

Special Meeting of the Board of Governors of the Housing Authority of the County of San Bernardino

Agenda

Tuesday, August 6, 2019

1:00 PM

Covington Chambers

County Government Center
385 N. Arrowhead Ave.
San Bernardino, CA 92415

Members of the public may address the Board on any item on the agenda and on any matter that is within the Board's jurisdiction. To address the Board regarding an item on the agenda, or an item within its jurisdiction but not on today's agenda, complete and submit the "Request to Speak" form. Requests must be submitted to the Secretary of the Board before the item is called for consideration. If the speaker wants the Board to consider any documentation, nine copies of the documentation should be submitted with the request. Submitted documents will become part of the public record and will not be returned to the speaker. The Chairman will call speakers forward to present their comments at the appropriate time. When called, approach the podium and be prepared to speak. Speakers may address the Board for up to three (3) minutes on Public Comment, up to three (3) minutes total on the consent calendar, and up to three (3) minutes on each discussion item not to exceed a total of twelve (12) minutes for the meeting, unless it is determined that a different limit is appropriate by the Chairman. Speakers are to address the Board as a whole through the Chairman. Comments directed to individual Board members and/or staff are not permitted.

CALL TO ORDER

Pledge of Allegiance

Roll Call

PUBLIC COMMENT

Presentations

Executive Director's Report

Additions or deletions to the agenda

CONSENT CALENDAR

- 1)
 1. Approve an amendment to the original commitment of the 38 Project-Based Vouchers for Golden Apartments San Bernardino, LP, a Limited Partnership developing the Golden Apartments permanent supportive housing project, to allocate five of the 38 Project-Based Vouchers to units that will be occupied by clients who are defined as homeless versus chronically homeless as previously designated for this site.
 2. Authorize the Chairman of the Board of Governors, Chief Executive Officer or the Executive Director of the Housing Authority of the County of San Bernardino, upon consultation with Legal Counsel, to accept and sign ancillary documents or exhibits necessary or appropriate to carry out the commitment and to satisfy program rules and regulations pursuant to federal requirements.

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3. Direct the Executive Director of the Housing Authority of the County of San Bernardino to transmit all other executed documents or certificates to the Secretary within 30 days of execution.
(Presenter: Maria Razo, Executive Director, 332-6305)
 - 2)
 1. Approve the commitment of 31 Project-Based Vouchers to Desert Haven Victorville, LP, a Limited Partnership developing the Desert Haven Apartments permanent supportive housing project, for a term of 20 years, subject to federal government appropriations.
 2. Authorize the Chairman of the Board of Governors, Chief Executive Officer or the Executive Director of the Housing Authority of the County of San Bernardino, upon consultation with Legal Counsel, to accept and sign ancillary documents or exhibits necessary or appropriate to carry out the commitment and to satisfy program rules and regulations pursuant to federal requirements.
 3. Direct the Executive Director of the Housing Authority of the County of San Bernardino to transmit all other executed documents or certificates to the Clerk of the Board within 30 days of execution.
(Presenter: Maria Razo, Executive Director, 332-6305)
 - 3) Adopt a Resolution approving revisions to the Housing Services Administrative Plan governing the Housing Choice Voucher Subsidized Program.
(Presenter: Maria Razo, Executive Director, 332-6305)
 - 4) Approve Amendment No. 3 to Contract No. 18-791 with Edra Construction Corporation increasing the total contract amount by \$167,352.38 from \$1,203,646 to \$1,370,998.38 primarily for required utility upgrades for the renovation of two original Public Housing duplexes at Waterman Gardens for a new Head Start Preschool Campus in the City of San Bernardino.
(Presenter: Maria Razo, Executive Director, 332-6305)

DISCUSSION CALENDAR

Action on Consent

Deferred Items

- 5)
 1. Adopt a Resolution:
 - a. Authorizing the issuance of up to \$55,000,000 in multi-family housing revenue bonds to fund construction of the "Arrowhead Grove Apartments Phase II" mixed-income rental housing development, to be located at the Southeast corner of Waterman Avenue and Baseline Street in the City of San Bernardino;
 - b. Approving a Master Pledge and Assignment, a Master Agency Agreement, a Tax Regulatory Agreement, a Paying Agent Agreement; and
 - c. Designating the Chairperson, Vice-Chairperson, Chief Executive Officer or Executive Director of the Housing Authority of the County of San Bernardino (Authorized Officer) to approve non-substantive modifications to such documents, subject to review by Legal Counsel.
 2. Direct the Executive Director of the Housing Authority of the County of San Bernardino to transmit all documents to the Secretary within 30 days of execution.
 3. Acknowledge that the documents provided are subject to revisions as the United States Department of Housing and Urban Development or Authorized Officer, in consultation with Legal Counsel, may require or approve.
(Presenter: Maria Razo, Executive Director, 332-6305)

