



Joint Meeting of the Boards of Commissioners of Fresno Housing

December 12, 2023

4:00 P.M.

1260 Fulton Street - Second Floor

Fresno, CA., 93721

Mosaic Conference Room



Meeting Book - Joint Meeting of the Boards of Commissioners of Fresno Housing

Regular Joint Meeting Agenda

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

c. Election of City Commission Chair and Vice Chair

The City Board will vote to elect the Chair and Vice Chair

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 from November 14, 2023

Approval of the minutes from the November 2023 Joint Board Meeting

11.14.23- Joint Board Minutes

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b. Consideration of the Payroll Taxes and Other Deductions from Pay Policy

Request approval of the Payroll Taxes and other Deductions from Pay Policy

Board Memo - Payroll Taxes and Other Deductions from Pay Policy

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City Resolution - Payroll Taxes and Other Deductions from Pay Policy

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County Resolution - Payroll Taxes and Other Deductions from Pay Policy

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Final Payroll Taxes and Other Deductions from Pay Policy

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c. Consideration of the Pay Period Policy	
Request approval of the Consideration of the Pay Period Policy	
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Final Pay Period Policy	27
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Request approval of the Reasonable Accommodation Policy	
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County Resolution - Reasonable Accommodation Policy	29
City Resolution - Reasonable Accommodation Policy	30
Final Reasonable Accommodation Policy	31
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Request Consideration of the Government Claims Act Policy	
Board Memo - Government Claims Act Policy	40
City Resolution - Government Claims Act Policy	41
County Resolution - Government Claims Act Policy	42
Final Government Claims Act Policy	43
g. Approval to Execute Updated NPLH Authorizing Resolutions - The Villages at Broadway	
Board Memo - HACF Villages at Broadway	51
City Resolution - HACF Villages at Broadway	52
HCD Resolution - Form 1 NPLH R1 -Villages at Broadway	65
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HCD Resolution - Form 3 - Villages at Broadway	69
h. Approval to Execute Updated NPLH Authorizing Resolutions - The Villages at Paragon (fka Plaza Terrace)	
Board Memo - HACF Villages at Paragon	71
City Resolution- HACF Villages at Paragon	72
HCD Resolution - Form 1 NPLH R1 Villages at Paragon	85
HCD Resolution - Form 2 Members LLC Villages at Paragon	87
HCD Resolution Form 3 Development Sponsors Villages at Paragon	89
i. Approval to enter into Disposition and Development Agreement and Accept City of Fresno Housing Successor Agency and Permanent Local Housing Allocation Funds for the Heritage Estates Development	

Board Memo - HACF Heritage Estates	91
City Resolution - HACF - Heritage Estates	94
Exhibit A - Tentative Tract Map	97

j. Authorization to Apply for Funding from the Rural Energy for America Program (REAP)
 Staff will request approval to submit a request for financing from this program which rural renewable energy systems

Board Memo - REAP application	98
County Resolution - County REAP Application for Biola	100

7. Information Item

a. Housing Choice Voucher (HCV) Update
 Staff will present an update on the Voucher Incentive Program and recent customer service training

Board Memo - HCV Update	102
Board Presentation - HCV Update	103

b. Development Update
 Staff will provide an update on development activities

Board Memo - Development Update	110
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c. Presentation on the Launch of the New Fresno Housing Foundation
 Allysunn Walker will present an update on work to re-launch an Agency non-profit with the goal of improving educational outcomes and workforce opportunities for residents

Board Memo - FHEC Update	111
Board Presentation - FHEC Update	112

8. Action

a. Adopt the 2024 Agency Budget
 Staff will do a brief presentation and request adoption of the 2024 Agency Budget

Board Memo - 2024 Budget final	135
City Resolution - Budget Adoption	136
County Resolution - Budget Adoption	137
Board Presentation - 2024 Federal Budget Update and Approval of 2024 Budgets	138

9. Adjournment

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EXECUTIVE DIRECTOR'S REPORT

TO: Boards of Commissioners

Fresno Housing Authority

FROM: Tyrone Roderick Williams

Chief Executive Officer

SUBJECT: CEO's REPORT

DATE: December 5, 2023

BOARD MEETING: December 12, 2023

AGENDA ITEM: 5a

AUTHOR: Various Staff

Executive Summary

The Boards of the Fresno Housing Authority have established 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 toward 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	98%
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>)	Stabilization	201 Citrus & 451 10 th St. Orange Cove, CA	30	100%
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 and FHS 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 Pending City of Fresno Application Pending CTCAC Application	1415 W. Olive Avenue, Fresno	39	N/A
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. Citrus Commons held its Welcome Home celebration on December 5, 2023, and has begun lease-up.

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

In the month of November, we have conducted five Sexual Harassment Prevention workshops for employees and two AB 1825 workshops for Supervisors and Managers. We will be continuing this effort in the month of December as a focus on developing an understanding of the legal framework, and the Agency policy and creating an inclusive environment where all employees are respected and valued.

Type	Date of Hire	Name	Title	Department
New Hire	11/20/2023	Carrie Laney	Program Coordinator	Strategic Initiatives
Promotion	11/27/2023	Anna Anaya	Community Coordinator	Property Management

The safety focus for December is Workplace Safety and Security. Maintaining a safe and secure workplace contributes to a positive work environment. It also helps the Agency comply with Cal OSHA regulations. Additionally, focusing on safety and security can lead to increased efficiency, reduced downtime, and improved overall business performance.

The Human Resources department is in varying stages of conducting recruitment for the job titles noted below. Over the last month, **26** interviews have been conducted.

<u>Working Title</u>	<u>Internal/External</u>	<u>Vacancies</u>	<u>Department</u>
Construction Compliance Coordinator	Both	1	Real Estate Development
Fiscal Services Coordinator	Both	1	Accounting/Finance
Maintenance Specialist	Internal	2	Property Management
Maintenance Technician	Both	2	Property Management
Property Specialist II	Both	2	Property Management
Property Specialist I	Both	1	Property Management
Real Estate Development Manager	Both	1	Real Estate Development

The Human Resources department is proud to announce the following **new hire and promotion**.

Structure

Maintain a committed, active, community-based Board 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

Executive Summary

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	1183	36	96.19%
COUNTY OF FRESNO			
County of Fresno	1158	49	95.50%
COUNTY OF FRESNO - SEASONAL			
Seasonal Properties	191	142	25.65%
Hold/In Construction	282	160	43.26%

On Tuesday, November 21, 2023, SW Safety Officer Pedraza went out to several properties to donate groceries for Thanksgiving Meals. Several families received Turkeys, Hams, Pumpkin Pies, and other items. Families were selected from Yosemite Village, De Soto Gardens, Sequoia Courts, and Legacy Commons.

Property Management staff is scheduled to attend Fair Housing Training on December 18, 2023. We are excited to share this training opportunity with the entire team.

We have our first inspection using HUD's new NSPIRE model scheduled for January 3, 2024. NSPIRE, formerly known as REAC (Real Estate Assessment Center), ensures the quality of our housing portfolio by performing on-site physical assessments. National standards for the physical inspection of our properties changed to NSPIRE which now focuses more on the individual units than the exterior of the building and prioritizes health, safety, and functional defects over appearance.

On December 5th, several staff members from various departments and the FH Leadership team joined us in Orange Cove to help welcome our families back Home to Citrus Commons. We have food and raffles for the families and were able to show several units to local elected officials, staff, and partners.

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

Tuesday, November 14, 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, November 14, 2023, at 1260 Fulton St., Fresno, CA. The public was able to join in person and via teleconference.

1. The regular joint meeting was called to order at 5:03 p.m. by Board Vice Chair, Commissioner S. Williams 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: Sharon Williams, Vice Chair
Areli Rios
Isaiah Green
Paul Idsvoog
Ruby Yanez
Emogene Nelson

ABSENT: Adrian Jones, Chair

The regular joint meeting was called to order at 5:03 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
Sophia Ramos
Amadeo Garcia

ABSENT: Joey Fuentes

Also, in attendance were the following: Ken Price, Baker Manock and Jensen - General Counsel

2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

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

MOTION PASSED: 5 – 0

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

MOTION PASSED: 6– 0

There was no public comment.

3. PUBLIC COMMENT AND PRESENTATIONS

There was no public comment.

4. POTENTIAL CONFLICTS OF INTEREST

There were no conflicts of interest.

5. GOVERNANCE MATTERS

- a. CEO’s Report – Presented by Tammy Townsend, Executive Deputy Director on behalf of Tyrone Roderick Williams.

In addition to the written report, Tammy shared:

- Mr. Williams is going strong on his path to recovery.
- Announcement to commissioners regarding a NAHRO virtual training, “roles and responsibilities” scheduled 12/7. Commissioners were asked to reach out to Hyasha if interested in participating.
- Updated the board on the strategic planning process. There are 11 scheduled or completed gallery walks. There will be a special walk for the board at 4 pm, 12/12 before the Joint Board meeting starts. Some logistics surrounding

the gallery walk were shared. The strategic plan is scheduled to be completed around February or March.

- ED Corp. is being relaunched with a new name. There will be an agenda item in December to provide an update.
- The Cal-Kids savings program was discussed as we are working with several entities to get the word out to get more kids signed up.
- Kresge Foundation, a Fresno Housing funding partner, visited Fresno Housing and we hosted a luncheon and tour and also provided information on how we are utilizing the funds.

There was no public comment.

b. Commissioners' report - Presented by Chair Cary Catalano

- Chair Catalano shouted out the Fresno Housing Finance Team for delivering a balanced budget.
- Vice Chair S. Williams shared how thankful she is for the placement of the Electric Vehicle program in her neighborhood. She provided some logistics (cost, mileage, etc.) and how she has advocated for the community to sign up which is \$20.

6. CONSENT AGENDA

- a. Governance: Consideration of the Minutes for the Joint Regular Board Meeting on November 14, 2023.
Approval of the minutes of the Board Meeting
- b. Consideration of the 2024 Agency Calendar
- c. Consideration of the Agency Investment Policy
- d. Consideration of the Approval of a Legal Services Contract-General Counsel
- e. Consideration of the Approval of a Legal Services Contract-Development of Affordable Housing
- f. Consideration of the Approval of a Legal Services Contract-Unlawful Detainer
- g. Consideration of the Approval of a Legal Services Contract-Human Resources
- h. Consideration of Amendment to Homekey Standard Agreement for Manzanilla Commons (fka Step Up on 99)

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

*Joint Board Meeting
Action Minutes: 11.14.23 Minutes
Adopted:*

MOTION PASSED: 5 – 0

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

MOTION PASSED: 6 – 0

Chair Catalano pulled Consent Agenda item 6b. – Chair Catalano has requested the Agency Board Retreat be added to the Agency 2024 Calendar, 08/09-8/10 2024.

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

MOTION PASSED: 5 – 0

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

MOTION PASSED: 6 – 0

There was no public comment.

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.

COUNTY MOTION: *Commissioner Gallaher moved, seconded by Commissioner Ramos to approve the Authorization for the Purchase of the Investor Limited Partners' Interest in Fresno Pacific Gardens, LP by the Housing Authority of the City of Fresno and SilverCrest, Inc.*

MOTION PASSED: 5 – 0

CITY MOTION: *Commissioner Yanez moved, seconded by Commissioner Green to approve the Authorization for the Purchase of the Investor Limited Partners' Interest*

in Fresno Pacific Gardens, LP by the Housing Authority of the City of Fresno and SilverCrest, Inc.

MOTION PASSED: 6 – 0

- 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.

COUNTY MOTION: *Commissioner Gallaher moved, seconded by Commissioner Garcia to approve the Authorization for the 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.*

MOTION PASSED: 5 – 0

CITY MOTION: *Commissioner Rios moved, seconded by Commissioner Green to approve the Authorization for the 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.*

MOTION PASSED: 6 – 0

- c. Authorization to Record Regulatory Agreement for Housing Authority of Fresno County Loan to Wedgewood Villas located at 2415 5th St., Sanger, CA.

COUNTY MOTION: *Commissioner Gallaher moved, seconded by Commissioner Chaney to approve the Authorization to Record Regulatory Agreement for Housing Authority of Fresno County Loan to Wedgewood Villas located at 2415 5th St., Sanger, CA.*

MOTION PASSED: 5 – 0

CITY MOTION: *Commissioner Rios moved, seconded by Commissioner Yanez to approve the Authorization to Record Regulatory Agreement for Housing Authority of Fresno County Loan to Wedgewood Villas located at 2415 5th St., Sanger, CA.*

MOTION PASSED: 6 – 0

- 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

COUNTY MOTION: *Commissioner Chaney moved, seconded by Commissioner Gallaher to approve the 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.*

MOTION PASSED: 5 – 0

CITY MOTION: *Commissioner Yanez moved, seconded by Commissioner Green to approve the 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.*

MOTION PASSED: 6 – 0

Mr. Eric Payne, Central Valley Urban Institute, shared his thoughts on the project for the feasibility of student housing and the fact that they will be monitoring the process for CEQA and the community benefit (if any) along with any potential for community development.

8. INFORMATION ITEM

- a. 2024 Agency Budget Development Discussion #4

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

- b. Update on Home Ownership Initiatives

Yolanda Keiser, Housing Program Manager, presented on this item

9. ADJOURNMENT

*Joint Board Meeting
Action Minutes: 11.14.23 Minutes
Adopted:*

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 6:30 p.m.

Tyrone Roderick Williams, Secretary to the Boards of Commissioners

Joint Board Meeting
Action Minutes: 11.14.23 Minutes
Adopted:

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6 b
SUBJECT: Consideration of the Payroll Taxes and Other Deductions from Pay Policy

AUTHOR: Jeff Cardell
DEPARTMENT: Human Resources
MEMO DATE: 12/7/2023

Executive Summary

The purpose of this memo is to request the Boards of Commissioners approve revision of the Payroll Taxes and Other Deductions from Pay Policy that was last approved by the Boards in March 2015. This policy is being updated to provide gender neutral language, delete unnecessary or outdated language as well as other minor edits.

Recommendation

It is recommended that the Boards of Commissioners approve and adopt the revised Payroll Taxes and Other Deductions from Pay Policy.

Fiscal Impact

There is no immediate fiscal impact associated with adoption of the Payroll Taxes and Other Deductions from Pay Policy.

Background Information

As part of the continuing effort to ensure the Agency's Personnel Policies remain current, the Payroll Taxes and Other Deductions from Pay Policy has been revised in collaboration with Senior Leaders and labor partners. As noted above this policy is being revised to:

1. Deleted the Introduction section and replace gender specific with gender neutral language.
2. Deleted language indicating that Federal and State withholding allowances revert to single with no allowances 150 days after an employee's termination date.
3. Updating the language to indicate that Federal and State tax withholding forms are to be completed during new hire orientation.

RESOLUTION No. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

**RESOLUTION TO APPROVE THE PAYROLL TAXES AND OTHER DEDUCTIONS
FROM PAY POLICY**

WHEREAS, the Board of Commissioners approved the Payroll Taxes and Other Deductions from Pay Policy in March 2015; and

WHEREAS, the Payroll Taxes and Other Deductions from Pay Policy is revised to provide gender neutral language and delete unnecessary or outdated language;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Payroll Taxes and Other Deductions from Pay Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

RESOLUTION No. _____

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

**RESOLUTION TO APPROVE THE PAYROLL TAXES AND OTHER DEDUCTIONS
FROM PAY POLICY**

WHEREAS, the Board of Commissioners approved the Payroll Taxes and Other Deductions from Pay Policy in March 2015; and

WHEREAS, the Payroll Taxes and Other Deductions from Pay Policy is revised to provide gender neutral language and delete unnecessary or outdated language;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Payroll Taxes and Other Deductions from Pay Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

Payroll Taxes and Other Deductions from Pay Policy

Purpose

The purpose of this policy is to identify what types of salary deductions are administered by Agency policy and by law. Deductions are classified as voluntary or involuntary.

Policy

The Agency's policy is to make deductions from wages required by federal or state regulation or law or those expressly authorized by the employee. An employee who believes there has been any improper deduction must immediately report the matter to the Payroll Department. Employee concerns will be investigated and, if it is determined that there has been any error, adjustments will be made. Employees shall not be subjected to retaliation for raising any questions or concerns regarding any payroll deduction.

Definitions

W-4 Form - This Federal tax form which sets appropriate tax levels for each individual employee. Employees must complete and sign this form to receive their paycheck.

DE-4 Form - This State of California tax form which sets appropriate tax levels for each individual employee. Employees must complete and sign this form to receive their paycheck.

Mandatory Payroll Deductions

Federal and State laws require that the Agency withhold a variety of taxes from employee wages, including the following: Social Security (FICA), Medicare (FICA), State and Federal Income tax and State Disability Insurance (SDI). Some of these amounts are based on specific deductions as required by law; others are based on tax withholding forms (W-4 or DE-4) submitted by employees, which are also required. Further, employees enrolled in the CalPERS retirement system are subject to deductions related to employee contributions (which may vary depending on employee hire date).

Income Tax Withholdings

The Payroll Department is responsible for managing employee income tax withholdings through the Human Resources Information System, currently Paylocity. The Department cannot give tax advice to any employee. If employees need tax assistance, they should contact the Internal Revenue Service (IRS) or seek their own tax or legal counsel. If an employee does not complete their tax forms or update them as needed, the Payroll Department, following IRS guidelines, must set the tax withholding to default maximum amount.

New Hires - Newly hired employees are required to complete a W-4 and DE-4 on their first day of employment as part of their new hire orientation. The completed forms are provided to the Human

Resources Department. If no form is received, the Payroll Department, following IRS guidelines, withholding to the default maximum amount, which is "single with no exemptions."

Changing Tax Information - If employees want to change their withholding, they must complete a new W-4 and DE-4 and return it to the Payroll Department. W-4 changes may be made online through the Human Resources system during any time of the year.

Exemption from Withholding - Employees can claim exemption from income tax withholding if they meet IRS guidelines. Information on claiming exemption from withholding can be found on the W-4 and DE-4 form. By claiming this exempt status, no federal or state taxes will be withheld. Consult the IRS website for complete guidelines on exceptions.

