

**HOUSING AUTHORITY of the
COUNTY OF CONTRA COSTA**
CALENDAR FOR THE BOARD OF COMMISSIONERS
BOARD CHAMBERS ROOM 107, COUNTY ADMINISTRATION BUILDING
651 PINE STREET
MARTINEZ, CALIFORNIA 94553-1229

CANDACE ANDERSEN, CHAIR
MARY N. PIEPHO, VICE CHAIR
JOHN GIOIA
KAREN MITCHOFF
FEDERAL D. GLOVER
FAY NATHANIEL
JANNEL GEORGE-ODEN

JOSEPH VILLARREAL, EXECUTIVE DIRECTOR, (925) 957-8000

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA, WILL BE LIMITED TO THREE (3) MINUTES.

The Board Chair may reduce the amount of time allotted per speaker at the beginning of each item or public comment period depending on the number of speakers and the business of the day.
Your patience is appreciated.

A closed session may be called at the discretion of the Board Chair.

Staff reports related to open session items on the agenda are also accessible on line at www.co.contra-costa.ca.us.

AGENDA
September 13, 2016

1:30 P.M. Convene and call to order.

CONSIDER CONSENT ITEMS: (Items listed as C.1 through C.5 on the following agenda) -
Items are subject to removal from the Consent Calendar by request from any Commissioner or on request for discussion by a member of the public. Items removed from the Consent Calendar will be considered with the Discussion Items.

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

D. 2 PUBLIC COMMENT (3 Minutes/Speaker)

D.3 CONSIDER accepting report on the award of HUD-Veterans Affairs Supportive Housing vouchers to the Housing Authority from the U.S. Department of Housing and Urban Development.

- D.4 CONSIDER accepting a report on the status of the Housing Authority's Rental Assistance Demonstration application to the U. S. Department of Housing and Urban Development for Las Deltas in North Richmond.

ADJOURN

CONSENT ITEMS:

- C.1 DENY claim filed by Mona Mansig.
- C.2 ACCEPT the 1st Quarter (Unaudited) Budget Report for the period ending 6/30/2016.
- C.3 RECEIVE the Housing Authority of the County of Contra Costa's public housing rolling annual occupancy report for the period ending July 31, 2016.
- C.4 ACCEPT the 4th Quarter (Unaudited) Budget Report for the period ending 3/31/2016.
- C.5 APPROVE the recording of updated Declarations of Trust (DOT) for the Las Deltas and Las Deltas Annex I public housing developments.

GENERAL INFORMATION

Persons who wish to address the Board of Commissioners should complete the form provided for that purpose and furnish a copy of any written statement to the Clerk.

All matters listed under CONSENT ITEMS are considered by the Board of Commissioners to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time the Commission votes on the motion to adopt.

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for comments from those persons who are in support thereof or in opposition thereto. After persons have spoken, the hearing is closed and the matter is subject to discussion and action by the Board.

Comments on matters listed on the agenda or otherwise within the purview of the Board of Commissioners can be submitted to the office of the Clerk of the Board via mail: Board of Commissioners, 651 Pine Street Room 106, Martinez, CA 94553; by fax: 925-335-1913; or via the County's web page: www.co.contracosta.ca.us, by clicking "Submit Public Comment" (the last bullet point in the left column under the title "Board of Commissioners.")

The County will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk of the Board at least 24 hours before the meeting, at (925) 335-1900; TDD (925) 335-1915. An assistive listening device is available from the Clerk, Room 106. Copies of taped recordings of all or portions of a Board meeting may be purchased

from the Clerk of the Board. Please telephone the Office of the Clerk of the Board, (925) 335-1900, to make the necessary arrangements.

Applications for personal subscriptions to the monthly Board Agenda may be obtained by calling the Office of the Clerk of the Board, (925) 335-1900. The monthly agenda may also be viewed on the County's internet Web Page: www.co.contra-costa.ca.us

The Closed session agenda is available each month upon request from the Office of the Clerk of the Board, 651 Pine Street, Room 106, Martinez, California, and may also be viewed on the County's Web Page.

AGENDA DEADLINE: Thursday, 12 noon, 12 days before the Tuesday Board meetings.

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: September 13, 2016



Contra
Costa
County

Subject: AWARD OF HUD-VETERANS AFFAIRS SUPPORTIVE HOUSING GRANTS

RECOMMENDATIONS

ACCEPT report on the award of HUD-Veterans Affairs Supportive Housing vouchers to the Housing Authority from the U.S. Department of Housing and Urban Development.

BACKGROUND

None. Informational item only.

FISCAL IMPACT

The U.S. Department of Housing and Urban Development (HUD) has awarded the Housing Authority (HACCC) \$442,272 in Federal Fiscal Year (FFY) 2016 funding to support 34 new vouchers under the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program.

CONSEQUENCE OF NEGATIVE ACTION

HACCC currently houses 173 Veterans through the HUD-VASH program. This new allocation of 34 vouchers, combined with existing vouchers will permit HACCC and the VA to house over 220 Veterans through the VASH program. The VASH program is an important component in helping the County reach its Zero: 2106 goals. Zero: 2106 is a national campaign that aims to end veteran and chronic homelessness.

