas Eve (4.5 Hour Holiday Credit)
June 19	-	Juneteenth Day	December 25	-	Christmas Day

Board Adopted: _____

DRAFT - 11/07/2023-djg

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 11/14/2023
AGENDA ITEM: 6c
SUBJECT: Consideration of the Investment Policy

AUTHOR: Nicole Diaz
DEPARTMENT: Finance & Accounting
MEMO DATE: 11/7/2023

Executive Summary

The purpose of this memo to request approval from the Boards of Commissioners to adopt the Agency's Investment Policy. The Investment Policy states the investment options available to the Agency, as authorized by 24 CFR Part 85 Subpart C, the Annual Contribution Contract (ACC), the General Depository Agreement (FORM HUD-51999), HUD Notice 96-33 as extended by HUD Notice 02-13, and as authorized by California Government Code. The current Investment Policy elections represent a conservative investment strategy.

The Board of Commissioners adopted the current version of the Investment Policy on July 23, 2019. No changes have been made to this policy since last adopted. This policy is being brought to the Board of Commissioners for annual review and approval, as required by California Government Code Section 53601.

Fiscal Impact

There is no fiscal impact.

Recommendation

It is recommended that the Boards of Commissioners approve and adopt the Investment Policy as represented.

INVESTMENT POLICY AND GUIDELINES

It is the purpose of this policy to establish procedures and guidelines for the investment of funds not needed for immediate day-to-day operations as they pertain to the Housing Authority of the City of Fresno and the Housing Authority of Fresno County (the "Agency"). This policy is intended to comply with the California Government Code Sections 53600-53609 and 53630-53686 as currently written. The specific requirements for the investment of HUD funds are found in 24 CFR Part 85 Subpart C, the Annual Contribution Contract (ACC), the General Depository Agreement (FORM HUD-51999) and HUD Notice 96-33 as extended by HUD Notice 02-13. It recognizes that Federal grant and loan programs may have specific requirements that are different from those set forth here. For situations where the California Government Code investment requirements differ from those of the Federal Government, the requirements that are more restrictive will be followed.

I. Investment Objectives

Section 53600.5 of the California Government Code outlines the primary objectives of a trustee investing public money. The primary objectives, in order of priority of the Agency investment activities shall be:

- A. **Safety:** Safety of principal is the foremost objective of this investment policy. Investments of the Agency shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
- B. **Liquidity:** The investment portfolio will remain sufficiently liquid to enable the Agency to meet all operating requirements, which might be reasonably anticipated.
- C. **Return on Investment:** Investment return becomes a consideration only after the basic requirements for safety and liquidity have been met. The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles consistent with the investment policy of the Agency, taking into consideration investment risk constraints and cash flow characteristics of the portfolio.

II. Investment Securities and Diversification

- A. **Maximum Term of Investments:** No investment shall be made in any security that at the time of the investment has a term remaining to maturity in excess of five years.
- B. **Authorized and Suitable Investments:** The Agency is empowered by the HUD Notice 02-13 (See Attachment A to the HUD PIH Notice 96-33) to invest HUD funds in the following:

1. United States Treasury Bills, Notes & Bonds.
2. Obligations issued by Agencies or Instrumentalities of the U.S. Government.
3. Insured Demand and Savings Deposits, provided that deposits in excess of the insured amounts must be 100 percent collateralized by securities listed in A & B above.
4. Insured Money Market Deposit Accounts, provided that deposits in excess of the insured amount must be 100 percent collateralized by securities listed in A & B above.
5. Certificates of Deposits provided they are insured by an agency of the Federal Government. Deposits in excess of the insurance limit should be limited to terms of no longer than 30-90 days with amounts in excess of the limit 100% collateralized by U.S. Government securities.
6. Sweep Accounts that are 100 percent collateralized by securities listed in 1) & 2) above.
7. Any other investment security authorized under the provisions of HUD Notice PIH 02-13.

Investment Types <u>Authorized by HUD Notice PIH 02-13</u>	*Maximum <u>Maturity</u>	*Maximum Percentage <u>Of Portfolio</u>	*Maximum Investment <u>In One Issuer</u>
U.S. Treasury Obligations	Not Specified	None	None
Obligations of Federal Government Agencies	Not Specified	None	None
Securities of Gov-Sponsored Agencies	Not Specified	None	None
Demand & Savings Deposits	Not Specified	None	None
Money Market Deposit Accounts	N/A	None	None
Local Government Investment Pool (with a perfected security interest)	N/A	30%	None
Super NOW Accounts	N/A	None	None
Certificates of Deposit	Not Specified	None	None
Certificates of Deposit (in excess of \$100,000)	90 days	None	None
Repurchase Agreements	30 days	None	None
Sweep Accounts	Not Specified	None	None
Separate Trading of Registered Interest and Principal of Securities (STRIPS)	Not Specified	None	None
Mutual Funds	Not Specified	20%	None

* Based on the requirements set forth in HUD Notice PIH 96-33 extended by Notice PIH 02-13 or investment policy requirements, whichever is more restrictive. For situations where Federal Government investment requirements differ from those of the California Government Code, the requirements that are more restrictive will be followed.

The Agency is empowered by California Government Code Sections 5922 and 53601 to invest non-HUD funds in the following:

1. Bonds issued by local government agencies with a maximum maturity of five years (See Attachment B to the HUD PIH Notice 96-33).
2. United States Treasury Bills, Notes & Bonds.
3. Registered warrants, treasury notes or bonds issued by the State of California.
4. Bonds, notes, warrants or other evidence of debt issued by a local agency within the State of California, including pooled investment accounts sponsored by the State of California, County Treasurer, other local agencies or Joint Powers Agencies.
5. Obligations issued by Agencies or Instrumentality of the U.S. Government.
6. Funds held under the terms of a Trust Indenture or other contract or agreement may be invested according to the provisions of those indentures or agreements.
7. Collateralized bank deposits with a perfected security interest in accordance with the Uniform Commercial Code (UCC) or applicable federal security regulations.
8. Any other investment security authorized under the provisions of Government Code 5922 and 53601.

Attachment A, HUD Approved Investment Instruments, and Attachment B, Government Code Section 53601, also provide a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. These attachments are included by reference in this investment policy.

Investment Types <u>Authorized by State Law</u>	<u>*Maximum Maturity</u>	<u>*Maximum Percentage Of Portfolio</u>	<u>*Maximum Investment In One Issuer</u>
Local Agency Bonds	5 years	None	None
U.S. Treasury Obligations	5 years	None	None
U.S. Agency Securities	5 years	None	None
Banker's Acceptances	180 days	40%	30%
Commercial Paper	270 days	25%	10%
Negotiable Certificates of Deposit	5 years	30%	None
Repurchase Agreements	1 year	None	None
Reverse Repurchase Agreements	92 days	20%	None
Medium-Term Notes	5 years	30%	None
Mutual Funds	N/A	20%	10%
Placement Service Deposits	5 years	30%	None
Money Market Mutual Funds	N/A	20%	None
Collateralized Bank Deposits	5	None	None
Mortgage Pass-Through Securities	5 years	20%	None
County Pooled Investment Funds	N/A	None	None
Local Agency Investment Fund	N/A	None	None
JPA Pools (other investment pools)	N/A	None	None
Voluntary Investment Program Fund	N/A	None	None
Supranational Obligations	5 years	30%	None

* Based on state law requirements or investment policy requirements, whichever is more restrictive. For situations where the California Government Code investment requirements differ from those of the Federal Government, the requirements that are more restrictive will be followed.

III. Prohibited Investments

Under the provisions of Government Code Section 53631.5, the Agency shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only STRIPS derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity. In addition, the provisions of Government Code Section 53601 et. seq. applies.

IV. Collateralization

All certificates of deposits must be collateralized by U.S. Treasury Obligations. Collateral must be held by a third party and valued on a monthly basis. The percentage of collateralization on repurchase agreements will conform to the amount required under Government Code 53601(1)(2).

V. Safekeeping and Custody

All securities purchased or acquired shall be delivered to the Agency by book entry, physical delivery or by third party custodial agreement, including electronic delivery (Government Code 53601). A timely and complete confirmation and/or safekeeping receipt is required for each securities transaction. When a confirmation is accepted for book entry securities, such confirmation must indicate the location if different from the bank or dealer issuing the confirmation. Book entry securities must be held in insured accounts.

VI. Diversification

It is the policy of the Agency to diversify its investment portfolio. The Agency will diversify its investments by security type and, within each type, by institution. To support the stated investment objectives, the portfolio must be constructed so as to minimize risk and maintain marketability. However, a portfolio consisting exclusively of LAIF and/or U.S. Treasury securities is acceptable. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Diversification strategies shall be determined and revised periodically. In establishing specific diversification strategies, the following guidelines shall apply:

- A. The anticipated cash flow needs of the Agency should be considered when selecting investments. Portfolio maturities shall be matched against projected liabilities to avoid an over-concentration in a specific series of maturities.
- B. Maturities selected shall provide for stability and liquidity.
- C. Disbursement and payroll dates shall be covered by the scheduled maturity of specific investments, marketable U.S. Treasury Bills or notes or other cash equivalent instruments, such as money market mutual funds.

VII. Investment and Reporting Practices

Investment Authority: the investment authority will be vested in the Executive Director/CEO who may delegate such authority to duly capable personnel such as the Chief Administrative Officer, Chief Financial Officer, or Director of Finance.

Acceptable Dealers of Securities: Negotiable securities should be purchased or sold through a national bank; a California State chartered bank, or a brokerage firm having a national presence.

Exceptions to this policy may be approved by the Boards of Commissioners provided that the investment remains in compliance with the requirements of the Federal and/or State regulations as stated above.

The Investment Policy shall be reviewed and adopted by the Boards of Commissioners annually.

VIII. Supplementary Materials for Staff Review

- California Government Code Section 53601
- HUD Notice PIH 02-13
- HUD Notice PIH 96-33

XI. Exclusion

The Policy only applies to bank accounts under the Housing Authority of the Fresno County and Housing Authority of the City of Fresno. This Policy does not govern investment activities on behalf of an affiliated entity, instrumentality, limited partnership of which the Housing Authority is a member partner, or as a fiscal or management agent acting on behalf of another entity.

HUD APPROVED INVESTMENT INSTRUMENTS

1. Direct Obligations of the Federal Government Backed by the Full Faith and Credit of the United States

a. U.S. Treasury Bills

These securities are short-term obligations which a HA or its agent may purchase directly. Treasury Bills with 3- month and 6-month maturities are issued weekly and those with 9-month and 12-month maturities are issued monthly. The minimum denomination is \$10,000. They are issued on a discount basis and are redeemed at par upon maturity.

U.S. Treasury Bills are available for purchase at any time after issuance from investment departments of banks and from dealers in investment securities. Purchases may be made conveniently using the HA's depository bank. Treasury Bills may be acquired by subscription on the issue date from a Federal Reserve Bank or branch in amounts not in excess of \$200,000. Detailed information is contained in the weekly or monthly announcements which may be received regularly upon application to a Federal Reserve Bank or branch.

b. U.S. Treasury Notes and Bonds

These securities are issued periodically by the Treasury Department through Federal Reserve Banks and branches. They are medium to long-term obligations which a HA or its agent can only purchase in the secondary market to assure that they will mature at a date which coincides with scheduled disbursements by the HA. Outstanding issues may be purchased from banks or dealers in investment securities at the market price which on any given day may be more or less than the face amount.

(1) U.S. Treasury Notes

These notes mature in not less than one and not more than 10 years from the issue date and bear interest at fixed rates payable semi-annually.

(2) U.S. Treasury Bonds

These bonds mature after ten years from the issue date and bear interest at fixed rates payable semi- annually. Many issues of bonds are redeemable on call by the Treasury Department before maturity. The yield of such issues usually is computed to the first call date which may be as much as 5 years prior to maturity.

2. Obligations of Federal Government Agencies

a. Federal Financing Bank (FFB)

The Federal Financing Bank is authorized to purchase obligations held by Federal agencies and to issue obligations to the public.

b. Government National Mortgage Association (GNMA), Mortgage- Backed Securities (GNMA I and GNMA II)

The securities, guaranteed by GNMA are issued by an issuer (a GNMA-approved mortgage lender). The securities are backed by a pool of government-insured or guaranteed mortgages. The holders of the securities receive monthly payments of principal and interest. The minimum denomination issued is \$25,000. The difference in GNMA I and GNMA II is that the GNMA II payment date is on the 20th of the month and the GNMA I payment date is on the 15th; GNMA II uses a central paying agency whereas GNMA I has individual issuers sending checks to investors; and GNMA II has interest rates that vary within a one percent range. The maximum maturity for GNMA I and GNMA II is 30 years, except that GNMA I project loans mature in 40 years.

c. GNMA Participation Certificates

These securities, guaranteed by GNMA, were sold by GNMA as the trustee with various other Federal agencies as trusters. They represent beneficial interest in future payments of principal and interest on mortgage pools. Their maturities range between one and 20 years and the minimum denomination is \$5,000.

d. Maritime Administration Merchant Marine Bonds, Notes, and Obligations

These securities are issued by shipping companies and are backed by the full faith and credit of the U.S. Government. Each issue is further secured by a first preferred ship or fleet mortgage. Maturities and denominations vary.

e. Small Business Administration (SBA), Small Business Investment Corporation (SBIC) Debentures

When authorized by appropriation acts, the SBA may guarantee principal and interest payments on debentures of SBIC. The SBA may also pool these debentures and sell SBA- guaranteed debentures. These issues have maturities of 10 years and are issued in \$10,000 denominations.

f. Tennessee Valley Authority (TVA) Power Bonds and Notes

These securities are secured by a first charge on net power proceeds. Payment of interest and principal on them is ranked ahead of annual payments to the U.S. Treasury. They have been issued in multiples of \$1,000.

3. Securities of Government-Sponsored Agencies

a. Farm Credit Consolidated System-Wide Discount Notes

These notes are the secured joint and several obligations of the Farm Credit System which consists of the Federal Land Banks, the Federal Intermediate Credit Banks, and the Banks for Cooperatives. They are issued in denominations of \$5,000 and maturities are authorized from 5 to 365 days.

b. Federal Farm Credit Banks Consolidated System-wide Bonds

These bonds are the secured joint and several obligations of the Farm Credit Banks. Their issuance supersedes individual bond issues by the Federal Land Banks, the Federal Intermediate Credit Banks, and the Banks for Cooperatives. They are issued in multiples of \$1,000 for maturities in excess of 13 months and in multiples of \$5,000 for shorter maturities.

c. Federal Home Loan Banks Consolidated Obligations

These securities are the secured joint and several obligations of the Federal Home Loan Banks comprised of:

(1) Bonds

Bonds which have maturities of one year or more. They are issued in multiples of \$10,000, \$25,000, \$100,000 and \$1,000,000.

(2) Notes

Notes which have maturities of less than one year. They are issued in multiples of \$10,000, \$25,000, \$100,000 and \$1,000,000.

(3) Discount Notes

Discount notes which have maturities ranging from 30 to 170 days. They are issued in denominations of \$100,000 and \$1,000,000.

d. FHLMC Mortgage Participation Certificates (PC) (Guaranteed)

These certificates represent undivided interest in specific fixed rate, first lien conventional and residential mortgages. FHLMC provides monthly interest and principal payments. The final payment is the first of the month and year in which the last monthly payment on the last maturing mortgage is scheduled to be paid.

e. FHLMC Collateralized Mortgage Obligations (CMOs)

CMOs are general obligations of FHLMC that are secured by a single pool of conventional mortgages owned by FHLMC. CMOs are issued in several classes with varying stated maturities. Semiannual principal payments are allocated to each class of the CMOs in the order of the stated maturity of each class so that no principal payments are made to holders of a class until classes with an earlier maturity are retired.

f. Federal National Mortgage Association (FNMA) Debentures

These debentures are issued in denominations ranging from \$10,000 and with maturities ranging from 20 to 25 years.

g. FNMA Notes

The minimum investment in these notes is \$50,000 with maturities ranging from 1 to 20 years.

h. FNMA Short-Term Discount Notes

These notes are similar to commercial paper and are tailored to the individual needs of investors. They are sold at published rates with maturities of 30 to 270 days and in denominations ranging from \$5,000.

i. FNMA Capital Debentures

These debentures are subordinated to the non-capital debentures, notes, and short-term discount notes. They were last issued in 1975 in a \$10,000 minimum denomination and with maturities of 5 and 25 years.

j. Student Loan Marketing Associations (SLMA) Obligations

SLMA issues obligations comprises of guaranteed student loans as follows:

(1) Floating Rate and Master Notes.

These notes bear interest at rates that vary with the 91-day Treasury Bill rate. Short-term borrowing have an original or remaining term maturity of one year or less.

(2) The Series E and F Floating Rate Notes.

These notes bear interest at rates which vary with the 91-day Treasury Bill, except that each issue has fixed minimum and maximum rates known as interest rate "collars" for any quarterly interest period.

(3) Zero Coupon Notes

These notes are shown at net proceeds adjusted for accretion of discount.

4. Demand and Savings Deposits

Demand and savings deposits at commercial banks, mutual savings banks, savings and loan associations and credit unions are permitted for HA funds provided that the entire deposit is insured by the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Share Insurance Fund (NCUSIF). A deposit in excess of the insurance coverage may be made at a depository institution provided that it is 100 percent collateralized by any of the securities listed under paragraphs 1, 2, and 3 of this Attachment. Care should be taken that withdrawals may be made on demand without loss of interest and without penalty.

5. Money-Market Deposit Accounts

Money-Market Deposit Accounts at depository institutions that may not be insured fully by the FDIC or NCUSIF are permitted provided that the certificates are fully backed by 100 percent collateral consisting of securities listed under paragraphs 1, 2, or 3 of this Attachment. When accounts exceed the \$100,000 insurance limitation, their safety also may depend on the HA's control of the underlying collateral which must consist of clearly identified (not pooled) U.S. Government securities. Possession of the collateral securities and a continuous perfected security interest may be the only sure protection against loss in case of financial institution failure.

6. Municipal Depository Fund

A Municipal Depository Fund (Fund) or Local Government Investment Pool which is established by States, municipalities, units of local government or other political subdivisions to serve as an investment fund for HAs is permitted. The securities purchased by a Fund shall be on the HUD-approved list of investment securities. HA shall have either an undivided or divided interest in securities comprising the Fund. The Fund shall be under the control of the Investment Company Act of 1940, and its objective shall be clearly stated. The investment objective of the Fund shall be to obtain as much income as possible consistent with the preservation and conservation of capital. The Fund shall disclose clearly the basis of earnings and how they are distributed. HA shall obtain a statement of potential default and risk and a clear demonstration that withdrawals from the Funds will not be so restricted as to impair a HA's day-to-day cash management

needs. The management fee shall be fixed at a reasonable amount and management shall be passive. HA shall limit the amount of funds invested in the Fund to no more than 30 percent of a HA's available investment funds. The Fund shall disclose the relationships of the investment advisor, manager, trustees, custodian and transfer agent. Each financial advisory relationship shall be evidenced by a written document executed prior to, upon, or promptly after the inception of the financial advisory relationship, or promptly after the creation or selection of the issuer. If the issuer does exist or has not been determined at the time the relationship commences, that written document shall set forth the basis of compensation for the financial advisory services to be rendered.