Mandatory Renewal of Exemption from Withholding - Exempt status expires at the end of the calendar year. Therefore, each calendar year, employees must file new tax forms to claim the exempt status. A new W-4 must be filed before February 15 in order to maintain an exempt status for the upcoming calendar year.

If, after filing a W-4 claiming exempt from withholding, the employee realizes they will incur tax liability for the current year, the employee has ten days from that point to file an amended W-4.

If an employee's exempt status is not renewed, the Agency must begin withholding income taxes at the default maximum withholding amount. (Currently, single with no exemptions.) If an employee fails to claim exemption from income tax withholding, and income taxes are withheld as a result, the Payroll Department WILL NOT refund any of the taxes withheld. The employee may obtain a refund of any withheld income taxes when filing their annual income tax return.

Over-Withheld Income Taxes - As an employer, the Agency is required to withhold income taxes from an employee's paycheck according to the employee's W-4 and DE-4. It is the employee's responsibility to complete these tax forms and to do so correctly. If an employee fails to complete the forms, and if income taxes are over-withheld as a result, the Payroll Department WILL NOT refund any of the taxes withheld.

The employee may obtain a refund of any over-withheld income taxes when filing their annual income tax return.

Voluntary Payroll Deductions

In addition to the above-stated mandatory payroll deductions, the Payroll Department also facilitates certain voluntary payroll deductions.

Payroll Deductions for Employee Benefits - The Human Resources Department is responsible for determining employee eligibility and enrollment of retirement, life, disability, and health care benefits. Any changes or questions concerning benefit coverage and coverage during a leave of absence and their resulting payroll deductions should be directed to the Human Resources Department.

Other Deductions - Employees may be eligible for various other voluntary payroll deductions (for example, deductions relating to the Agency's Flexible Spending Account Program or contributions to a deferred compensation account). If you have any questions about other voluntary payroll deductions that may be available, please contact the Payroll Department

Deductions for Union Dues

For those Agency employees who are included within the bargaining group (SEIU), the Payroll Department will deduct from all represented employees' payroll checks the applicable dues owed to the Union in accordance with the current Memorandum of Understanding between the Agency and the Union.

Involuntary Payroll Deductions

The Payroll Department, upon receipt of legal documentation, is required by law to withhold monies from an employee's wages to satisfy certain debts.

Examples of involuntary deductions are garnishments, bankruptcies, tax levies, wage assignments, or child support payments. The Payroll Department will notify an employee by letter of a debt withholding notice it has received. Employees should also receive prior notification by the issuing court or authorized agency.

The Payroll Department is legally bound to withhold or garnish an employee's wages as instructed by the court, and in accordance with the law.

Responsibility

Each and every employee, officer, and commissioner is required to abide by the provisions set forth in this policy. The Executive Director or their designee is responsible for the administration, interpretation, and application of this policy and procedure. The Boards of Commissioners are responsible for policy adoptions and revisions.

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6 c
SUBJECT: Consideration of the Pay Period Policy

AUTHOR: Jeff Cardell
DEPARTMENT: Human Resources
MEMO DATE: 12/7/2023

Executive Summary

The purpose of this memo is to request the Boards of Commissioners approve revision of the Pay Period Policy that was last approved by the Boards in March 2015. This policy is being updated to identify the hour and day the pay period begins and ends, provide gender neutral language, delete unnecessary or outdated language and other minor edits.

Recommendation

It is recommended that the Boards of Commissioners approve and adopt the revised Pay Period Policy.

Fiscal Impact

There is no immediate fiscal impact associated with adoption of Pay Period Policy.

Background Information

As part of the continuing effort to ensure the Agency's Personnel Policies remain current, the Pay Period Policy has been revised in collaboration with Senior Leaders and labor partners. As noted above this policy is being revised to:

1. Deleted the Introduction section and replace gender specific with gender neutral language.
2. Identify the time and day when the pay period begins and ends.
3. Updating the language to encourage employees to enroll in direct deposit and utilize the self-service portal to make any changes to such enrollment.

RESOLUTION No. _____

**BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO
RESOLUTION TO APPROVE THE PAY PERIOD POLICY**

WHEREAS, the Board of Commissioners approved the Pay Period Policy in March 2015; and

WHEREAS, the Pay Period Policy is revised to identify the time and day the pay period begins and ends, provide gender neutral language and delete unnecessary or outdated language;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Pay Period Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

RESOLUTION No. _____

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

RESOLUTION TO APPROVE THE PAY PERIOD POLICY

WHEREAS, the Board of Commissioners approved the Pay Period Policy in March 2015; and

WHEREAS, the Pay Period Policy is revised to identify the time and day the pay period begins and ends, provide gender neutral language and delete unnecessary or outdated language;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Pay Period Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

Pay Period Policy

Purpose

Fresno Housing (the “Agency”) pays employees on a regular basis, so that the amount, method, and timing of such payments comply with applicable state laws and regulations. The pay period begins at Noon on the Agency working Friday and ends at 11:59 a.m. on the next working Friday.

Policy

Employees are paid biweekly, every other Friday, for the preceding two consecutive workweeks, and generally through direct deposit. In the event a payday falls on a holiday, the payday will be the work day prior to the holiday.

Employees are encouraged to enroll in direct deposit so their pay can be directly and conveniently deposited into the savings or checking account of their choice. These arrangements are typically made upon hire through Human Resources but can be changed at any time by the employee through the Paylocity Self Service Portal.

Employees are responsible for reviewing their paychecks for accuracy. If an employee finds a mistake, it is their responsibility to notify the Payroll Department immediately in order to quickly correct the error.

Responsibility

Each and every employee, officer, and commissioner is required to abide by the provisions set forth in this policy. The Executive Director or his/her designee is responsible for the administration, interpretation, and application of this policy and procedure. The Boards of Commissioners are responsible for policy adoptions and revisions.

Pay Period Policy December 12, 2023

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6 d
SUBJECT: Consideration of the Reasonable Accommodation Policy

AUTHOR: Jeff Cardell
DEPARTMENT: Human Resources
MEMO DATE: 12/7/2023

Executive Summary

The purpose of this memo is to request the Boards of Commissioners approve revision of the Reasonable Accommodation Policy that was last approved by the Boards in December 2014. This policy is being updated to delete the introduction section and the Objective heading, rearrange some of the content, and delete unnecessary or outdated language and other minor edits.

Recommendation

It is recommended that the Boards of Commissioners approve and adopt the revised Reasonable Accommodation Policy.

Fiscal Impact

There is no immediate fiscal impact associated with adoption of Reasonable Accommodation Policy.

Background Information

As part of the continuing effort to ensure the Agency's Personnel Policies remain current, the Reasonable Accommodation Policy has been revised in collaboration with Senior Leaders and labor partners. As noted above this policy is being revised to:

1. Deleted the Introduction section and replace gender specific with gender neutral language.
2. Deleted the Objective heading and rearranged some of the policy content.

RESOLUTION No. _____

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

RESOLUTION TO APPROVE THE REASONABLE ACCOMMODATION POLICY

WHEREAS, the Board of Commissioners approved the Reasonable Accommodation Policy in December 2014; and

WHEREAS, the Reasonable Accommodation Policy is revised to delete the Introduction Section and Objective heading, replace gender specific with gender neutral language and delete unnecessary or outdated language;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Reasonable Accommodation Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

RESOLUTION No. _____

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

RESOLUTION TO APPROVE THE REASONABLE ACCOMMODATION POLICY

WHEREAS, the Board of Commissioners approved the Reasonable Accommodation Policy in December 2014; and

WHEREAS, the Reasonable Accommodation Policy is revised to delete the Introduction Section and Objective heading, replace gender specific with gender neutral language and delete unnecessary or outdated language;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Reasonable Accommodation Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

Reasonable Accommodation Policy

Purpose

Fresno Housing (“the Agency”), in compliance with the Americans with Disabilities Act (ADA) and Fair Employment and Housing Act (FEHA), does not discriminate against individuals with disabilities and, when appropriate, provides reasonable accommodations to applicants and employees. The Agency will make all relevant accommodation decisions in accordance with applicable state and federal law. The Agency will engage in the interactive process with employees who have disabilities and, when appropriate, provide reasonable accommodations which will allow the employee to perform the essential functions of the position.

Policy

Any contracts or business arrangements that discriminate against individuals with disabilities are prohibited.

When an individual with a disability requests accommodation and can be reasonably accommodated, without creating an undue hardship or causing a direct threat to workplace safety, the individual will be given the same consideration for employment as any other person. Applicants for employment who pose a direct threat to the health, safety, and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

The Agency will provide reasonable accommodations to qualified individuals with disabilities so that they can perform the essential functions of their position, unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to the Agency. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace may be placed on leave while the interactive process is pending. Contact the Human Resources Department with any questions or requests for accommodation.

Exceptions to Reasonable Accommodation - The Agency is not required to provide an accommodation that will create an undue hardship on the operation of the Agency’s business. "Undue hardship" refers to any accommodation that would be unduly costly, extensive, substantial, disruptive, or that would fundamentally alter the nature of the business or service. The limit of the employer’s funds and resources is only one factor in determining undue hardship. Other factors include the size, resources, nature, and structure of the business, as well as the impact on the specific facility providing the accommodation.

The Agency uses the following factors in determining whether an employee or applicant poses a direct threat that cannot be reasonably accommodated:

1. The duration of the risk

2. The nature and severity of the potential harm
3. The likelihood of potential harm
4. The imminence of potential harm

The interactive process and providing of reasonable accommodations relates to the following areas:

1. Permitting an employee to perform essential job functions;
2. Testing and application procedures;
3. Permitting a resident or member of the public to participate in an Agency program and use of Agency facilities; and
4. Permitting an Agency employee with a disability to enjoy benefits and privileges of employment (including access to non-work areas) that are "equal to" those afforded other similarly situated employees.

Reasonable accommodation will vary depending upon the essential functions of the job and the limitations of the person. Reasonable accommodations may include any of the following:

- Making existing facilities and programs used by employees, residents and the public readily accessible to and usable by individuals with disabilities.
- Job restructuring (modifying a job so that a person with a disability can perform the essential functions of the position, e.g., eliminating nonessential elements of the job, delegating assignments, exchanging assignments with another employee, and redesigning procedures). However, job restructuring does not include eliminating essential job functions.
- Initiating part-time or modified work schedules (for a reasonable time period).
- Acquiring or modifying equipment or devices.
- Appropriately adjusting or modifying employment examinations, training materials, or practices.
- Providing qualified readers or interpreters.
- Reassigning or referring an individual with a disability to an active vacant position if all attempts to implement other reasonable accommodations have been unsuccessful and if the individual is qualified for the position.

Disability Management Process for Current Employees - An employee with a disability and functional limitations should notify Human Resources and provide medical documentation related to the employee's limitations. Thereafter, the Agency will engage the employee in an interactive process meeting. The purpose of the interactive process meeting is to review the essential functions of the employee's position, review the employee's limitations, and determine whether there are any reasonable accommodations that will allow the employee to perform the essential functions of the position.

If the disability precludes the employee from performing essential job functions and reasonable accommodation cannot be accomplished, then employment may be terminated.

All employees are required to comply with the Agency's safety standards.

Responsibility

The Human Resources Department is responsible for administering this policy, including the conducting

of interactive process meetings, the determinations related to reasonable accommodations, the determination of safety/direct threat and undue hardship issues, etc.

Each and every employee, officer, and commissioner is required to abide by the provisions set forth in this policy and is responsible for implementing equal employment practices within each respective area. The Human Resources Department is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations. The Executive Director or designee is responsible for the administration, interpretation, and application of this policy and procedure. The Boards of Commissioners are responsible for policy adoptions and revisions.

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6 e
SUBJECT: Consideration of the Return to Work Policy

AUTHOR: Jeff Cardell
DEPARTMENT: Human Resources
MEMO DATE: 12/7/2023

Executive Summary

The purpose of this memo is to request the Boards of Commissioners approve revision of the Return to Work Policy that was last approved by the Boards in January 2015. This policy is being updated to delete the Objective section, delete the language that indicates the Agency maintains a working list of potential modified work assignments and other minor edits.

Recommendation

It is recommended that the Boards of Commissioners approve and adopt the revised Return to Work Policy.

Fiscal Impact

There is no immediate fiscal impact associated with adoption of Return to Work Policy.

Background Information

As part of the continuing effort to ensure the Agency's Personnel Policies remain current, the Return to Work Policy has been revised in collaboration with Senior Leaders and labor partners. As noted above this policy is being revised to:

1. Deleted the Objective section and replace gender specific with gender neutral language.

Deleted the language that indicates the Agency maintains a working list of potential modified work assignments.

RESOLUTION No. _____

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

RESOLUTION TO APPROVE THE RETURN TO WORK POLICY

WHEREAS, the Board of Commissioners approved the Return to Work Policy in January 2015; and

WHEREAS, the Return to Work Policy is revised to delete the Objective section, replace gender specific with gender neutral language and delete unnecessary or outdated language;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Return to Work Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

RESOLUTION No. _____

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

RESOLUTION TO APPROVE THE RETURN TO WORK POLICY

WHEREAS, the Board of Commissioners approved the Return to Work Policy in January 2015; and

WHEREAS, the Return to Work Policy is revised to delete the Objective section, replace gender specific with gender neutral language and delete unnecessary or outdated language;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Return to Work Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

Return-to-Work Policy

Introduction

It is the policy of the Agency to assist employees who have sustained a work-related injury to return to gainful, productive employment with the Agency. However, this policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation under the Americans with Disabilities Act (ADA), Fair Employment and Housing Act (FEHA) or leave benefits under the Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA).

Purpose

When an Agency employee sustains a work-related injury which is covered under the current workers' compensation system, the treating physician may release the employee to return to work with temporary physical restriction(s), which are intended to aid the employee in recovery from that injury. In such circumstances, the Agency will make all reasonable efforts to enable the injured employee to return to work within the temporary, physician-imposed physical restrictions.

Policy

When an employee is unable to return to work performing their regular job duties, that employee may be provided with a temporary job assignment which conforms to the treating physician's imposed limitations. In such circumstances, the temporary job assignment is termed "modified work," because the duties (or tasks) performed by that employee have been modified to meet the employee's temporary physical limitations.

The temporary job assignment may or may not be in the same classification or location as the employee's regular job. Additionally, the temporary job assignment may or may not be equivalent (in terms of weekly hours worked and/or monetary compensation received) to the employee's regular job.

Eligibility - All employees are eligible to return to work on a "modified work" status, provided that the following criteria exist:

1. The injury sustained by the employee has been determined to be work-related and compensable under current workers' compensation law; and
2. The physical restrictions imposed by the treating physician are functionally specific (e.g. no lifting over 50 pounds); and
3. The physical restrictions imposed by the treating physician are for a specified, temporary period (e.g. 10 days); and
4. Work-related tasks within the physical limitations of the treating physician are available; and are within the physical and skill capacities of the injured employee.

Compensation – Employees who receive temporary modified work under this Policy will receive their normal wages. However, normal wages will be pro-rated for employees who work less than their normal schedule. In the event that a modified work assignment is available only for a portion of the employee's normal weekly hours, it is possible that the employee will be compensated, through workers' compensation benefits, for the difference between the amount earned and the amount of workers compensation benefits which would have been paid in the complete absence of a modified work assignment. It is notable that workers' compensation benefits are based upon current workers' compensation law, and are calculated as a percentage of the employee's average weekly income.

Refusal of Modified Work Assignment - The Agency will make every reasonable effort to provide employees with modified work assignments following a work-related injury for which the treating physician imposes temporary physical restrictions. As long as these modified work assignments do not violate the treating physician's imposed physical restrictions, and as long as these modified work assignments are within the employee's physical and skill level capabilities, the employee is expected to return to work.

Modified Work Coordinator - To ensure appropriate and consistent application of the Return-to-Work policy, the Agency has designated the Human Resources Department as the "Modified Work Coordinator." This role has the following responsibilities:

- Maintain a thorough understanding of the Agency's Return-to-Work Policy.
- Maintain constant communication with the workers' compensation claims administrator to report the injured employees' physician-imposed physical restrictions (including amendments to the initial restrictions), the work/employment status of those employees, etc.
- Communicate with the treating physician regarding written temporary, physician-imposed functional restrictions for employees who have sustained a work-related injury. If an employee sustains a work-related injury and the treating physician has prescribed time "off work" (as opposed to temporary physical restrictions), then Human Resources will contact the representatives at workers' compensation organization and report that a "modified work" assignment is (or may be) available, if the physician is willing to prescribe temporary physical restrictions, as opposed to time "off work."
- Assign modified work assignments to eligible employees, consistent with temporary, physician-imposed physical restrictions.
- For each employee assigned to a modified work position, assign a supervisor to monitor the injured employee and to ensure that the injured employee adheres to the physician- imposed physical restrictions.
- Adapt modified work assignments as the injured employee's medical condition improves and physician-imposed physical restrictions are changed.
- Return the injured employee to their regular job assignment when the employee is released by the treating physician to return to full-duty employment.

Injured Employee's Responsibilities - The following are responsibilities of all employees involved in a work-related injury. Employees must:

- Report any work-related injury or illness to a supervisor immediately. Failure to report a work-

related injury or illness in a timely manner may result in denial of workers' compensation benefits.

- Know that the Agency has assigned the Human Resources Department to serve as the "Modified Work Coordinator."
- If released to return to work following a work-related injury with temporary, physician-imposed physical restrictions, report to work and immediately provide the "Modified Work Coordinator" with the form on which the treating physician prescribed temporary physical restrictions. If seen by a physician during the normal business hours of this Agency, then the employee must report back to work on the day of the injury, unless otherwise instructed by the supervisor or the Modified Work Coordinator. If seen by a physician after the normal business hours of this Agency, then the employee must report back to work the day after the injury (at normal reporting time), unless otherwise instructed by the supervisor or the Modified Work Coordinator.
- Adhere to the applicable physical restrictions imposed by the treating physician for the entire period for which those physical restrictions were imposed.
- Maintain a positive attitude toward working within the temporary, physician-imposed physical restrictions.
- Continue to seek appropriate medical care throughout the recovery period, as directed by the treating physician, and report any changes in temporary, physician-imposed physical restrictions (in writing) to the Agency's Modified Work Coordinator immediately.

