



Kings County Government Center
1400 W. Lacey Boulevard
Hanford, California 93230

☎ (559) 852- 2362 FAX (559) 585-8047

Agenda

Tuesday, May 11, 2021

Place: County Board of Supervisors Chambers
Kings County Government Center, Hanford, CA

Time: 11:00 a.m. or soon thereafter, immediately following the meeting of the Kings County Board of Supervisors

CALCHA PUBLIC MEETING PROTOCOL IN RESPONSE TO CORONAVIRUS COVID-19

California Governor Gavin Newsom issued Executive Orders N-25-20 and N-29-20 on March 12, 2020 and March 17, 2020, respectively, relating to the convening of public agency meetings in light of the COVID-19 pandemic. The California Public Finance Authority hereby provides notice that it will convene its regularly scheduled public meetings by teleconference going forward, except as described below, until further notice.

Pursuant to the Executive Orders, and to maintain the orderly conduct of the meeting, the California Public Finance Authority will allow the Board of Directors, staff and interested members of the public to attend the meeting telephonically or by the Internet, and to participate in the meeting to the same extent as if they were present in the Board's Chambers. Members of the public who choose to attend the meeting virtually, using certain digital or landline phones, may listen to the audio broadcast of the meeting, but will not be able to comment during the meeting. Only those members of the public who cannot participate virtually, due to a need for a special accommodation (vision, hearing, etc.), may attend the meeting in the Board Chambers where efforts will be made to allow adequate social distancing and to ensure that exposed surfaces are sanitized. No more than 10 individuals will be allowed in the Board Chambers at a time. To secure the accommodation consistent with the American's with Disabilities Act and to attend in person, interested parties will need to contact the Clerk of the Board as directed below no later than 8:30 a.m. the morning of the meeting.

Members of the public who wish to observe the meeting virtually can do so via the worldwide web at:

<https://youtu.be/hSLf6HjPVTs> or go to www.countyofkings.com and click on the "Join Meeting" link.

Members of the public who wish to comment may submit written comments on any matter within the Board's subject matter jurisdiction, regardless of whether it is on the agenda for Board consideration or action, and those comments will be entered into the administrative record of the meeting. To submit written comments by U.S. Mail or email for inclusion in the meeting record, they must be received by the Clerk of the Board of Supervisors no later than 9:00 a.m. on the morning of the noticed meeting. To submit written comments by email, please forward them to either bosquestions@co.kings.ca.us. To submit such comments by U.S. Mail, please forward them to: Clerk of the Board of Supervisors, County of Kings, 1400 W. Lacey Blvd., Hanford, CA 93230.

To comment during the meeting by telephone or the Internet, E-mail the Clerk of the Board at any time before or during the meeting at bosquestions@co.kings.ca.us for a phone number, access code and meeting link.

1. **CALL TO ORDER**
ROLL CALL – Clerk to the Board
2. **APPROVAL OF MINUTES**
Approval of the minutes from the April 6, 2021 meeting.

3. **CONSENT CALENDAR**

- a. Consideration of approving resolution 21-04M for the addition of program participants to the Agency.
- b. Consideration of approving resolution 21-05A for the claim of a demand fee overcharge refund from the City of Santa Rosa Water for the Annadel Apartments project.

4. **PUBLIC COMMENT**

Any person may directly address the Board at this time on any item on the agenda, or on any other items of interest to the public, that is within the subject matter jurisdiction of the Board. Five (5) minutes are allowed for each item.

5. **STAFF UPDATES**

6. **ADJOURNMENT**

Adjourn as the California Community Housing Agency.



2. APPROVAL OF MINUTES

Approval of the minutes from the April 6, 2021 meeting.



Action Summary

Tuesday, April 6, 2021

Place: County Board of Supervisors Chambers
Kings County Government Center, Hanford, CA

Time: 11:00 a.m. or soon thereafter, immediately following the meeting of the
California Public Finance Authority

CALCHA PUBLIC MEETING PROTOCOL IN RESPONSE TO CORONAVIRUS COVID-19

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To comment during the meeting by telephone or the Internet, E-mail the Clerk of the Board at any time before or during the meeting at bosquestions@co.kings.ca.us for a phone number, access code and meeting link.