HUD-VASH is a joint effort between HUD and the U.S. Department of Veterans Affairs (VA) designed to move Veterans and their families out of homelessness and into permanent housing. HUD provides Housing Choice Voucher (HCV) rental assistance, thus allowing homeless Veterans to rent privately-owned housing, and the VA

Action of Board On: **09/13/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 13, 2016

Joseph Villarreal, Executive Director

Contact: 925-957-8028

By: , Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION (CONT'D)

>

offers case management and clinical services for participating Veterans at VA medical centers and community-based outreach clinics.

The HUD-VASH program is for veterans who:

- Are eligible for VA health care services;
- Are chronically homeless, meaning homeless for a year or more or 4 or more times in the past 3 years;
- Have a history of medical, mental health or substance abuse problems that are now stabilized;
- Are ready for independent housing in the community, but need ongoing case management services to maintain it;
- Have some type of income to pay for their housing;
- Are motivated to improve the quality of their lives by working with a VA case manager; and
- Are actively participating in treatment through the VA for their conditions.

To apply for the HUD-VASH program, Veterans should contact the VA Homeless Program at (925) 372-2061. The VA's HUD-VASH Admission Team will assess eligibility for the program. Eligible Veterans will then be referred by the VA to HACCC to obtain a voucher. HACCC will then determine if the Veteran meets HUD's regulations for the HUD-VASH program. Veterans can also contact HACCC at (925) 957-7042 or (925) 957-7010 to be placed on a referral list that will be provided to the VA Homeless Program.

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: September 13, 2016



Contra
Costa
County

Subject: REPORT ON THE STATUS OF THE HOUSING AUTHORITY'S RENTAL ASSISTANCE DEMONSTRATION APPLICATION TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT F

RECOMMENDATIONS

ACCEPT report on the status of the Housing Authority's Rental Assistance Demonstration application to the U. S. Department of Housing and Urban Development for Las Deltas in North Richmond.

BACKGROUND

If final approval is received from the United States Department of Housing and Urban Development (HUD), the Housing Authority's (HACCC) Rental Assistance Demonstration (RAD) application would convert all 214 public housing units into RAD project-based voucher (PBV) units. The RAD PBV subsidy for these units is expected to be worth approximately \$288 million over the next 30 years. Because of the current vacancy rate at Las Deltas, over half of this money will not be received from HUD if the RAD conversion is not completed.

III. REASONS FOR RECOMMENDATION/BACKGROUND

As has been reported to the Board previously, HUD awarded the maximum number of units permitted by Congress under the RAD program several years ago and HACCC's remaining two RAD applications for Las Deltas had been placed in the bottom two tiers of HUD's RAD wait list along with applications for over 20,000 units nationwide. Staff had been told it would be at least a year, and probably longer, before HACCC's applications would come off the wait list. In response, staff began working with HUD's San Francisco field office to convince HUD's Washington staff that HACCC's four total applications (two were approved in March 2015) were part of one whole project and, therefore, must be consolidated in order to move the RAD conversion forward effectively. The proposed Las Deltas project

Action of Board On: **09/13/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

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ATTESTED: September 13, 2016

Joseph Villarreal, Executive Director

Contact: 925-957-8028

By: , Deputy

cc:

BACKGROUND (CONTD)

appears to be unique nationally and it has required staff to explain the project in detail to HUD staff at various approval levels.

These efforts have paid off and HACCC's final two RAD applications received approvals on August 16, 2016. The Board should be aware that all RAD awards are conditional and will require dozens of further HUD approvals before the final conversion of Las Deltas public housing units to RAD is complete. That said, the conversion of the first 22 RAD units was signed off by HUD's Assistant Secretary last week, so this process has begun. It is expected that the total conversion of Las Deltas will take 2-3 years to complete.

Attached are the two approval letters received from HUD.

FISCAL IMPACT

If final approval is received from the United States Department of Housing and Urban Development (HUD), the Housing Authority's (HACCC) Rental Assistance Demonstration (RAD) application would convert all 214 public housing units into RAD project-based voucher (PBV) units. The RAD PBV subsidy for these units is expected to be worth approximately \$288 million over the next 30 years. Because of the current vacancy rate at Las Deltas, over half of this money will not be received from HUD if the RAD conversion is not completed.

CONSEQUENCE OF NEGATIVE ACTION

None. Information item only.

ATTACHMENTS

RAD update attachment 1

RAD PBV Awards Attachment 2



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

AUG 16 2016

Joseph Villarreal
Executive Director
Housing Authority of the County of Contra Costa
P.O. Box 2759
Martinez, CA 94553-7759

Dear Mr. Villarreal:

Thank you for your application under the Rental Assistance Demonstration (RAD) for the conversion to Project Based Vouchers of assistance of 38 units at the following PIC Development CA011700000, LAS DELTAS.

We are pleased to approve your request for conversion as described in the application, subject to the conditions below.