Responsibility

Each and every employee, officer, and commissioner is required to abide by the provisions set forth in this policy and is responsible for implementing equal employment practices within each respective area. The Human Resources Department is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations. The Executive Director or designee is responsible for the administration, interpretation, and application of this policy and procedure. The Boards of Commissioners are responsible for policy adoptions and revisions.

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6 f
SUBJECT: Consideration of the Government Claims Act Policy

AUTHOR: Jeff Cardell
DEPARTMENT: Human Resources
MEMO DATE: 12/7/2023

Executive Summary

The purpose of this memo is to request the Boards of Commissioners approve the revision of the Government Claims Act Policy that was last approved by the Boards in October 2014. This policy is being updated to clearly identify the timeline for filing a claim, as well as updating the designated official that receives claims and other minor edits.

Recommendation

It is recommended that the Boards of Commissioners approve and adopt the revised Government Claims Act Policy.

Fiscal Impact

There is no immediate fiscal impact associated with adoption of Government Claims Act Policy.

Background Information

As part of the continuing effort to ensure the Agency's Personnel Policies remain current, the Government Claims Act Policy has been revised in collaboration with Senior Leaders and labor partners. As noted above this policy is being revised to:

1. Clearly identify the time period for filing a claim and the process for filing an application for leave to file a late claim.
2. Updating the designated official that receives claims and identifying the settlement authority of the Chief Executive Officer.

RESOLUTION No. _____

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

RESOLUTION TO APPROVE THE GOVERNMENT CLAIMS ACT POLICY

WHEREAS, the Board of Commissioners approved the Government Claims Act Policy in October 2014; and

WHEREAS, the Government Claims Act Policy is revised to clearly identify the timeline for filing a claim and the process for filing an application for leave to file a late claim and updating the designated official that receives claims;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Government Claims Act Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners

RESOLUTION No. _____

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

RESOLUTION TO APPROVE THE GOVERNMENT CLAIMS ACT POLICY

WHEREAS, the Board of Commissioners approved the Government Claims Act Policy in October 2014; and

WHEREAS, the Government Claims Act Policy is revised to clearly identify the timeline for filing a claim and the process for filing an application for leave to file a late claim and updating the designated official that receives claims;

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the above agency does hereby approve the Government Claims Act Policy.

PASSED AND ADOPTED THIS 12th day of December, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tyrone Roderick Williams, Secretary of the Board of Commissioners



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Government Claims Act Policy

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Introduction

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Claims for money or damages made against the Fresno Housing Authority (the "Agency") are governed by the California Government Claims Act (the "Act").¹ Subject to few exceptions, the Act requires claimants to present claims to the Agency before filing suit for damages against the Agency and/or its employees. Claims must contain certain information specified in the Act.

The claim presentation requirement of the Act serves several purposes. It complies with the requirements contained in the Act. It provides the Agency with prompt notice of a claim, allowing the Agency time for investigation into the strengths and weaknesses of the claim. It provides an opportunity for settlement, thereby avoiding the expenditure of public funds on unnecessary litigation. It allows the Agency to budget for potential liability. Also, it allows the Agency to rectify a dangerous condition if one exists.

State statute specifies how claims should be presented to the Agency. A claimant may present the claim to the Agency's "clerk, secretary, or auditor thereof."² Alternatively, a claimant may mail the claim to the "clerk, secretary, auditor, or to the governing body at its principal office."³ In addition to the statutorily defined methods of presenting a claim, many public agencies designate an official or office of the agency responsible for receiving claims made against the agency.

Purpose

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The purpose of this policy is to establish a clear Agency procedure for handling claims made against the Agency pursuant to the Act. Additionally, this policy designates the Agency official responsible for receiving claims made against the Agency, logging their receipt, and processing them appropriately.

Policy

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Designation of Correct Official

All claims made against the Agency or its employees that are mailed or delivered to the Agency's clerk, secretary, or auditor, or that are mailed to the Board of Commissioners, shall be received, logged, and processed by the following designated official: Deputy Executive Director or Executive Director or designee (the "Designated Official") Director of Administration. The Designated Official may prescribe the form of any required claims and notices, to the extent allowed by the Government Claims Act, to implement this policy.

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¹ Cal. Health & Saf. Code § 34380; Cal. Gov. Code § 810 *et seq.*



www.fresnohousing.org

1331 Fulton Street, Fresno, California 93721 (559) 443-8400 TTY (800)

² Cal. Gov. Code § 915(a)(1).

³ Cal. Gov. Code § 915(a)(~~2~~).

[Government Claims Act Policy December 12, 2023](#)

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Receipt of Claims by the Correct Official

Whenever the ~~designated official~~ Designated Official receives a claim against the Agency or Agency employees, the ~~designated official~~ Designated Official should adhere to the following procedure:

1. Receive the claim from the claimant or a person acting on the claimant's behalf. The claim must include the following: the name and address of the claimant; the address to which the person presenting the claim desires notices to be sent; the date, place, and other circumstances of the occurrence which gave rise to the claim asserted; a general description of the injury, damage, or loss incurred; the name(s) of the Agency employee(s) causing the injury, damage, or loss, if known; and the amount claimed if it totals less than ten thousand dollars (\$10,000). If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim, however the claim shall indicate whether the claim would be a limited civil case. The Claim must be signed by the claimant or by some person on the claimant's behalf.

2. Log receipt of the claim for the specific purpose of recording claims made against the Agency or Agency employees. Each entry should include the following: name/identity of claimant; date and time of receipt of the claim; name of the Designated Official acknowledging receipt of the claim; and, a brief description of the claim.

~~Receive the claim from the claimant or a person acting on the claimant's behalf. The claim must include the following: the name and address of the claimant; the address to which the person presenting the claim desires notices to be sent; the date, place, and other circumstances of the occurrence which gave rise to the claim asserted; a general description of the injury, damage, or loss incurred; the name(s) of the Agency employee(s) causing the injury, damage, or loss, if known; and the amount claimed if it totals less than ten thousand dollars (\$10,000). If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim, however the claim shall indicate whether the claim would be a limited civil case. The Claim shall must be signed by the claimant or by some person on theirthe claimant's behalf.~~

~~Log receipt of the claim in a record/logbook kept for the specific purpose of recording claims made against the Agency or Agency employees. Each entry should include the following: name/identity of claimant; date and time of receipt of the claim; name, initials of the designated official Designated Official acknowledging receipt of the claim; and, a brief description of the claim.~~

3. A claim for an injury to a person or to personal property must be presented not later than six months after the accrual of the cause of action. If the claim is presented after six months without an application for leave to present, the ~~designated official~~ Designated Official shall prepare and deliver to the claimant a late claim written notice, in compliance with the Act, stating that the claim was not filed timely and it is being returned.

4. After receiving, reviewing and logging the claim, the ~~designated official~~ Designated Official should

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promptly request an action item be placed on the Board of Commissioners' agenda to address ~~the~~ timely filed claim that meets the requirements set forth in Section 1. ~~The designated official~~ Designated Official shall also notify and send copies of all claims which are determined to be covered by insurance to the insurance carrier.

5. ~~In the event that the claim does not meet the required elements described in Section 1, the designated official~~ Designated Official shall not place the item on the agenda to address the claim. ~~At any time w~~ ithin twenty (20) days after receiving an insufficient claim, the designated official Designated Official shall provide written notice in compliance with the Act, to the claimant of such deficiencies with particularity and identify the defects or omissions of the claim.

~~2.6.~~ When a claim is required to be presented not later than six months after the accrual of the cause of action is not presented within that time, a written application made for leave to present a late claim within a reasonable period of time, not to exceed one year after the accrual of the cause of action, may be submitted along with a proposed claim.

~~3.7.~~ For claims meeting the required elements in Sections 1 and 6, the Board must act on each claim within forty-five (45) days after the claim has been presented. ~~5~~ If the Board fails or refuses to act on a claim within forty-five (45) days after the claim has been presented, the claim shall be deemed to have been rejected by the Board. ~~6~~

8. Once the Board of Commissioners has taken action on the claim, ~~the designated official~~ Designated Official shall provide written notice to the claimant of the Board's action.

~~4.9.~~ Subject to the Board of Commissioners' action on the claim, and an investigation of the claim, the Chief Executive Officer may approve for settlement or payment of any claim or pending litigation amounting to \$50,000 or less.

Receipt of Claims by Employees Other Than the Correct Official

Claims against the Agency or Agency employees should only be received by the Agency's Designated Official. Whenever a claimant presents a claim to a Commissioner or an Agency employee other than the Agency's designated official, that Commissioner or employee shall adhere to the following procedure:

1. Return the claim to the claimant.
2. Inform the claimant that all claims made against the Agency must be delivered to the correct official, the Director of Administration.
3. The Commissioner or employee should not volunteer or agree to forward the claim to the correct official.

Responsibility

Each and every employee of the Agency has the responsibility to abide by the procedures outlined in this policy. Given the potential legal and fiscal significance of mishandling claims made against the Agency, it is

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critical that all Agency employees become familiar with the Agency's procedure for handling such claims.

⁴ Cal. Gov. Code § 910.

⁵ Cal. Gov. Code § 912.4(a).

~~6.6~~ Cal. Gov. Code § 912.4(c).

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Government Claims Act Policy December 12, 2023

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Government Claims Act Policy December 12, 2023

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6g
SUBJECT: Approval to Execute Updated NPLH Authorizing Resolutions - The Villages at Broadway

AUTHOR: Jazmin Gallardo
DEPARTMENT: Real Estate Development
MEMO DATE: 12/5/2023

Executive Summary

The Villages at Broadway is a low-income housing tax credit residential project located at 1828 Broadway Avenue, City of Fresno, Fresno County, California, APN Number 466-191-09, and consists of twenty-five (25) low-income housing tax credit units and one (1) manager's unit.

As part of the financing structure, Staff secured No Place Like Home (NPLH) funding from the California Department of Housing and Community Development (HCD) in June of 2019 in the amount of \$3,303,884.

In the process of submitting the Placed In Service packet for Villages at Broadway, HCD has asked that the Housing Authority of the City of Fresno, CA use HCD provided resolution forms to update the Authorized Officers to include Tammy Townsend, Deputy Executive Director and Michael Duarte, Chief Real Estate Officer. The substance of each of these documents and actions taken in connection therewith is consistent with the previously adopted resolutions; however HCD has required we include additional Authorized Officers in addition to the Chief Executive Officer, Tyrone Roderick Williams. These changes have been made to the documents by our Fresno Housing staff and Fresno Housing's attorneys at Ballard Spahr.

Recommendation

It is recommended that the Board of Commissioners of Fresno Housing adopt the attached resolutions, authorizing the addition of Authorized Officers, Deputy Executive Officer, Tammy Townsend, and Chief Real Estate Officer, Michael Duarte, in the name of the Administrative General Partner and in the name of the Partnership.

Background Information

The Villages at Broadway, LP is comprised of the "Managing General Partner", Silvercrest Inc., the "Administrative General Partner", The Villages of Broadway AGP, LLC (collectively the "General Partners), and the "Limited Partner", Silvercrest, Inc.

The Villages at Broadway apartment complex is located at 1828 Broadway Avenue, City of Fresno, Fresno County, California, APN Number 466-191-09. The site is .68 acres, comprised of twenty-five (25) low-income housing tax credit units and one (1) manager's unit. The project focuses on housing tenants at risk or with instances of homelessness with no or low income.

RESOLUTION NO. _____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO, CA

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS, THE ADMISSION OF CERTAIN PARTNERS TO THE VILLAGES AT BROADWAY, LP (“PARTNERSHIP”) AND THE EXECUTION OF SUCH DOCUMENTS TO IMPLEMENT PROJECT FINANCING BY THE HOUSING AUTHORITY OF THE CITY OF FRESNO, CALIFORNIA ON ITS OWN BEHALF AND IN ITS CAPACITY AS THE MANAGER AND SOLE MEMBER OF THE VILLAGES AT BROADWAY AGP, LLC, THE ADMINISTRATIVE GENERAL PARTNER OF THE PARTNERSHIP, IN CONNECTION WITH THE FINANCING, DEVELOPMENT AND OPERATION OF THE VILLAGES AT BROADWAY PROJECT, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

WHEREAS, the Housing Authority of the City of Fresno, California (the “**Authority**” or “**HACF**”) seeks to expand the development and availability of long-term housing for low income persons residing in the City of Fresno, California (the “**City**”); and

WHEREAS, the Authority is authorized, among other things, to enter into partnership and operating agreements and to make loans to partnerships to finance, plan, undertake, construct, acquire and operate housing projects; and

WHEREAS, the Authority has agreed to facilitate the acquisition and rehabilitation of approximately [0.321] acres located at 1828 Broadway Avenue, City of Fresno, Fresno County, California, APN Number 466-191-09 (the “**Property**”), for the purposes of the acquisition and rehabilitation of a twenty-six (26) unit low income multifamily residential project to be generally known as “The Villages at Broadway”, comprised of twenty-five (25) low-income housing tax credit units and one (1) manager’s unit (collectively, the “**Project**”); and

WHEREAS, the Authority has entered into an Operating Agreement dated as of June 28, 2019, pursuant to which the Authority is the manager and sole member of The Villages at Broadway AGP, LLC, a California limited liability company (the “**Administrative General Partner**”), and the Authority filed Articles of Organization with the California Secretary of State on June 28, 2019; and

WHEREAS, the Administrative General Partner, together with Silvercrest, Inc., entered into an Agreement of Limited Partnership dated as of June 28, 2019, 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 The Villages at Broadway, LP, a California limited partnership (the “**Partnership**”), and also filed a Certificate of Limited Partnership with the California Secretary of State on June 28, 2019; and

WHEREAS, the Administrative General Partner, Silvercrest, Inc., as managing general partner (the “**Managing General Partner**”) and as withdrawing limited partner, RSEP Holding, LLC, a Delaware limited liability company, as limited partner (the “**Limited Partner**”), and Red Stone

Equity Manager, LLC, a Delaware limited liability company (the “**Special Limited Partner**”) will enter into an Amended and Restated Agreement of Limited Partnership of The Villages at Broadway, LP; and

WHEREAS, the State of California, Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability, dated October 15, 2018 as amended on October 30, 2018 as may be further amended from time to time (“NOFA”) under the No Place Like Home Program (“NPLH” or “Program”) authorized by Government Code section 15463, Part 3.9 of Division 5 (commencing with Section 5849.1) of the Welfare and Institutions Code, and Welfare and Institutions Code section 5890 and was awarded on June 14, 2019; and

WHEREAS, the Authority intends to sell the Property to the Partnership, and the Partnership intends to acquire the Property and develop the Project; and

WHEREAS, the U.S. Department of Housing and Urban Development (“HUD”) has authorized the Authority’s participation in its Section 8 Project-Based Rental Assistance Program, and therefore in accordance with the HUD program requirements, the Project will be subject to certain long-term affordability restrictions imposed by HUD which shall be superior to all other financing documents; and

WHEREAS, the Partnership will finance the cost of acquiring and rehabilitating the Project with numerous sources of funds, projected to include an estimated equity investment of \$8,184,276 from the Limited Partner eligible to benefit from federal low-income housing tax credits allocated to the Project under Section 42 of the Internal Revenue Code; a construction loan from JP Morgan Chase Bank, NA, a national banking association (“Chase”) in an amount not to exceed \$6,763,573 (the “Chase Construction Loan”); construction and permanent financing from California Housing Finance Agency (“CalHFA”) under the Local Government Special Needs Housing Program (“SNHP”) in an amount not to exceed \$2,368,706 (the “SNHP Loan”); and permanent financing from The California Department of Housing and Community Development (“HCD”) under the No Place Like Home Program (“NPLH”) in an amount not to exceed \$3,303,884 (the “NPLH Loan”) (collectively, the “Project Financing”); and

WHEREAS, as a condition to making the Chase Construction Loan to the Partnership, Chase has required that the Authority execute (i) that certain Payment & Performance Guaranty, and (ii) that certain Environmental Indemnity Agreement (together, the “Chase Guaranty Documents”); and

WHEREAS, the Authority intends to act as the developer and management agent of the Project, the sole member and manager of the Administrative General Partner and guarantor of certain obligations connected with the Project; and

WHEREAS, the Authority wishes to ratify and confirm all actions of the Authority 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; and

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

NOW, THEREFORE, BE IT RESOLVED:

1. **Development Services.** The CEO/Executive Director, Tyrone Roderick Williams, or the Deputy Executive Director, Tammy Townsend, or the Chief Real Estate Officer, Michael Duarte, and/or their respective designees (each, an “**Authorized Officer**” and, collectively, the “**Authorized Officers**”), and each of them acting alone, are authorized and directed to enter into a Development Agreement with the Partnership and to execute such other documents and take such other actions as necessary to fulfill the Authority’s intended functions as developer of the Project (including any subcontracts with respect thereto).

2. **General Partner Function.** The Authorized Officers, and each of them acting alone, are authorized and directed to cause the Authority, in its capacity as manager of the Administrative General Partner, to take all actions and execute all documents necessary for the Administrative General Partner to carry out its function as administrative general partner of the Partnership, including without limitation by execution of the Amended and Restated Agreement of Limited Partnership of the Partnership and any amendment thereto in furtherance of such admissions; provided further, that in such capacity, the Authority is authorized and directed to cause the Administrative General Partner to approve the admission of the Limited Partner to the Partnership.

3. **Approval of Partnership Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading “Partnership Documents” (the “**Partnership Documents**”) in connection with the Partnership and the Project, which documents are on file with the Authority’s Secretary. The Authorized Officers, and each of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Partnership Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the Authority’s behalf or as the manager of the Administrative General Partner any further changes to the draft Partnership Documents, including material changes, and such Authorized Officer’s signature on the final Partnership Documents shall be construed as the Authority’s approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner or as the manager of the Administrative General Partner of the Partnership to carry out the transactions contemplated by the Partnership Documents.