7. Super NOW Accounts

Super NOW accounts have been available and approved for public funds since January 1983. They offer a relatively high market rate and are fully transactional (have no limitations on the number of checks or transfers). Insurance and collateral requirements are as above for subparagraph e Demand and Savings Deposits.

8. Certificates of Deposit

- a. Certificates of Deposit are permitted at depository institutions that are insured by an agency of the Federal Government. Caution must be exercised for certificates exceeding the \$100,000 insurance limit or when the term is longer than 30-90 days. Although the certificates' rate of return may be attractive for larger amounts and longer terms, U.S. Treasury securities offer superior safety and liquidity for the same amounts and terms. Certificates shall be in the HA's name. In addition a General Depository Agreement must be executed by each financial institution that issues a Certificate of Deposit.
- b. Certificate amounts above \$100,000 are permitted provided that the excess is 100 percent collateralized by clearly identified (not pooled) U.S. Government securities. Possession of the collateral securities and a continuous perfected security interest may be the only sure protection against loss in case of bank failure.
- c. Brokered deposits should be avoided because it is impossible to get \$100,000 federal insurance on a number of deposits placed by brokers.

9. Repurchase Agreements

Repurchase (repos) agreements for a term not to exceed 30 days may be entered into with Federally insured depository institutions to purchase and sale of securities identified under paragraphs 1, 2, and 3. A repurchase agreement is an agreement negotiated with a bank usually for a short period (1 to 7 days) wherein securities approved for investment are purchased from that bank at a stated price with the bank agreeing to repurchase them on a specified date for a specified amount. The minimum may vary, although it is usually \$100,000. There are three main types: (1) fixed term, where both parties are bound to the negotiated time period, (2) demand, where the agreement stays in effect until terminated by either party, and (3) day-to-day, where daily renewal is by mutual consent and 24- hour notice is required for termination. The HA should review existing and future repos for compliance with the following certifications. Prior approval by HUD is not necessary, however, the repos seller depository or its agency must provide a written certification to HUD, Assistant Secretary for Public and Indian Housing (Office of Finance and Budget), the Area Office, and to the HA.

- a. that the depository's repo program complies with applicable Federal and State statutes and regulations and that the program does not involve sales or loans of Federal securities by securities dealers that are not regulated or that report to the Federal Reserve Board;
- b. that the depository owns the underlying Federal securities (approved for repurchase under HUD guidelines) when the repo interest is sold and that the value of the securities is equal to or greater than the amount the HA pays for the repo;
- c. that the HA has possession of the securities (or the HA will take possession of the securities) or an independent custodian (or an independent third party) holds the securities on behalf of the HA as a bailee (evidenced by a safe keeping receipt and a written bailment for hire contract), from the time the repo interest is sold to the HA and will be (or is expected to be) maintained for the full term of the repo;
- d. that the repo agreement and any related documents identify specific Federal securities related to the specific repo purchased by the HA;

- e. that the repo interest does not represent any interest in a pool or fund of Federal securities for which registration under the Investment Company Act of 1940 may be required;
- f. that the HA will have a continuous perfected security interest in the underlying Federal securities under State or Federal law for the full term of the repo (disclosing the method by which perfection has or will be accomplished, i.e., by possession, filing, registration of book-entry securities and/or Federal preemption of State law by Federal regulation);
- g. that the depository or a reporting dealer selling the repo has not received any adverse financial report from a credit reporting agency, State or Federal regulatory agency; and
- h. that the depository will not substitute other securities as collateral, except to increase the value of the repo security to match the repos's purchase price.

10. Sweep Accounts

Sweep Accounts is a contractual agreement between a bank and a HA which provides that the bank will regularly "sweep" or transfer any available collected balances from the HA's account into repurchase agreements. The Sweep Accounts agreement shall include all the certification provided in the Repurchase Agreement and adherence to paragraph 4-3, Collateralization of Deposits.

11. Separate Trading of Registered Interest and Principal of Securities

Separate Trading of Registered Interest and Principal of Securities (STRIPS) are Treasury-based zero-coupon securities which consist of interest or principal on U. S. Treasury securities. STRIPS were issued in minimum increments of \$1,000. STRIPS pay no interest until maturity and the rate of return is "locked in" at the time of purchase. The delivery of STRIPS is accomplished by wire transfer through the Federal Reserve book entry system. STRIPS shall be in the name of the HA.

12. Mutual Funds

A Mutual Fund (Fund) is an investment company that makes investments on behalf of individuals and institutions. The Fund pools the money of the investors and buys various securities that are consistent with the Fund's objective.

a. Mutual Fund Criteria

The Fund shall be organized as a no-load, open-end, diversified management company and its shares shall be registered under the Securities Act of 1933. The Fund shall be under the control of the Securities Exchange Act of 1934, Investment Advisers Act of 1940 and the Investment Company Act of 1940. The investment objective of the Fund shall be to obtain as much income as possible consistent with the preservation, conservation and stability of capital. The mutual fund objective cannot be changed without the prior approval of fund shareholders.

- b. The securities purchased by the Fund shall be on the HUD-approved list of investment securities. The Fund will not engage in options or financial futures. The HA shall limit the amount of funds invested in the Fund to no more than 20 percent of the HA's available investment funds. The Fund shall disclose clearly the basis of earnings and how they are distributed. The HA shall obtain a statement of potential default and risk. The HA's invested funds shall be accessible to the HA daily. It shall be demonstrated that any limitations on withdrawals will not impair the HA's day-to-day cash management needs.
- c. The management fee shall be fixed at a reasonable amount. The Fund shall disclose the relationships of the investment advisor, manager, trustee, custodian and transfer agent. The Fund shall clearly state all services (such as wire transfers and check writing privileges) and charges.
- d. Investment in the Fund shall be authorized by a Board Resolution. A certified copy of the resolution shall accompany the initial application for the Fund.
- e. The Fund (or custodian) and the HA shall sign the General Depository Agreement, HUD-51999 dated June 1991, modified as follows:
- (1) In the title, "(Mutual Fund)" shall be added after General Depository Agreement. Whenever "depository" appears in the text it also refers to "mutual fund."
 - (2) The HA's name and location (including county or city) will be filled in the first clause of the General Depository Agreement. The name, location and the HA's mutual fund account number also will be filled in the first clause. The second clause remains unchanged.

- (3) The third clause is substituted as follows: "Whereas, under the terms of the Contract the HA shall invest in a mutual fund (herein called the depository) only on the terms set forth hereafter. Mutual fund is defined as an investment company that makes investments on behalf of individuals and institutions. The depository shall be organized as a no-load, open-end, diversified management company and its shares shall be registered under the Securities Exchange Act of 1933. The depository shall be under the control of the Securities Exchange Act of 1934, the Investment Advisers Act of 1940 and the Investment Company Act of 1940. HA shall acquire shares in a mutual fund whose portfolio includes only securities on the HUD-approved list of investment securities."
- (4) Paragraphs 1, 3, 11 and 12 are deleted.
- (5) Paragraphs 4 through 6 are modified to read as follows:
 - (a) Paragraph 4: Any shares purchased from HA funds shall be held by the depository in safe-keeping for the HA until sold. Dividends and distributions on such shares and the proceeds from the sale thereof shall be used to purchase additional shares or remitted directly to the HA.
 - (b) Paragraph 5: The language "from said Accounts" is deleted.
 - (c) Paragraph 6: The language "in respect of the Accounts" is deleted.
 - (d) Paragraphs 7 through 10 are not changed.
 - (e) The additional language can be typed on a separate page, attached and duly executed. The following language shall be added to the bottom of the page: Page number ___ incorporated in and made a part of the General Depository Agreement between ___(HA) and ___ (Depository).

FIGURE 1

ALLOWABLE INVESTMENT INSTRUMENTS PER STATE GOVERNMENT CODE
(AS OF JANUARY 1, 2019)^A APPLICABLE TO ALL LOCAL AGENCIES^B

See “Table of Notes for Figure 1” on the next page for footnotes related to this figure.

INVESTMENT TYPE	MAXIMUM REMAINING MATURITY ^C	MAXIMUM SPECIFIED % OF PORTFOLIO ^D	MINIMUM QUALITY REQUIREMENTS	GOVERNMENT CODE SECTIONS
Local Agency Bonds	5 years	None	None	53601(a)
U.S. Treasury Obligations	5 years	None	None	53601(b)
State Obligations: CA and Others	5 years	None	None	53601(d)
CA Local Agency Obligations	5 years	None	None	53601(e)
U.S. Agency Obligations	5 years	None	None	53601(f)
Bankers’ Acceptances	180 days	40% ^E	None	53601(g)
Commercial Paper: Non-pooled Funds ^F	270 days or less	25% of the agency’s money ^G	Highest letter and number rating by an NRSRO ^H	53601(h)(2)(C)
Commercial Paper: Pooled Funds ^I	270 days or less	40% of the agency’s money ^G	Highest letter and number rating by an NRSRO ^H	53635(a)(1)
Negotiable Certificates of Deposit	5 years	30% ^J	None	53601(i)
Non-negotiable Certificates of Deposit	5 years	None	None	53630 et seq.
Placement Service Deposits	5 years	30% ^K	None	53601.8 and 53635.8
Placement Service Certificates of Deposit	5 years	30% ^K	None	53601.8 and 53635.8
Repurchase Agreements	1 year	None	None	53601(j)
Reverse Repurchase Agreements and Securities Lending Agreements	92 days ^L	20% of the base value of the portfolio	None ^M	53601(j)
Medium-term Notes ^N	5 years or less	30%	“A” rating category or its equivalent or better	53601(k)
Mutual Funds and Money Market Mutual Funds	N/A	20% ^O	Multiple ^{P,Q}	53601(l) and 53601.6(b)
Collateralized Bank Deposits ^R	5 years	None	None	53630 et seq. and 53601(n)
Mortgage Pass-through and Asset Backed Securities	5 years or less	20%	“AA” rating category or its equivalent or better	53601(o)
County Pooled Investment Funds	N/A	None	None	27133
Joint Powers Authority Pool	N/A	None	Multiple ^S	53601(p)
Local Agency Investment Fund (LAIF)	N/A	None	None	16429.1
Voluntary Investment Program Fund ^T	N/A	None	None	16340
Supranational Obligations ^U	5 years or less	30%	“AA” rating category or its equivalent or better	53601(q)

TABLE OF NOTES FOR FIGURE 1

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| <p>A <i>Sources: Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53630 et seq., 53635, and 53635.8.</i></p> <p>B <i>Municipal Utilities Districts have the authority under the Public Utilities Code Section 12871 to invest in certain securities not addressed here.</i></p> <p>C <i>Section 53601 provides that the maximum term of any investment authorized under this section, unless otherwise stated, is five years. However, the legislative body may grant express authority to make investments either specifically or as a part of an investment program approved by the legislative body that exceeds this five year remaining maturity limit. Such approval must be issued no less than three months prior to the purchase of any security exceeding the five-year maturity limit.</i></p> <p>D <i>Percentages apply to all portfolio investments regardless of source of funds. For instance, cash from a reverse repurchase agreement would be subject to the restrictions.</i></p> <p>E <i>No more than 30 percent of the agency's money may be in bankers' acceptances of any one commercial bank.</i></p> <p>F <i>Includes agencies defined as a city, a district, or other local agency that do not pool money in deposits or investment with other local agencies, other than local agencies that have the same governing body.</i></p> <p>G <i>Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper of any single issuer.</i></p> <p>H <i>Issuing corporation must be organized and operating within the U.S., have assets in excess of \$500 million, and debt other than commercial paper must be in a rating category of "A" or its equivalent or higher by a nationally recognized statistical rating organization, or the issuing corporation must be organized within the U.S. as a special purpose corporation, trust, or LLC, have program wide credit enhancements, and have commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical rating agency.</i></p> <p>I <i>Includes agencies defined as a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. Local agencies that pool exclusively with other local agencies that have the same governing body must adhere to the limits set forth in Section 53601(h)(2)(C).</i></p> <p>J <i>No more than 30 percent of the agency's money may be in negotiable certificates of deposit that are authorized under Section 53601(i).</i></p> <p>K <i>No more than 30 percent of the agency's money may be invested in deposits, including certificates of deposit, through a placement service (excludes negotiable certificates of deposit authorized under Section 53601(i)).</i></p> <p>L <i>Reverse repurchase agreements or securities lending agreements may exceed the 92-day term if the agreement includes a written codicil guaranteeing a minimum earning or</i></p> | <p><i>spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity dates of the same security.</i></p> <p>M <i>Reverse repurchase agreements must be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state chartered bank that has a significant relationship with the local agency. The local agency must have held the securities used for the agreements for at least 30 days.</i></p> <p>N <i>"Medium-term notes" are defined in Section 53601 as "all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States."</i></p> <p>O <i>No more than 10 percent invested in any one mutual fund. This limitation does not apply to money market mutual funds.</i></p> <p>P <i>A mutual fund must receive the highest ranking by not less than two nationally recognized rating agencies or the fund must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Sections 53601 and 53635.</i></p> <p>Q <i>A money market mutual fund must receive the highest ranking by not less than two nationally recognized statistical rating organizations or retain an investment advisor registered with the SEC or exempt from registration and who has not less than five years' experience investing in money market instruments with assets under management in excess of \$500 million.</i></p> <p>R <i>Investments in notes, bonds, or other obligations under Section 53601(n) require that collateral be placed into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, among other specific collateral requirements.</i></p> <p>S <i>A joint powers authority pool must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Section 53601, subdivisions (a) to (o).</i></p> <p>T <i>Local entities can deposit between \$200 million and \$10 billion into the Voluntary Investment Program Fund, upon approval by their governing bodies. Deposits in the fund will be invested in the Pooled Money Investment Account.</i></p> <p>U <i>Only those obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB), with a maximum remaining maturity of five years or less.</i></p> |
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**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO**

RESOLUTION NO:

**RESOLUTION TO ADOPT THE INVESTMENT POLICY
HOUSING AUTHORITY OF THE CITY OF FRESNO**

WHEREAS, the Housing Authority of the City of Fresno adopted the current Investment Policy on July 23, 2019, and,

WHEREAS, the Investment Policy references “The specific requirements for the investment of HUD funds are found in 24 CFR Part 85 Subpart C, the Annual Contribution Contract (ACC), the General Depository Agreement (FORM HUD-51999) and HUD Notice 96-33 as extended by HUD Notice 02-13.” and,

WHEREAS, the Investment Policy has been brought before the Board for an annual review as required by the aforementioned regulations and California Government Code Section 53601,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno adopt the Investment Policy as presented.

PASSED AND ADOPTED THIS 14th day of November 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY**

RESOLUTION NO:

**RESOLUTION TO ADOPT THE INVESTMENT POLICY
HOUSING AUTHORITY OF FRESNO COUNTY**

WHEREAS, the Housing Authority of Fresno County adopted the current Investment Policy on July 23, 2019, and,

WHEREAS, the Investment Policy references “The specific requirements for the investment of HUD funds are found in 24 CFR Part 85 Subpart C, the Annual Contribution Contract (ACC), the General Depository Agreement (FORM HUD-51999) and HUD Notice 96-33 as extended by HUD Notice 02-13.” and,

WHEREAS, the Investment Policy has been brought before the Board for an annual review as required by the aforementioned regulations and California Government Code Section 53601,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County adopt the Investment Policy as presented.

PASSED AND ADOPTED THIS 14th day of November 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: November 14, 2023
AGENDA ITEM: 6d-g
SUBJECT: Legal Services for Fresno Housing

AUTHOR: Rebecca Kelley
DEPARTMENT: Administrative Services
MEMO DATE: October 30, 2023

Executive Summary

The purpose of this memo is to request approval from the Boards of Commissioners to award legal services contracts.

On July 6, 2023, staff issued a Request for Proposals (RFP) for Legal Service for Fresno Housing (“the Agency”). Solicitation efforts included publication in the Fresno Housing E-procurement website- Housing Agency Marketplace, Fresno Bee, and The Business Journal.

The proposed scope of work included but was not limited to: Legal Advisors to the Agency’s Boards of Commissioners and the Agency Chief Executive Officers/Executive Directors (CEO/ED), and Legal Services for the following Lots: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HCD and Other Federal & State Funding, and Lot 5: General Council. The deadline for questions was June 8, 2023 and the deadline for proposal responses was July 4, 2023.

Fresno Housing received multiple questions regarding the solicitation, that were answered on the Housing Agency Marketplace as Addendum One (1) (Q&A). The Agency received seven (7) proposals for the Legal Service for Fresno Housing solicitation. After the Contract Facilitator (CF) reviewed all seven (7) proposals, it was determined that only six (6) proposers were responsive and responsible. The six (6) proposers moved forward to the evaluation and interview rounds. The review panel included FH staff from: the Chief Executive Office, the Real Estate Development Department, a Board Member from the City and County of Fresno, Human Resources Department, Finance and Accounting Department, and a Community Member.

After a comprehensive evaluation of the interviews, staff is recommending the following four (4) firms: Ballard Spahr LLP. for Lot 1 & 4, Steven R. Hrdlicka for Lot 2, AALRR for Lot 3, Baker Manock & Jensen for Lot 5, to be awarded the Legal Services contract(s). The proposals were ranked based on the firm’s experience, capacity, fee structure, demonstrated understanding of FH’s desired goals and objectives, and economic opportunities outreach. The four (4) firms have a good professional reputation, the experience, qualifications, and pricing that is most advantageous to the Agency.

Recommendation

It is recommended that the Boards of Commissioners award the Legal Service for Fresno Housing contracts.

It is further recommended to authorize Tyrone Roderick Williams, Chief Executive Officer, and/or his designee to negotiate and execute the contracts subject to satisfactory review and approval by legal counsel.

Fiscal Impact

FRESNO HOUSING

Funding will come from the Real Estate Development Projects Budget (not funded by the Agency directly) for the Development for Affordable Housing Legal Services and the Operations Budget for the HUD/USDA/HCD & Other Federal and State Funding Legal Services. Additionally, funding from the Operations and Mixed Finance Budgets will cover the the General Council, Human Resources, and Unlawful Detainer Legal Services.

Background Information

Following within Fresno Housing Vision, Mission, and Goals, FH solicited for Legal Services. The scope for work consisted of, but not limited to: Legal Advisors to the Agency's Boards of Commissioners and the Agency Chief Executive Officers/Executive Directors (CEO/ED), and Legal Services for the following Lots: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HCD and Other Federal & State Funding, and Lot 5: General Council.

Legal Services are a necessary component to the daily operations of the Agency. Overall, in 2022, the Agency spent approximately \$6,888 in HUD Related Legal Services from the Operations budget, \$655,309 for the Affordable Housing Development Legal Services from Real Estate Development budget, \$100,983 for General Council Legal Services from the Operations and Mixed Finance budgets, \$29,757 for Unlawful Detainer Legal Services from the Operations budget, and \$151,753 for Human Resources Legal Services from the Operations budget.