This award letter serves as the Department's Commitment to Enter into a Housing Assistance Payments (CHAP) for the above-referenced project, provided the Owner meets all the requirements contained in the PIH Notice 2012-32, Revision 2 ("Notice") and all subsequent revisions. In addition, the owner must comply with all "CHAP Milestones" identified in section 1.12 of the Notice as applicable.

This award is issued pursuant to the Consolidated and Further Continuing Appropriations Act, 2012, Pub. L. No. 112-55, approved November 18, 2011 and the Consolidated and Further Continuing Appropriations Act of 2015 (P.L. 113-235), approved December 6, 2014; section 8 of the United States Housing Act of 1937 (Act), 42 U.S.C. 1437 et seq.; and the Department of Housing and Urban Development Act, 42 U.S.C. 3531 et seq. The purpose of this award is to begin the process of effectuating the conversion of Public Housing to a form of project-based assistance under section 8 of the Act. This award cannot be transferred without the prior written consent of HUD.

In order to convert your project, the PHA must fulfill the CHAP milestones and deadlines identified in section 1.12 of the Notice. HUD will rely solely on documents and certifications the PHA submits through the RAD Resource Desk to monitor compliance with CHAP milestones. If HUD, in its sole judgment, determines that the PHA fails to meet any of the requirements, the CHAP will be revoked, unless the PHA submits and HUD approves a request for a deadline extension. Any extension request must include both a justification and an explanation of why failure to meet the milestone will not jeopardize the PHA's ability to complete the RAD conversion. Approval of any request for an extension is at HUD's sole discretion.

Within 30 days of CHAP issuance, you must **confirm your acceptance of a CHAP by submitting an application into the Inventory Removals module in PIC** in order to identify the units that will be removed from public housing Annual Contributions Contract (ACC) when the project completes conversion. HUD has made instructions for submitting a Removal Application into PIC available at www.hud.gov/rad.¹ Failure to submit a Removal application into PIC will result in a suspension of the CHAP and a revocation if not corrected within a reasonable time period. Contact your PIH Field Office if you have any questions about this submission.

As the award is a conditional commitment by HUD, HUD reserves the right to revoke or amend its commitment at any time prior to closing if HUD, in its sole judgment, determines that any of the following conditions are present:

- A. any of the contract units were not eligible for selection;
- B. the proposed conversion is not or will not be financially feasible;
- C. the Owner fails to meet any applicable deadline;
- D. the Owner fails to cooperate;
- E. there is any violation of program rules, including fraud; or
- F. the terms of the conversion would be inconsistent with fair housing and civil rights laws or a fair housing or civil rights court order, settlement agreement, or voluntary compliance agreement.

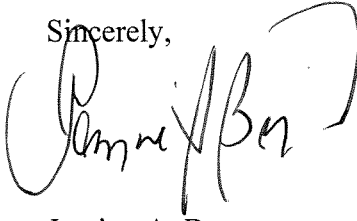
This award shall be interpreted and implemented in accordance with all statutory requirements, and with all HUD requirements, including amendments or changes in HUD requirements, the Notice, and all other applicable RAD guidance.

As you start the process of conversion, we urge you to continue to maintain an open dialogue with your residents and local officials. If you have any questions or concerns regarding

¹ See http://portal.hud.gov/hudportal/documents/huddoc?id=RADPICinventory_removal.pdf

the conversion process or fulfilling the CHAP Milestones, please contact your RAD Transaction Manager.

Sincerely,

A handwritten signature in black ink, appearing to read "Jemine A. Bryon". The signature is fluid and cursive, with a large initial "J" and "B".

Jemine A. Bryon
General Deputy Assistant Secretary
Office of Public and Indian Housing

Enclosure

EXHIBIT A

IDENTIFICATION OF UNITS ("CONTRACT UNITS") BY SIZE AND APPLICABLE CONTRACT RENTS

The Contract Rents below for the subject project are based on Fiscal Year 2014 Federal Appropriations and assumptions regarding applicable rent caps. The final RAD contracts rents, which will be reflected in the RAD HAP contract, will be based on Fiscal Year 2014 Federal Appropriations, as well as applicable program rent caps and Operating Cost Adjustment Factors (OCAFs), and, as such, may change. In addition, prior to conversion, the PHA must provide HUD updated utility allowances to be included in the HAP contract.

Existing PIC Development Number: CA011700000
PIC Development Number for Tracking Purposes Only: CA011700000B
New Project Name (for tracking purposes only): LAS DELTAS B

Number of Contract Units	Number of Bedrooms	Contract Rent	Utility Allowance	Gross Rent
11	1	\$603	\$71	\$674
9	2	\$758	\$83	\$841
15	3	\$1,058	\$100	\$1,158
3	4	\$1,298	\$116	\$1,414

Please note that this rent schedule includes the 2015 and 2016 OCAF adjustments that the PHA is eligible for, and will be confirmed during the Financing Plan review.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

AUG 16 2016

Joseph Villarreal
Executive Director
Housing Authority of the County of Contra Costa
P.O. Box 2759
Martinez, CA 94553-7759

Dear Mr. Villarreal:

Thank you for your application under the Rental Assistance Demonstration (RAD) for the conversion to Project Based Vouchers of assistance of 86 units at the following PIC Development CA011600000, LAS DELTAS ANNEX I.