4. **Approval of HUD Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading “HUD Documents” (the “**HUD Documents**”) in connection with the Partnership and the Project, which documents are on file with the Authority’s Secretary. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as manager of the Administrative General Partner to execute and deliver the HUD Documents pursuant to which the Partnership will be provided a subsidy funded with money received from HUD pursuant to a Project-Based Section 8 Housing Assistance Payments Contract; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner any further changes to the draft HUD Documents, including material changes, and such Authorized Officer’s signature on the final HUD Documents shall be construed as the Authority's approval of such changes. The Authorized

Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority or the Partnership to carry out the transactions contemplated by the HUD Documents.

5. **Approval of Loan Assembly Activities.** The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as manager of the Administrative General Partner to execute, deliver and/or file (or cause to be delivered and/or filed) all documents deemed necessary or appropriate to assemble the Project Financing, including without limitation, construction, permanent and third party loan applications, tax credit applications, and any and all other documents reasonably required to (i) cause the Investor Limited Partner to make capital contribution(s) to the Partnership, and (ii) borrow sufficient funds to support the Project.

6. **Loan of Funds.** The Authorized Officers, and each of them acting alone, on behalf of the Authority in its capacity as the manager of the Administrative General Partner, are authorized to take such actions and execute such documents as necessary to cause the Partnership to borrow funds from Chase, the CalHFA, and HCD in an aggregate approximate amount of up to \$12,436,163. Each Authorized Officer, and each of them acting alone, is authorized to decrease the principal amount of any loan by any amount, or to increase the principal amount of any loan by an amount up to 10% more than the maximum aggregate principal amount for the loans stated in this resolution. The source of funds for any such increase shall be funds available to the Authority and/or the Partnership or such other funds that may become available to the Authority and/or the Partnership for the Project. The Board directs the Executive Director to report to the Board if the total amount borrowed by the Partnership for the Project exceeds the aggregate maximum principal amount stated in this resolution for all loans to the Partnership (as may have been increased and as permitted by this section).

7. **Approval of Guarantees.** The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf, to execute and perform under such guarantees as are deemed necessary or appropriate to the Project Financing, including without limitation, with respect to the Partnership Documents (described above), and the Chase Guaranty Documents.

8. **Approval of Chase Construction Loan Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading “Chase Construction Loan Documents” (the “**Chase Construction Loan Documents**”) in connection with the Partnership and the Project, which documents are on file with the Authority’s Secretary, and pursuant to which the Partnership will borrow a construction loan in the approximate amount not to exceed \$6,763,573. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner to enter into the transactions described in the Chase Construction Loan Documents and to incur indebtedness and grant liens and security interests and guarantees in connection with such transactions. The Authorized Officers, and each of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Chase Construction Loan Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the

Authority's behalf or as the manager of the Administrative General Partner, any further changes to the draft Chase Construction Loan Documents, including material changes, and the final amount to be borrowed, and such Authorized Officer's signature on the final Chase Construction Loan Documents shall be construed as the Authority's approval of such changes and final loan amount. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the Chase Construction Loan Documents.

9. **Approval of SNHP Loan Documents.** The Authority has been presented with the CalHFA forms of the documents listed in Exhibit A under the heading "Form SNHP Loan Documents" (the "**SNHP Loan Documents**") in connection with the Partnership and the Project, which documents are on file with the Authority's Secretary, and pursuant to which the Partnership will borrow an approximate aggregate total amount of \$2,368,706 from CalHFA for construction and permanent financing. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner to enter into the transactions described in the SNHP Loan Documents and to incur indebtedness and grant liens and security interests and guarantees in connection with such transactions, pending completion of such forms with the loan amount and other such terms as are contemplated by the Special Needs Housing Program (SNHP) Award Letter dated October 4, 2019 from the County of Fresno, Department of Behavioral Health to the Managing General Partner. The Authorized Officers, and each of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the SNHP Loan Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner any further changes to the draft SNHP Loan Documents, including material changes, and the final amount to be borrowed and such Authorized Officer's signature on the final SNHP Loan Documents shall be construed as the Authority's approval of such changes and final loan amount. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the SNHP Loan Documents.

10. **Approval of NPLH Loan Documents.** The Authority anticipates receiving drafts of the documents listed in Exhibit A under the heading "NPLH Loan Documents" (the "**NPLH Loan Documents**") in connection with the Partnership and the Project, and pursuant to which the Partnership will borrow a loan in the approximate amount not to exceed \$3,303,884 from HCD, for permanent financing in the amount of \$1,651,942, and for the capitalization of an operating subsidy reserve in the amount of \$1,651,942. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner to enter into the transactions described in the NPLH Loan Documents and to incur indebtedness and grant liens and security interests and guarantees in connection with such transactions. The Authorized Officers, and each of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the NPLH Loan Documents substantially

acceptable to the Authorized Officers in conformance with the NPLH award from HCD and any guidelines issued in connection therewith; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner, any further changes to the draft NPLH Loan Documents, including material changes, and the final amount to be borrowed, and such Authorized Officer's signature on the final NPLH Loan Documents shall be construed as the Authority's approval of such changes and final loan amount. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the NPLH Loan Documents.

11. **Approval of the Supportive Services Agreement.** The Authority has been presented with a draft of the Amended and Restated Supportive Services Contract between the Authority and the Partnership (the "**Supportive Services Contract**") in connection with the Authority providing supportive services to residents of the Project, which Supportive Service Contract is on file with the Authority's Secretary. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Supportive Services Contract; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner any further changes to the draft Supportive Services Contract, including material changes, and such Authorized Officer's signature on the final Supportive Services Contract shall be construed as the Authority's approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the Supportive Services Contract.

12. **Approval of the Project Transfer and Acquisition Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading "Acquisition Documents" (the "**Acquisition Documents**") in connection with the purchase and development of certain land owned by the Authority which will be conveyed to the Partnership on which the Project is to be built, which documents are on file with the Authority's Secretary, and pursuant to which the Partnership will acquire the Property for a purchase price not to exceed \$1,702,127 at closing (less any previous deposits into escrow). The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Acquisition Documents and to purchase and take such other actions as they deem necessary or desirable for the Partnership to acquire and develop the Property; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner any further changes to the draft Acquisition Documents, including material changes, and such Authorized Officer's signature on the final Acquisition Documents shall be construed as the Authority's approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents

reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the Acquisition Documents.

13. **Approval of the Management Agent and Management Agent Documents.** The Authority, as the management agent is approved to manage the Project. The Authority has been presented with drafts of the documents listed in Exhibit A under the heading "Management Agent Documents" (the "**Management Agent Documents**") in connection with the management of the Project. The Authorized Officers, and each of them acting alone, are authorized and directed to approve and to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Management Agent Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner, any further changes to the draft Management Agent Documents, including material changes, and such Authorized Officer's signature on the final Management Agent Documents shall be construed as the Authority's approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the Management Agent Documents.

14. **Assignments.** The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, to execute and deliver one or more instruments (i) causing the Partnership to assume the Authority's rights under the construction contract, the architects' contracts, and other consultant and development contracts, as such rights pertain to the acquisition and construction of the Project, to the extent required by the Investor Limited Partner, and (ii) assigning to lenders and others the Partnership's interests in such contracts as may be required as a condition of the Project Financing, and (iii) to effectuate the assignment and assumption of any existing Acquisition Documents, Chase Construction Loan Documents, SNHP Loan Documents, and NPLH Loan Documents.

15. **Execution of Documents.** The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as manager of the Administrative General Partner, 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; (ii) to consummate the transactions contemplated herein; and/or (iii) to further the acquisition, rehabilitation, development, financing, construction, and leasing of the Project. Without limiting the scope of such authorization, such documents include declarations of restrictive covenants, regulatory agreements, various deeds, leases, notes, loan agreements, deeds of trust, guaranties and indemnities and collateral assignments related to the Project Financing. Such documents may also include, without limitation, lease-up and marketing agreements, partnership management services agreements, development agreements, construction guaranty agreements, repayment guarantees, cash pledge agreements, environmental indemnity agreements, property management agreements, architect agreements, contractor agreements, housing assistance payment contracts, irrevocable consents, confessions of judgment and appointments of attorneys for service of process.

16. **Expenditures.** The Authority is authorized to expend such funds (and to cause the Partnership and the Administrative General Partner to expend such funds) as are necessary to pay for all filing fees, application fees, registration fees and other costs relating to the Project or actions authorized by this resolution.

17. **Acting Officers Authorized.** Any action required by this resolution to be taken by the Chair of the Board or Executive Director of the Authority may, in the absence of such person, be taken by the duly authorized acting Chair of the Board or acting Executive Director of the Authority, respectively or by the designee of the Chair of the Board or Executive Director.

18. **Execution of Obligations.** The Board directs the Authority's Executive Director to cause the Authority to fulfill the Authority's duties and obligations under the various agreements authorized.

19. **Ratification and Confirmation.** All actions of the Authority and its officers prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed, including, but not limited to, the formation of the Partnership and the Administrative General Partner, and the filing of finance applications related to the Project Financing and the prior execution of any Project documents listed on Exhibit A or otherwise required herein.

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

PASSED AND ADOPTED THIS 12TH DAY OF DECEMBER, 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:

Tammy Townsend, Deputy Executive Director

CERTIFICATE

I, the undersigned, the duly appointed Deputy Executive Director of the Housing Authority of Fresno County, California (the “**Authority**”), as keeper of the records of the Authority, CERTIFY:

1. That the attached Resolution _____ (the “**Resolution**”) is a true and correct copy of the resolution of the Board of Commissioners of the Authority, as adopted at a meeting of the Authority held on the 12th day of December, 2023, and duly recorded in the minute books of the Authority.

2. That such meeting was duly convened and held in all respects in accordance with law, and, to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a majority of the members of the Board of Commissioners of the Authority present at the meeting voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of December, 2023.

**HOUSING AUTHORITY OF FRESNO
COUNTY, CALIFORNIA**

Tammy Townsend, Deputy Executive Director

EXHIBIT A
PROJECT DOCUMENTS

Partnership Documents

- (a) Amended and Restated Agreement of Limited Partnership of The Villages at Broadway, LP, a California limited partnership and all exhibits attached thereto which require execution;
- (b) Guaranty by the Authority in favor of Limited Partner and the Special Limited Partner;
- (c) Development Agreement between the Authority and the Partnership;
- (d) Pledge and Security Agreement by the Managing General Partner and the Administrative General Partner in favor of the Special Limited Partner;
- (e) Purchase Option and Right of First Refusal by and among the Partnership, the Managing General Partner, the Administrative General Partner and consented and agreed to by the Limited Partner and the Special Limited Partner;
- (f) Tax Representation Certificate by the Managing General Partner, Administrative General Partner and Authority;

HUD Documents

- (g) PBV Agreement To Enter Into Housing Assistance Payments Contract by the Authority and the Partnership;
- (h) PBV Housing Assistance Payments Contract New Construction or Rehabilitation by the Authority and the Partnership;

Chase Construction Loan Documents

- (i) Promissory Note executed by the Partnership in favor of Chase;
- (j) Construction Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing, executed by the Partnership as trustor, to the trustee named therein for the benefit of Chase;
- (k) Construction Loan Agreement executed by the Partnership and Chase;
- (l) Payment and Performance Guaranty executed by the Authority, in its capacity as guarantor, in favor of Chase;
- (m) Environmental Indemnity Agreement executed by the Authority, in its capacity as guarantor, Chase, and the Corporation as Managing General Partner;
- (n) Collateral Assignment of Rights to Tax Credits & Partnership Interest executed by the Partnership in favor of Chase;

- (o) Deposit Account Agreement executed by Partnership in favor Chase;
- (p) Collateral Assignment and Pledge of Development Fees executed by the Authority and acknowledged by the Partnership in favor of Chase;
- (q) Assignment of Construction and Design Agreements executed by the Partnership in favor of Chase;
- (r) Assignment of Management Agreement and Consent and Subordination of Manager executed by the Partnership and the Authority in favor of Chase;
- (s) Assignment of Agreement To Enter Into Housing Assistance Payments Contract executed by the Partnership and Chase;
- (t) Subordination Agreement(s) executed by CalHFA, HCD, the Authority, the Partnership and Chase;

Form SNHP Loan Documents

- (u) California Housing Finance Agency SNHP Regulatory Agreement CalHFA Development No. ____ by the Partnership and CalHFA;
- (v) California Housing Finance Agency SNHP Promissory Note CalHFA Development No. _____ from the Partnership in favor of CalHFA;
- (w) California Housing Finance Agency SNHP Deed of Trust with Assignment of Rents, Security Agreement and Fixture Filing CalHFA Development No. _____ from the Partnership to the trustee as named therein, for the benefit of CalHFA;
- (x) California Housing Finance Agency SNHP Loan Disbursement Agreement CalHFA Development No. _____ between the Partnership and CalHFA;
- (y) Assignment of California Housing Finance Agency SNHP Loan Documents CalHFA Development No. _____ between CalHFA, the Partnership, and HCD;

NPLH Loan Documents

- (z) [NPLH Estoppel Letter Permanent Takeout Financing between HCD, the Partnership, Chase, CalHFA, and the Authority];
- (aa) NPLH Standard Agreement between HCD and the Partnership;
- (bb) [NPLH Regulatory Agreement between HCD and the Partnership];
- (cc) [NPLH Promissory Note from the Partnership in favor of HCD];
- (dd) [NPLH Deed of Trust from the Partnership to a trustee as named therein, for the benefit of HCD];

Acquisition Documents

- (ee) Purchase and Sale Agreement between the Authority and the Partnership;
- (ff) Notice to Exercise Option Under the Purchase Agreement by the Partnership to the Authority;
- (gg) Grant Deed by the Authority in favor of Partnership; and

Management Agent Documents

- (hh) The Villages at Broadway Property Management Agreement between the Partnership and the Authority.

LOAN AUTHORIZATION OF THE VILLAGES AT BROADWAY, LP
NPLH – COMPETITIVE ALLOCATION

The undersigned hereby **certifies** that **The Villages at Broadway, LP**, a California Limited Partnership (the "Borrower"), as such **makes** the following certifications and representations to the State of California Department of Housing and Community Development (the "Department"):

1. The State of California, Department of Housing and Community Development ("Department") issued a Notice of Funding Availability, dated October 15, 2018 as amended on October 30, 2018 as may be further amended from time to time ("NOFA") under the No Place Like Home Program ("NPLH" or "Program") authorized by Government Code section 15463, Part 3.9 of Division 5 (commencing with Section 5849.1) of the Welfare and Institutions Code, and Welfare and Institutions Code section 5890;

2. The NOFA relates to the availability of approximately \$400 million in Competitive Allocation funds under the NPLH Program.

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 funds in an amount not to exceed \$3,303,884 as detailed in the NOFA up to the amount authorized by Section 102 of the Guidelines and applicable state law (the "NPLH Loan").

4. That in connection with the NPLH Loan, the Borrower is authorized to enter into a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to evidence the NPLH Loan, the Borrower's obligations related thereto, and the Department's security therefore; including, but not limited to, a promissory note, a deed of trust and security agreement, a regulatory agreement, a development agreement and certain other documents required by the Department as security for, evidence of or pertaining to the NPLH Loan, and all amendments thereto (collectively, the " NPLH Loan Documents") .

5. That **the Secretary/Director, Tyrone Roderick Williams, or the Treasurer, Michael Duarte, or their assigned designee of Silvercrest, Inc., a California corporation, the managing general partner of the Borrower and that the Chief Executive Director, Tyrone Roderick Williams, or the Deputy Executive Director, Tammy Townsend, or the Chief Real Estate Officer, Michael Duarte, the administrative general partner** are authorized and directed to execute the NPLH Loan Documents, and any amendments thereto, on behalf of the Borrower. .

Dated: _____

Borrower:
The Villages at Broadway, LP

By: **Silvercrest, Inc., a California nonprofit public benefit corporation**
It's: **Managing General Partner**

By: _____
Michael Duarte, Treasurer

By: **The Villages at Broadway AGP, LLC**
It's: Administrative General Partner
By: The Housing Authority of the City of
Fresno

By: _____
Tammy Townsend
Deputy Executive Director

**RESOLUTION OF THE MEMBERS OF
THE VILLAGES AT BROADWAY AGP, LLC**

All of the managers of The Villages at Broadway AGP, LLC a California Limited Liability Company (the "Limited Liability Company), hereby consent to, adopt and ratify the following resolutions:

No Place Like Home

WHEREAS, The State of California Department of Housing and Community Development (the "Department") has issued a Notice of Funding Availability under its No Place Like Home Program (the "NPLH") dated October 15, 2018 as amended on October 30, 2018; and

WHEREAS, the Limited Liability Company is authorized to do business in the State of California, and it is in the best interests of the Limited Liability Company and its **sole member/manager, the Housing Authority of the City of Fresno**, a California public body corporate and politic, for the Limited Liability Company to act as the **Administrative** General Partner of **The Villages at Broadway, LP**, a California limited partnership (the "Borrower"); and

WHEREAS, the Borrower has either received, or been assigned, a conditional commitment of funds under the above-described Notice of Funding Availability.

NOW, THEREFORE, IT IS RESOLVED: That the Limited Liability Company is hereby authorized to act as the **Administrative** General Partner of the Borrower in connection with the Department's loan of funds to the Borrower pursuant to the above-described Notice of Funding Availability in an amount not to exceed \$3,303,884 (the "NPLH Loan")

RESOLVED FURTHER: That in connection with the Borrower's NPLH Loan, the Limited Liability Company is authorized and directed to enter into, execute, and deliver, as the **Administrative** General Partner of the Borrower, a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above resolution, in order to evidence the NPLH Loan, the Borrower's obligations related thereto, and the Department's security therefore; including, but not limited to, a promissory note, a deed of trust and security agreement, a regulatory agreement, a development agreement and certain other documents required by the Department as security for, evidence of or pertaining to the NPLH Loan, and all amendments thereto (collectively, the "NPLH Loan Documents").