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO CITY, CA**

**RESOLUTION APPROVING THE CONTRACT FOR LEGAL SERVICES WITH BAKER
MANOCK & JENSEN FOR FRESNO HOUSING**

WHEREAS, the Housing Authority of Fresno City, California (the “Agency”) currently has a contract with Baker Manock & Jensen to provide Legal Services for General Council; and,

WHEREAS, the final term of the aforementioned contract ends December 31, 2023 with no option to extend for another term; and

WHEREAS, the Agency released a RFP- P23004 for Legal Service that included 5 Lots consisting of: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HUD & Other Federal and State Funding, and Lot 5: General Council; and

WHEREAS, the RFP was available on the Agency’s E-procurement website, advertised in the Fresno Bee and the Business Journal; and

WHEREAS, the Agency has received 7 proposals from Legal Firms for Legals Services for Fresno Housing for all Lots; and

WHEREAS, Baker Manock & Jensen was determined to be responsive and responsible and provided qualifications and prices that were most advantageous to the Agency, pursuant to the Agency’s procurement guidelines for Lot 5; and

WHEREAS, the Agency desires to enter into a contract with Baker Manock & Jensen for Legal Services for Lot 5: General Council with an amount that is not to exceed \$130,000.00 for the total term of one (1) year with the additional four (4) one-year options to extend;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno City do hereby authorize Tyrone Roderick Williams, Chief Executive Officer, or his designee, to negotiate and execute the contract for Legal Services for Fresno Housing with Baker Manock & Jensen and execute all documents in connection therewith.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY, CA**

**RESOLUTION APPROVING THE CONTRACT FOR LEGAL SERVICES WITH BAKER
MANOCK & JENSEN FOR FRESNO HOUSING**

WHEREAS, the Housing Authority of Fresno County, California (the "Agency") currently has a contract with Baker Manock & Jensen to provide Legal Services for General Council; and,

WHEREAS, the final term of the aforementioned contract ends December 31, 2023 with no option to extend for another term; and

WHEREAS, the Agency released a RFP- P23004 for Legal Service that included 5 Lots consisting of: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HUD & Other Federal and State Funding, and Lot 5: General Council; and

WHEREAS, the RFP was available on the Agency's E-procurement website, advertised in the Fresno Bee and the Business Journal; and

WHEREAS, the Agency has received 7 proposals from Legal Firms for Legals Services for Fresno Housing for all Lots; and

WHEREAS, Baker Manock & Jensen was determined to be responsive and responsible and provided qualifications and prices that were most advantageous to the Agency, pursuant to the Agency's procurement guidelines for Lot 5; and

WHEREAS, the Agency desires to enter into a contract with Baker Manock & Jensen for Legal Services for Lot 5: General Council with an amount that is not to exceed \$130,000.00 for the total term of one (1) year with the additional four (4) one-year options to extend;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County do hereby authorize Tyrone Roderick Williams, Chief Executive Officer, or his designee, to negotiate and execute the contract for Legal Services for Fresno Housing with Baker Manock & Jensen and execute all documents in connection therewith.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO CITY, CA**

**RESOLUTION APPROVING THE CONTRACT FOR LEGAL SERVICES WITH BALLARD
SPAHR LLP. FOR FRESNO HOUSING**

WHEREAS, the Housing Authority of Fresno City, California (the “Agency”) currently has a contract with Ballard Spahr LLP. to provide Legal Services for Development of Affordable Housing; and,

WHEREAS, the final term of the aforementioned contract ends December 31, 2023 with no option to extend for another term; and

WHEREAS, the Agency released a RFP- P23004 for Legal Service that included 5 Lots consisting of: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HUD & Other Federal and State Funding, and Lot 5: General Council; and

WHEREAS, the RFP was available on the Agency’s E-procurement website, advertised in the Fresno Bee and the Business Journal; and

WHEREAS, the Agency has received 7 proposals from Legal Firms for Legals Services for Fresno Housing for all Lots; and

WHEREAS, Ballard Spahr LLP. was determined to be responsive and responsible and provided qualifications and prices that were most advantageous to the Agency, pursuant to the Agency’s procurement guidelines for Lot 1 and Lot 4; and

WHEREAS, the Agency desires to enter into a contract with Ballard Spahr LLP for Legal Services that consist of: Lot 1: Development of Affordable Housing and Lot 4: HUD/USDA/HCD & Other Federal and State Funding with an amount that is not to exceed \$710,000.00 for the total term of one (1) year with the additional four (4) one-year options to extend;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno City do hereby authorize Tyrone Roderick Williams, Chief Executive Officer, or his designee, to negotiate and execute the contract for Legal Services for Fresno Housing with Ballard Spahr LLP. and execute all documents in connection therewith.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY, CA**

**RESOLUTION APPROVING THE CONTRACT FOR LEGAL SERVICES WITH BALLARD
SPAHR LLP. FOR FRESNO HOUSING**

WHEREAS, the Housing Authority of Fresno County, California (the "Agency") currently has a contract with Ballard Spahr LLP. to provide Legal Services for Development of Affordable Housing; and,

WHEREAS, the final term of the aforementioned contract ends December 31, 2023 with no option to extend for another term; and

WHEREAS, the Agency released a RFP- P23004 for Legal Service that included 5 Lots consisting of: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HUD & Other Federal and State Funding, and Lot 5: General Council; and

WHEREAS, the RFP was available on the Agency's E-procurement website, advertised in the Fresno Bee and the Business Journal; and

WHEREAS, the Agency has received 7 proposals from Legal Firms for Legals Services for Fresno Housing for all Lots; and

WHEREAS, Ballard Spahr LLP. was determined to be responsive and responsible and provided qualifications and prices that were most advantageous to the Agency, pursuant to the Agency's procurement guidelines for Lot 1 and Lot 4; and

WHEREAS, the Agency desires to enter into a contract with Ballard Spahr LLP for Legal Services that consist of: Lot 1: Development of Affordable Housing and Lot 4: HUD/USDA/HCD & Other Federal and State Funding with an amount that is not to exceed \$710,000.00 for the total term of one (1) year with the additional four (4) one-year options to extend;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County do hereby authorize Tyrone Roderick Williams, Chief Executive Officer, or his designee, to negotiate and execute the contract for Legal Services for Fresno Housing with Ballard Spahr LLP. and execute all documents in connection therewith.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO CITY, CA**

**RESOLUTION APPROVING THE CONTRACT FOR LEGAL SERVICES WITH STEVEN R.
HRDLICKA FOR FRESNO HOUSING**

WHEREAS, the Housing Authority of Fresno City, California (the “Agency”) currently has a contract with Steven R. Hrdlicka to provide Legal Services for Unlawful Detainer; and,

WHEREAS, the final term of the aforementioned contract ends December 31, 2023 with no option to extend for another term; and

WHEREAS, the Agency released a RFP- P23004 for Legal Service that included 5 Lots consisting of: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HUD & Other Federal and State Funding, and Lot 5: General Council; and

WHEREAS, the RFP was available on the Agency’s E-procurement website, advertised in the Fresno Bee and the Business Journal; and

WHEREAS, the Agency has received 7 proposals from Legal Firms for Legals Services for Fresno Housing for all Lots; and

WHEREAS, Steven R. Hrdlicka was determined to be responsive and responsible and provided qualifications and prices that were most advantageous to the Agency, pursuant to the Agency’s procurement guidelines for Lot 2; and

WHEREAS, the Agency desires to enter into a contract with Steven R. Hrdlicka for Legal Services for Lot 2: Unlawful Detainer with an amount that is not to exceed \$60,000.00 for the total term of one (1) year with the additional four (4) one-year options to extend;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno City do hereby authorize Tyrone Roderick Williams, Chief Executive Officer, or his designee, to negotiate and execute the contract for Legal Services for Fresno Housing with Steven R. Hrdlicka and execute all documents in connection therewith.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY, CA**

**RESOLUTION APPROVING THE CONTRACT FOR LEGAL SERVICES WITH STEVEN R.
HRDLICKA FOR FRESNO HOUSING**

WHEREAS, the Housing Authority of Fresno County, California (the "Agency") currently has a contract with Steven R. Hrdlicka to provide Legal Services for Unlawful Detainer; and,

WHEREAS, the final term of the aforementioned contract ends December 31, 2023 with no option to extend for another term; and

WHEREAS, the Agency released a RFP- P23004 for Legal Service that included 5 Lots consisting of: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HUD & Other Federal and State Funding, and Lot 5: General Council; and

WHEREAS, the RFP was available on the Agency's E-procurement website, advertised in the Fresno Bee and the Business Journal; and

WHEREAS, the Agency has received 7 proposals from Legal Firms for Legals Services for Fresno Housing for all Lots; and

WHEREAS, Steven R. Hrdlicka was determined to be responsive and responsible and provided qualifications and prices that were most advantageous to the Agency, pursuant to the Agency's procurement guidelines for Lot 2; and

WHEREAS, the Agency desires to enter into a contract with Steven R. Hrdlicka for Legal Services for Lot 2: Unlawful Detainer with an amount that is not to exceed \$60,000.00 for the total term of one (1) year with the additional four (4) one-year options to extend;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County do hereby authorize Tyrone Roderick Williams, Chief Executive Officer, or his designee, to negotiate and execute the contract for Legal Services for Fresno Housing with Steven R. Hrdlicka and execute all documents in connection therewith.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO CITY, CA**

**RESOLUTION APPROVING THE CONTRACT FOR LEGAL SERVICES WITH AALRR
FOR FRESNO HOUSING**

WHEREAS, the Housing Authority of Fresno City, California (the "Agency") currently has a contract with AALRR to provide Legal Services for Human Resources; and,

WHEREAS, the final term of the aforementioned contract ends December 31, 2023 with no option to extend for another term; and

WHEREAS, the Agency released a RFP- P23004 for Legal Service that included 5 Lots consisting of: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HUD & Other Federal and State Funding, and Lot 5: General Council; and

WHEREAS, the RFP was available on the Agency's E-procurement website, advertised in the Fresno Bee and the Business Journal; and

WHEREAS, the Agency has received 7 proposals from Legal Firms for Legals Services for Fresno Housing for all Lots; and

WHEREAS, AALRR was determined to be responsive and responsible and provided qualifications and prices that were most advantageous to the Agency, pursuant to the Agency's procurement guidelines for Lot 3; and

WHEREAS, the Agency desires to enter into a contract with AALRR for Legal Services for Lot 3: Human Resources with an amount that is not to exceed \$50,000.00 for the total term of one (1) year with the additional four (4) one-year options to extend;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno City do hereby authorize Tyrone Roderick Williams, Chief Executive Officer, or his designee, to negotiate and execute the contract for Legal Services for Fresno Housing with AALRR and execute all documents in connection therewith.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY, CA**

**RESOLUTION APPROVING THE CONTRACT FOR LEGAL SERVICES WITH AALRR
FOR FRESNO HOUSING**

WHEREAS, the Housing Authority of Fresno County, California (the "Agency") currently has a contract with AALRR to provide Legal Services for Human Resources; and,

WHEREAS, the final term of the aforementioned contract ends December 31, 2023 with no option to extend for another term; and

WHEREAS, the Agency released a RFP- P23004 for Legal Service that included 5 Lots consisting of: Lot 1: Development of Affordable Housing, Lot 2: Unlawful Detainer, Lot 3: Human Resources, Lot 4: HUD/USDA/HUD & Other Federal and State Funding, and Lot 5: General Council; and

WHEREAS, the RFP was available on the Agency's E-procurement website, advertised in the Fresno Bee and the Business Journal; and

WHEREAS, the Agency has received 7 proposals from Legal Firms for Legals Services for Fresno Housing for all Lots; and

WHEREAS, AALRR was determined to be responsive and responsible and provided qualifications and prices that were most advantageous to the Agency, pursuant to the Agency's procurement guidelines for Lot 3; and

WHEREAS, the Agency desires to enter into a contract with AALRR for Legal Services for Lot 3: Human Resources with an amount that is not to exceed \$50,000.00 for the total term of one (1) year with the additional four (4) one-year options to extend;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County do hereby authorize Tyrone Roderick Williams, Chief Executive Officer, or his designee, to negotiate and execute the contract for Legal Services for Fresno Housing with AALRR and execute all documents in connection therewith.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 11/14/2023
AGENDA ITEM: 6h
SUBJECT: Authorization to Amend the HCD Homekey Standard Agreement for the Manzanilla Commons Development (fka Step Up on 99)

AUTHOR: Jaicee Berber
DEPARTMENT: Real Estate Development
MEMO DATE: November 9, 2023

Executive Summary

The purpose of this memo is to request certain approvals from the Boards of Commissioners related to amending the California Department of Housing and Community Development's ("HCD") Homekey Standard Agreement, in order to reflect current ownership information and all entities within the Fresno Step Up at 99, LP.

On August 25, 2020, the Boards ratified a Purchase and Sale Agreement for Motel 99, a 98-room motel located on 2.15 acres at 1240 & 1280 North Crystal Avenue, Fresno, CA (APN's: 449-232-01 & 02) (the "Property"). The Housing Authority of the City of Fresno, CA ("HACF") subsequently received an award of funding from the HCD Homekey program to acquire the Property. While HACF received the grant funding and executed a Standard Agreement, HCD agreed to allow Silvercrest, Inc., to assume ownership of the Property. On November 17, 2020, the Boards approved an assignment of the Purchase and Sale Agreement to Silvercrest, Inc. This ownership transfer enabled Silvercrest, Inc. to qualify the property for a welfare tax exemption.

In June 2023, the Boards approved an omnibus resolution to close tax credit financing and transfer the Property to the Fresno Step Up at 99, LP, in which Silvercrest, Inc. is the Managing General Partner. The project financing included a residual receipts loan from HACF in an equal amount to the grant funding received under the Homekey program (\$5,259,125). This loan was comprised of funding to acquire the Property (\$4,425,000) and funds expended in its 2020 repair scope. The requested Amendment to the Standard Agreement will update the ownership information to reflect the Fresno Step Up at 99, LP as the owner and Silvercrest, Inc. as its Managing General Partner.

Staff is recommending that the Board adopt the attached resolutions, drafted by our affordable housing finance counsel, Ballard Spahr LLP, that address the amendment required by HCD.

Recommendation

It is recommended that the Boards of Commissioners of Fresno Housing adopt the attached resolutions approving the actions needed to amend the Standard Agreement ownership information and authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer, and/or their designee, to negotiate and execute documents in connection with the approved actions.

FRESNO HOUSING

1. Authorize the Housing Authority of the City of Fresno, CA, to amend the Standard Agreement with the Fresno Step Up at 99, LP, as its owner and Silvercrest, Inc. as its Managing General Partner.
2. Authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer, and/or their designees to execute documents on behalf of the Housing Authority of the City of Fresno, CA, and in the name of the Administrative General Partner, on its behalf; and as administrative general partner of the Partnership; and
3. Provide for other matters related thereto.

Fiscal Impact

Staff anticipates negligible legal and/or administrative fees associated with this action.

Background Information

Manzanilla Commons, formerly Step Up on 99 and Motel 99, was acquired as a 98-room homeless shelter through Project Homekey. The site is located on 2.15 acres at 1240 & 1280 N. Crystal Avenue, Fresno, CA (APN's: 449-232-01 & 02). Tax credit financing closed on July 6, 2023. The project is set to start construction in November 2023.

Past Board Actions

- August 25, 2020 - Approval to Ratify Purchase and Sale Agreement for Step Up on 99 (fka Motel 99)
- November 17, 2020 - Step Up on 99 (fka Motel 99) Omnibus Resolution assigning PSA to Silvercrest, Inc.; authorizing Silvercrest, Inc. to acquire the Property; and negotiate and execute the Homekey Standard Agreement and Grant Agreement
- June 28, 2021 - Authorization to Submit City of Fresno HOME funds application
- June 21, 2022 - Authorization to Submit Various Funding Applications
- January 24, 2023 - Authorization to Award an Architectural Contract
- February 28, 2023 - Consideration to Acceptance of American Rescue Plan Act (ARPA) Funding from the City of Fresno
- February 28, 2023 - Consideration of Authorization to Apply for Federal HOME Loan Bank's Affordable Housing Program (AHP) Funds
- June 27, 2023 - Closing Omnibus Development & Financing Resolution

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO, CA

RESOLUTION TO APPROVE AN AMENDMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) HOMEKEY STANDARD AGREEMENT (20-HK-00008)

WHEREAS, the Housing Authority of the City of Fresno, California (the "*Housing Authority*") seeks to expand the availability of affordable rental housing to low-income persons within the City of Fresno; and

WHEREAS, the State of California through the Department of Housing and Community Development ("*HCD*") previously awarded grant funds to the Housing Authority through the Homekey Program pursuant to a Standard Agreement (20-HK-00008), dated November 20, 2020 (the "*Homekey Standard Agreement*"), in the amount of \$5,259,125.00 (the "*Homekey Funds*"), which Homekey Funds were disbursed by HCD to the Housing Authority pursuant to the terms of the Homekey Standard Agreement and applied toward eligible costs of the Housing Authority's affordable housing project known as Manzanilla Commons (f/k/a Step Up on 99) (the "*Project*"); and

WHEREAS, in connection with the development and tax-credit financing of the Project, the Housing Authority entered into an Operating Agreement dated as of September 24, 2021, pursuant to which the Housing Authority is the manager and sole member of Fresno Step Up at 99 AGP, LLC, a California limited liability company (the "*Administrative General Partner*"), and the Housing Authority filed Articles of Organization with the California Secretary of State on September 9, 2021; and

WHEREAS, the Administrative General Partner, together with Silvercrest, Inc., entered into an Agreement of Limited Partnership dated as of September 24, 2021, pursuant to which the Administrative General Partner is the "*Administrative GP*" and Silvercrest, Inc. is the "*Managing GP*" (collectively the "*General Partners*"), and Silvercrest, Inc. is the "*Limited Partner*" of Fresno Step Up at 99, LP, a California limited partnership (the "*Partnership*"), and also filed a Certificate of Limited Partnership with the California Secretary of State on September 14, 2021; and

WHEREAS, the Administrative General Partner, Silvercrest, Inc., as managing general partner (the "*Managing General Partner*") and withdrawing limited partner, and Columbia Housing SLP Corporation, an Oregon corporation, as special limited partner (the "*SLP*"), and

PNC Bank, National Association, as investor limited partner “the “ILP”, and together with the SLP, the “Limited Partners”), entered into an Amended and Restated Agreement of Limited Partnership of Fresno Step Up at 99, LP, dated July 6, 2023, which sets forth, among other things, that the Partnership will own and operate the Project; and

WHEREAS, the Partnership acquired the Project from Silvercrest, Inc. pursuant to a Grant Deed dated July 6, 2023; and

WHEREAS, to reflect the change in ownership of the Project associated with the development and tax-credit financing of the Project, the Housing Authority has determined to amend the Homekey Standard Agreement, as original grantee thereunder, with approval of HCD, to reflect the Partnership as the Project owner, and Silvercrest, Inc. as the managing general partner of the Partnership.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno, CA do hereby authorize the execution and delivery of an amendment to the Homekey Standard Agreement for the purposes described herein, and further authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer, and/or their respective designees to negotiate and execute any and all related documents necessary or desirable to consummate such amendment.