We are pleased to approve your request for conversion as described in the application, subject to the conditions below.

This award letter serves as the Department's Commitment to Enter into a Housing Assistance Payments (CHAP) for the above-referenced project, provided the Owner meets all the requirements contained in the PIH Notice 2012-32, Revision 2 ("Notice") and all subsequent revisions. In addition, the owner must comply with all "CHAP Milestones" identified in section 1.12 of the Notice as applicable.

This award is issued pursuant to the Consolidated and Further Continuing Appropriations Act, 2012, Pub. L. No. 112-55, approved November 18, 2011 and the Consolidated and Further Continuing Appropriations Act of 2015 (P.L. 113-235), approved December 6, 2014; section 8 of the United States Housing Act of 1937 (Act), 42 U.S.C. 1437 et seq.; and the Department of Housing and Urban Development Act, 42 U.S.C. 3531 et seq. The purpose of this award is to begin the process of effectuating the conversion of Public Housing to a form of project-based assistance under section 8 of the Act. This award cannot be transferred without the prior written consent of HUD.

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As the award is a conditional commitment by HUD, HUD reserves the right to revoke or amend its commitment at any time prior to closing if HUD, in its sole judgment, determines that any of the following conditions are present:

- A. any of the contract units were not eligible for selection;
- B. the proposed conversion is not or will not be financially feasible;
- C. the Owner fails to meet any applicable deadline;
- D. the Owner fails to cooperate;
- E. there is any violation of program rules, including fraud; or
- F. the terms of the conversion would be inconsistent with fair housing and civil rights laws or a fair housing or civil rights court order, settlement agreement, or voluntary compliance agreement.

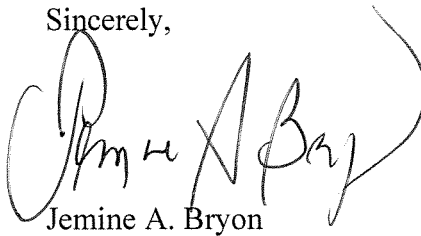
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As you start the process of conversion, we urge you to continue to maintain an open dialogue with your residents and local officials. If you have any questions or concerns regarding

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the conversion process or fulfilling the CHAP Milestones, please contact your RAD Transaction Manager.

Sincerely,

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Jemine A. Bryon

General Deputy Assistant Secretary
Office of Public and Indian Housing

Enclosure

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Existing PIC Development Number: CA011600000

PIC Development Number for Tracking Purposes Only: CA011600000B

New Project Name (for tracking purposes only): LAS DELTAS ANNEX I B

Number of Contract Units	Number of Bedrooms	Contract Rent	Utility Allowance	Gross Rent
15	1	\$546	\$79	\$625
14	2	\$687	\$80	\$767
49	3	\$961	\$101	\$1,062
8	4	\$1,178	\$114	\$1,292

Please note that this rent schedule includes the 2015 and 2016 OCAF adjustments that the PHA is eligible for, and will be confirmed during the Financing Plan review.



Contra
Costa
County

To: Contra Costa County Housing Authority Board of Commissioners

From: David Twa, County Administrator

Date: September 13, 2016

Subject: Claims

RECOMMENDATIONS

DENY claim filed by Mona Mansig.

BACKGROUND

*

FISCAL IMPACT

No fiscal impact.

Action of Board On: **09/13/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 13, 2016

Joseph Villarreal, Executive Director

Contact: Joellen Balbas
925-335-1906

By: , Deputy

cc:

ATTACHMENTS

Housing Authority

Claim_Mansig

CLAIM

BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF CONTRA COSTA COUNTY

BOARD ACTION: 9/13/2016

NOTICE TO CLAIMANT

Claim Against the County, or District Governed by) The copy of this document mailed to you is your
the Board of Commissioners, Routing Endorsements,) notice of the action taken on your claim by the
and Board Action. All Section references are to) Board of Commissioners (Paragraph IV below), given
California Government Codes.) Pursuant to Government Code Sections 913, 915.2,
915.4. Please note all "Warnings".

AMOUNT: \$969.41

CLAIMANT: Mona Mansig

ATTORNEY:

ADDRESS:

Brentwood CA 94513

BY DELIVERY TO COB ON: 8/29/2016

BY MAIL TO COB POSTMARKED:

I. FROM: Board of Commissioners TO: County Counsel
Attached is a copy of the above-noted claim.
DAVID TWA, Clerk
Dated: 8/29/2016 By: Deputy 

II. FROM: County Counsel TO: Board of Commissioners

This claim complies substantially with Sections 910 and 910.2.

This Claim FAILS to comply substantially with Sections 910 and 910.2, and we
are so notifying claimant. The Board cannot act for 15 days (Section 910.8).

Claim is not timely filed. The Clerk should return claim on ground that it was filed late and
send warning of claimant's right to apply for leave to present a late claim (Section 911.3).