RESOLVED FURTHER: That the **Chief Executive Officer, Tyrone Roderick Williams, or the Deputy Executive Director, Tammy Townsend, or the Chief Real Estate Officer, Michael Duarte** are hereby authorized to execute the NPLH Loan Documents, and any amendment or modifications thereto, on behalf of the Limited Liability Company as the **Administrative** General Partner of the Borrower.

RESOLVED FURTHER: That this resolution shall take effect immediately upon its passage.

Passed and adopted, effective as of the 12th day of December, 2023 by the consent of the Housing Authority of the City of Fresno by the following vote:

___AYES

___NAYS

___ABSTAIN

___ABSENT

Tammy Townsend
Deputy Executive Director

CERTIFICATE OF THE SECRETARY

The undersigned, Secretary of **The Villages at Broadway AGP, LLC** does hereby attest and certify that the **attached** Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the Limited Liability Company which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

Authorized Signer

**BEFORE THE BOARD OF DIRECTORS OF
THE HOUSING AUTHORITY OF THE CITY OF FRESNO**

**IN THE MATTER OF: THE VILLAGES AT BROADWAY, LP
RESOLUTION NO.
AUTHORIZATION TO PARTICIPATE IN
THE NO PLACE LIKE HOME PROGRAM**

All of the members of The Housing Authority of the City of Fresno, (the "Authority"), hereby consent to, adopt and ratify the following resolutions:

WHEREAS, the State of California, Department of Housing and Community Development ("Department") issued a Notice of Funding Availability, dated October 15, 2018 as amended on October 30, 2018 ("NOFA") under the No Place Like Home Program ("NPLH" or "Program") authorized by Government Code section 15463, Part 3.9 of Division 5 (commencing with Section 5849.1) of the Welfare and Institutions Code, and Welfare and Institutions Code section 5890;

WHEREAS, the NOFA relates to the availability of Competitive Allocation funds under the NPLH Program;

WHEREAS, The Housing Authority of the City of Fresno is an Applicant within the meaning of Section 101(c) of the NPLH Program Guidelines, dated July 17, 2017 ("Guidelines");

WHEREAS, The Housing Authority of the City of Fresno is authorized to do business in the State of California

NOW, THEREFORE, BE IT RESOLVED, that The Housing Authority of the City of Fresno does hereby determine and declare as follows:

SECTION 1. That The Housing Authority of the City of Fresno is hereby authorized and directed to borrow an amount not to exceed \$3,303,884 in NPLH Program funds, as detailed in the NOFA up to the amount authorized by Section 102 of the Guidelines and applicable state law (the "NPLH Loan").

SECTION 2. That in connection with the NPLH Loan, The Housing Authority of the City of Fresno is authorized and directed to enter into, execute, and deliver a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above resolution, in order to evidence the NPLH Loan, The Housing Authority of the City of Fresno's obligations related thereto, and the Department's security therefore; including, but not limited to, a promissory note, a deed of trust and security agreement, a regulatory agreement, a development agreement and certain other documents required by the Department as security for, evidence of or pertaining to the NPLH Loan, and all amendments thereto (collectively, the "NPLH Loan Documents").

SECTION 3. That the **Chief Executive Officer, Tyrone Roderick Williams, or the Deputy Executive Director, Tammy Townsend, or the Chief Real Estate Officer, Michael Duarte,** hereby authorized to execute the NPLH Loan Documents, and any amendments or modifications thereto, on behalf of The Housing Authority of the City of Fresno.

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6h
SUBJECT: Approval to Execute Updated NPLH Authorizing Resolutions - The Villages at Paragon (fka Plaza Terrace)

AUTHOR: Jazmin Gallardo
DEPARTMENT: Real Estate Development
MEMO DATE: 12/5/2023

Executive Summary

On December 6, 2019, the Villages at Paragon closed on project financing and began rehabilitation on 28 units for the Villages at Paragon, formerly the Plaza Terrace site that served as emergency housing. The project is the complete rehabilitation of the complex to house homeless and at-risk homeless individuals.

As part of the financing structure, Staff secured No Place Like Home (NPLH) funding from the California Department of Housing and Community Development (HCD) in June of 2019 in the amount of \$3,616,466.

In the process of submitting the Placed In Service packet for Villages at Paragon, HCD has asked that the Housing Authority of the City of Fresno, CA use HCD provided resolution forms to update the Authorized Officers to include Tammy Townsend, Deputy Executive Director and Michael Duarte, Chief Real Estate Officer. The substance of each of these documents and actions taken in connection therewith is consistent with the previously adopted resolutions, however HCD has required we include additional Authorized Officers in addition to the Chief Executive Officer, Tyrone Roderick Williams. These changes have been made to the documents by our Fresno Housing staff and Fresno Housing's attorneys at Ballard Spahr.

Recommendation

It is recommended that the Board of Commissioners of Fresno Housing adopt the attached resolutions, authorizing the addition of Authorized Officers, Deputy Executive Officer, Tammy Townsend, and Chief Real Estate Officer, Michael Duarte, in the name of the Administrative General Partner and in the name of the Partnership.

Background Information

The Villages at Paragon, LP is comprised of the "Managing General Partner", Silvercrest Inc., the "Administrative General Partner", The Villages of Paragon AGP, LLC (collectively the "General Partners), and the "Limited Partner", Silvercrest, Inc.

The Villages at Paragon apartment complex is located at 4041 Plaza Drive West, City of Fresno, Fresno County (APN: 454-295-09T). The site is .68 acres, comprised of twenty-seven (27) low-income housing tax credit units and one (1) manager's unit. The project focuses on housing tenants at risk or with instances of homelessness with no or low income.

RESOLUTION NO. _____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO, CA

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS, THE ADMISSION OF CERTAIN PARTNERS TO THE VILLAGES AT PARAGON, LP (“PARTNERSHIP”) AND THE EXECUTION OF SUCH DOCUMENTS TO IMPLEMENT PROJECT FINANCING BY THE HOUSING AUTHORITY OF THE CITY OF FRESNO, CALIFORNIA ON ITS OWN BEHALF AND IN ITS CAPACITY AS THE MANAGER AND SOLE MEMBER OF THE VILLAGES AT PARAGON AGP, LLC, THE ADMINISTRATIVE GENERAL PARTNER OF THE PARTNERSHIP, IN CONNECTION WITH THE FINANCING, DEVELOPMENT AND OPERATION OF THE VILLAGES AT PARAGON PROJECT, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

WHEREAS, the Housing Authority of the City of Fresno, California (the “**Authority**” or “**HACF**”) seeks to expand the development and availability of long-term housing for low income persons residing in the City of Fresno, California (the “**City**”); and

WHEREAS, the Authority is authorized, among other things, to enter into partnership and operating agreements and to make loans to partnerships to finance, plan, undertake, construct, acquire and operate housing projects; and

WHEREAS, the Authority has agreed to facilitate the acquisition and rehabilitation of approximately 0.777 acres located at 4041 Plaza Drive West, City of Fresno, Fresno County, California, APN Number 454-295-09-T (the “**Property**”), for the purposes of the acquisition and rehabilitation of a twenty-eight (28) unit low income multifamily residential project to be generally known as “The Villages at Paragon”, comprised of twenty-seven (27) low-income housing tax credit units and one (1) manager’s unit (collectively, the “**Project**”); and

WHEREAS, the Authority has entered into an Operating Agreement dated as of July 16, 2019, pursuant to which the Authority is the manager and sole member of The Villages at Paragon AGP, LLC, a California limited liability company (the “**Administrative General Partner**”), and the Authority filed Articles of Organization with the California Secretary of State on July 16, 2019; and

WHEREAS, the Administrative General Partner, together with Silvercrest, Inc., entered into an Agreement of Limited Partnership dated as of July 16, 2019, 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 The Villages at Paragon, LP, a California limited partnership (the “**Partnership**”), and also filed a Certificate of Limited Partnership with the California Secretary of State on July 16, 2019; and

WHEREAS, the Administrative General Partner, Silvercrest, Inc., as managing general partner (the “**Managing General Partner**”) and withdrawing limited partner, RSEP Holding, LLC, a Delaware limited liability company, as limited partner (the “**Limited Partner**”), and RedStone

Tax Equity Manager LLC, a Delaware limited liability company (the “**Special Limited Partner**”) will enter into an Amended and Restated Agreement of Limited Partnership of The Villages at Paragon, LP; and

WHEREAS, The State of California, Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability, dated October 15, 2018 as amended on October 30, 2018 as may be further amended from time to time (“NOFA”) under the No Place Like Home Program (“NPLH” or “Program”) authorized by Government Code section 15463, Part 3.9 of Division 5 (commencing with Section 5849.1) of the Welfare and Institutions Code, and Welfare and Institutions Code section 5890 and was awarded on June 14, 2019;

WHEREAS, the Authority intends to sell the Property to the Partnership, and the Partnership intends to acquire the Property and develop the Project; and

WHEREAS, the U.S. Department of Housing and Urban Development (“HUD”) has authorized the Authority’s participation in its Section 8 Project-Based Rental Assistance Program, and therefore in accordance with the HUD program requirements, the Project will be subject to certain long-term affordability restrictions imposed by HUD which shall be superior to all other financing documents; and

WHEREAS, the Partnership will finance the cost of acquiring and rehabilitating the Project with numerous sources of funds, projected to include an estimated equity investment of \$8,164,168 from the Limited Partner eligible to benefit from federal low-income housing tax credits allocated to the Project under Section 42 of the Internal Revenue Code; a construction loan from JP Morgan Chase & Co. Community Development Banking, a national banking association (“Chase”) in an amount not to exceed \$8,300,000 (the “Chase Construction Loan”); construction and permanent financing from California Housing Finance Agency (“CalHFA”) under the Local Government Special Needs Housing Program (“SNHP”) in an amount not to exceed \$1,000,000 (the “SNHP Loan”); permanent financing from Silvercrest, Inc., as the General Partner Lender (the “GP Lender”) in the form of a Certificated Credit Sale Loan in an amount not to exceed \$1,833,494 (the “GP Certificated Credit Sale Loan”); permanent financing from The California Department of Housing and Community Development (“HCD”) under the No Place Like Home Program (“NPLH”) in an amount not to exceed \$3,616,464 (the “NPLH Loan”) (collectively, the “Project Financing”); and

WHEREAS, as a condition to making the Chase Construction Loan to the Partnership, Chase has required that the Authority execute (i) that certain Payment & Performance Guaranty, and (ii) that certain Environmental Indemnity Agreement (together, the “Chase Guaranty Documents”).

WHEREAS, the Authority intends to act as the developer and management agent of the Project, the sole member and manager of the Administrative General Partner and guarantor of certain obligations connected with the Project; and

WHEREAS, the Authority wishes to ratify and confirm all actions of the Authority 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; and

WHEREAS, the Authority is authorized to delegate to one or more of its agents and employees

such powers as it deems proper;

NOW, THEREFORE, BE IT RESOLVED:

1. **Development Services.** The CEO/Executive Director, Tyrone Roderick Williams, or the Deputy Executive Director, Tammy Townsend, or the Chief Real Estate Officer, Michael Duarte, and/or their respective designees (each, an “**Authorized Officer**” and, collectively, the “**Authorized Officers**”), and each of them acting alone, are authorized and directed to enter into a Development Agreement with the Partnership and to execute such other documents and take such other actions as necessary to fulfill the Authority’s intended functions as developer of the Project (including any subcontracts with respect thereto).

2. **General Partner Function.** The Authorized Officers, and each of them acting alone, are authorized and directed to cause the Authority, in its capacity as manager of the Administrative General Partner, to take all actions and execute all documents necessary for the Administrative General Partner to carry out its function as administrative general partner of the Partnership, including without limitation by execution of the Amended and Restated Agreement of Limited Partnership of the Partnership and any amendment thereto in furtherance of such admissions; provided further, that in such capacity, the Authority is authorized and directed to cause the Administrative General Partner to approve the admission of the Limited Partner to the Partnership.

3. **Approval of Partnership Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading “Partnership Documents” (the “**Partnership Documents**”) in connection with the Partnership and the Project, which documents are on file with the Authority’s Secretary. The Authorized Officers, and each of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Partnership Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the Authority’s behalf or as the manager of the Administrative General Partner any further changes to the draft Partnership Documents, including material changes, and such Authorized Officer’s signature on the final Partnership Documents shall be construed as the Authority’s approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner or as the manager of the Administrative General Partner of the Partnership to carry out the transactions contemplated by the Partnership Documents.

4. **Approval of HUD Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading “HUD Documents” (the “**HUD Documents**”) in connection with the Partnership and the Project, which documents are on file with the Authority’s Secretary. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as manager of the Administrative General Partner to execute and deliver the HUD Documents pursuant to which the Partnership will be provided a subsidy funded with money received from HUD pursuant to a Project-Based Section 8 Housing Assistance Payments Contract; *provided however*, any Authorized Officer may approve on the Authority’s behalf or as the manager of the Administrative General Partner any further changes to the draft

HUD Documents, including material changes, and such Authorized Officer's signature on the final HUD Documents shall be construed as the Authority's approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority or the Partnership to carry out the transactions contemplated by the HUD Documents.

5. **Approval of Loan Assembly Activities.** The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as manager of the Administrative General Partner to execute, deliver and/or file (or cause to be delivered and/or filed) all documents deemed necessary or appropriate to assemble the Project Financing, including without limitation, construction, permanent and third party loan applications, tax credit applications, and any and all other documents reasonably required to (i) cause the Investor Limited Partner to make capital contribution(s) to the Partnership, and (ii) borrow sufficient funds to support the Project.

6. **Loan of Funds.** The Authorized Officers, and each of them acting alone, on behalf of the Authority in its capacity as the manager of the Administrative General Partner, are authorized to take such actions and execute such documents as necessary to cause the Partnership to borrow funds from Chase, the CalHFA, HCD and the GP Lender in an aggregate approximate amount of up to \$15,000,000. Each Authorized Officer, and each of them acting alone, is authorized to decrease the principal amount of any loan by any amount, or to increase the principal amount of any loan by an amount up to 10% more than the maximum aggregate principal amount for the loans stated in this resolution. The source of funds for any such increase shall be funds available to the Authority and/or the Partnership or such other funds that may become available to the Authority and/or the Partnership for the Project. The Board directs the Executive Director to report to the Board if the total amount borrowed by the Partnership for the Project exceeds the aggregate maximum principal amount stated in this resolution for all loans to the Partnership (as may have been increased and as permitted by this section).

7. **Approval of Guarantees.** The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf, to execute and perform under such guarantees as are deemed necessary or appropriate to the Project Financing, including without limitation, with respect to the Partnership Documents (described above) and the Chase Guaranty Documents.

8. **Approval of Chase Construction Loan Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading "Chase Construction Loan Documents" (the "**Chase Construction Loan Documents**") in connection with the Partnership and the Project, which documents are on file with the Authority's Secretary, and pursuant to which the Partnership will borrow a construction loan in the approximate amount not to exceed \$8,300,000. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner to enter into the transactions described in the Chase Construction Loan Documents and to incur indebtedness and grant liens and security interests and guarantees in connection with such transactions. The Authorized Officers, and each of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the

Administrative General Partner, the Chase Construction Loan Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner, any further changes to the draft Chase Construction Loan Documents, including material changes, and the final amount to be borrowed, and such Authorized Officer's signature on the final Chase Construction Loan Documents shall be construed as the Authority's approval of such changes and final loan amount. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the Chase Construction Loan Documents.

9. **Approval of SNHP Loan Documents.** The Authority has been presented with the CalHFA forms of the documents listed in Exhibit A under the heading "Form SNHP Loan Documents" (the "**SNHP Loan Documents**") in connection with the Partnership and the Project, which documents are on file with the Authority's Secretary, and pursuant to which the Partnership will borrow an approximate aggregate total amount of \$1,000,000 from CalHFA for construction and permanent financing. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner to enter into the transactions described in the SNHP Loan Documents and to incur indebtedness and grant liens and security interests and guarantees in connection with such transactions, pending completion of such forms with the loan amount and other such terms as are contemplated by the Special Needs Housing Program (SNHP) Award Letter dated October 4, 2019 from the County of Fresno, Department of Behavioral Health to the Managing General Partner. The Authorized Officers, and each of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the SNHP Loan Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner any further changes to the draft SNHP Loan Documents, including material changes, and the final amount to be borrowed and such Authorized Officer's signature on the final SNHP Loan Documents shall be construed as the Authority's approval of such changes and final loan amount. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the SNHP Loan Documents.

10. **Approval of GP Certificated Credit Sale Loan Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading "GP Certificated Credit Sale Loan Documents" (the "**GP Certificated Credit Sale Loan Documents**") in connection with the Partnership and the Project, which documents are on file with the Authority's Secretary, and pursuant to which the Partnership will borrow an approximate aggregate total amount of \$1,833,494 from the GP Lender for permanent financing. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner to enter into the transactions described in the GP Certificated Credit Sale Loan Documents and to incur indebtedness and grant liens and security interests and guarantees in connection with such transactions. The Authorized Officers, and each

of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the GP Certificated Credit Sale Loan Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner any further changes to the draft GP Certificated Credit Sale Loan Documents, including material changes, and the final amount to be borrowed, and such Authorized Officer's signature on the final GP Certificated Credit Sale Loan Documents shall be construed as the Authority's approval of such changes and final loan amounts. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the GP Certificated Credit Sale Loan Documents.