The Board of Commissioners of the Housing Authority of the City of Fresno, CA do hereby:

1. Authorize the Housing Authority of the City of Fresno, California to amend the Homekey Standard Agreement to reflect Fresno Step Up at 99, LP as Project owner, and Silvercrest, Inc. as its Managing General Partner; and
2. Authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer, or their respective designees to execute documents on behalf of the Housing Authority of the City of Fresno, California; and
3. Provide for other matters related thereto.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Adrian Jones, Chair of the Boards of Commissioners

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO, CA

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF FRESNO, CA IN ITS CAPACITY AS THE MANAGER AND SOLE MEMBER OF FRESNO STEP UP AT 99 AGP, LLC, APPROVING AN AMENDMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) HOMEKEY STANDARD AGREEMENT (20-HK-00008)

WHEREAS, the Housing Authority of the City of Fresno, California (the "*Housing Authority*") seeks to expand the availability of affordable rental housing to low-income persons within the City of Fresno; and

WHEREAS, the State of California through the Department of Housing and Community Development ("*HCD*") previously awarded grant funds to the Housing Authority through the Homekey Program pursuant to a Standard Agreement (20-HK-00008), dated November 20, 2020 (the "*Homekey Standard Agreement*"), in the amount of \$5,259,125.00 (the "*Homekey Funds*"), which Homekey Funds were disbursed by HCD to the Housing Authority pursuant to the terms of the Homekey Standard Agreement and applied toward eligible costs of the Housing Authority's affordable housing project known as Manzanilla Commons (f/k/a Step Up on 99) (the "*Project*"); and

WHEREAS, in connection with the development and tax-credit financing of the Project, the Housing Authority entered into an Operating Agreement dated as of September 24, 2021, pursuant to which the Housing Authority is the manager and sole member of Fresno Step Up at 99 AGP, LLC, a California limited liability company (the "*Administrative General Partner*"), and the Housing Authority filed Articles of Organization with the California Secretary of State on September 9, 2021; and

WHEREAS, the Administrative General Partner, together with Silvercrest, Inc., entered into an Agreement of Limited Partnership dated as of September 24, 2021, pursuant to which the Administrative General Partner is the "*Administrative GP*" and Silvercrest, Inc. is the "*Managing GP*", and Silvercrest, Inc. is the "*Limited Partner*" of Fresno Step Up at 99, LP, a California limited partnership (the "*Partnership*"), and also filed a Certificate of Limited Partnership with the California Secretary of State on September 14, 2021; and

WHEREAS, the Administrative General Partner, Silvercrest, Inc., as managing general partner (the “*Managing General Partner*”) and withdrawing limited partner, Columbia Housing SLP Corporation, an Oregon corporation, as special limited partner (the “**SLP**”), and PNC Bank, National Association, as investor limited partner (the “**ILP**”, and together with the SLP, the “Limited Partners”), the “*Investor Limited Partner*”) entered into an Amended and Restated Agreement of Limited Partnership of Fresno Step Up at 99, LP, dated July 6, 2023, which sets forth, among other things, that the Partnership will own and operate the Project; and

WHEREAS, the Partnership acquired the Project from Silvercrest, Inc. pursuant to a Grant Deed dated July 7, 2023; and

WHEREAS, to reflect the change in ownership of the Project associated with the development and tax-credit financing of the Project, the Housing Authority, as the manager and sole member of the Administrative General Partner, and as original grantee under the Homekey Standard Agreement, has determined to amend the Homekey Standard Agreement, with approval of HCD, to reflect the Partnership as the Project owner.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno, CA acting in its capacity as manager and sole member of the Administrative General Partner, do hereby authorize the execution and delivery of an amendment to the Homekey Standard Agreement for the purposes described herein, and further authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, and Michael Duarte, Chief Real Estate Officer, as authorized officers of the Administrative General Partner, and/or their respective designees, to negotiate and execute any and all related documents necessary or desirable to consummate such amendment.

The Board of Commissioners of the Housing Authority of the City of Fresno, CA do hereby:

1. Authorize the Housing Authority of the City of Fresno, California, in its capacity as the manager and sole member of the Administrative General Partner, to amend the Homekey Standard Agreement to reflect Fresno Step Up at 99, LP as Project owner, with the Housing Authority as Administrative General Partner and Silvercrest, Inc. as Managing General Partner; and
2. Authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer, or their respective designees to execute documents on behalf of the Housing Authority of the City of Fresno, CA in its capacity as the manager and sole member of the Administrative General Partner; and
3. Provide for other matters related thereto.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Adrian Jones, Chair of the Boards of Commissioners

LOAN AUTHORIZATION OF FRESNO STEP UP AT 99, LP

The undersigned hereby **certify** that the **Housing Authority of the City of Fresno, California** (the "Housing Authority") is the **Sole Member and Manager of Fresno Step Up at 99 AGP, LLC**, which is the Administrative General Partner of **Fresno Step Up at 99, LP**, a California Limited Partnership (the "Borrower"), and **Silvercrest, Inc.** is the **Managing General Partner** of the Borrower, and as such each makes the following certifications and representations to the State of California Department of Housing and Community Development (the "Department"):

1. The Department previously awarded grant funds to the Housing Authority through the Homekey Program pursuant to a Standard Agreement (20-HK-00008), dated November 20, 2020 (the "Homekey Standard Agreement"), in the amount of \$5,259,125.00 (the "Homekey Funds"), which Homekey Funds were disbursed by the Department to the Housing Authority pursuant to the terms of the Homekey Standard Agreement and applied toward eligible costs of the Housing Authority's affordable housing project known as Manzanilla Commons (f/k/a Step Up on 99) (the "Project").

2. The Borrower acquired the Project from Silvercrest, Inc. pursuant to a Grant Deed dated July 7, 2023 and the Housing Authority loaned the Homekey Funds to the Borrower in connection with such acquisition (the "Homekey Loan").

3. The Borrower is duly formed as a limited partnership in the State of California, is authorized to do business in the State of California, and has the power and authority to borrow the Homekey Loan.

4. To reflect the change in ownership of the Project associated with the development and tax-credit financing of the Project, the Housing Authority and the Borrower have determined to amend the Homekey Standard Agreement, with approval of HCD, to reflect the Borrower as the Project owner, and Silvercrest, Inc. as the managing general partner of the Borrower.

5. That in connection with the Homekey Loan, the Borrower is authorized to enter into an amendment to the Homekey Standard Agreement (the "Homekey Standard Agreement Amendment") for the purposes described herein.

6. That **Tyrone Roderick Williams, Secretary/Director of Silvercrest, Inc., a California Nonprofit Public Benefit Corporation, the Managing General Partners of the Borrower**, and that **Tyrone Roderick Williams, Chief Executive Officer**, or **Michael Duarte, Chief Real Estate Officer**, on behalf of the **Housing Authority of the City of Fresno, California, Sole Member and Manager of Fresno Step Up at 99 AGP, LLC, Administrative General Partner** of the Borrower are authorized and directed to execute the Homekey Standard Agreement Amendment, on behalf of the Borrower.

Date: November _____, 2023

BORROWER:

FRESNO STEP UP AT 99, LP, a California limited partnership

By: Silvercrest, Inc., a California non-profit public benefit corporation, its managing general partner

By: _____
Tyrone Roderick Williams
Secretary/Director

By: Fresno STEP UP AT 99 AGP, LLC, a California limited liability company, its administrative general partner

By: Housing Authority of the City of Fresno, California, a public body corporate and politic, its sole member and manager

By: _____
Tyrone Roderick Williams
Chief Executive Officer

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 11/14/2023
AGENDA ITEM: 7a
SUBJECT: Purchase of the Investor Limited Partners' Interests in Fresno Pacific Gardens, LP by the Housing Authority of the City of Fresno and Silvercrest, Inc.

AUTHOR: Jazmin Gallardo
DEPARTMENT: Real Estate Development
MEMO DATE: November 8, 2023

Executive Summary

Fresno Pacific Gardens, LP is a California limited partnership between Fresno Pacific Gardens AGP, LLC (the "Administrative General Partner"), Silvercrest, Inc. (the "Managing General Partner"), PNC Real Estate Tax Credit Capital Institutional Fund 46, L.P. (the "Investment General Partner") and Columbia Housing SLP Corporation (the "Special Limited Partner"). The partnership was formed for the purpose of developing and operating a 56-unit project located in Fresno, California known as Pacific Gardens. The project qualifies for the federal low-income housing tax credit program as described in Internal Revenue Code ("IRC") Section 42.

Pursuant to the Amended and Restated Agreement of Limited Partnership dated March 14, 2011, profits, losses, and tax credits are allocated 0.005% to the Administrative General Partner, .005% to the Managing General Partner and 99.99% to the Investment Limited Partner subject to IRC 704(b) and other special allocations.

The initial Year 15 Low Income Housing Tax Credit ("LIHTC") compliance period will end in the year 2026. A sale may occur at any time after that year-end compliance date with PNC. The Housing Authority of the City of Fresno, CA ("HACF") and Silvercrest, Inc. ("Silvercrest") have been presented with a draft of an Assignment and Assumption Agreement in connection with the purchase of the Limited Partners' interest with the purchase price of Seventy Five Thousand Dollars (\$75,000).

To maintain the legal partnership structure upon the exit of the Limited Partners, it is necessary for an additional entity to be admitted to the Partnership. Accordingly, Staff requests that the Boards of Commissioners allow HACF to purchase fifty percent (50%) of the Limited Partner's interest in the Partnership and allow HACF to be admitted to the Partnership as Limited Partner in addition to its role as General Partner. A chart showing the current organizational structure of the Partnership and the proposed organizational structure of the Partnership after the purchase of the Limited Partners' interest is attached at Exhibit A.

FRESNO HOUSING

Fiscal Impact

PNC Bank will sell their interest in the Partnership to the Housing Authority of the City of Fresno, CA through Fresno Pacific Gardens AGP LLC and Silvercrest for the total purchase price of Seventy-Five Thousand Dollars (\$75,000). It is anticipated that HACF will purchase fifty percent (50%) of the Limited Partner's interest and Silvercrest will purchase the remaining fifty percent (50%) of the Limited Partner's interest and share the cost pro rata for the partnership.

Recommendation

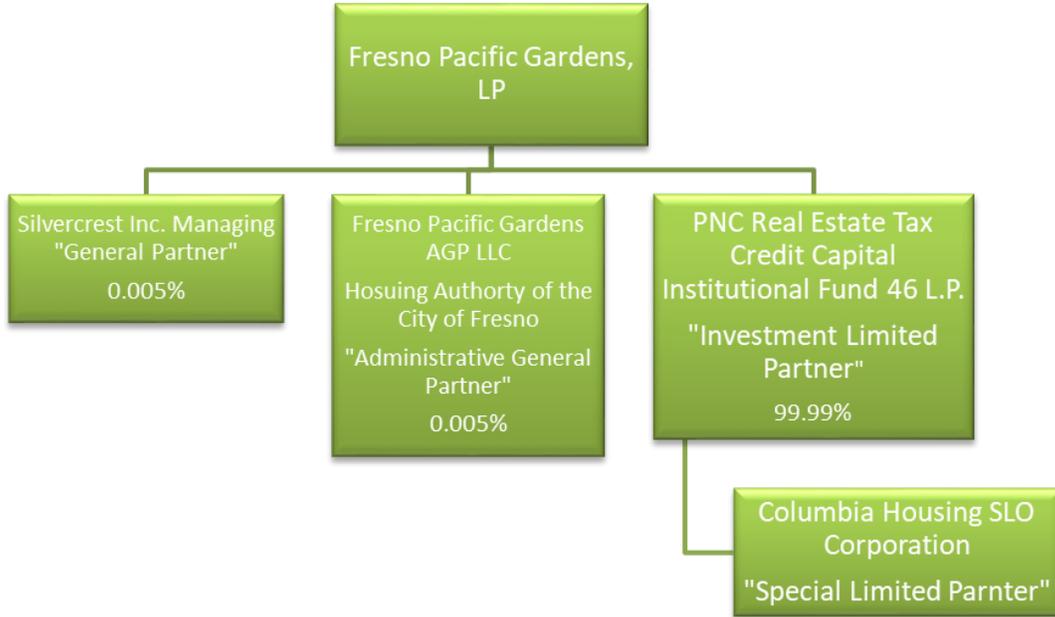
It is recommended that the Boards of Commissioners of Fresno Housing adopt and approve the attached resolution allowing the Housing Authority of the City of Fresno, CA to purchase fifty percent (50%) of the Limited Partners' interest in the Partnership and the Housing Authority of the City of Fresno, CA's admission to the Partnership as Limited Partner and authorize the Chief Executive Officer, Tyrone Roderick Williams, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer and/or their designees to negotiate and execute all ancillary documents in connection therewith.

FRESNO HOUSING

Exhibit A

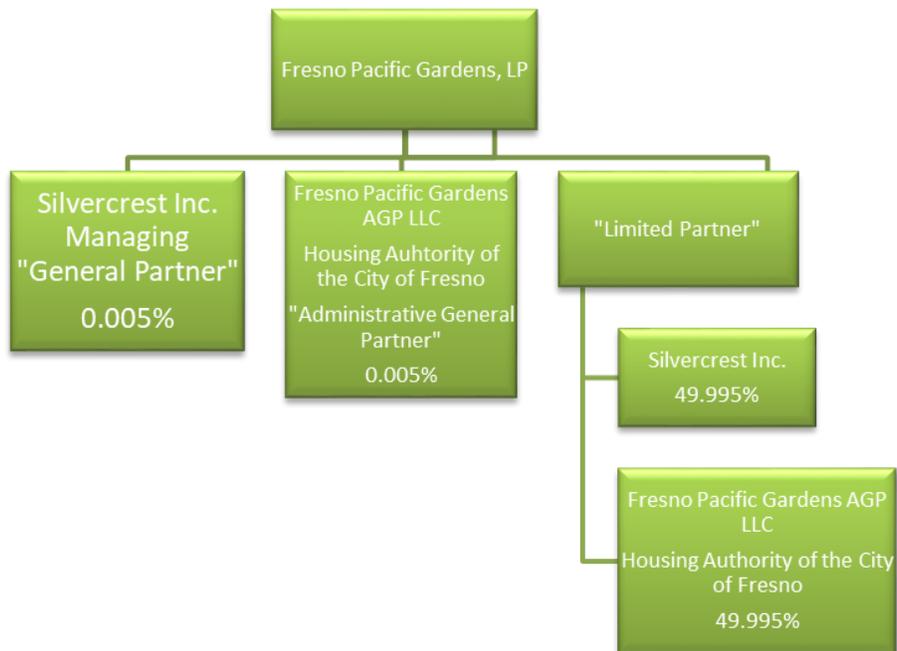
Current Organizational Structure

FRESNO PACIFIC GARDENS, LP



Organizational Structure of Fresno Pacific Gardens, LP after Purchase of Limited Partner's interest by Fresno Pacific Gardens AGP LLC and Silvercrest and their admission into the partnership as Limited Partners

FRESNO PACIFIC GARDENS, LP



RESOLUTION NUMBER:

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO, CALIFORNIA

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS, THE JOINT PURCHASE OF THE INVESTOR LIMITED PARTNERS' INTEREST IN FRESNO PACIFIC GARDENS, LP BY THE HOUSING AUTHORITY OF THE CITY OF FRESNO, CA AND SILVERCREST, INC., AND PROVIDING FOR OTHER MATTERS RELATED THERETO

WHEREAS, the mission of the Housing Authority of the City of Fresno, CA ("HACF") is to create and preserve affordable housing opportunities; and

WHEREAS, HACF is authorized, among other things, to enter into partnership agreements and to finance, plan, undertake, construct, acquire and operate housing projects; and

WHEREAS, Fresno Pacific Gardens AGP LLC (the "**General Partner**") and Silvercrest, Inc. (the "**Managing General Partner**") together with PNC Real Estate Tax Credit Capital Institutional Fund 46, LP (the "**Investment Limited Partner**") and Columbia Housing SLP Corporation (the "**Special Limited Partner**") and together with the Investment Limited Partner, collectively the "**Limited Partners**") entered into that certain Amended and Restated Agreement of Limited Partnership of Fresno Pacific Gardens, LP (the "**Partnership**"), dated as of March 14, 2011, (the "**Partnership Agreement**"); and

WHEREAS, the Partnership owns that certain multifamily residential project located at 5161 East Kings Canyon Road in Fresno, California and generally known as "**Fresno Pacific Gardens**"; and

WHEREAS, the Limited Partners are willing to sell their interest in the Partnership to the HACF and Silvercrest, Inc. for the total purchase price of Seventy Five Thousand Dollars (\$75,000) plus any real estate transfer tax under the California Revenue and Tax Code, the California Documentary Transfer Tax Act, or any and all other similar state, county city and/or any other local real estate transfer taxes, documentary transfer taxes, (collectively, the "**Purchase Price**"); and

WHEREAS, to maintain the legal structure of the Partnership, it is necessary that an additional party be admitted to the Partnership upon the Limited Partners' exit; and

WHEREAS, HACF wishes to purchase fifty percent of the Limited Partners' interest in the Partnership through Fresno Pacific Gardens AGP and become a limited partner of the Partnership; and

WHEREAS, the Silvercrest, Inc. wishes to purchase fifty percent of the Limited Partners' interest in the Partnership and become a limited partner of the Partnership; and

WHEREAS, as a condition of the sale of the Limited Partners' interest in the Partnership, the Partnership is required to provide certain indemnification obligations in connection with the exit of the Limited Partner from the Partnership; and

WHEREAS, HACF is authorized to delegate to one or more of its agents and employees such powers as it deems proper; and

WHEREAS, HACF wishes to ratify and confirm all actions of HACF and its officers prior to the date hereof and consistent with the terms of this resolution and to authorize such actions subsequent to the date hereof.

NOW, THEREFORE, BE IT RESOLVED:

1. **Purchase of Limited Partners' Interest.** The Chief Executive Officer, Tyrone Roderick Williams, or Chief Real Estate Officer, Michael Duarte, or Deputy Executive Director, Tammy Townsend, and/or their respective designees (each an "**Authorized Officer**") is authorized and directed to cause the Housing Authority of the City of Fresno, CA to purchase fifty percent of the Limited Partners' interest in the Partnership, and to take all actions and execute all documents necessary for the Housing Authority of the City of Fresno, CA and Silvercrest, Inc., to be admitted as Limited Partners of the Partnership, including without limitation by execution of the Assignment and Assumption Agreement and any amendment to the Partnership Agreement in furtherance of such admission.

2. **Approval of Partnership Documents.** The Housing Authority of the City of Fresno, CA has been presented with a draft of the Assignment and Assumption Agreement in connection with the purchase of the Limited Partners' interest in the Partnership. The Authorized Officers are authorized and directed to execute and deliver, on behalf of the Housing Authority of the City of Fresno, CA the Assignment and Assumption Agreement substantially in the form on file with the Housing Authority of the City of Fresno, CA; provided however, any Authorized Officer may approve any further changes to the draft Assignment and Assumption Agreement, including material changes and changes to the Purchase Price, and such Authorized Officer's signature on the final Assignment and Assumption Agreement shall be construed as the Housing Authority of the City of Fresno, CA's approval of such changes. The Authorized Officers are

further authorized and directed to execute and deliver, on behalf of the Housing Authority of the City of Fresno, CA any other documents reasonably required to be executed by the Housing Authority of the City of Fresno, CA to carry out the transactions contemplated by the Assignment and Assumption Agreement.