Other:

Dated: By: , Deputy County Counsel

III. FROM: The Board of Commissioners TO: County Counsel (1) County Administrator (2)

() Claim was returned as untimely with notice to claimant (Section 911.3).

Dated: DAVID TWA, CLERK, By , Deputy Clerk

IV. BOARD ORDER: By unanimous vote of the Commissioners present:

() This Claim is rejected in full.

() Other:

I certify that this is a true and correct copy of the Board's Order entered in its minutes for this date.

This warning does not apply to claims which are not subject to the California Tort Claims Act, such as actions in inverse condemnation, actions for specific relief such as mandamus or injunction, or Federal Civil Rights claims. The above list is not exhaustive and legal consultation is essential to understand all the separate limitations periods that may apply. The limitations period within which suit must be filed may be shorter or longer depending on the nature of the claim. Consult the specific statutes and cases applicable to your particular claim. The County of Contra Costa does not waive any of its rights under California Tort Claims Act nor does it waive its rights under the statutes of limitations applicable to actions not subject to the California Tort Claims Act.

**Claim to: BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY
OF THE COUNTY OF CONTRA COSTA
INSTRUCTIONS TO CLAIMANT**

A. Claims relating to causes of action for death or for injury to person or to personal property or growing crops and which accrue on or before December 31, 1987, must be presented not later than the 100th day after the accrual of the cause of action. Claims relating to causes of action for death or for injury to person or to personal property or growing crops and which accrue on or after January 1, 1988, must be presented not later than six months after the accrual of the cause of action. Claims relating to any other cause of action must be presented not later than one year after the accrual of the cause of action. (Govt. Code §911.2.)

B. Claims must be filed with the Clerk of the Board at its office in Room 106, County Administration Building, 651 Pine Street, Martinez, CA 94553, either by mail or in person.

C. If the claim is against more than one public entity; separate claims must be filed against each public entity.

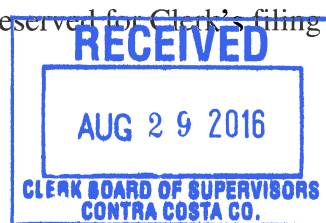
D. Fraud. See penalty for fraudulent claims, Penal Code Sec. 72 at the end of this form.

RE: Claim By:

) Reserved for Clerk's filing stamp



Mona Mansig
Name



Housing Authority
Of The
County of Contra Costa

AUG 24 2016

Against: The Housing Authority of the County of Contra Costa

RECEIVED

The undersigned claimant hereby makes claim against the Housing Authority of the County of Contra Costa in the sum of \$ 969.41 and in support of this claim represents as follows:

1. When did the damage or injury occur? (Give exact date and hour)

6/13/2016 AM 8

2. Where did the damage or injury occur? (Include city and county)

[Redacted] Brentwood ca 94513 contra costa county

3. How did the damage or injury occur? (Give full details; use extra paper if required)

upon entering my door I was unable to clear the entrance due to no step.

4. What particular act or omission on the part of county or district officers, servants or employees caused the injury or damage?

COPY

Due to the fact that there has been a Reasonable Accommodation
claim form
form filled out by the Dr. 4 times Jan 06 2014, April 28 2015, Jul, 14 2015
Nov 30, 2015 only to be ignored. I have disabilities and now am to the point
I need a ramp.

5. What are the names of county or district officers, servants or employees causing the damage or injury?

Housing Authority of the Contra Costa County

6. What damage or injuries do you claim resulted? (Give full extent of injuries or damages claimed. Attached two estimates for auto damage.)

Due to the fall's I have pain in my back, knees, Legs

7. How was the amount claimed above computed? (Include the estimated amount of any prospective injury or damage.)

Medical paid for the ER, I have out of pocket expense for chiropractic see bill Attachment.

8. Names and addresses of witnesses, doctors and hospitals.

MD William Walked 925 513-6800 Burt Broussard 8425 Brentwood Blvd
Suit
B-1

9. List the expenditures you made on account of this accident or injury:

\$ 969.41

<u>DATE</u>	<u>ITEM</u>	<u>AMOUNT</u>
<u>6/13/16</u>	<u>1 Bills</u>	<u>B 969.41</u>

SEND NOTICE TO: (Attorney)
Name and Address of Attorney

Gov. Code Sec. 910.2 provides:
"The claim must be signed by the claimant
or by some person on his behalf."