1. **CALL TO ORDER**

ROLL CALL – Clerk to the Board

MEMBERS PRESENT: JOE NEVES, RICHARD VALLE, DOUG VERBOON, CRAIG PEDERSEN

MEMBERS ABSENT: RICHARD FAGUNDES

2. **APPROVAL OF MINUTES**

Approval of the minutes from the March 23, 2021 meeting.

ACTION: APPROVED AS PRESENTED (DV, JN, RV, CP-Aye RF-Absent)

3. **CONSENT CALENDAR**

- a. Consideration of approving resolution 21-03M for the addition of program participants to the Agency.

ACTION: APPROVED AS PRESENTED (DV, JN, RV, CP-Aye, RF-Absent)

4. **PUBLIC COMMENT**

*Any person may directly address the Board at this time on any item on the agenda, or on any other items of interest to the public, that is within the subject matter jurisdiction of the Board. Five (5) minutes are allowed for each item. **None***

5. **STAFF UPDATES**

None

6. **ADJOURNMENT**

The meeting was adjourned at 11:31 a.m.



3. CONSENT CALENDAR

- a. Consideration of approving resolution 21-04M for the addition of program participants to the Agency.

RESOLUTION NO. 21-04M

**RESOLUTION OF THE CALIFORNIA COMMUNITY HOUSING AGENCY
APPROVING AND RATIFYING THE ADDITION OF PROGRAM PARTICIPANTS TO
THE AGENCY**

WHEREAS, pursuant to the provisions of the Joint Exercise of Powers Act, comprising Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the Government Code of the State of California (the “Act”), Kings County and the Housing Authority of Kings County entered into a joint exercise of powers agreement (the “Agreement”) pursuant to which the California Community Housing Agency (the “Agency”) was organized;

WHEREAS, pursuant to Section 12 of the Agreement, the Agency may add a qualifying public agency to become a Non-Charter Member (an “Additional Member”) upon the filing by such public agency with the Agency of a resolution of the governing body of such public agency requesting to be added as an Additional Member of the Agency and adoption of a resolution of the Board approving the addition of such public agency as an Additional Member;

WHEREAS, the Cities and/or Counties listed on Exhibit A hereto (the “City/County”) have by resolution requested to join the Agency and the Agency has authorized each such City/County to become an Additional Member pursuant to the provisions of the Agreement;

WHEREAS, the Board hereby finds and determines that each City/County is qualified to be added as an Additional Member to the Agency;

NOW, THEREFORE, BE IT RESOLVED by the Board of the California Community Housing Agency, as follows:

Section 1. This Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The addition of the Cities and/or Counties listed on Exhibit A hereto as Additional Members of the Agency is hereby approved, confirmed and ratified, and any actions heretofore taken on behalf of each City/County is hereby approved, confirmed and ratified.

Section 3. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED by the California Community Housing Agency this 11th day of May, 2021.

I, the undersigned, an Authorized Signatory of the California Community Housing Agency, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Directors of the Agency at a duly called meeting of the Board of Directors of the Agency held in accordance with law on May 11, 2021.

By: _____
Authorized Signatory
California Community Housing Agency

EXHIBIT A

**ADDITION OF CITIES AND/OR COUNTIES AS ADDITIONAL MEMBERS OF THE
CALIFORNIA COMMUNITY HOUSING AGENCY**

1. City of Concord



- b. Consideration of approving resolution 21-05A for the claim of a demand fee overcharge refund from the City of Santa Rosa Water for the Annadel Apartments project.

California Community Housing Agency
800 S. Broadway, Suite 470
Walnut Creek, CA 94596

May 6, 2021

VIA ELECTRONIC SUBMITTAL

Santa Rosa Water, Water Engineering Services
Attention: Caryn Lozada
35 Stony Point Rd.
Santa Rosa, CA 95401

**RE: City of Santa Rosa - Refund Demand Fee Overcharge Release Authorization-
1320, 1328, 1336, 1334, 1346, and 1354 Range Avenue - Multi-Family Apartments
Permits U15-0045, U15-0047, U15-0048, U15-0049, U15-0050, U15-0051**

Dear Ms. Lozada,

Please let this letter serve as authorization for Annadel Phase II, LP to be the recipient of the refunds associated with the water demand fee overcharge for the multifamily community located at 1320, 1328, 1336, 1334, 1346, and 1354 Range Avenue, per the attached letter dated January 28, 2021 from the City of Santa Rosa.