11. **Approval of NPLH Loan Documents.** The Authority anticipates receiving drafts of the documents listed in Exhibit A under the heading "Anticipated NPLH Loan Documents" (the "**NPLH Loan Documents**") in connection with the Partnership and the Project, and pursuant to which the Partnership will borrow a loan in the approximate amount not to exceed \$3,616,464 from HCD, for permanent financing in the amount of \$1,808,232, and for the capitalization of an operating subsidy reserve in the amount of \$1,808,232. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner to enter into the transactions described in the NPLH Loan Documents and to incur indebtedness and grant liens and security interests and guarantees in connection with such transactions. The Authorized Officers, and each of them acting alone, are authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the NPLH Loan Documents substantially acceptable to the Authorized Officers in conformance with the NPLH award from HCD and any guidelines issued in connection therewith; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner, any further changes to the draft NPLH Loan Documents, including material changes, and the final amount to be borrowed, and such Authorized Officer's signature on the final NPLH Loan Documents shall be construed as the Authority's approval of such changes and final loan amount. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the NPLH Loan Documents.

12. **Approval of the Supportive Services Agreement.** The Authority has been presented with a draft of the Amended and Restated Supportive Services Contract between the Authority and the Partnership (the "**Supportive Services Contract**") in connection with the Authority providing supportive services to residents of the Project, which Supportive Service Contract is on file with the Authority's Secretary. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Supportive Services Contract; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner any further changes to the draft Supportive

Services Contract, including material changes, and such Authorized Officer's signature on the final Supportive Services Contract shall be construed as the Authority's approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the Supportive Services Contract.

13. **Approval of the Project Transfer and Acquisition Documents.** The Authority has been presented with drafts of the documents listed in Exhibit A under the heading "Acquisition Documents" (the "**Acquisition Documents**") in connection with the purchase and development of certain land owned by the Authority which will be conveyed to the Partnership on which the Project is to be built, which documents are on file with the Authority's Secretary, and pursuant to which the Partnership will acquire the Property for a purchase price not to exceed \$1,700,000 at closing (less any previous deposits into escrow). The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Acquisition Documents and to purchase and take such other actions as they deem necessary or desirable for the Partnership to acquire and develop the Property; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner any further changes to the draft Acquisition Documents, including material changes, and such Authorized Officer's signature on the final Acquisition Documents shall be construed as the Authority's approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the Acquisition Documents.

14. **Approval of the Management Agent and Management Agent Documents.** The Authority, as the management agent is approved to manage the Project. The Authority has been presented with drafts of the documents listed in Exhibit A under the heading "Management Agent Documents" (the "**Management Agent Documents**") in connection with the management of the Project. The Authorized Officers, and each of them acting alone, are authorized and directed to approve and to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, the Management Agent Documents substantially in the form on file with the Authority; *provided however*, any Authorized Officer may approve on the Authority's behalf or as the manager of the Administrative General Partner, any further changes to the draft Management Agent Documents, including material changes, and such Authorized Officer's signature on the final Management Agent Documents shall be construed as the Authority's approval of such changes. The Authorized Officers, and each of them acting alone, are further authorized and directed to execute and deliver, on behalf of the Authority acting on its own behalf or as the manager of the Administrative General Partner, any other documents reasonably required to be executed by the Authority, the Administrative General Partner, or the Partnership to carry out the transactions contemplated by the Management Agent Documents.

15. **Assignments.** The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as the manager of the Administrative General

Partner, to execute and deliver one or more instruments (i) causing the Partnership to assume the Authority's rights under the construction contract, the architects' contracts, and other consultant and development contracts, as such rights pertain to the acquisition and construction of the Project, to the extent required by the Investor Limited Partner, and (ii) assigning to lenders and others the Partnership's interests in such contracts as may be required as a condition of the Project Financing, and (iii) to effectuate the assignment and assumption of any existing Acquisition Documents, Chase Construction Loan Documents, SNHP Loan Documents, GP Certificate Credit Sale Loan Documents, and NPLH Loan Documents.

16. **Execution of Documents.** The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority acting on its own behalf or as manager of the Administrative General Partner, 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; (ii) to consummate the transactions contemplated herein; and/or (iii) to further the acquisition, rehabilitation, development, financing, construction, and leasing of the Project. Without limiting the scope of such authorization, such documents include declarations of restrictive covenants, regulatory agreements, various deeds, leases, notes, loan agreements, deeds of trust, guaranties and indemnities and collateral assignments related to the Project Financing. Such documents may also include, without limitation, lease-up and marketing agreements, partnership management services agreements, development agreements, construction guaranty agreements, repayment guarantees, cash pledge agreements, environmental indemnity agreements, property management agreements, architect agreements, contractor agreements, housing assistance payment contracts, irrevocable consents, confessions of judgment and appointments of attorneys for service of process.

17. **Expenditures.** The Authority is authorized to expend such funds (and to cause the Partnership and the Administrative General Partner to expend such funds) as are necessary to pay for all filing fees, application fees, registration fees and other costs relating to the Project or actions authorized by this resolution.

18. **Acting Officers Authorized.** Any action required by this resolution to be taken by the Chair of the Board or Executive Director of the Authority may, in the absence of such person, be taken by the duly authorized acting Chair of the Board or acting Executive Director of the Authority, respectively or by the designee of the Chair of the Board or Executive Director.

19. **Execution of Obligations.** The Board directs the Authority's Executive Director to cause the Authority to fulfill the Authority's duties and obligations under the various agreements authorized.

20. **Ratification and Confirmation.** All actions of the Authority and its officers prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed, including, but not limited to, the formation of the Partnership and the Administrative General Partner, and the filing of finance applications related to the Project Financing and the prior execution of any Project documents listed on Exhibit A or otherwise required herein.

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

PASSED AND ADOPTED THIS 12TH DAY OF DECEMBER, 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:

Tammy Townsend, Deputy Executive Director

CERTIFICATE

I, the undersigned, the duly appointed Deputy Executive Director of the Housing Authority of Fresno County, California (the “**Authority**”), as keeper of the records of the Authority, CERTIFY:

1. That the attached Resolution _____ (the “**Resolution**”) is a true and correct copy of the resolution of the Board of Commissioners of the Authority, as adopted at a meeting of the Authority held on the 12th day of December, 2023, and duly recorded in the minute books of the Authority.

2. That such meeting was duly convened and held in all respects in accordance with law, and, to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a majority of the members of the Board of Commissioners of the Authority present at the meeting voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of December, 2023.

**HOUSING AUTHORITY OF THE CITY OF
FRESNO, CALIFORNIA**

Tammy Townsend, Deputy Executive Director

EXHIBIT A
PROJECT DOCUMENTS

Partnership Documents

- (a) Amended and Restated Agreement of Limited Partnership of The Villages at Paragon, LP, a California limited partnership and all exhibits attached thereto which require execution;
- (b) Guaranty by the Authority in favor of Limited Partner and the Special Limited Partner;
- (c) Development Agreement between the Authority and the Partnership;
- (d) Pledge and Security Agreement by the Managing General Partner and the Administrative General Partner in favor of the Special Limited Partner;
- (e) Purchase Option and Right of First Refusal by and among the Partnership, the Managing General Partner, the Administrative General Partner and consented and agreed to by the Limited Partner and the Special Limited Partner;

HUD Documents

- (f) PBV Agreement To Enter Into Housing Assistance Payments Contract by the Authority and the Partnership;
- (g) PBV Housing Assistance Payments Contract New Construction of Rehabilitation by the Authority and the Partnership;

Chase Construction Loan Documents

- (h) Promissory Note executed by the Partnership in favor of Chase;
- (i) Construction Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing, executed by the Partnership as trustor, to the trustee named therein for the benefit of Chase;
- (j) Construction Loan Agreement executed by the Partnership and Chase;
- (k) Payment and Performance Guaranty executed by the Authority, in its capacity as guarantor, in favor of Chase;
- (l) Environmental Indemnity Agreement executed by the Authority, in its capacity as guarantor, and Chase;
- (m) Collateral Assignment of Rights to Tax Credits & Partnership Interest executed by the Partnership in favor of Chase;
- (n) Assignment of Construction and Design Agreements executed by the Partnership in favor of Chase;

- (o) Assignment of Management Agreement and Consent and Subordination of Manager executed by the Partnership and the Authority in favor of Chase;
- (p) Assignment of Agreement To Enter Into Housing Assistance Payments Contract executed by the Partnership and Chase;
- (q) Assignment of Housing Assistance Payments Contract and Housing Assistance Payments executed by the Partnership and Chase;
- (r) Assignment of Architectural Agreements and Plans and Specifications executed by the Partnership in favor of Chase;
- (s) Subordination Agreement(s) executed by CalHFA, HCD, GP Lender, the Authority, the Partnership and Chase;

Form SNHP Loan Documents

- (t) California Housing Finance Agency SNHP Regulatory Agreement CalHFA Development No. ____ by the Partnership and CalHFA;
- (u) California Housing Finance Agency SNHP Promissory Note CalHFA Development No. _____ from the Partnership in favor of CalHFA;
- (v) California Housing Finance Agency SNHP Deed of Trust with Assignment of Rents, Security Agreement and Fixture Filing CalHFA Development No. _____ from the Partnership to the trustee as named therein, for the benefit of CalHFA;
- (w) California Housing Finance Agency SNHP Loan Disbursement Agreement CalHFA Development No. _____ between the Partnership and CalHFA;
- (x) Assignment of California Housing Finance Agency SNHP Loan Documents CalHFA Development No. _____ between CalHFA, the Partnership, and HCD;

GP Certificate Credit Sale Loan Documents

- (y) GP Credit Sale Note between the Partnership and the GP Lender;
- (z) GP Credit Sale Loan Agreement between the Partnership and the GP Lender;
- (aa) Tax Credit Purchase Agreement between the GP Lender and the tax credit purchaser named therein;

Anticipated NPLH Loan Documents

- (bb) NPLH Estoppel Letter Permanent Takeout Financing between HCD, the Partnership, Chase, CalHFA, the GP Lender, and the Authority;
- (cc) NPLH Standard Agreement between HCD and the Partnership;
- (dd) NPLH Regulatory Agreement between HCD and the Partnership;
- (ee) NPLH Promissory Note from the Partnership in favor of HCD;

- (ff) NPLH Deed of Trust from the Partnership to a trustee as named therein, for the benefit of HCD;

Acquisition Documents

- (gg) Assignment of Purchase Agreement from the Managing General Partner to the Partnership;
- (hh) Notice to Exercise Option Under the Purchase Agreement by the Partnership to the Authority;
- (ii) Grant Deed by the Authority in favor of Partnership; and

Management Agent Documents

- (jj) The Villages at Paragon Property Management Agreement between the Partnership and the Authority.

LOAN AUTHORIZATION OF THE VILLAGES AT PARAGON, LP
NPLH – COMPETITIVE ALLOCATION

The undersigned hereby **certifies** that **The Villages at Paragon, LP**, a California Limited Partnership (the "Borrower"), as such **makes** the following certifications and representations to the State of California Department of Housing and Community Development (the "Department"):

1. The State of California, Department of Housing and Community Development ("Department") issued a Notice of Funding Availability, dated October 15, 2018 as amended on October 30, 2018 as may be further amended from time to time ("NOFA") under the No Place Like Home Program ("NPLH" or "Program") authorized by Government Code section 15463, Part 3.9 of Division 5 (commencing with Section 5849.1) of the Welfare and Institutions Code, and Welfare and Institutions Code section 5890;

2. The NOFA relates to the availability of approximately \$400 million in Competitive Allocation funds under the NPLH Program.

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 funds in an amount not to exceed \$3,616,466 as detailed in the NOFA up to the amount authorized by Section 102 of the Guidelines and applicable state law (the "NPLH Loan").

4. That in connection with the NPLH Loan, the Borrower is authorized to enter into a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to evidence the NPLH Loan, the Borrower's obligations related thereto, and the Department's security therefore; including, but not limited to, a promissory note, a deed of trust and security agreement, a regulatory agreement, a development agreement and certain other documents required by the Department as security for, evidence of or pertaining to the NPLH Loan, and all amendments thereto (collectively, the " NPLH Loan Documents") .

5. That **the Secretary/Director, Tyrone Roderick Williams, or the Treasurer, Michael Duarte, of Silvercrest, Inc., a California corporation, the managing general partner of the Borrower and that the Chief Executive Director, Tyrone Roderick Williams, or the Deputy Executive Director, Tammy Townsend, or the Chief Real Estate Officer, Michael Duarte, the administrative general partner** are authorized and directed to execute the NPLH Loan Documents, and any amendments thereto, on behalf of the Borrower.

Dated: _____

Borrower:
The Villages at Paragon, LP

By: **Silvercrest, Inc., a California nonprofit
public benefit corporation**
It's: Managing General Partner

By: _____
Michael Duarte, Treasurer

By: **The Villages at Paragon AGP, LLC**
It's: Administrative General Partner
By: The Housing Authority of the City of
Fresno

By: _____
Tammy Townsend
Deputy Executive Director

**RESOLUTION OF THE MEMBERS OF
THE VILLAGES AT PARAGON AGP, LLC**

All of the managers of The Villages at Paragon AGP, LLC a California Limited Liability Company (the "Limited Liability Company), hereby consent to, adopt and ratify the following resolutions:

No Place Like Home

WHEREAS, The State of California Department of Housing and Community Development (the "Department") has issued a Notice of Funding Availability under its No Place Like Home Program (the "NPLH") dated October 15, 2018 as amended on October 30, 2018; and

WHEREAS, the Limited Liability Company is authorized to do business in the State of California, and it is in the best interests of the Limited Liability Company and its **sole member/manager, the Housing Authority of the City of Fresno**, for the Limited Liability Company to act as the **Administrative** General Partner of **The Villages at Paragon, LP**, a California limited partnership (the "Borrower"); and

WHEREAS, the Borrower has either received, or been assigned, a conditional commitment of funds under the above-described Notice of Funding Availability.

NOW, THEREFORE, IT IS RESOLVED: That the Limited Liability Company is hereby authorized to act as the **Administrative** General Partner of the Borrower in connection with the Department's loan of funds to the Borrower pursuant to the above-described Notice of Funding Availability in an amount not to exceed \$3,616,466 (the "NPLH Loan")

RESOLVED FURTHER: That in connection with the Borrower's NPLH Loan, the Limited Liability Company is authorized and directed to enter into, execute, and deliver, as the **Administrative** General Partner of the Borrower, a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above resolution, in order to evidence the NPLH Loan, the Borrower's obligations related thereto, and the Department's security therefore; including, but not limited to, a promissory note, a deed of trust and security agreement, a regulatory agreement, a development agreement and certain other documents required by the Department as security for, evidence of or pertaining to the NPLH Loan, and all amendments thereto (collectively, the "NPLH Loan Documents").

RESOLVED FURTHER: That **the Chief Executive Officer, Tyrone Roderick Williams, or the Deputy Executive Director, Tammy Townsend, or the Chief Real Estate Officer, Michael Duarte** are hereby authorized to execute the NPLH Loan Documents, and any amendment or modifications thereto, on behalf of the Limited Liability Company as the **Administrative** General Partner of the Borrower.

RESOLVED FURTHER: That this resolution shall take effect immediately upon its passage.

Passed and adopted, effective as of the 12th day of December, 2023 by the consent of The Housing Authority of the City of Fresno by the following vote:

___AYES

___NAYS

___ABSTAIN

___ABSENT

Tammy Townsend
Deputy Executive Director

CERTIFICATE OF THE SECRETARY

The undersigned, Secretary of **The Villages at Paragon AGP, LLC** does hereby attest and certify that the **attached** Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the Limited Liability Company which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

Authorized Signer

**BEFORE THE BOARD OF DIRECTORS OF
THE HOUSING AUTHORITY OF THE CITY OF FRESNO**

**IN THE MATTER OF: THE VILLAGES AT PARAGON, LP
RESOLUTION NO.
AUTHORIZATION TO PARTICIPATE IN
THE NO PLACE LIKE HOME PROGRAM**

All of the directors of The Housing Authority of the City of Fresno, (the "Authority"), hereby consent to, adopt and ratify the following resolutions:

WHEREAS, the State of California, Department of Housing and Community Development ("Department") issued a Notice of Funding Availability, dated October 15, 2018 as amended on October 30, 2018 ("NOFA") under the No Place Like Home Program ("NPLH" or "Program") authorized by Government Code section 15463, Part 3.9 of Division 5 (commencing with Section 5849.1) of the Welfare and Institutions Code, and Welfare and Institutions Code section 5890;

WHEREAS, the NOFA relates to the availability of Competitive Allocation funds under the NPLH Program;

WHEREAS, The Housing Authority of the City of Fresno is an Applicant within the meaning of Section 101(c) of the NPLH Program Guidelines, dated July 17, 2017 ("Guidelines");

WHEREAS, The Housing Authority of the City of Fresno is authorized to do business in the State of California

NOW, THEREFORE, BE IT RESOLVED, that The Housing Authority of the City of Fresno does hereby determine and declare as follows:

SECTION 1. That The Housing Authority of the City of Fresno is hereby authorized and directed to borrow an amount not to exceed \$3,616,466 in NPLH Program funds, as detailed in the NOFA up to the amount authorized by Section 102 of the Guidelines and applicable state law (the "NPLH Loan").

SECTION 2. That in connection with the NPLH Loan, The Housing Authority of the City of Fresno is authorized and directed to enter into, execute, and deliver a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above resolution, in order to evidence the NPLH Loan, The Housing Authority of the City of Fresno's obligations related thereto, and the Department's security therefore; including, but not limited to, a promissory note, a deed of trust and security agreement, a regulatory agreement, a development agreement and certain other documents required by the Department as security for, evidence of or pertaining to the NPLH Loan, and all amendments thereto (collectively, the "NPLH Loan Documents").

SECTION 3. That the **Chief Executive Officer, Tyrone Roderick Williams, or the Deputy Executive Director, Tammy Townsend, or the Chief Real Estate Officer, Michael Duarte,** hereby authorized to execute the NPLH Loan Documents, and any amendments or modifications thereto, on behalf of The Housing Authority of the City of Fresno.