- 6) 1. Adopt a Resolution:
- a. Authorizing the Housing Authority of the County of San Bernardino to enter into a Development Loan Agreement with Waterman Gardens Partners 2, L.P. in a total amount not to exceed \$3,412,000 for the construction of Arrowhead Grove Phase 2 Affordable Housing Project.
 - b. Approve documents ancillary to the Development Loan Agreement(s) including:
 - i. Promissory Note
 - ii. Deed of Trust
 - iii. Regulatory Agreement
 - c. Approve a Ground Lease Agreement between the Housing Authority of the County of San Bernardino and Waterman Gardens Partners 2, L.P.
 - d. Approve a Ground Lease Loan Agreement between the Housing Authority of the County of San Bernardino and Waterman Gardens Partners 2, L.P. in an amount not to exceed \$970,000 and documents ancillary to the Ground Lease Loan Agreement including:
 - i. Promissory Note
 - ii. Deed of Trust
 - e. Approve documents required by the U.S. Department of Housing and Urban Development to complete the conversion of the former public housing units to project-based vouchers under the Rental Assistance Demonstration program including:
 - i. Rental Assistance Demonstration Delayed Conversion Agreement
 - ii. Rental Assistance Demonstration Housing Assistance Payment Contract
 - iii. U.S. Department of Housing and Urban Development Subordination Agreements
 - iv. Releases of Declarations of Trust
 - v. U.S. Department of Housing and Urban Development Use Agreement
 - vi. Consolidated Owner Certification
 - f. Approve an Amended and Restated Reciprocal Easement Agreement
 - g. Approve a Temporary License and Construction Agreement
 - h. Approve a Partial Assignment of Development Agreement and Letter Agreement
 - i. Approve Bank Subordination Agreements
 - j. Approve an Option Agreement and Right of First Refusal Agreement
 - k. Authorize the Chairperson, Vice-Chairperson, Chief Executive Officer, or the Executive Director, upon consultation with Legal Counsel, to make non-substantive modifications, execute and deliver the Loan Agreements, Ground Lease Agreement, and Rental Assistance Demonstration program related documents and the ancillary documents necessary to carry out and close the transaction.
 - l. Direct the Executive Director to transmit all documents and amendments to the Secretary within 30 days of execution.
2. Acknowledge that the documents provided are subject to revisions as the United States Department of Housing and Urban Development or Authorized Officer, in consultation with Legal Counsel, may require or approve
(Presenter: Maria Razo, Executive Director, 332-6305)
- 7) 1. Adopt a Resolution to:
- a. Authorize the Housing Authority of the County of San Bernardino controlled business entity, Waterman Affordable 3 LLC, as it relates to the Arrowhead Grove Apartments Phase 2 Development Project, to serve in a limited partnership, Waterman Gardens Partners 2, L.P. that will receive the Low Income Housing Tax Credits and all other funding to complete the development project; and
 - b. Authorize the Chairperson, Vice Chairperson, Chief Executive Officer, or Executive

- Director of the Housing Authority of the County of San Bernardino (Authorized Officer), upon consultation with Legal Counsel, to execute and deliver all agreements necessary to consummate the role of the Housing Authority of the County of San Bernardino and the Waterman Affordable 3 LLC in the limited partnership, including the Operating Agreement, Partnership Agreement, Fee Agreement, Option Agreement and ancillary documents necessary to carry out and close the transaction.
2. Direct the Executive Director of the Housing Authority of the County of San Bernardino to transmit all documents to the Secretary within 30 days of execution.
 3. Acknowledge that the documents provided are subject to revisions as the United States Department of Housing and Urban Development or Authorized Officer, in consultation with Legal Counsel, may require or approve.
- (Presenter: Maria Razo, Executive Director, 332-6305)

OTHER BUSINESS

Other Business Not Requiring Prior Notice (Oral)

Adjourn (Oral)

HACSB OFRECE ASISTENCIA IDIOMÁTICA GRATIS. PARA AYUDA CON ESTE DOCUMENTO, POR FAVOR LLÁMENOS AL (909) 890-0644.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AT, OR PRIOR TO, THE PUBLIC HEARING.

DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, TIME RESTRICTIONS MAY BE PLACED ON ORAL TESTIMONY REGARDING THE ABOVE PROPOSALS. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO MEETING FACILITY IS ACCESSIBLE TO PERSONS WITH DISABILITIES. IF ASSISTIVE LISTENING DEVICES OR OTHER AUXILIARY AIDS OR SERVICES ARE NEEDED IN ORDER TO PARTICIPATE IN THE PUBLIC MEETING, REQUESTS SHOULD BE MADE AT LEAST THREE (3) BUSINESS DAYS PRIOR TO THE BOARD MEETING. THE TELEPHONE NUMBER IS (909) 387-3841, AND THE OFFICE IS LOCATED AT 385 NORTH ARROWHEAD AVENUE, 2ND FLOOR, SAN BERNARDINO, CA.

AGENDA AND SUPPORTING DOCUMENTATION IS AVAILABLE ON THE INTERNET: <http://sanbernardino.legistar.com>