3. **Approval of Indemnification.** The Authorized Officers are authorized on behalf of the Housing Authority of the City of Fresno, CA acting on its own behalf, to execute and perform under such indemnification obligations as are deemed necessary or appropriate and included in the Assignment and Assumption Agreement.

4. **Execution of Documents.** The Authorized Officers are authorized on behalf of the Housing Authority of the City of Fresno, CA to execute, deliver and/or file (or cause to be delivered and/or filed) any affidavits, certificates, letters, government forms, documents, agreements and instruments that any such Authorized Officer determines to be necessary or desirable: (i) to give effect to this resolution; and (ii) to consummate the transactions contemplated herein. Without limiting the scope of such authorization, such documents include irrevocable consents, confessions of judgment and appointments of attorneys for service of process.

5. **Expenditures.** The Housing Authority of the City of Fresno, CA is authorized to expend such funds as are necessary to pay for the Housing Authority of the City of Fresno, CA's share of the Purchase Price for fifty (50%) of the Limited Partners' interest, including all taxes, filing fees, application fees, registration fees and other costs relating to the actions authorized by this resolution.

6. **Acting Officers Authorized.** Any action required by this resolution to be taken by the Chair of the Board of the Housing Authority of the City of Fresno, CA may, in the absence of such person, be taken by the duly authorized acting Chair of the Board of the Housing Authority of the City of Fresno, CA, respectively or by the designee of the Chair of the Board, Michael Duarte, and/or Tammy Townsend.

7. **Ratification and Confirmation.** All actions of the Housing Authority of the City of Fresno, CA and its officers prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed.

8. **Effective Date.** This resolution shall be in full force and effect from and after its adoption and approval.

PASSED AND ADOPTED THIS 14TH day of NOVEMBER, 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Chief Executive Officer



Fresno Pacific Gardens, LP Investor Buy-Out

11.17.23



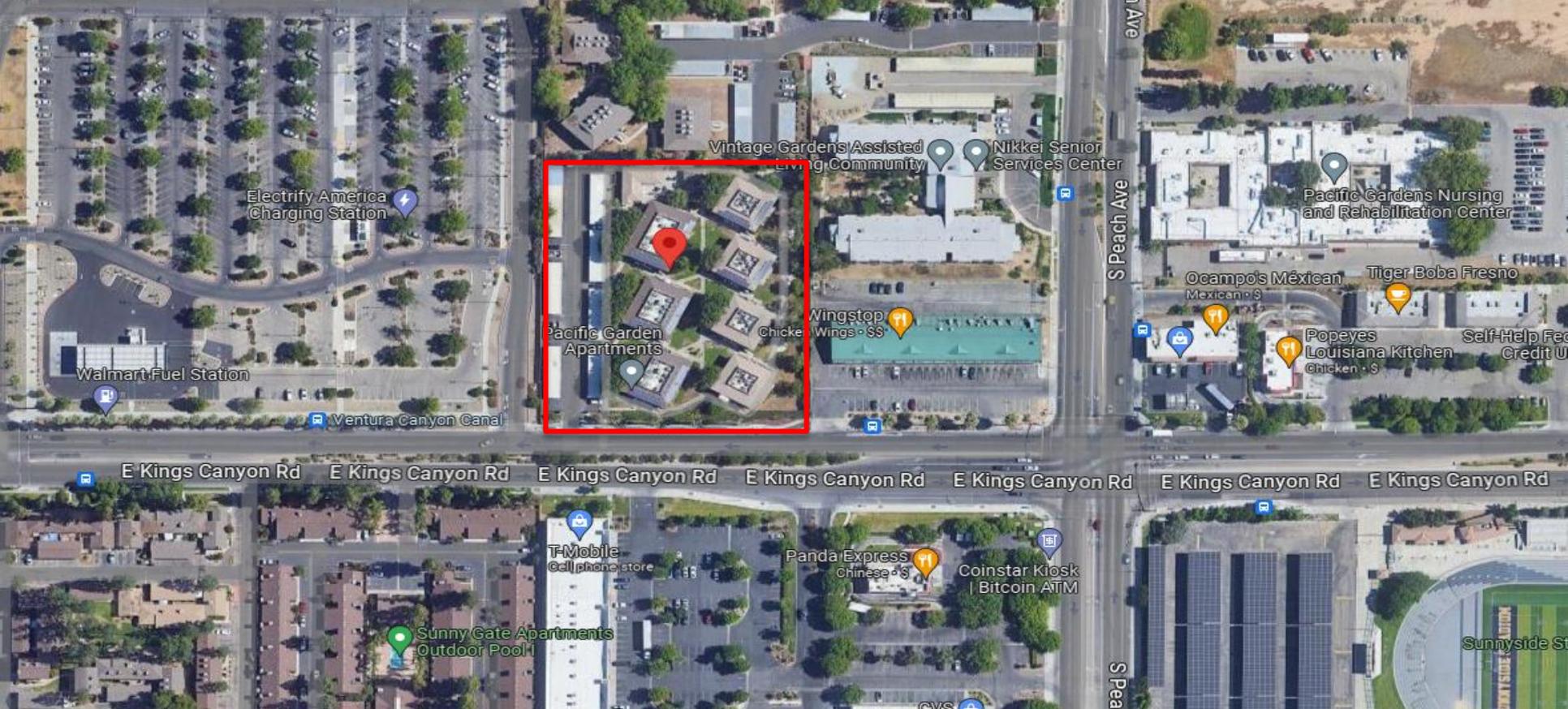
FRESNO VIBRANT
COMMUNITIES
QUALITY HOUSING **HOUSING** ENGAGED
RESIDENTS



Fresno Pacific Gardens, LP

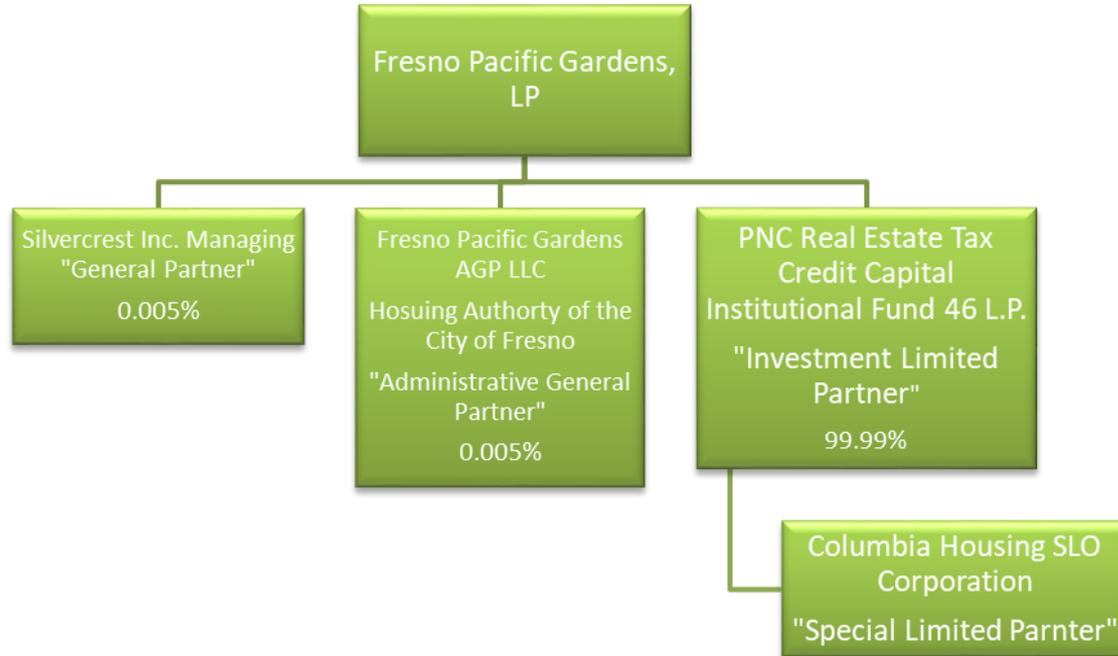
- Pacific Gardens consists of 56 units
 - Located at 5161 E. Kings Canyon Rd, Fresno, CA
 - Includes 22 low income public housing units
- Fresno Pacific Gardens, LP was formed on March 14, 2011
 - Includes Low Income Housing Tax Credit financing
 - Investor (PNC Bank) currently owns 99.99% of the partnership
 - Investor generally planned to be involved for 15 years
- \$75k offer to purchase (“Buy-out”) all of PNC Bank’s interest in the partnership
- Buy-out of the limited investor will provide FH and affiliate to control and own the property 100%

5161 East Kings Canyon Road



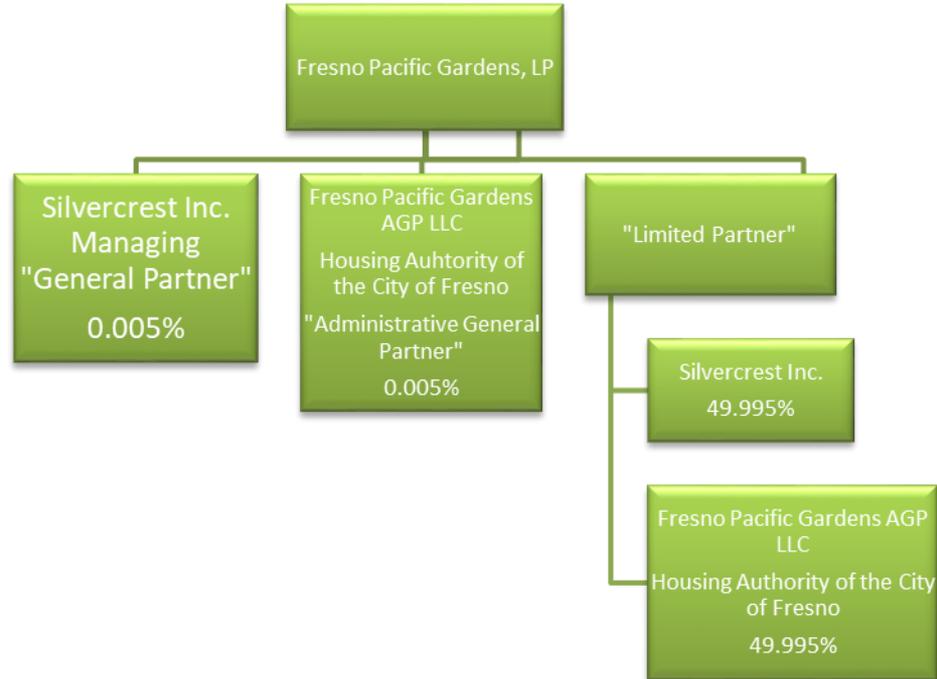
Fresno Pacific Gardens, LP

Current Organizational Structure



Fresno Pacific Gardens, LP

Proposed Organizational Structure



BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 11/14/2023
AGENDA ITEM: 7b
SUBJECT: Purchase of the Investor Limited Partners' Interests in Fresno Renaissance at Trinity, LP by the Housing Authority of the City of Fresno and Silvercrest, Inc.

AUTHOR: Jazmin Gallardo
DEPARTMENT: Real Estate Development
MEMO DATE: November 8, 2023

Executive Summary

Fresno Renaissance at Trinity, LP is a California limited partnership between Fresno Renaissance at Trinity, LLC (the "Administrative General Partner"), Silvercrest, Inc. (the "Managing General Partner"), PNC Real Estate Tax Credit Capital Institutional Fund 46 L.P. (the "Limited Partner"), and Columbia Housing SLP Corporation (the "Special Limited Partner"). The partnership was formed for the purpose of developing and operating a 21-unit project located in Fresno, California known as Renaissance at Trinity Apartments. The project qualifies for the federal low-income housing tax credit program as described in Internal Revenue Code Section 42 (the "IRC").

Pursuant to the Amended and Restated Agreement of Limited Partnership dated December 1, 2010 (the "Partnership Agreement"), profits, losses and tax credits, except for those gains and losses referred to in Section 4.1 of the Partnership Agreement are allocated 0.005% to the Administrative General Partner, 0.005% to the Managing General Partner, 99.99% to the Limited Partner and 0.00% to the Special Limited Partner.

The initial Year 15 Low Income Housing Tax Credit ("LIHTC") compliance period will end in the year 2025 for the partnership. A sale may occur at any time after that year-end compliance date with PNC. The Housing Authority of the City of Fresno, CA ("HACF") and Silvercrest, Inc. ("Silvercrest") have been presented with a draft of an Assignment and Assumption Agreement in connection with the purchase of the Limited Partner's interest with the purchase price of Seventy Five Thousand Dollars (\$75,000).

To maintain the legal partnership structure upon the exit of the Limited Partners, it is necessary for an additional entity to be admitted to the Partnership. Accordingly, HACF requests that the Fresno Housing Boards of Commissioners allow HACF to purchase fifty percent (50%) of the Limited Partner's interest in the Partnership and allow HACF to be admitted to the Partnership as Limited Partner in addition to its role as General Partner. A chart showing the current

FRESNO HOUSING

organizational structure of the Partnership and the proposed organizational structure of the Partnership after the purchase of the Limited Partners' interest is attached at Exhibit A.

Fiscal Impact

PNC Bank will sell their interest in the Partnership to the Housing Authority of the City of Fresno, CA through Fresno Renaissance at Trinity LLC and Silvercrest for the total purchase price of Seventy Five Thousand Dollars (\$75,000). It is anticipated that HACF will purchase fifty percent (50%) of the Limited Partner's interest and Silvercrest will purchase the remaining fifty percent (50%) of the Limited Partner's interest and share the cost pro rata for the partnership.

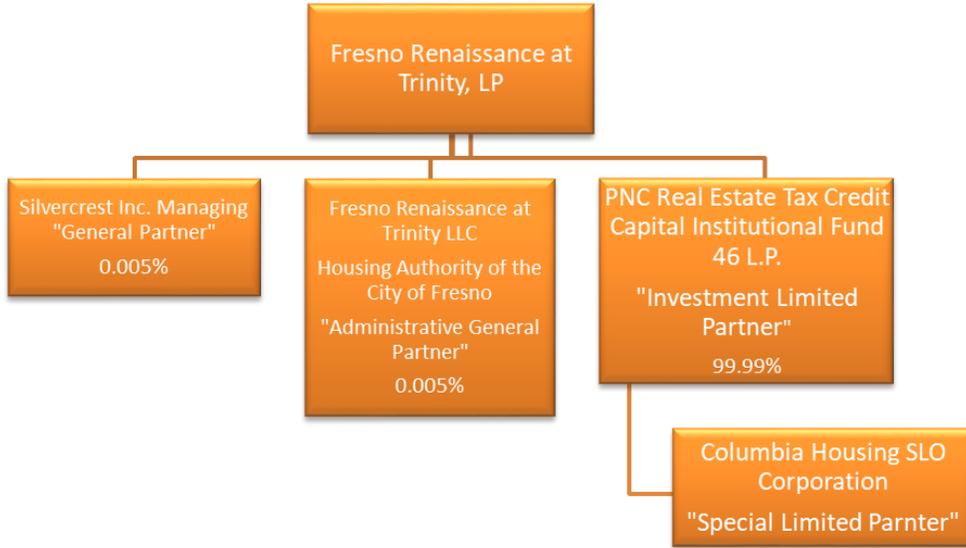
Recommendation

It is recommended that the Boards of Commissioners of Fresno Housing adopt and approve the attached resolution allowing the Housing Authority of the City of Fresno, CA's purchase of fifty percent (50%) of the Limited Partners' interest in the Partnership and the Housing Authority of the City of Fresno, CA's admission to the Partnership as Limited Partner and authorize the Chief Executive Officer, Tyrone Roderick Williams, the Deputy Executive Director, Tammy Townsend, the Chief Real Estate Officer, Michael Duarte, and/or their designees to negotiate and execute all ancillary documents in connection therewith.

Exhibit A

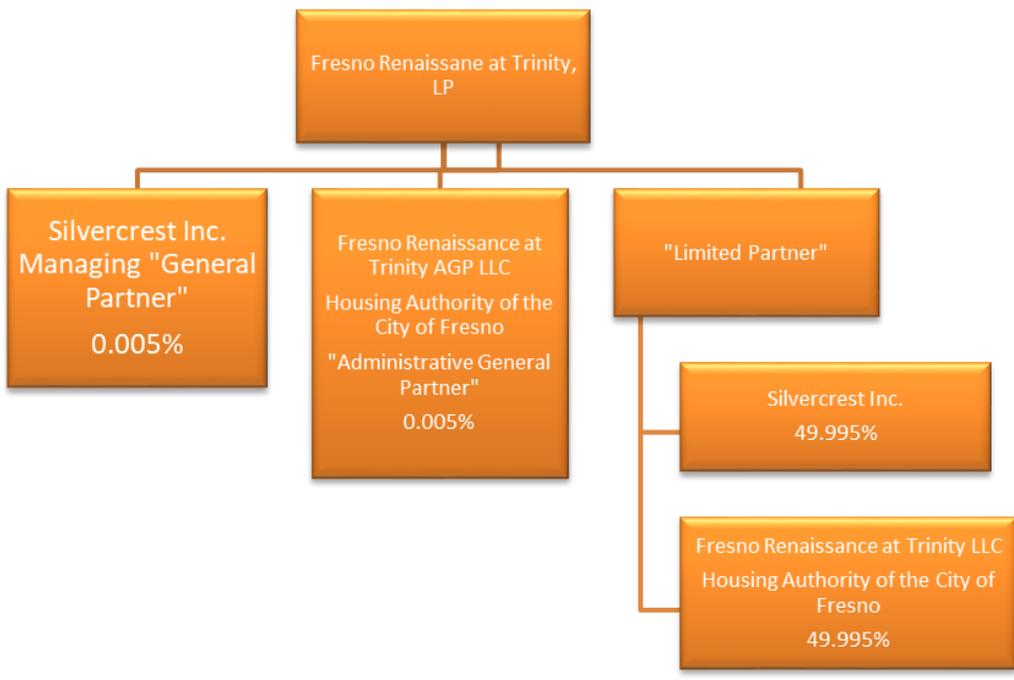
Current Organizational Structure

FRESNO RENAISSANCE AT TRINITY, LP



Organizational Structure of Fresno Renaissance at Trinity, LP after Purchase of Limited Partner's interest by Fresno Renaissance at Trinity LLC and Silvercrest and their admission into the partnership as Limited Partners

FRESNO RENAISSANCE AT TRINITY, LP



RESOLUTION NUMBER:

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO, CALIFORNIA

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS, THE JOINT PURCHASE OF THE INVESTOR LIMITED PARTNERS' INTEREST IN FRESNO RENAISSANCE AT TRINITY, LP BY THE HOUSING AUTHORITY OF THE CITY OF FRESNO AND SILVERCREST, INC., AND PROVIDING FOR OTHER MATTERS RELATED THERETO

WHEREAS, the mission of the Housing Authority of the City of Fresno, CA ("HACF") is to create and preserve affordable housing opportunities; and

WHEREAS, HACF is authorized, among other things, to enter into partnership agreements and to finance, plan, undertake, construct, acquire and operate housing projects; and

WHEREAS, Fresno Renaissance at Trinity, LLC (the "**General Partner**") and Silvercrest, Inc. (the "**Managing General Partner**") together with PNC Real Estate Tax Credit Capital Institutional Fund 46, LP (the "**Investment Limited Partner**") and Columbia Housing SLP Corporation (the "**Special Limited Partner**") and together with the Investment Limited Partner, collectively the "**Limited Partners**") entered into that certain Amended and Restated Agreement of Limited Partnership of Fresno Renaissance at Trinity, LP (the "**Partnership**"), dated as of December 1, 2010, (the "**Partnership Agreement**"); and

WHEREAS, the Partnership owns that certain multifamily residential project located at 524 South Trinity Street in Fresno, California and generally known as "**Fresno Renaissance at Trinity**"; and

WHEREAS, the Limited Partner is willing to sell their interest in the Partnership to the HACF and Silvercrest, Inc. for the total purchase price of Seventy Five Thousand Dollars (\$75,000) plus any real estate transfer tax under the California Revenue and Tax Code, the California Documentary Transfer Tax Act, or any and all other similar state, county city and/or any other local real estate transfer taxes, documentary transfer taxes, (collectively, the "**Purchase Price**"); and

WHEREAS, to maintain the legal structure of the Partnership, it is necessary that an additional party be admitted to the Partnership upon the Limited Partners' exit; and

WHEREAS, HACF wishes to purchase fifty percent of the Limited Partners' interest in the Partnership through Fresno Renaissance at Trinity LLC, and become a limited partner of the Partnership; and

WHEREAS, the Silvercrest, Inc. wishes to purchase fifty percent of the Limited Partners' interest in the Partnership and become a limited partner of the Partnership; and

WHEREAS, as a condition of the sale of the Limited Partners' interest in the Partnership, the Partnership is required to provide certain indemnification obligations in connection with the exit of the Limited Partners from the Partnership; and

WHEREAS, HACF is authorized to delegate to one or more of its agents and employees such powers as it deems proper; and

WHEREAS, HACF wishes to ratify and confirm all actions of HACF and its officers prior to the date hereof and consistent with the terms of this resolution and to authorize such actions subsequent to the date hereof.