Sincerely,

Craig Pedersen
Chair
California Community Housing Agency

Attachments:

1. City of Santa Rosa Letter dated January 28, 2021 re: Refund Demand Fee Overcharge
2. Authorization Resolution by California Community Housing Agency Board of Directors



January 28, 2021

Scott Carper
California Community Housing Agency
800 S. Broadway, Suite 470
Walnut Creek, CA 94596

Re: Refund Demand Fee Overcharge
U15-0045, U15-0047, U15-0048, U15-0049, U15-0050, U15-0051

Santa Rosa Water (SRW) recently discovered that some multi-family developments paid an additional water demand fee for irrigation capacity for their projects. Multi-family developments that set a dedicated irrigation meter were required to pay a water demand fee specific to the irrigation needs of the landscaping on the property. The water demand fee charged for each residential unit of the project was based on 9,000 gallons of capacity, which included a defined irrigation capacity per unit of 4,200 gallons.

SRW has identified all properties that paid both the per unit irrigation demand fee at the multi-family rate and the separate irrigation demand fee for the dedicated landscaping meter and calculated the amount of water demand fee that was overpaid by recalculating the per unit demand fee based on 4,800 gallons of capacity (the 9,000 gallons total per unit capacity minus the per unit irrigation capacity of 4,200 gallons), which equals the water use factor for indoor usage for multi-family developments with a separate dedicated irrigation meter. The amount of the per-unit water demand fee attributable to the 4,200 gallon irrigation capacity will be refunded; the total price of that capacity is dependent on the year the per-unit irrigation capacity demand fee was paid. On November 10, 2020 Santa Rosa City Council approved the refunding of these fees per resolution no. RES-2020-189.

You are receiving this letter because it appears that you may own the property located at 1320, 1328, 1336, 1334, 1346 and 1354 Range Avenue, and you may be entitled to a refund of the additional per-unit irrigation demand fee paid for that property as described in the previous paragraph, although SRW records identify a different person as having paid the per-unit irrigation demand fee for that property.

In order for SRW to release the funds to you, it needs to be able to verify that you are the proper recipient. Accordingly, please provide the following information to substantiate your claim to the proposed refund:

[for limited liability companies that — according to City records — did not pay the excess per-unit irrigation capacity demand fee but who now own the property]:

- evidence of either:
 - payment of the per-unit irrigation capacity demand fee or
 - documentation of transactions by which the limited liability company acquired or otherwise succeeded to the rights and obligations of the person or entity that paid the excess per-unit irrigation capacity demand fee, and

- proof of current ownership of the property, and
- the claim is duly signed by the manager (or member manager) and specifies the manner in which the claimant limited liability company would like to receive the refund.

[for limited partnerships that — according to City records — did not pay the excess per-unit irrigation capacity demand fee but who now own the property]:

- evidence of either:
 - payment of the per-unit irrigation capacity demand fee or
 - documentation of transactions by which the limited liability company acquired or otherwise succeeded to the rights and obligations of the person or entity that paid the excess per-unit irrigation capacity demand fee, and
- proof of current ownership of the property, and
- the claim is duly signed by the general/managing partner and specifies the manner in which the claimant limited partnership would like to receive the refund.

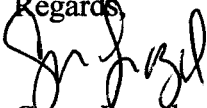
[for the properties now owned by the California Community Housing Agency]:

- evidence that the California Community Housing Agency funds paid to acquire the properties included payment of the per-unit irrigation capacity demand fee for each of the ___ units,
- proof of current ownership of the property, and
- a resolution of the Board of Directors of the California Community Housing Agency authorizing the person submitting the claim to do so on behalf of the Agency and specifying the manner in which the Agency would like to receive the refund.

Please remit documentation to either watereng@srcity.org or it may be mailed to:
 Santa Rosa Water, Water Engineering Services
 Attention: Caryn Lozada
 35 Stony Point Rd
 Santa Rosa, CA 95401

NOTE - In the event that multiple parties submit a refund claim for the property identified above, SRW will notify each party and will retain the refund amount until the parties have resolved the competing claims amongst themselves and present satisfactory evidence of such resolution to SRW indicating to whom the refund should be released.

If you have any questions, please email our Water Engineering Services team at watereng@srcity.org or leave a message at (707) 543-3959 and staff will get back to you as soon as possible.