SECTION 4. That this resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 12th day of December, 2023, by the following vote:

AYES: NOES: ABSTENTIONS: ABSENT:

Signature of Attesting Officer:

Printed Name and Title of Attesting Officer:

Tammy Townsend, Deputy Executive Director

CERTIFICATE OF THE SECRETARY

The undersigned, Secretary of The Housing Authority of the City of Fresno does hereby attest and certify that the **attached** Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said Authority which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

Adrian Jones, Chair of the Board

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6i
SUBJECT: Approval to enter into Disposition and Development Agreement and Accept City of Fresno Housing Successor Agency and Permanent Local Housing Allocation Funds for the Heritage Estates Development

AUTHOR: Scott Berry
DEPARTMENT: Real Estate Development
MEMO DATE: 12/05/2023

Executive Summary

On June 28, 2021, the Boards of Commissioners approved a submission to the City of Fresno's Affordable Housing NOFA for a single-family home project in Southwest Fresno, namely Heritage Estates. The project concept was developed in partnership with the Successor Agency to the Redevelopment Agency of the City of Fresno (hereafter "FHS"), which owns the property and set aside \$1,200,000 for site and infrastructure funding. The proposed design calls for 33 or more lots on 7.71 acres, with the planned construction of two-, three- and four-bedroom homes.

In September, 2021, Staff received notice of the City's intent to award Permanent Local Housing Allocation funding (\$3,062,689). The City also provided the opportunity to set aside CalHOME funds (up to \$1,400,000), a state program for mortgage assistance to lower income homeowners. Together with mortgage proceeds, these public sources are anticipated to fully fund the permanent financing portion of the project. A small funding gap during the construction process, approximately \$2,650,000, is anticipated. Staff is currently in discussion with local banks to provide a bridge loan that could be paid off on a rolling basis (as homes are sold).

The FHS is proposing transfer of the property with a Disposition and Development Agreement ("DDA") under the Surplus Land Act, a State of California legislative action which makes public land available for affordable housing projects. Approval was received at the August 29, 2022 City Council meeting.

The purpose of this Board action is to approve entry into a DDA and accept funding commitments from the City of Fresno, the FHS, and a construction lender.

On January 24th, the Boards approved Yanez Construction, Inc., for General Contractor Construction Management services. Gateway Engineering is currently working on infrastructure designs, while an in-house architect from Yanez Construction is furnishing house plans. The team is hoping to receive all City approvals necessary to proceed by December 2023.

Recommendation

It is recommended that the Boards of Commissioners of Fresno Housing adopt the attached resolutions, authorizing the execution and delivery of documents in connection with the financing, development, and sale of Heritage Estates, authorizing the lending and the

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borrowing of money, and providing for other matter related thereto, and authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, and Michael Duarte, Chief Real Estate Officer, and/or their designee, to negotiate and execute documents in connection with the approved actions.

The resolution:

1. Authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer, and/or their designee to execute documents on behalf of the Housing Authority of the City of Fresno, CA
2. Approve entry into a Disposition and Development Agreement with the FHS, pursuant to conditions under the Surplus Land Act, and acceptance of an FHS loan of up to \$1,200,000
3. Approve acceptance of funding from the City of Fresno in the form of PLHA funds of up to \$3,062,689
4. Approve access to qualified homebuyers of CalHOME mortgage assistance funds not to exceed \$1,400,000.
5. Approves entry into a construction loan with a local construction lender to ensure adequate funding during the construction phase.
6. Provide for other matters related thereto.

Fiscal Impact

The fiscal impact includes an administrative service fee of \$250,000 payable to the Agency. As currently underwritten, the project does not require investment from Fresno Housing. Once bids are received and the final project budget is determined, Staff will present the financing plan to the Board. The Agency assumes normal project implementation risk and responsibility for the delivery and sale of homes.

Background Information

Heritage Estates is a proposed 33 single-family home development on 7.71 acres of vacant land in Southwest Fresno (APN 477-060-04T). The site is bordered by E. Florence Avenue on the North, across from the Legacy Commons affordable housing development, and will have a primary entrance connecting to Walnut Avenue to the east.

The property is currently owned by the Successor Agency to the Redevelopment Agency to the City of Fresno. The FHS proposed development of the site into affordable single family homes and committed a the land and additional funding in an amount equivalent to \$1,200,000.

The current plan calls for 2 to 4 bedroom homes ranging in size from 1200 to 1650 square feet. Once complete, the homes will be made available to households earning between 50% and 100% area median income. Public funding sources will be used to support downpayment assistance and forgivable second mortgages.

Past Board Actions

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- June 28, 2021 – Resolution Authorizing the Submission of a City of Fresno Funding Application for a Proposed Single-Family Development in Southwest Fresno (APN 477-060-04)
- January, 2023 – Authorization to Award General Construction Contract – Heritage Estates
- September, 2023 – Approval of HRFC predevelopment funding up to \$300,000

Attachments:

Exhibit A – Tentative Tract Map

RESOLUTION NO. ____
BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE CITY OF FRESNO, CALIFORNIA

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS BY THE HOUSING AUTHORITY OF THE CITY OF FRESNO, CALIFORNIA IN CONNECTION WITH THE FINANCING, DEVELOPMENT AND SALE OF THE HERITAGE ESTATES PROJECT (APN: 477-060-04), AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

WHEREAS, the Housing Authority of the City of Fresno, California (the “**Authority**” or “**HACF**”) seeks to expand the development and availability of long-term housing for low income persons residing in the City of Fresno, California; and

WHEREAS, the Authority plans to develop a project known as Heritage Estates, which consists of 33 lots on 7.71 acres of vacant land (APN: 477-060-04) (the “**Property**”), with the intended development of 33 single family homes for sale to very-low to moderate-income households (collectively, the “**Project**”); and

WHEREAS, The Successor Agency to the Redevelopment Agency of the City of Fresno (the “**FHS**”) desires to release ownership of the Property to the Housing Authority of the City of Fresno, California, through a Disposition and Development Agreement, with consideration under the Surplus Land Act; and

WHEREAS, the Authority desires to acquire the Property from the FHS through said Disposition and Development Agreement and receive an additional FHS loan in an amount up to \$1,200,000; and

WHEREAS, the Authority desires to accept funding awards from the City of Fresno in Permanent Local Housing Allocation funds (\$3,062,689); and

WHEREAS, the Authority desires for the proposed homebuyers to have access to CalHOME mortgage assistance, a State mortgage lending program, as facilitated by the City of Fresno, in an amount up to \$1,400,000; and

WHEREAS, the Authority desires to acquire construction funding from a local private lender in an amount up to \$4,000,000; and

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

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno, California do hereby approve entry into (1) a Development and Disposition Agreement with the Successor Agency to the Redevelopment Agency of the City of Fresno, and (2) to accept funding from the City of Fresno and a construction lender for the Heritage Estates single family home project, 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 all related documents therein.

PASSED AND ADOPTED THIS 12th DAY OF DECEMBER 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:

Tammy Townsend, Deputy Executive Director

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 6j
SUBJECT: Approval to Submit Application for Funding from the Fresno Council of Governments Regional Early Action Planning Grant (REAP 2.0) for Land Acquisition in Biola

AUTHOR: Jaicee Berber
DEPARTMENT: Real Estate Development
MEMO DATE: 12/5/2023

Executive Summary

The purpose of this Board Memo is to request approval from the Boards of Commissioners to apply for funding for a potential development opportunity in Biola. On October 1, 2023, the Fresno Council of Governments issued a Regional Early Action Planning (REAP 2.0) funding opportunity for capital improvement projects that promote infill affordable housing near high-quality transit. Rental Housing Developments are to serve households whose incomes range between 30% and 60% of Area Median Income. The total funding amount available is \$13,000,000, sourced from the Department of Housing and Community Development (HCD) and the application deadline is set for December 15, 2023.

Fresno Housing desires to partner with Fresno County to apply for up to \$1,200,000 in funding from the REAP 2.0 RFP to acquire land in Biola, California. The intention is to use this land for the future development of multi-family affordable housing in the area. The requested action under this Board memo includes authorization to submit a funding application for the subject property to the Fresno Council of Governments. Staff will continue to evaluate the project and make the final requests in the applications.

Recommendation

It is recommended that the Boards of Commissioners of Fresno Housing adopt the attached resolution approving the necessary actions to submit a funding application to the Fresno Council of Governments for the following development opportunity: Biola Community Land Acquisition project and authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, and Michael Duarte, Chief Real Estate Officer, and/or their designee to negotiate and execute documents in connection with the approved actions.

1. Authorize the submission of an application to the Fresno Council of Governments Regional Early Action Planning (Reap 2.0) RFP for the Biola Community Land Acquisition
2. Authorize Tyrone Roderick Williams, Chief Executive Officer, Tammy Townsend, Deputy Executive Director, Michael Duarte, Chief Real Estate Officer and/or their

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- designees to negotiate and execute documents on behalf of the Housing Authority of the City of Fresno; and
3. Provide for other matters related thereto.

Fiscal Impact

No fiscal impact at this time.

Background Information

Biola Community Land Acquisition

The Biola Community Land Acquisition is a potential development opportunity to build new multifamily affordable housing.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF FRESNO COUNTY, CALIFORNIA

**RESOLUTION AUTHORIZING THE SUBMISSION OF A REGIONAL EARLY ACTION
PLANNING (REAP 2.0) FUNDING APPLICATION FOR THE BIOLA COMMUNITY LAND
ACQUISITION (APN 016-480-30) PROJECT TO THE FRESNO COUNCIL OF
GOVERNMENTS**

WHEREAS, the Housing Authority Fresno County, California (“the Agency”) seeks to acquire the land for a development opportunity to create long-term housing for low and moderate income households residing in Fresno County, California (“the County”); and

WHEREAS, Fresno Council of Governments has issued a Regional Early Action Planning (REAP 2.0) RFP on October 1, 2023 for funding of capital improvement projects that promote infill affordable housing near high-quality transit; and

WHEREAS, the Agency desires to partner with Fresno County to submit a funding application to the Fresno Council of Governments to request up to \$1,200,000 to help facilitate the Biola Community Land Acquisition project; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of Fresno County, CA hereby authorizes the necessary actions needed to submit an application to the Fresno City of Governments for the Biola Community Land Acquisition project in response to the Regional Early Action Planning (REAP 2.0) RFP, and authorize Tyrone Roderick Williams, the 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.

PASSED AND ADOPTED THIS 12TH DAY OF DECEMBER 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: 12/12/2023
AGENDA ITEM: 7a
SUBJECT: Housing Choice Voucher Update

AUTHOR: Brandy Woodard
Chief of Housing Choice
Vouchers
DEPARTMENT: HCV
MEMO DATE: 12/7/2023

Executive Summary

Staff will provide an update on Housing Choice Vouchers.

Recommendation

None currently.



Housing Choice Voucher (HCV) Program Updates

Presentation by Brandy Woodard

December 12, 2023



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



What I will Cover Today:

- Customer Service Training
- The Voucher Incentive Program





PARTICIPATION

Breakdown of Participation



What will you do differently with what you've learned over the past two days?



48
Participants



48
Thoughts



695
Ratings



THOUGHTS

Key Thoughts



Be accountable ~ never assume ~ Get to know others. I have to be accountable for my actions, never assume what others are thinking or what others may be going through and I want to get to know others. 4.4  (19 )
Ranked #1 of 48

Bring a smile and only positive energy into the workplace Your energy is like a mirror, and I believe you receive the positivity you send. 4.3  (19 )
Ranked #2 of 48

Put into action what I learned So that real cultural change will happen within our teams 4.3  (19 )
Ranked #3 of 48

Be more positive. Being more positive will lessen the amount of negativity I allow in my life. I can go back to following the Law of Attraction. 4.3  (18 )
Ranked #4 of 48

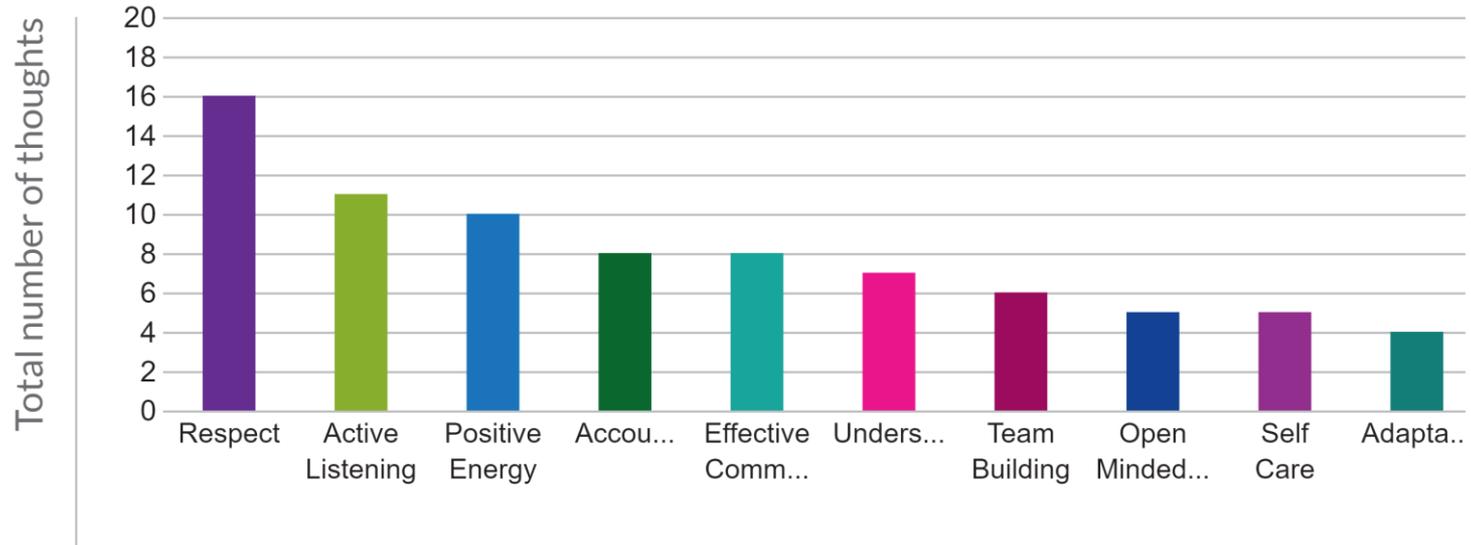
Being a more active listener So each person feels completely heard 4.3  (18 )
Ranked #5 of 48

Come out of my shell and comfort zone. Talk to those I don't usually have daily communication with. A simple good morning :) Being more open and getting to know my peers will help in having better communication and creating a healthy/fun work environment. 4.3  (18 )
Ranked #6 of 48



AI TOPICS

Top Themes by total thoughts



Voucher Incentive Program

- 206 households assisted and \$464,690 invested
 - 130 families moved into a unit
 - 4 families that have turned in paperwork for a unit to be inspected
 - 99 new units to the program
 - 41 new owners to the program
 - 186 households have attended Resident Education



BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/2023
AGENDA ITEM: 7b
SUBJECT: Real Estate Development Update

AUTHOR: Michael Duarte
Chief Real Estate Officer
DEPARTMENT: Real Estate Development
MEMO DATE: 12/05/2023

Executive Summary

Staff will provide an overview of real estate development activities.

Recommendation

None at this time.

BOARD MEMO

TO: Boards of Commissioners
FROM: Tyrone Roderick Williams, CEO
MEETING DATE: 12/12/23
AGENDA ITEM: 7C
SUBJECT: Update – Fresno Housing Education Corps Update, *presented by Walker Community Ventures*

AUTHOR: Marc Bady
Chief, Inclusion and Empowerment
DEPARTMENT: Diversity, Equity, and Inclusion; Strategic Initiatives
MEMO DATE: 12/7/23

Executive Summary

Consultant, Allysunn Walker of Walker Community Ventures, will give the Boards an overview of the outcomes of the Strategic Planning and Fund Development efforts being done on behalf of the Fresno Housing Education Corps.