NOW, THEREFORE, BE IT RESOLVED:

1. **Purchase of Limited Partners' Interest.** The Chief Executive Officer, Tyrone Roderick Williams, or Chief Real Estate Officer, Michael Duarte, or Deputy Executive Director, Tammy Townsend, or their respective designees (each an "**Authorized Officer**") is authorized and directed to cause the Housing Authority of the City of Fresno, CA to purchase fifty percent of the Limited Partners' interest in the Partnership, and to take all actions and execute all documents necessary for the Housing Authority of the City of Fresno, CA and Silvercrest, Inc., to be admitted as Limited Partners of the Partnership, including without limitation by execution of the Assignment and Assumption Agreement and any amendment to the Partnership Agreement in furtherance of such admission.

2. **Approval of Partnership Documents.** The Housing Authority of the City of Fresno, CA has been presented with a draft of the Assignment and Assumption Agreement in connection with the purchase of the Limited Partners' interest in the Partnership. The Authorized Officers are authorized and directed to execute and deliver, on behalf of the Housing Authority of the City of Fresno, CA the Assignment and Assumption Agreement substantially in the form on file with the Housing Authority of the City of Fresno, CA; provided however, any Authorized Officer may approve any further changes to the draft Assignment and Assumption Agreement, including material changes and changes to the Purchase Price, and such Authorized Officer's signature on the final Assignment and Assumption Agreement shall be construed as the Housing Authority of the City of Fresno, CA's approval of such changes. The Authorized Officers are

further authorized and directed to execute and deliver, on behalf of the Housing Authority of the City of Fresno, CA any other documents reasonably required to be executed by the Housing Authority of the City of Fresno, CA to carry out the transactions contemplated by the Assignment and Assumption Agreement.

3. **Approval of Indemnification.** The Authorized Officers are authorized on behalf of the Housing Authority of the City of Fresno, CA acting on its own behalf, to execute and perform under such indemnification obligations as are deemed necessary or appropriate and included in the Assignment and Assumption Agreement.

4. **Execution of Documents.** The Authorized Officers are authorized on behalf of the Housing Authority of the City of Fresno, CA to execute, deliver and/or file (or cause to be delivered and/or filed) any affidavits, certificates, letters, government forms, documents, agreements and instruments that any such Authorized Officer determines to be necessary or desirable: (i) to give effect to this resolution; and (ii) to consummate the transactions contemplated herein. Without limiting the scope of such authorization, such documents include irrevocable consents, confessions of judgment and appointments of attorneys for service of process.

5. **Expenditures.** The Housing Authority of the City of Fresno, CA is authorized to expend such funds as are necessary to pay for the Housing Authority of the City of Fresno, CA's share of the Purchase Price for fifty (50%) of the Limited Partners' interest, including all taxes, filing fees, application fees, registration fees and other costs relating to the actions authorized by this resolution.

6. **Acting Officers Authorized.** Any action required by this resolution to be taken by the Chair of the Board of the Housing Authority of the City of Fresno, CA may, in the absence of such person, be taken by the duly authorized acting Chair of the Board of the Housing Authority of the City of Fresno, CA, respectively or by the designee of the Chair of the Board, Michael Duarte, and/or Tammy Townsend.

7. **Ratification and Confirmation.** All actions of the Housing Authority of the City of Fresno, CA and its officers prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed.

8. **Effective Date.** This resolution shall be in full force and effect from and after its adoption and approval.

PASSED AND ADOPTED THIS 14TH day of NOVEMBER, 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Chief Executive Officer



Fresno Renaissance at Trinity, LP Investor Buy-Out

11.17.23



FRESNO VIBRANT
COMMUNITIES
QUALITY HOUSING **HOUSING** ENGAGED
RESIDENTS



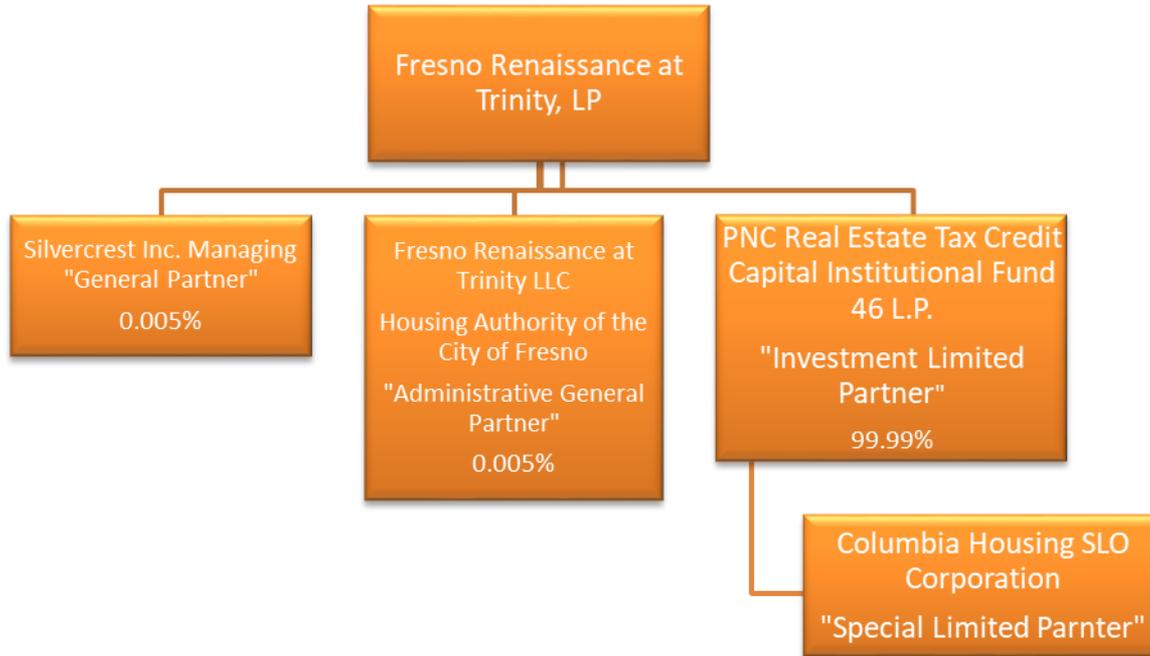
Fresno Renaissance at Trinity, LP

- Renaissance at Trinity consist of 21 units
 - Located at 524 S. Trinity St., Fresno, CA
 - PSH in partnership with Fresno County DBH
- Fresno Renaissance at Trinity, LP was formed on March 14, 2011
 - Includes Low Income Housing Tax Credit financing
 - Investor (PNC Bank) currently owns 99.99% of the partnership
 - Investor generally planned to be involved for 15 years
- \$75k offer to purchase (“Buy-out”) all of PNC Bank’s interest in the partnership
- Buy-out of the limited investor will provide FH and affiliate to control and own the property 100%

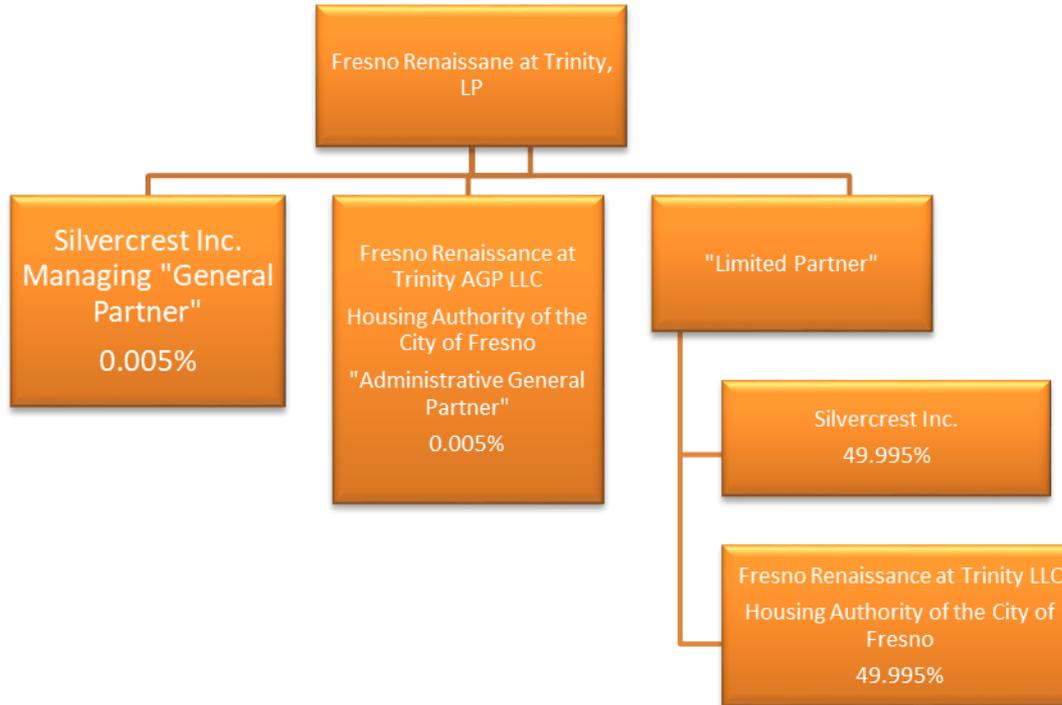
524 South Trinity Street



Fresno Renaissance at Trinity, LP Current Organizational Structure



Fresno Renaissance at Trinity, LP Proposed Organizational Structure



BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 11/14/2023
AGENDA ITEM: 7c
SUBJECT: Authorization to Record Regulatory Agreement for Housing Authority of Fresno County Loan to Wedgewood Villas located at 2415 5th Street, Sanger, California

AUTHOR: Jazmin Gallardo
DEPARTMENT: Real Estate Development
MEMO DATE: November 9, 2023

Executive Summary

Sanger Wedgewood, LP, a California Limited Partnership as of April 2, 2021, by and among the Housing Authority of Fresno County, CA (the “Administrative GP”), Silvercrest, Inc. (the “Managing GP”, and together with Administrative GP, the “General Partners”), and Housing Authority of Fresno County, CA (the “Limited Partner”) filed a Certificate of Limited Partnership with the California Secretary of State on September 1st, 2020. The Partnership was formed to redevelop, own and operate a sixty-four (64) unit affordable housing project consisting of sixty-three (63) Rental Assistance Demonstration (“RAD”) Project Based Voucher (“PBV”) units and one (1) manager’s unit located at 2415 5th Street Sanger, California (APN:315-180-27-T), and to be commonly known as “Wedgewood Villas”.

The partnership entered into a loan agreement, dated as of July 19, 2021, with the Housing Authority of Fresno County, CA as the lender for Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000). The loan matures in the year 2061.

Sanger Wedgewood, LP filed a Supplemental Clearance Certificate to the State Board of Equalization (“BOE”) in order to obtain a Welfare Tax Exemption. In response, the BOE provided a Supplemental Clearance Certificate Finding Sheet marked as “Incomplete”, requiring further information and/or documentation be submitted. Comments regarding this finding concluded that the Revenue Taxation Code (RTC) section 214(g)(1)(A) and (B) require that the LP property is financed with government financing and/or tax credits, as evidenced by a Regulatory Agreement. As such, Staff is requesting approval to draft, record and submit a copy of a Regulatory Agreement for the Housing Authority of Fresno County, CA loan to the BOE.

The purpose of this memo is to request that the Boards of Commissioners of Fresno Housing approve the attached resolution authorizing the Housing Authority of Fresno County, CA to enter into a recorded regulatory agreement with the Limited Partnership.

Fiscal Impact

As part of our mission to develop and maintain affordable housing, Supplemental Clearing Certificates are filed for each property as part of the first step for attaining Welfare Tax

FRESNO HOUSING

Exemptions on the properties. Securing this exemption is crucial to our mission of providing safe and affordable housing to those in need. By attaining this exemption, we can allocate more resources towards maintaining and improving our properties.

Recommendation

It is recommended that the Boards of Commissioners of Fresno Housing adopt and approve the attached resolution allowing the Housing Authority of Fresno County, CA to enter into a regulatory agreement with Sanger Wedgewood, LP and authorize the Chief Executive Officer, Tyrone Roderick Williams, the Deputy Executive Director, Tammy Townsend, and/or the Chief Real Estate Officer, Michael Duarte and/or their designees to negotiate and execute all ancillary documents in connection therewith.

RESOLUTION NUMBER:

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF FRESNO COUNTY, CALIFORNIA

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS, THE RECORDATION OF RESTRICTIVE COVENANTS FOR SANGER WEDGEWOOD, LP BY THE HOUSING AUTHORITY OF FRESNO COUNTY, CA AND SILVERCREST, INC., AND PROVIDING FOR OTHER MATTERS RELATED THERETO

WHEREAS, the mission of the Housing Authority of Fresno County, CA (“HAFC”) is to create and preserve affordable housing opportunities; and

WHEREAS, HAFC is authorized, among other things, to enter into partnership agreements and to finance, plan, undertake, construct, acquire and operate housing projects; and

WHEREAS, the Housing Authority of Fresno County, CA (the “**General Partner**”) and Silvercrest, Inc. (the “**Managing General Partner**”) together with the Housing Authority of Fresno County, CA (the “**Limited Partner**”) entered into that certain Amended and Restated Agreement of Limited Partnership of Sanger Wedgewood, LP (the “**Partnership**”), dated as of April 2, 2021, (the “**Partnership Agreement**”); and

WHEREAS, the Partnership owns that certain multifamily residential project located at 2415 5th Street Sanger, California (APN: 315-180-27-T), and to be commonly known as “**Wedgewood Villas**”; and

WHEREAS, the partnership entered into a loan agreement, dated as of July 19th, 2021, with the Housing Authority of Fresno County, CA as the lender for the amount of Four Hundred Fifty Thousand And 00/100 Dollars (\$450,000); and

WHEREAS, Partnership filed for a Supplemental Clearance Certificate with the State Board of Equalization and received an “Incomplete” Finding Sheet due to the requirement that the LP property is financed with government financing and/or tax credits; and

WHEREAS, to maintain affordability on the property and achieve welfare tax exemption status, it is necessary that partnership and the Housing Authority of Fresno County, CA enter into a recorded regulatory agreement; and

WHEREAS, the HAFC is authorized to delegate to one or more of its agents and employees such powers as it deems proper; and

WHEREAS, the HAFC wishes to ratify and confirm all actions of the HAFC and its officers prior to the date hereof and consistent with the terms of this resolution and to authorize such actions subsequent to the date hereof.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County, CA do hereby authorize the execution and delivery of a recorded regulatory agreement for the purposes described herein, and further authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer, and/or their respective designees to negotiate and execute any and all related documents necessary or desirable to consummate such amendment.

The Board of Commissioners of the Housing Authority of Fresno County, CA do hereby:

1. Authorize the recordation of restrictive covenants for Sanger Wedgewood, LP; and
2. Authorize Tyrone Roderick Williams, as Chief Executive Officer, Tammy Townsend, as Deputy Executive Director, Michael Duarte, as Chief Real Estate Officer, or their respective designees to execute documents on behalf of the Housing Authority of Fresno County, CA and as the General Partner of the Partnership for the purposes described in this Resolution; and
3. Provide for other matters related thereto

PASSED AND ADOPTED THIS 14TH day of NOVEMBER, 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Chief Executive Officer

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 11/14/2023
AGENDA ITEM: 7d
SUBJECT: Consideration of Execution of Memorandum of Understanding with State Center Community District Regarding Feasibility Study of Student Housing Project

AUTHOR: Harkiran Kaur
DEPARTMENT: Real Estate Development
MEMO DATE: November 9, 2023

Executive Summary

In September 2022, the State of California awarded the State Center Community College District (“SCCCD”) approximately \$34,000,000 in grant funds administered through the SB 169 state grant funds to be utilized for the provision of affordable student housing.

In preparation, on June 15, 2022, SCCCDD issued a Request for Proposals (“RFP”) seeking qualified entities to provide design, development, construction, financing and/or operation for a 350 bed student housing facility with common areas. The Agency submitted a response to this RFP on August 12, 2022.

In February 2023, SCCCDD decided to explore a partnership with the Agency to collaborate on the student housing project to be funded partially through the SB 169 funds. The specific elements of the project, including design, unit mix and layout, gap financing, operations, and management have been topics of discussion in ongoing meetings between the Agency, SCCCDD, and SCCCDD’s consultant. Per the terms of the SB 169 funds, the project shall consist of a minimum of 350 beds of affordable student housing, with 3,500 square feet of common area space. The rent to be paid by students is expected not to exceed 30% of 50% of the Area Median Income.

Staff is recommending that the Board authorize entering into a Memorandum of Understanding (“MOU”) with State Center Community College District to prepare a feasibility study for the development of this project. The proposed site in discussion with SCCCDD for this project is a portion of the site located at 1302 Fulton St. in downtown Fresno. As part of this study, the Agency shall provide a program outline, an architectural concept site plan, initial budget for construction and operating costs, development timeline, and explore potential gap financing for the project. The term of this MOU is one hundred twenty (120) days from the Effective Date, and may be extended upon mutual agreement between the Agency and SCCCDD. The MOU does not commit or bind either party to any additional agreements.