Telephone No. _____

Tele _____

***** Housing Authority
Of The
County of Contra Costa

NOTICE

AUG 24 2016

Section 72 of the Penal Code provides:

RECEIVED

"Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, city or district board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is punishable either by imprisonment in the county jail for a period of not more than one year, by a fine of not exceeding one thousand (\$1,000), or by both such imprisonment and fine, or by imprisonment in the state prison, by a fine of not exceeding ten thousand dollars (\$10,000) or by both such imprisonment and fine."

clmform

COPY



Inspected 4/28/16
#210

COPY

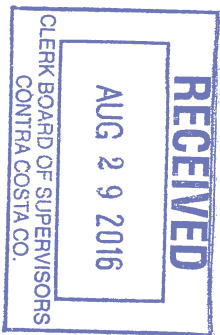
Housing Authority
Of The
County of Contra Costa

AUG 24 2016

RECEIVED

mona mansig

HS13



attention
Clerk of the board Stacey Boyd
County Administration Building
651 Pine Street Room 106
Martinez, CA 94553



To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: September 13, 2016



Contra
Costa
County

Subject: FY 2016-2017 1st QUARTER BUDGET REPORT

RECOMMENDATIONS

ACCEPT the 1st Quarter (Unaudited) Budget Report for the period ending 6/30/2016.

BACKGROUND

This report is intended to provide the Board of Commissioners with an overview of the financial position of the Housing Authority of the County of Contra Costa (HACCC) for the 1st quarter period ending 6/30/2016. The report begins with a summary of HACCC's overall fiscal standing at the end of the quarter. The overall numbers are then broken down by individual funds. Each fund overview includes a brief program summary and an explanation of the variance between budgeted and actual performance.

AGENCY OVERVIEW: Budget Report

Changes in HACCC's overall budget position for the first quarter are shown in the chart below. Activity in Section 8 Voucher and Housing Certificate programs had the most significant impact on HACCC's budget.

Projected revenue increased by \$716,478 is a result of utilization growth in the Section 8 Voucher Program and the Housing Certificate Shelter Plus Care program. The growth in the Section 8 Voucher Program is a result of new project-based units being brought online and new clients being called from the wait list. The growth in the Shelter Plus Care Program is a result increased utilization. Expenditures are projected to decrease by \$49,559. The primary result for this decrease is a result of reduced operating cost in the Public Housing Program.

Action of Board On: **09/13/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 13, 2016

Joseph Villarreal, Executive Director

Contact: 925-957-8028

By: , Deputy

cc:

BACKGROUND (CONTD)

HACC Agency Summary	Annual Budget	1st Quarter Actual 6/30/16	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 109,724,315	\$ 28,147,557	\$ 82,293,236	\$ 110,440,793	\$ 716,478
Expenditures	<u>\$ 108,700,113</u>	<u>\$ 27,125,470</u>	<u>\$ 81,525,085</u>	<u>\$ 108,650,554</u>	\$ 49,559
	\$ 1,024,202	\$ 1,022,087	\$ 768,151	\$ 1,790,239	

The net change to reserve totals for the end of the first quarter was a gain of \$1,022,087. The net gain was a result of a increase to restricted reserves in the amount of \$528,592 and unrestricted reserve of \$493,496 as shown in the summary below.

Analysis of Agency Reserves	Beginning Balance 4/1/16 (Unaudited)	1st Quarter ending 6/30/16 (Unaudited)	Reserve Balance period ending 6/30/16 (Unaudited)
Total Reserves	\$ 15,365,819	\$ 1,022,088	\$ 16,387,907
<u>Restricted Reserves</u>			
Housing Choice Vouchers	\$ 5,223,994	\$ 479,809	\$ 5,703,803
Public Housing & Cap. Funds	\$ -0-	\$ -0-	\$ -0-
State & Local Programs	\$ 1,884,156	\$ 48,783	\$ 1,932,939
Housing Certificates Programs	\$ -0-	\$ -0-	\$ -0-
Total Restricted Reserves	\$ 7,108,150	\$ 528,592	\$ 7,636,742
<u>Unrestricted Reserves</u>			
Housing Choice Vouchers	\$ 4,063,501	\$ 118,768	\$ 4,182,269
Public Housing & Cap. Funds	\$ 1,099,548	\$ 291,099	\$ 1,390,647
State & Local Programs	\$ 3,089,730	\$ 78,810	\$ 3,165,540*
Housing Certificates Programs	<u>\$ 4,890</u>	<u>\$ 6,819</u>	<u>\$ 11,709</u>
Total Unrestricted Reserves	\$ 8,257,669	\$ 493,496	\$ 8,751,165

* Does not include unfunded pension liability of \$6.8 million.

As a reminder, almost all reserves are restricted for use within each program. The designation of restricted or unrestricted reserves merely indicates that the funds are obligated for special use within the program (restricted) or that they can be used for any purpose tied to the program (unrestricted). The only reserves that can be used freely are unrestricted reserves within the State and Local Programs that are not tied to the tax credit properties. These reserves can be used to support any of HACCC's programs.

FUNDS OVERVIEW:

Housing Choice Vouchers

Program Summary - The HCV program provides assistance to families in the private rental market. HACCC qualifies families for the program based on income. These families find a home in the private rental market and HACCC provides them with a subsidy via a HAP contract with the property owner. HAP is paid by HACCC directly to the owner. Through its HCV program, HACCC is authorized to provide affordable housing assistance to a maximum of 6,891 families. However, prior to this fiscal year funding constraints prevented program utilization to 6,300 families.