Recommendation

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

Reimagining and Reigniting the Fresno Housing Ed Corps

*Toward Greater Resident Equity and
Economic Opportunity*

Fresno Housing Boards of Commissioners

December 12, 2023



YTR Consulting



TODAY'S DISCUSSION

- ▶ Contract Spirit and Deliverables in Phases I to IV
- ▶ Early Work and Board Member Interviews
- ▶ Preliminary Framework
 - ▶ Best Practices and Research
 - ▶ 2 Pillars: Education and Workforce Development
- ▶ Fundraising Prospects
- ▶ Mission, Vision and Renaming of the New FHEC
- ▶ Progress Report on Deliverables

CONTRACT SPIRIT AND DELIVERABLES

- ▶ 4 Companies leveraging and layering extensive expertise
- ▶ Core Deliverables: Reimagining, Rebranding and Relaunching the FHEC
- ▶ 4 Phases of Work over 18 months:
 - ▶ I: Early Research and Learning Phase (April to August)
 - ▶ II: Programs and Ops Development and Priorities (Sept to Jan)
 - ▶ III: External Resources Outreach and Partnership (Jan to June+)
 - ▶ IV: Strategic Operations Plan Developed for Execution (April to Sept)

Phase I: EARLY WORK

- ▶ Review of Corporate Documents
- ▶ Organizational Assessment & Financial Review
- ▶ Focus on Resident Empowerment Model/FSS expansion research
- ▶ Board Interviews
- ▶ Partnerships and Fundraising Cultivation

FHEC BOARD MEMBER INTERVIEWS



Process:

5 of 8 Board members interviewed

Assessed for experience, satisfaction, willingness to serve, suggestions for new brand



Findings:

Some members have served for 30+yrs; when FHEC was FSS Corps

All are committed; want to contribute time, talent, treasure

FSS program: 100's of residents; partnership w/community colleges

Concerns raised about inconsistent leadership and use of FHEC funds



Recommendations:

Appoint Leadership

Provide structure for accountability, training, consistency and agency

Diversify the Board

Clarify Board expectations

Create fundraising goal/campaign

POTENTIAL FHEC PROGRAM FRAMEWORK

Focus and Align

Focus efforts and align with other program models and organizations that serve residents to create efficiencies

Evaluate

Evaluate extent of data sharing for mutual org benefit; specific for resident benefit

Operate

Operate @ "Systems Level" to impact long-term change and leverage resources: FUSD, WIB, FCOE, DPSS, SCCCD

Elevate and accelerate

Elevate and accelerate current FH initiatives; prioritize

Increase Equity

Increase FH capacity to serve un-served residents and deepen services to those currently being served by Resident Initiatives

A CASE COMPARISON

Akron Housing Authority

20,000 residents; 5400 housing units

42 resident services staff; 2 grant writers; 230 families on FSS; 33.7% graduate in 5 years

Focus on Early Childhood Education; ROSS grants, 75 partner contracts to leverage services

"Building For Tomorrow" is non-profit arm that raises ~\$1 million annually

Has not purchased or built new housing in 15 years

Fresno Housing

50,000 residents; ~4,500 housing units

7 resident services staff; 0 grant writers; 46 families on FSS; unknown graduation rate

Focus on General Education; homeownership, 10+ partner contracts to leverage services

"FHEC" is non-profit arm that raises \$50-100K

Has developed over 40 housing communities

PILLARS OF FHEC PROGRAM DEVELOPMENT

Pillar 1: Education

- ▶ FUSD, FCOE, SCCC
- ▶ Foundation for Fresno Unified Students
- ▶ Parlier Unified
- ▶ Clovis Unified

Pillar 2: Workforce/Job/Career

- ▶ Fresno Regional Workforce Investment Board
- ▶ Career Nexus
- ▶ Fresno EOC
- ▶ Intersect Power (TBD)



Resident Focus Group
@ Legacy
September 7 to support WIB Grant

NEXT STEPS WITH FOUNDATION FOR FRESNO UNIFIED STUDENTS



EXPLORE “Housing Is...” model and MOU with FH, FUSD/FFUS



REWRITE existing MOU between FH and FUSD; identify data sharing opps



FINALIZE proposal for FFUS w/in-kind and financial request



SUBMIT proposal by January 30, 2024 to the Foundation



Conversations and meetings so far:

Foundation for Fresno Unified Students (FFUS)
Fresno Regional Workforce Investment Board
(FRWIB)
James Irvine Foundation
[Intersect Power Company](#)
10 Local Banks
([Wells](#), [US Bank](#), Citizens, CVCB, Tri Counties,
BofA, BotW/BMO, [Citi](#), Pac Western Bank, [PNC](#))



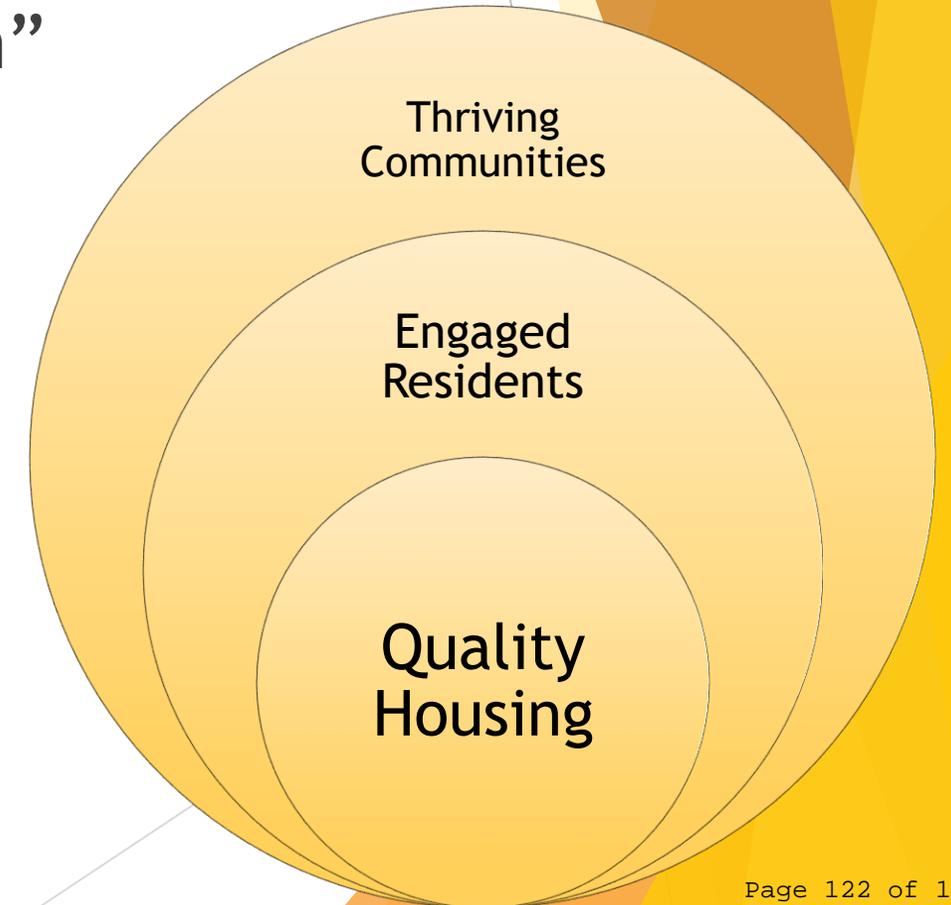
Other Identified Prospects:

California Endowment
California Wellness Foundation
Central Valley Comm Foundation
HAW56 Fund
8 additional Local Banks
FH Vendors

FUNDRAISING PROSPECTS

Next Steps for Us

- ▶ Defining FHEC Vision and Values which will inform the "New Brand" as a "Foundation"
- ▶ Next steps:
 - ▶ Board Vision/Values Branding and Strategy Retreat in Q1
 - ▶ Quarterly Board meetings
 - ▶ Identifying new Board members
 - ▶ Identifying funding opportunities



THRIVE

Fresno Housing Ed Corps

Rebrand: Foundation Name Options

Fresno Thrives Foundation

The Foundation provides a variety of services to help clients flourish in all aspects of their lives. The “Thrive” concept demonstrates how the Foundation’s mission allows clients to prosper holistically.

UNLIMITED

Unlimited Fresno

Unlimited means “limitless or endless in space, extent, or size; impossible to measure or calculate.” Positioning the Foundation as this single yet universal word allows clients to take advantage of the various opportunities so they can achieve their unique dreams.

Unlimited Opportunities. Unlimited Potential. Unlimited Fresno.

BEYOND HOUSING

Beyond Housing Foundation

From educational to workforce partnerships, the Foundation provides more than housing assistance, but a holistic approach to improving clients' lives. "Beyond Housing" clearly communicates the Foundation's overall mission.

FOUNDATION FOR FRESNO HOUSING FAMILIES

FOUNDATION FOR FRESNO HOUSING FAMILIES

This name directly links Fresno Housing Authority to the Foundation. By keeping it straightforward, community partners will immediately understand the Foundation's connection, making it memorable for local organizations.

SPARK

Fresno Housing Ed Corps

Rebrand: Foundation Name Options

Spark Fresno Foundation

Spark symbolizes the positive reaction when two elements come together. When united, they create a fire that can be unstoppable. Spark highlights the Foundation's partnerships with a variety of organizations to help clients ignite change in their lives.

Spark brilliance. Spark hope. Spark Fresno County.

APPROPRIATE | SIMPLE | MEMORABLE

UNLIMITED

**FOUNDATION FOR
FRESNO HOUSING
FAMILIES**

SPARK

THRIVE

**BEYOND
HOUSING**

Fresno Housing Ed Corps

Rebrand: Foundation Name Options

PROGRESS REPORT on DELIVERABLES

Completed

- ▶ Organizational Assessment, Financial Review
- ▶ Board Interviews; building momentum
- ▶ Q1 and Q4 FHEC Board meetings held
- ▶ Program:
 - ▶ Resident Focus Group for WIB
 - ▶ Visioning exercise with Resident Empowerment Team
 - ▶ Met with FUSD and WIB teams
- ▶ Marketing Concept Drafted
- ▶ Grants submitted, fundraising cultivation begun

Upcoming/In Process

- ▶ Organizational Leadership Appointment(s)
- ▶ FHEC Board Retreat Q1; identify new board member candidates
- ▶ Program:
 - ▶ Drafting Proposal for FUSD
 - ▶ Defining FRWIB Partnership
 - ▶ Researching FSS/Res Svcs Best Practices
- ▶ Marketing / Rebranding Plan and Exercises
- ▶ Relaunch Event / Gala Planning
- ▶ Plan for Q1 Fundraising Blitz

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: Tammy Townsend

Deputy Executive Director

DATE: 12/07/2023

BOARD MEETING: 12/12/2023

AGENDA ITEM: 8a

AUTHOR: Nicole Diaz

SUBJECT: Adopt the 2024 Agency Operations and Housing Assistance
Payments Budget

Executive Summary

The purpose of this presentation and action item will be to update the Boards of Commissioners on the Agency's final draft 2024 budget and provide the Boards a 2024 Federal Budget update.

Recommendation

It is recommended that the Boards of Commissioners adopt the 2024 Agency Operating Budget and the 2024 budget for Housing Assistance Payments.

RESOLUTION NO. _____

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

**RESOLUTION ADOPTING THE 2024 HOUSING AUTHORITY'S ANNUAL OPERATING
BUDGET AND THE 2024 HOUSING ASSISTANCE PAYMENTS BUDGET**

WHEREAS, the Annual Operating Budget and the Housing Assistance Payments Budget for the Fresno Housing Authority for the fiscal year beginning January 1, 2024 and ending December 31, 2024 has been presented for adoption before the Board of Commissioners of the Housing Authority of the City of Fresno at its open public meeting on December 12, 2023; and

WHEREAS, the Annual Operating Budget as presented for adoption reflects total revenues of \$46,838,399 and total expenses of \$46,835,993; and

WHEREAS, the Housing Assistance Payments Budget as presented for adoption reflects total revenues of \$124,194,379 and total expenses of \$128,584,066; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno adopt the Annual Operating Budget and the Housing Assistance Payments Budget beginning on January 1, 2024 and ending on December 31, 2024.

PASSED AND ADOPTED THIS 12th day of December 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:

ABSTAIN:

ABSENT:

Tammy Townsend, Deputy Executive Director

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF FRESNO COUNTY

**RESOLUTION ADOPTING THE 2024 HOUSING AUTHORITY'S ANNUAL OPERATING
BUDGET AND THE 2024 HOUSING ASSISTANCE PAYMENTS BUDGET**

WHEREAS, the Annual Operating Budget and the Housing Assistance Payments Budget for the Fresno Housing Authority for the fiscal year beginning January 1, 2024 and ending December 31, 2024 has been presented for adoption before the Board of Commissioners of the Housing Authority of Fresno County at its open public meeting on December 12, 2023; and

WHEREAS, the Annual Operating Budget as presented for adoption reflects total revenues of \$46,838,399 and total expenses of \$46,835,993; and

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PASSED AND ADOPTED THIS 12th day of December 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:

ABSTAIN:

ABSENT:

Tammy Townsend, Deputy Executive Director



2024 Federal Budget Update and Approval of 2024 Budgets

Boards of Commissioners Meeting

December 12, 2023



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



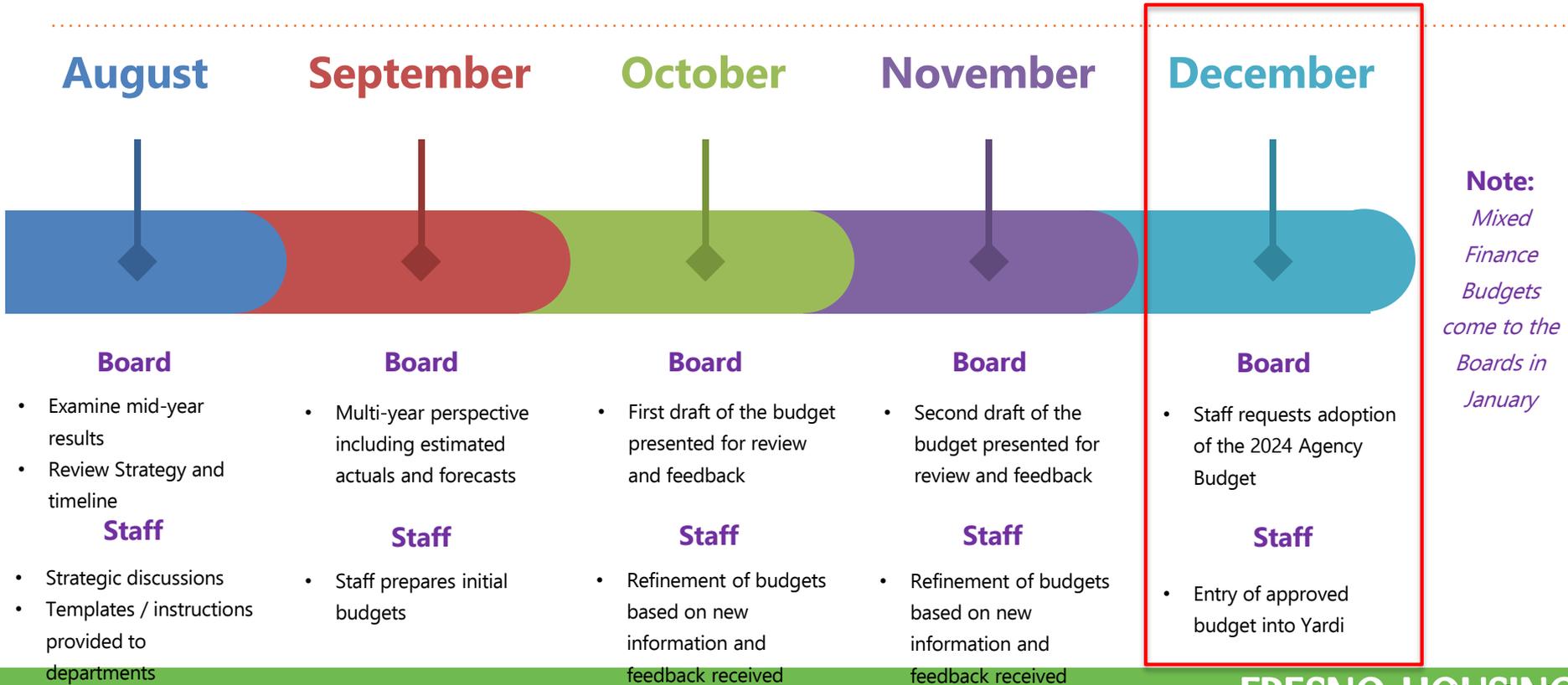
Overview

- 2024 Federal Budget Updates
- Reminder: Budget Development Timeline
- Final Draft 2024 Operating & HAP Budgets
- Unrestricted Reserves
- Next Steps

2024 Federal Budget Update

- The President signed a “laddered” CR on November 17th averting a shutdown.
- The Transportation, Housing and Urban Development (T-HUD) CR expires January 19, 2024.
- Both chambers need to agree on, and pass a comprehensive spending bill necessary to fund federal programs through September 30, 2024.

2024 Budget Development Timeline



2024 Operating Budget

	Core/Admin	Real Estate Development	Housing Choice Voucher	Resident Empowerment	Homeless Initiatives	Housing Management	Total 2024 Budget
NET TENANT INCOME	180,000	1,066,818	-	-	-	9,271,386	10,518,204
TOTAL INTEREST INCOME	88,278	140,000	-	-	-	-	228,278
TOTAL OTHER INCOME	24,800	304,800	-	873,000	97,742	44,040	1,344,382
TOTAL ADMIN & MANAGEMENT FEE INCOME	9,648,105	-	-	-	-	-	9,648,105
TOTAL DEVELOPER FEE INCOME	-	3,506,862	-	-	-	-	3,506,862
TOTAL HUD GRANT INCOME	-	-	11,850,875	-	1,155,492	3,773,168	16,779,535
TOTAL OTHER GRANT INCOME	-	1,799,821	533,333	350,000	447,772	1,682,106	4,813,032
TOTAL INCOME	9,941,183	6,818,301	12,384,208	1,223,000	1,701,006	14,770,700	46,838,399
TOTAL PAYROLL EXPENSES	7,958,901	2,378,697	7,705,571	951,688	505,799	2,681,624	22,182,280
TOTAL ADMINISTRATIVE EXPENSES	3,144,436	2,164,340	5,385,882	216,755	510,231	2,199,572	13,621,217
TOTAL TENANT SERVICES EXPENSES	500	444,048	336,668	23,000	899,682	229,005	1,932,903
TOTAL UTILITY EXPENSES	264,240	490,959	-	-	-	2,034,866	2,790,065
TOTAL MAINTENANCE EXPENSES	549,072	369,242	68,000	292,607	25	3,202,875	4,481,821
TOTAL TAXES & INSURANCE EXPENSES	32,031	57,282	-	-	-	939,332	1,028,644
TOTAL EXPENSES	11,949,180	5,904,568	13,496,121	1,484,050	1,915,737	11,287,274	46,036,930
NET OPERATING INCOME	(2,007,996)	913,733	(1,111,912)	(261,050)	(214,731)	3,483,426	801,469
TOTAL NON-OPERATING EXPENSES	90,000	172,528	-	-	-	536,535	799,063
NET INCOME	(2,097,996)	741,205	(1,111,912)	(261,050)	(214,731)	2,946,891	2,406
HCV RESERVE			1,000,000				1,000,000
UNRESTRICTED NET INCOME	(2,097,996)	741,205	(111,912)	(261,050)	(214,731)	1,992,039	47,553

2024 Housing Assistance Payments (HAP) Budget

Program	Total HAP Revenue	Total HAP Expenses	Total HAP Reserve Increase/(Usage)
HCV	134,774,346	128,584,066	6,190,280

- This HAP budget assumes 100% proration with 12.1% inflation factor

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 Financial Results	418,103	4,182,594
2023 Sales Proceeds	2,032,714	6,215,308
2023 Projections	621,250	6,836,558
2024 Budget - Final Draft	47,553	6,884,111
Total Unrestricted Reserves	6,884,111	

- Based on 2023 projections, FH would end 2023 with \$6.83M in unrestricted reserves
- Based on final draft of 2024 budget, FH would end 2024 with \$6.88M in unrestricted reserves



Staff requests approval of the 2024 Agency Operating & HAP Budgets