Recommendation

It is recommended that the Boards of Commissioners of Fresno Housing adopt the attached resolution authorizing entry into a Memorandum of Understanding with State Center Community College District for the Agency to prepare a feasibility study for affordable student housing, and authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend,

FRESNO HOUSING

Deputy Executive Director, Michael Duarte, Chief Real Estate Officer, and/or their designee, to negotiate and execute documents in connection with the approved actions.

Fiscal Impact

There is no cost associated with the execution of the MOU. If executed, SCCCD would reimburse up to \$125,000 to the Agency to conduct and deliver the feasibility study. It is anticipated that up to \$100,000 of the total costs will be for consultant fees for due diligence to help determine feasibility and the remainder of \$25,000 will go toward the Agency fee to prepare and deliver the study.

Past Board Actions

- July, 2022 – Authorization to Submit Proposal to SCCCD for the Development of Student Housing
- March, 2023 - Approval of HRFC Loan Commitment of up to \$2,800,000 to Fund the Acquisition of Property at 1302 Fulton St., Fresno, CA 93721 - (APN's: 466-153-14, 466-153-15, & 466-153-18) – North Fulton
- September, 2023 - Approval of HRFC Loan Commitment of up to \$300,000 in Pre-Development Funds for North Fulton

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO, CALIFORNIA

RESOLUTION AUTHORIZING ENTRY INTO A MEMORANDUM OF
UNDERSTANDING WITH STATE CENTER COMMUNITY COLLEGE DISTRICT FOR
FEASIBILITY STUDY FOR STUDENT HOUSING PROJECT

WHEREAS, the Housing Authority of City of Fresno, California (the “Agency”) seeks to expand the availability of affordable rental housing and homeownership opportunities to low income persons within Fresno County; and

WHEREAS, the Agency desires to support housing opportunities for low and moderate income student households within a variety of neighborhoods and to improve under-invested neighborhoods; and

WHEREAS, the State Center Community College District (“SCCCD”) released a Request for Proposals for Student Housing on June 15, 2022, to invite qualified and interested firms to provide design, development, finance and/or operation of 350 beds of student housing and a common lounge to support student’s co-curricular learning, student development and academic success; and

WHEREAS, SCCCDC has been awarded \$34,080,000 for the provision of student housing through SB 169 state grant funds; and

WHEREAS, SCCCDC intends to reimburse up to \$125,000 for the Agency to conduct a feasibility study to establish a potential program, develop architectural designs, analyze potential construction and operational costs, and determine possible sources of grant or loan financing to achieve project viability; and

WHEREAS, the Agency approves entry into a Memorandum of Understanding with SCCCDC to undertake said feasibility study for development of the student housing project,

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno, California does hereby approve and authorize entry into a Memorandum of Understanding with State Center Community College District to deliver a feasibility study for the development of student housing, and further authorizes Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer and/or their designee to negotiate and execute all related documents.

PASSED AND ADOPTED THIS 14TH DAY OF NOVEMBER 2023. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Boards of Commissioners



MOU: State Center Community College District

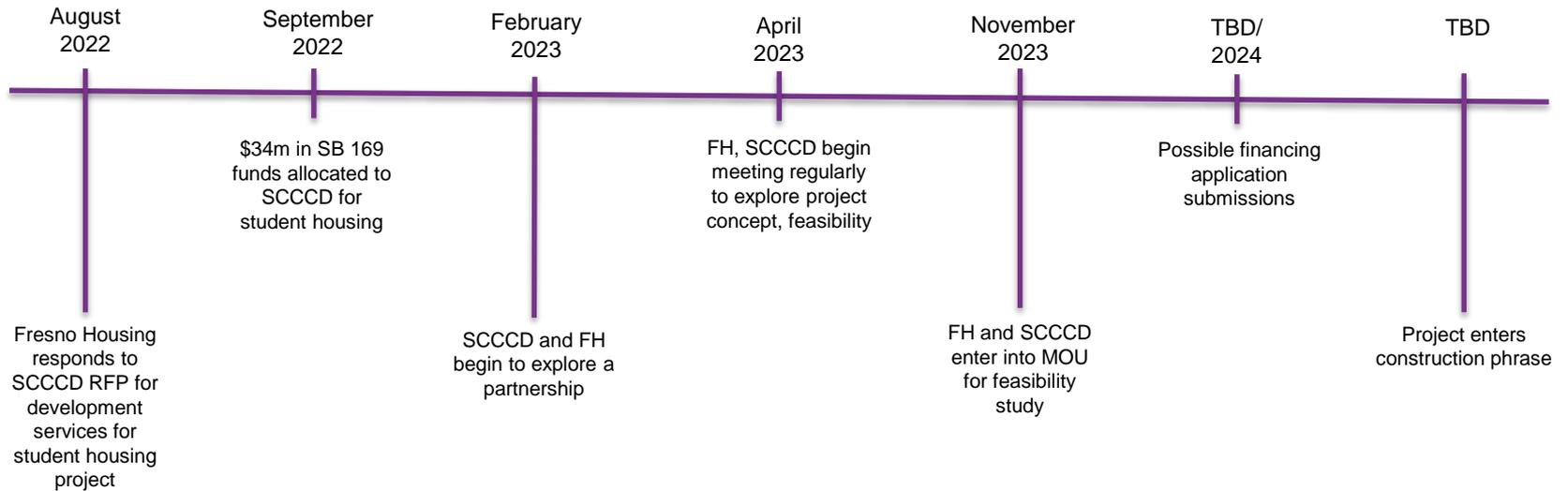
November 14, 2023



FRESNO VIBRANT COMMUNITIES
QUALITY HOUSING ENGAGED RESIDENTS

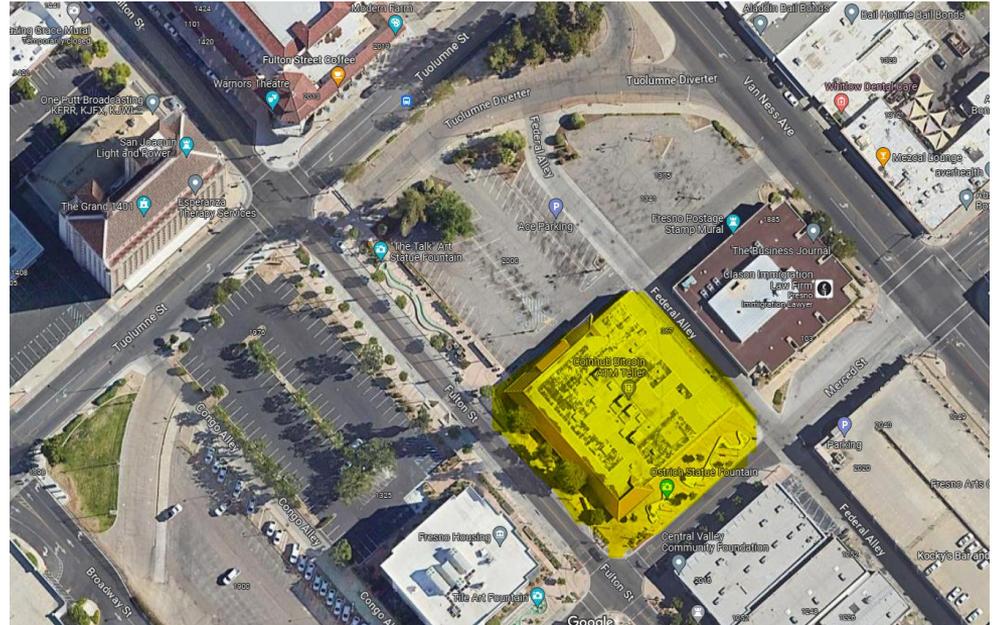


Partnership Timeline



Proposed Affordable Student Housing

- Location
 - Downtown Fresno – portion of 1302 Fulton St.
- Program Goals (per SB169 grant)
 - 350 beds + amenity spaces
 - Maximum rent to be charged up to 50% of AMI
 - Affordability restriction for up to 50 years
 - \$34m awarded to SCCC
 - 1 year leases
 - Units planned to be apartment style, mix TBD
 - Double occupancy; potential to mix in single occupancy



Terms of MOU

- 120-day timeline - SCCCD to reimburse up to \$125,000 for due diligence related to third-party costs and FH admin fee
 - \$100k dedicated to feasibility costs: architectural, financial consultant, construction cost estimation, environmental analysis, legal consultant
 - \$25k agency fee for administration
 - Identify roles and responsibilities of potential long-term relationship
 - Three program options to be explored and evaluated for feasibility
- *Optional* financing application phase
 - Potential to prepare and apply for grants/loans for potential gap financing
 - MOU provides for up to \$400k for additional diligence, application fees, entitlement work, etc.
 - *Services are optional and must be mutually agreed upon in order to proceed*
 - MOU does not bind or commit either party to enter into any additional agreement(s).



BOARD MEMO

O (559) 443-8400
F (559) 445-8981

1331 Fulton Street
Fresno, California 93721
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners
Fresno Housing

FROM: Tyrone Roderick Williams
CEO/Executive Director

DATE: 11/07/2023

BOARD MEETING: 11/14/2023

AGENDA ITEM: 8a

AUTHOR: Crystal Cox

SUBJECT: Update on 2024 Agency Budget Process and 2023 Year-End
Financial Projections

Executive Summary

The purpose of this memo is to update the Boards of Commissioners on the Agency's 2024 budget development process and 2024 Federal Budget update.

At the Boards of Commissioners meeting, staff will be providing the second draft of the 2024 Agency budget and 2023 year-end Financial projections, including unrestricted reserve levels.

Recommendation

This item is informational only. No action is necessary.



2024 Federal Budget Update and Budget Development #4

Boards of Commissioners Meeting

November 14, 2023



FRESNO VIBRANT
COMMUNITIES
QUALITY HOUSING **HOUSING** ENGAGED RESIDENTS



Overview

- 2023 Year-End Financial Projections
- 2024 Federal Budget Updates
- Reminder: Budget Development Timeline
- Reminder: 2024 and 2025 Forecast
- 2nd Draft 2024 Operating Budget vs 2023 Year-End Projected Financials
- Unrestricted Reserves
- Next Steps

2023 Year-End Projections

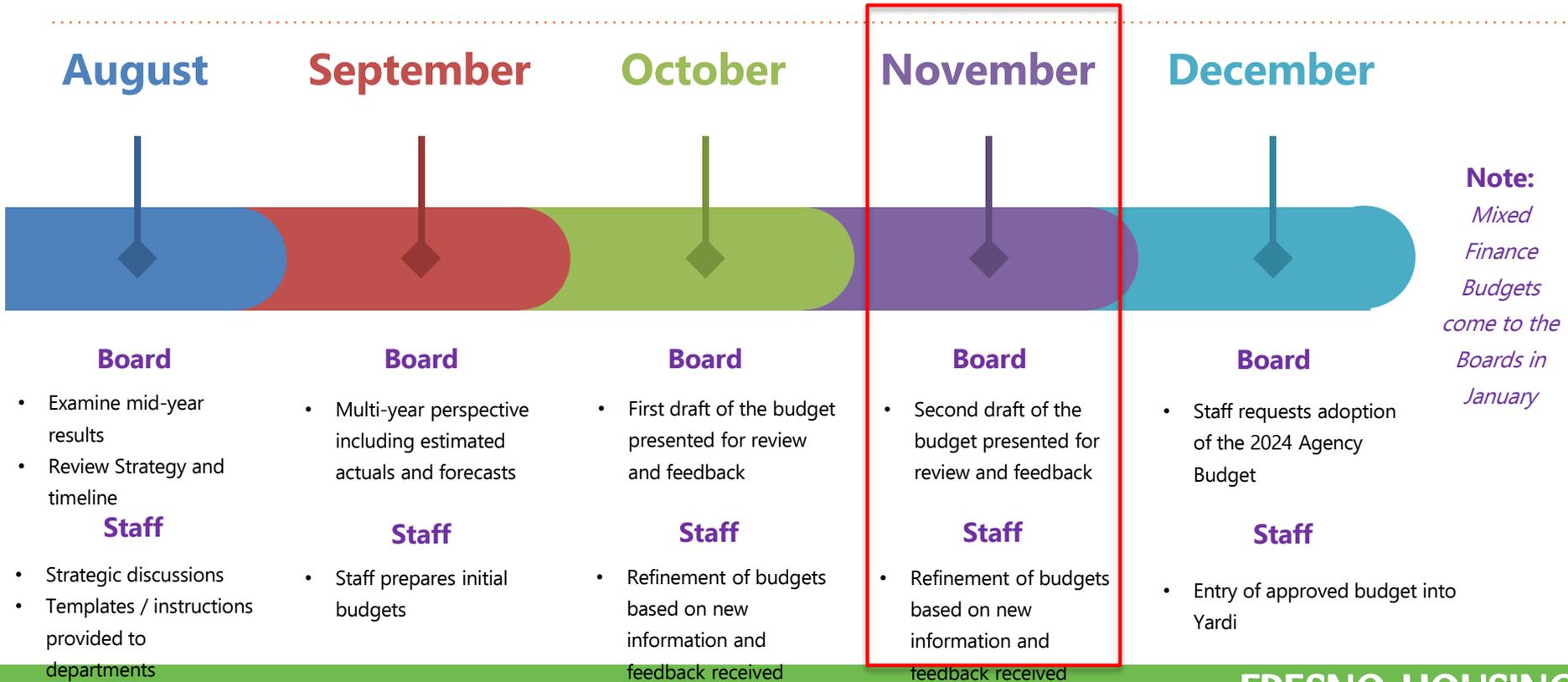
Agency	2023 Budget	2023 Projections
Total Income	\$ 47,780,488	\$ 49,477,837
Total Expense	48,228,168	47,701,887
Net Income	\$ (447,680)	\$ 1,775,950
Unrestricted Net Income	\$ 570,102	\$ 621,250

- Higher management fee revenue in Core division due to higher proration in HCV admin fees

2024 Federal Budget Update

- The Senate passed a seven-week CR on September 30th through November 17th, averting a shutdown
- Both Chambers will seek to approve a short-term spending bill giving lawmakers more time to negotiate on the 12 bills necessary to fund federal programs through 9/30/2024

2024 Budget Development Timeline



Note:
Mixed Finance Budgets come to the Boards in January

Remembering September Board Discussion:

2 Year Forecasting Based on Known Assumptions

OPERATING BUDGET	2024	2025
TOTAL INCOME	48,344,531	49,731,630
TOTAL EXPENSES	48,840,206	50,992,998
NET OPERATING INCOME	(495,675)	(1,261,368)
TOTAL NON-OPERATING EXPENSES	1,119,021	810,000
NET INCOME	(1,614,696)	(2,071,368)
UNRESTRICTED NET INCOME	(2,278,789)	(3,809,464)

Assumptions:

- Three-year MOU Agreement
- Healthcare cost estimates
- HCV Administrative Fee Proration and Lease up Rate Assumptions
- Estimated Developer Fees
- CalPERS rates and Unfunded Liability Payments

November Staff Work: Refining the Solutions Toolkit



Budget Development Updates to unrestricted

*In millions

Presented to the boards in October 1st Draft Budget	\$ (0.5)
Organizational Updates	\$ 0.1
<i>Elimination of selected unfilled positions and re-allocation</i>	
Developer fees Deferred from 2023	\$ 0.4
<hr/>	
	\$ 0.5
2nd Draft Budget Shortfall	\$ 0

Goal:
*Long term,
sustainable savings*

2024 Operating Budget – 2nd Draft vs 2023

	Core			Real Estate Development			Housing Choice Voucher		
	2023 Budget	2023 Projection	2024 Budget	2023 Budget	2023 Projection	2024 Budget	2023 Budget	2023 Projection	2024 Budget
OPERATING BUDGET									
INCOME									
NET TENANT INCOME	180,000	180,000	180,000	619,960	823,947	1,066,818	-	-	-
INTEREST INCOME	24,000	87,490	88,278	500,000	75,147	140,000	-	6,739	-
OTHER INCOME	171,783	157,734	800	420,000	136,399	304,800	-	45	-
ADMIN & MANAGEMENT FEE INCOME	9,358,577	9,827,786	9,646,614	100,000	-	-	-	-	-
DEVELOPER FEE INCOME	-	-	-	3,237,089	3,071,302	3,696,209	-	-	-
HUD GRANT INCOME	-	-	-	-	-	-	10,671,966	12,961,819	11,850,875
OTHER GRANT INCOME	-	-	-	3,255,425	3,651,875	1,799,821	533,333	405,588	533,333
TOTAL INCOME	9,734,361	10,253,010	9,915,692	8,132,474	7,758,670	7,007,648	11,205,299	13,374,192	12,384,208
EXPENSES									
PAYROLL EXPENSES	7,491,051	7,398,871	8,036,223	2,385,240	2,215,324	2,392,820	7,433,300	7,279,472	7,900,347
ADMINISTRATIVE EXPENSES	3,150,218	3,003,813	3,144,096	3,852,453	3,122,922	2,164,230	5,186,861	5,425,363	5,385,372
TENANT SERVICES EXPENSES	50,085	(3,250)	500	21,996	9,382	444,048	100,000	230,532	336,668
UTILITY EXPENSES	251,185	281,703	264,240	506,165	572,399	490,959	-	-	-
MAINTENANCE EXPENSES	469,370	483,071	549,072	270,794	358,185	369,242	12,000	67,949	68,000
TAXES & INSURANCE EXPENSES	47,171	8,777	32,031	115,715	224,544	57,282	-	-	-
TOTAL EXPENSES	11,459,080	11,172,987	12,026,162	7,152,363	6,502,756	5,918,581	12,732,161	13,003,316	13,690,387
NET OPERATING INCOME	(1,724,720)	(919,977)	(2,110,470)	980,111	1,255,914	1,089,067	(1,526,862)	370,876	(1,306,179)
TOTAL NON-OPERATING EXPENSES	99,898	85,521	90,000	15,000	160,574	172,528	-	-	-
NET INCOME	(1,824,618)	(1,005,498)	(2,200,470)	965,110	1,095,340	916,539	(1,526,861)	370,876	(1,306,179)
HCV ADMIN FEES RESERVE							1,600,000		1,000,000
UNRESTRICTED NET INCOME	(1,824,618)	(1,005,498)	(2,200,470)	827,729	572,505	916,539			