Summary of Difference Between Budgeted and Quarterly-End Estimate:

Revenue –Projected revenue increase of \$450,668 is a direct result of increase in utilization and funding. HUD increased the funding levels this calendar year (2016) by 6.1% or from 6,393 fundable units to 6,783. This will likely led to some issue's of under utilization due to the tight rental market, given the Authority will now only have less than six months to lease up.

Expenditures-Projected increase of expenditures of \$211,001 is a result of increased utilization. HAP expenditures were increased during the period by \$297,105, but offset by savings in operating cost in the amount of \$86,104.

Vousing Choice Vouchers	Annual Budget	1st Quarter Actual 6/30/16 (Unaudited)	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 89,735,463	\$ 22,884,534	\$ 67,301,597	\$ 90,186,131	\$ 450,668
Expenditures	\$ 88,299,824	\$ 22,285,957	\$ 66,224,868	\$ 88,510,825	\$ (211,001)
	\$ 1,435,639	\$ 598,577	\$ 1,076,729	\$ 1,675,306	

Analysis of Program Reserves:

Housing Choice Vouchers	Beginning Balance 4/1/16 (Unaudited)	1st Quarter 6/30/16 (Unaudited)	Reserve Balance period ending 6/30/16 (Unaudited)
Restricted Reserves	\$ 5,223,994	\$ 479,809	\$ 5,703,803
Unrestricted Reserves	\$ 4,063,501	\$ 118,768	\$ 4,182,269
Total Reserves	\$ 9,287,495	\$ 598,577	\$ 9,886,072

Public Housing Operating and Capital Funds

Program Summary - HACCC owns and manages 1,179 public housing units at 16 different sites throughout the County. Operating funds for these properties come from tenant rents as well as an operating subsidy received from HUD that is designed to cover the gap between rents collected from the low-income tenants and annual operating expenses. HUD allocates the Capital Fund annually via formula to approximately 3,200 housing authorities. Capital Fund grants may be used for development, financing, modernization, and management improvements within public housing.

Summary of Difference Between Budgeted and Quarterly-End Estimate:

Revenue – The projected reduction in revenue of \$217,723 was primarily related to capital funds not obligated to date.

Expenditures - The projected reduction in expenditures of \$564,682 is a result of unobligated capital funds and insurance reimbursement of \$343,000 and operational savings of \$221,682.

Public Housing Operating and Capital Fund	Annual Budget	1st Quarter Actual 6/33/16 (Unaudited)	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 10,934,181	\$ 2,515,822	\$ 8,200,636	\$ 10,716,458	\$ (217,723)
Expenditures	\$ 11,157,618	\$ 2,224,723	\$ 8,368,214	\$ 10,592,937	\$ 564,682
	\$ (223,438)	\$ 291,099	\$ (167,578)	\$ 123,521	

Analysis of Program Reserves:

Public Housing & Capital Fund	Beginning Balance 4/1/16 (Unaudited)	1st Quarter 6/30/16 (Unaudited)	Reserve Balance period ending 6/30/16 (Unaudited)
Restricted Reserves	\$ -0-	\$ -0-	\$ -0-
Unrestricted Reserves	\$ 1,099,548	\$ 291,099	\$ 1,390,647
Total Reserves	\$ 1,099,548	\$ 291,099	\$ 1,390,647

State and Local Programs

Program Summary - HACCC administers a variety of programs and activities that are either not funded by HUD or that involve non-restricted HUD funds. Currently, HACCC is the managing general partner for two tax credit projects (DeAnza Gardens & Casa Del Rio) and also has a contract with the City of Antioch to run their rental rehabilitation program. HACCC receives management fees for administering the Public Housing and HCV programs under HUD's asset-management model. In addition, the State and Local Program manages the employee pension benefit program.

Summary of Difference between Budgeted and Quarterly-End Estimate:

Revenue –The projected increase in revenue of \$129,353 was primarily a result of increase in management fees earned (\$95,391) due to increased utilization in the voucher program. Additionally, the authority qualified for asset management fees (\$38,000) due to the authority generating excess cash in the public housing program.

Expenditures - The \$88,920 variance is a result of staff turnover.

State & Local Programs	Annual Budget	1st Quarter Actual 6/30/16 (Unaudited)	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 5,372,185	\$ 1,472,399	\$ 4,029,139	\$ 5,501,537	\$ 129,353
Expenditures	\$ 5,556,335	\$ 1,346,807	\$ 4,167,251	\$ 5,514,058	\$ 42,277
	\$ (184,150)	\$ 125,592	\$ (138,113)	\$ (12,520)	

Analysis of Reserves:

State & Local Programs	Beginning Balance 4/1/16 (Unaudited)	1st Quarter 6/30/16 (Unaudited)	Reserve Balance Period ending 6/30/16 (Unaudited)
Restricted Reserves	\$ 1,884,156	\$ 48,783	\$ 1,932,939
Unrestricted Reserves	\$ 3,089,730	\$ 76,810	\$ 3,166,540*
Total Reserves	\$ 4,973,886	\$ 125,593	\$ 5,099,479

* does not include the unfunded pension liability of 6.8 million.