Regards,

 Caryn Lozada
 Development Review Coordinator

cc: Annadel Phase II LP 2150 River Plaza Dr, Suite 450 Sacramento CA 95833
 Annadel Phase II LP 6710 E Camelback Rd Suite 100, Scottsdale AZ 85251

RESOLUTION NO. 21-05A

CALIFORNIA COMMUNITY HOUSING AGENCY

**A RESOLUTION APPROVING THE CLAIM OF A DEMAND FEE
OVERCHARGE REFUND FROM THE CITY OF SANTA ROSA
WATER AND DIRECTING THE RECEIPT OF SAID REFUND**

WHEREAS, pursuant to the provisions of Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the Government Code of the State of California, commonly known as the “Joint Exercise of Powers Act” (the “Act”), two or more California cities, counties and special districts (together with any other political subdivision that may from time to time be designated as an “Additional Member” of the Agency pursuant to the Joint Exercise Agreement, collectively, the “Members”) entered into a joint exercise of powers agreement (the “Agreement”) pursuant to which the California Community Housing Agency (the “Agency”) was organized; and

WHEREAS, pursuant to Resolution No. 19-01A, the Agency approved the acquisition, ownership and operation of a multi-family residential complex known as Annadel Apartments (the “Project”) located in Santa Rosa, California; and

WHEREAS, the Agency, as successor in interest to Catalyst Housing Group LLC, pursuant to the Purchase and Sale Agreement entered as of January 2, 2019, among Catalyst Housing Group LLC, 1020 Jennings Avenue, LP and Annadel Phase II, LP acquired the Project on April 24, 2019; and

WHEREAS, the City of Santa Rosa Water (“Santa Rosa Water”) recently discovered that a water demand fee for irrigation capacity for the Project was overpaid prior to the Agency’s acquisition of the Project, the amount of such water demand fee that was overpaid was determined by recalculating the per unit demand fee based on 4,800 gallons of capacity (9,000 gallons total per unit capacity minus the per unit irrigation capacity of 4,200 gallons), which equals the water use factor for indoor usage for multi-family developments with a separate dedicated irrigation meter, and Santa Rosa Water has approved of and will refund the amount overpaid (the “Refund”); and

WHEREAS, prior to releasing the Refund, Santa Rosa Water has requested, pursuant to the letter from Santa Rosa Water dated January 28, 2021, a resolution of the Board of Directors of the Agency (the “Board”) authorizing the person submitting the claim to do so on behalf of the Agency and specifying the manner in which the Agency would like the receive the Refund; and

WHEREAS, there has been made available to the Board prior to this meeting the letter from the Agency authorizing release of such Refund to Annadel Phase II, LP (the “Agency’s Claim and Direction”); and

WHEREAS, the Agency wishes to substantiate Annadel Phase II, LP's claim to the Refund, authorize the submission of the claim and direction of the Refund from Santa Rosa Water to Annadel Phase II, LP.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the California Community Housing Agency, as follows:

Section 1. The Board hereby finds and declares that Annadel Phase II, LP, as owner of the Project at the time that the water demand fee for irrigation capacity for the Project was overpaid, is the proper recipient of the Refund.

Section 2. The proposed form of the Agency's Claim and Direction authorizing release of the Refund to Annadel Phase II, LP, as presented to this meeting, is hereby approved. The Chair, the Vice Chair, the Secretary and other appropriate officers and agents of the Agency, including each Authorized Signatory, is hereby authorized and directed, for and on behalf of the Agency, to execute and deliver the Agency's Claim and Direction in substantially said form, with such changes and insertions therein as such Authorized Signatory, with the advice of counsel to the Agency, may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. All actions heretofore taken by the Chair, the Vice Chair, the Treasurer, the Secretary or any Assistant Secretary and other appropriate officers and agents of the Agency with respect to the Project are hereby ratified, confirmed and approved.

Section 4. This Resolution shall take effect from and after its adoption.

Passed and adopted this 11th day of May, 2021

I, the undersigned, an Authorized Signatory of the California Community Housing Agency, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Directors of the Agency at a duly called meeting of the Board of Directors of the Agency held in accordance with law on May 11, 2021.

CALIFORNIA COMMUNITY HOUSING AGENCY

Name: _____

Title: Authorized Signatory