2024 Operating Budget – 2nd Draft vs 2023

	Resident Empowerment			Homeless Initiatives			Housing Management			Fresno Housing Authority		
	2023 Budget	2023 Projection	2024 Budget	2023 Budget	2023 Projection	2024 Budget	2023 Budget	2023 Projection	2024 Budget	2023 Budget	2023 Projection	2024 Budget
OPERATING BUDGET												
INCOME												
NET TENANT INCOME	-	-	-	-	-	-	8,277,666	8,255,527	9,271,386	9,077,626	9,259,474	10,518,204
INTEREST INCOME	-	-	-	-	-	-	-	18,885	-	524,000	188,262	228,278
OTHER INCOME	777,484	941,144	873,000	30,273	72,287	97,742	521,251	531,361	44,040	1,920,791	1,838,970	1,320,382
ADMIN & MANAGEMENT FEE INCOME	-	-	-	-	-	-	-	-	-	9,458,577	9,827,786	9,646,614
DEVELOPER FEE INCOME	-	-	-	-	-	-	-	-	-	3,237,089	3,071,302	3,696,209
HUD GRANT INCOME	66,413	69,421	-	2,808,990	1,915,279	1,155,492	3,679,348	3,861,840	3,773,168	17,226,717	18,808,360	16,779,535
OTHER GRANT INCOME	425,000	-	350,000	657,462	793,800	447,772	1,464,468	1,632,421	1,682,106	6,335,688	6,483,684	4,813,032
TOTAL INCOME	1,268,897	1,010,566	1,223,000	3,496,725	2,781,366	1,701,006	13,942,733	14,300,034	14,770,700	47,780,488	49,477,838	47,002,254
EXPENSES												
PAYROLL EXPENSES	1,034,366	866,847	950,222	781,374	495,646	506,389	2,519,437	2,834,869	2,712,430	21,644,767	21,091,029	22,498,431
ADMINISTRATIVE EXPENSES	239,215	276,606	216,701	344,769	453,291	510,195	2,192,339	1,994,160	2,199,396	14,965,855	14,276,156	13,619,990
TENANT SERVICES EXPENSES	30,000	31,423	23,000	2,593,072	2,040,322	899,682	271,399	128,096	229,005	3,066,552	2,436,505	1,932,903
UTILITY EXPENSES	-	-	-	-	-	-	2,003,660	2,047,959	2,034,866	2,761,009	2,902,061	2,790,065
MAINTENANCE EXPENSES	243,765	10,554	292,607	4,766	4,360	25	2,673,244	3,564,292	3,202,875	3,673,938	4,488,412	4,481,821
TAXES & INSURANCE EXPENSES	2,000	-	-	-	-	-	832,136	841,045	939,332	997,022	1,074,367	1,028,644
TOTAL EXPENSES	1,549,347	1,185,431	1,482,530	3,723,982	2,993,619	1,916,291	10,492,215	11,410,420	11,317,904	47,109,147	46,268,529	46,351,854
NET OPERATING INCOME	(280,450)	(174,866)	(259,530)	(227,257)	(212,253)	(215,285)	3,450,518	2,889,614	3,452,796	671,341	3,209,309	650,400
TOTAL NON-OPERATING EXPENSES	-	-	-	-	8,146	-	1,004,123	1,179,118	426,432	1,119,021	1,433,358	688,920
NET INCOME	(280,450)	(174,866)	(259,530)	(227,257)	(220,398)	(215,285)	2,446,396	1,710,496	3,026,364	(447,680)	1,775,950	(38,520)
HCV ADMIN FEES RESERVE										1,600,000		1,000,000
UNRESTRICTED NET INCOME	(280,450)	(174,866)	(259,530)	(227,257)	(220,398)	(215,285)	2,074,697	1,449,506	2,088,326	570,102	621,250	23,403

Looking forward: Unrestricted Operating Reserves

*Operating reserves accumulate through surplus
unrestricted, operational cash flow*

Unrestricted Reserves	\$ Change	Balance
2013 Financial Results	1,570,359	1,570,359
2014 Financial Results	1,368,730	2,939,089
2015 Financial Results	153,228	3,092,317
2016 Financial Results	261,439	3,353,756
2017 Financial Results	920,239	4,273,995
2018 Financial Results	1,545,106	5,819,101
2019 Financial Results	197,958	6,017,059
2020 Financial Results	1,758,190	7,775,249
2021 Financial Results	(958,498)	6,816,751
2022 Sales/ Refinancing Proceeds Transferred to HRFC	(3,052,260)	3,764,491
2022 Results	418,103	4,182,594
2023 Sales Proceeds	2,032,714	6,215,308
2023 Year-End Projection	621,250	6,836,558
2024 Budget - Second Draft	23,403	6,859,961
Total Unrestricted Reserves	6,859,961	



Next Steps

- November 14, 2023 - Receive feedback from the Boards on the second draft of the budget
- December 12, 2023 - Present final budget at the December board meeting
- Spring 2024 – Continue to pursue discussions with the goal of streamlining discussions around the 2025 budget:
 - Negotiated contracted services
 - Organizational refinements

Questions or Comments?

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO

AUTHOR: Marc Bady
Chief, Inclusion and
Empowerment

MEETING DATE: 11/14/23

DEPARTMENT: Diversity, Equity, and Inclusion

AGENDA ITEM: 8b

MEMO DATE: 11/9/23

SUBJECT: Update: Homeownership Programs

Executive Summary

Staff will present an overview and activities associated with the Agency's Homeownership Programs.

Recommendation

None at this time. This is for informational purposes only.



Homeownership Initiatives

An overview presented November 14, 2023



FRESNO VIBRANT
COMMUNITIES
QUALITY HOUSING **ENGAGED**
HOUSING **HOUSING** RESIDENTS



Today's Highlights

- HCV Homeownership Program
- Pathways to Homeownership Program (New!)

Fresno Housing (HCV) Homeownership Program

Coming January 2024

The Housing Choice Voucher (HCV) Homeownership Program was created to assist low-income homebuyers in purchasing a home.

Must be a current Housing Choice Voucher (HCV) program participant or newly admitted to the program, you may be qualified to use your voucher subsidy to buy a home

Instead of using the voucher subsidy to help pay rent, the homeownership option allows qualified homebuyers to use voucher subsidy to help pay the monthly mortgage payment for up to 15 years, or longer for eligible families

Eligibility

Must be a first-time homebuyer, meaning no family member has owned a home in the past 3 years; **and**

At least one adult member in your household that will own the home has been working full time, 30+ hours per week, for the past 12 months; **or**

Someone in the household is elderly or disabled



Financing

Families are responsible for securing financing on their own. Fresno Housing does not finance the loan, nor do we determine the maximum amount of loan a family qualifies for.

Knowledgeable lenders are key to the success of the program. The use of HCV Homeownership funding is not restricted to certain mortgage loan products or lenders. The family will find their own real estate agent and hire an independent inspector.

Once the family has been determined to be qualified and provided a voucher, they will receive a monthly assistance payment (HAP). The monthly HAP payments will be paid directly to the family.



Homeownership Expenses

Things to Remember

- Owning a home means having more types of expenses than renting. The following expenses are considered when determining the amount of housing assistance:
 - Principal and interest payments
 - Mortgage insurance, if required
 - Property taxes
 - Homeowner's insurance
 - Utilities
 - Routine home maintenance
 - Major repairs
 - Replacing appliances
 - Condo or Homeowner association dues



“

If interested in the HCV Homeownership program or would like more information, please email: HCVHomeownership@fresnohousing.org or call (559) 441-2326



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Pathways to Homeownership

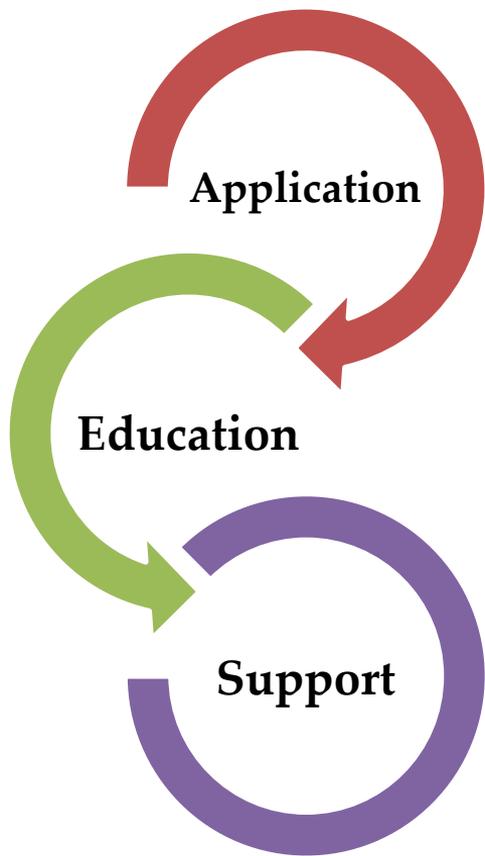
- Support Fresno Housing families on their homeownership journey
- Mortgage-ready pipeline
- Economic empowerment
- No Cost for Fresno Housing residents



Pathways to Homeownership

- Home Ownership Education
- Household Budgeting and Finance
- Credit & Housing Counseling
- Ongoing education and trainings
- Non-technical supports





- Submit an application via the Pathways online portal
- Orientation

- Attend the HUD-approved Homeowners Education Workshop (8-hour minimum)
- Earn certificate

- Credit Counseling
- Household Budgeting & Finance
- Real Estate related referrals

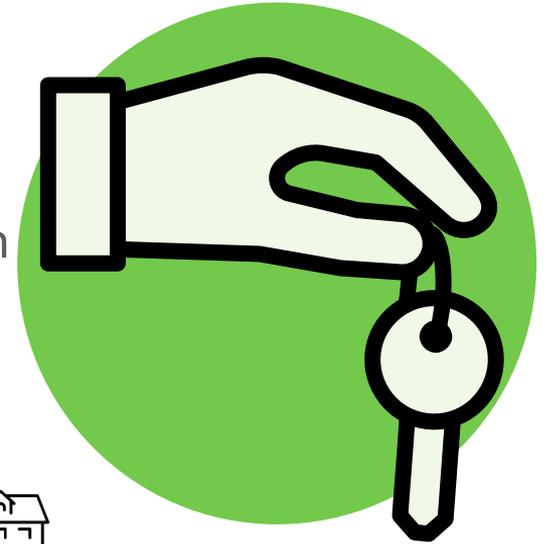
Mortgage-Ready Pipeline

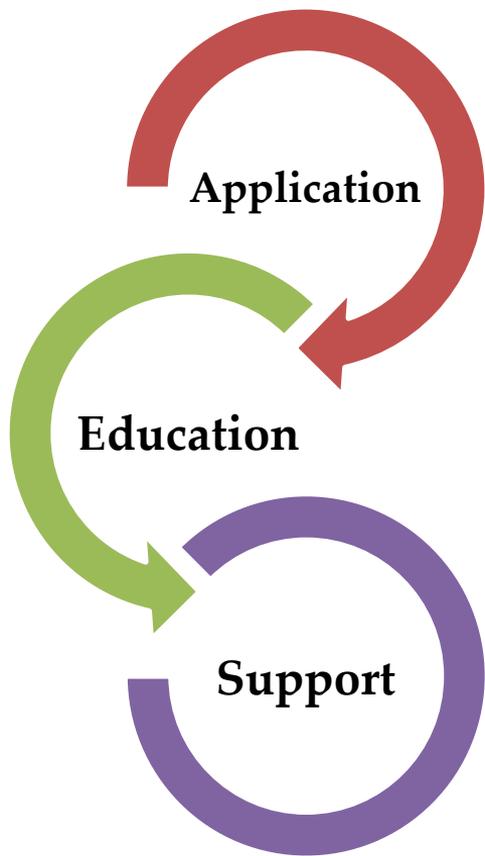


Received more than

2,200 applications for homeownership education

and support in 2 weeks.





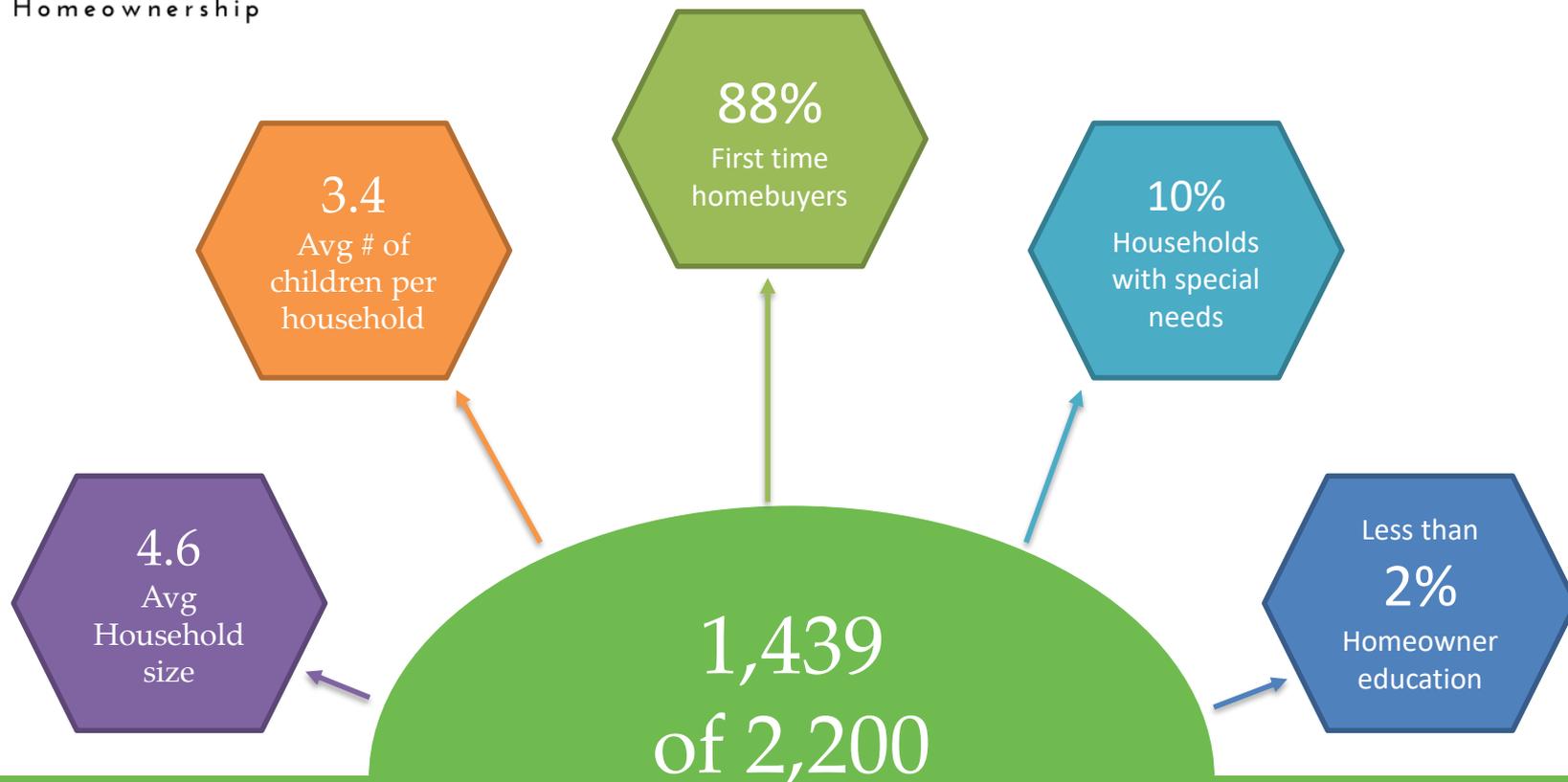
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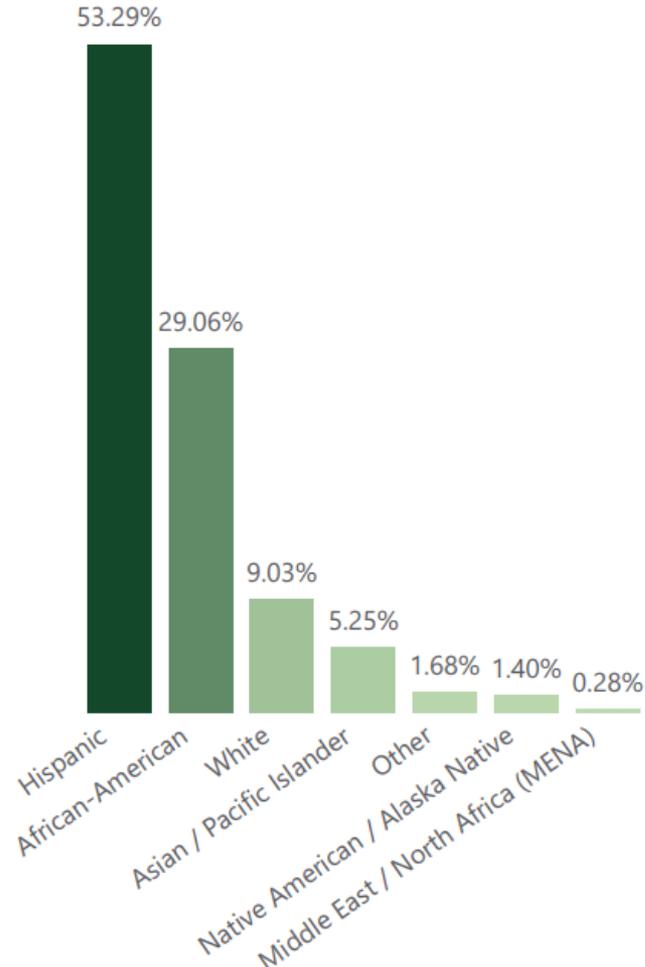
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- Household Budgeting & Finance
- Real Estate related referrals

Mortgage-Ready Pipeline

What did we learn about residents?

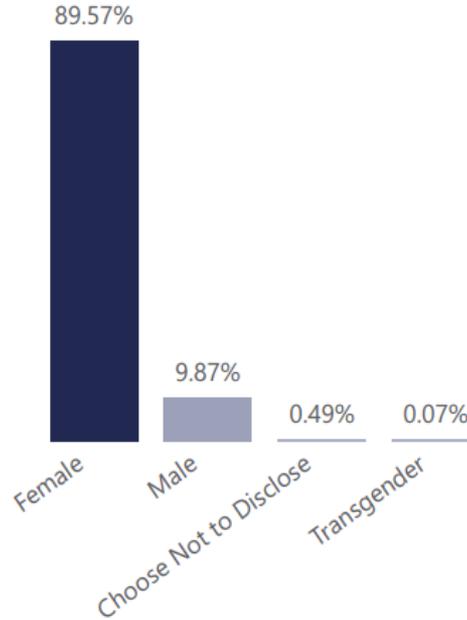


Applicants Race/Ethnicity (Group)

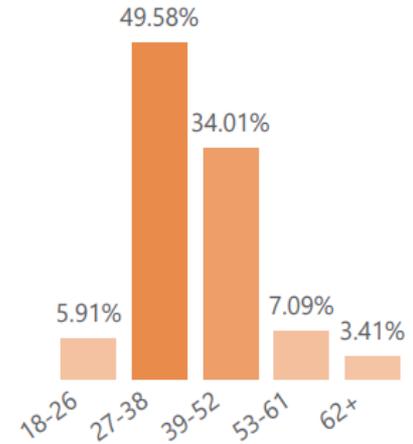


More about our Residents

Applicants by Gender Identity (Group)



Applicants by Age (Group)



Pathways Orientation

- 935 registered to attend
- 515 attendees
- 35 residents (avg size of our Cohorts)
- Subsequent cohorts will be launched, pursuant to available funding



Our Inaugural Cohort



- 34 individuals
- Down-payment Assistance Certificates received

Questions?

Resident inquiries can be sent to
Homeownership@fresnohousing.org