Housing Certificate Programs

Program Summary - HACCC administers two separate Housing Certificate Programs; Shelter Plus Care and Moderate Rehabilitation (Mod Rehab). The Shelter-Plus Care Program provides rental assistance for hard-to-serve homeless persons with disabilities in connection with supportive services funded from sources outside the program. HACCC assists approximately 285 clients under this program. The Mod Rehab program was designed in 1978 as an expansion of the rental certificate program. Mod Rehab was designed to provide low-cost loans for the rehabilitation of rental units in an effort to upgrade and preserve the nation's housing stock. In return, the owner agreed to provide long-term affordable housing for low income families. The program was repealed in 1991 and no new projects are authorized for development. HACCC administers 28 Mod Rehab units.

Summary of Difference Between Budgeted and Quarter-End Estimate:

Revenue & Expenditure -The projected increase of \$354,181 is an increase to revenue and an increase HAP expense. This amount is result of increased funding from HUD to the certificate programs. The \$7,782 increase (difference between revenue increase of \$354,181 and expenditures of \$-346,399) in expenditure is a result of higher operations costs.

Housing Certificate Programs	Annual Budget	1st Quarter Actual 6/30/16 (Unaudited)	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 3,682,487	\$ 1,274,802	\$ 2,761,865	\$ 4,036,667	\$ 354,181
Expenditures	\$ 3,686,336	\$ 1,267,983	\$ 2,764,752	\$ 4,032,735	\$ (346,399)

	\$ (3,849)	\$ 6,819	\$ (2,887)	\$ 3,932	
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Analysis of Reserves:

Housing Certificate Programs	Beginning Balance 4/1/16 (Unaudited)	1st Quarter 6/30/16 (Unaudited)	Reserve Balance period ending 6/30/16 (Unaudited)
Restricted Reserves	\$ -0-	\$ -0-	\$ -0-
Unrestricted Reserves	\$ 4,890	\$ 6,819	\$ 11,709
Total Reserves	\$ -0-	\$ 6,819	\$ 11,709

CONSEQUENCE OF NEGATIVE ACTION None. Information item only.



Contra
Costa
County

To: Contra Costa County Housing Authority Board of Commissioners

From: Joseph Villarreal, Housing Authority

Date: September 13, 2016

Subject: PUBLIC HOUSING ROLLING ANNUAL OCCUPANCY REPORT FOR THE PERIOD ENDING JULY 31, 2016

RECOMMENDATIONS

RECEIVE the Housing Authority of the County of Contra Costa's public housing rolling annual occupancy report for the period ending July 31, 2016.

BACKGROUND

Attached are the Housing Authority of the County of Contra Costa's (HACCC's) rolling annual public housing occupancy report for the period ending July 31, 2016, and the accompanying leasing trend report for the same period. The occupancy report shows the percentage of each individual property that is leased at the end of a given month. These are then subtotaled separately for all properties except North Richmond and for North Richmond alone before being combined to show HACCC's overall occupancy percentage. North Richmond is shown separately because staff is in the process of applying to HUD to remove that property from HACCC's public housing portfolio. The trend report shows the sum of the number of new leases signed in a given month minus the number of new vacancies. A positive number shows that the occupancy rate increased during that period, a negative number indicates a decline.

For reference, the U.S. Department of Housing and Urban Development (HUD) annually evaluates a public housing authority's (PHA) management of its public housing program using four indicators, referred to collectively as the Public Housing Assessment System (PHAS). The management operations indicator is worth 25 points. Of these 25 points, the occupancy rate sub-indicator is worth 16 points. Occupancy points are assigned as follows:

Action of Board On: **09/13/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 13, 2016

Joseph Villarreal, Executive Director

Contact: 925-957-8028

By: , Deputy

cc:

BACKGROUND (CONTD)

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≥98%	16 Points
< 98% but ≥ 96%	12 Points
< 96% but ≥ 94%	8 Points
< 94% but ≥ 92%	4 Points
< 92% but ≥ 90%	1 Point
< 90%	0 Points

HUD considers a PHAs entire portfolio when assigning points for the occupancy sub-indicator.

FISCAL IMPACT

None. For reporting purposes only.

CONSEQUENCE OF NEGATIVE ACTION

None information item only.

ATTACHMENTS

Unit Turnover July 2016

**Housing Authority of the County of Contra Costa
Annual Occupancy Rates
2015-16**

DEVELOPMENT	No of Units	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Avg. Occup. Rates
Alhambra Terrace, Martinez	50	100.00%	98.00%	98.00%	98.00%	98.00%	96.00%	96.00%	98.00%	98.00%	96.00%	98.00%	98.00%	97.67%
Bridgmeont, Antioch	34	91.18%	94.12%	97.06%	97.06%	94.12%	94.12%	94.12%	94.12%	94.12%	94.12%	97.06%	91.18%	94.36%
Los Nogales, Brentwood	44	97.73%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	97.73%
El Pueblo, Pittsburg	172	99.42%	99.42%	99.42%	98.84%	98.84%	97.67%	96.51%	97.09%	97.67%	97.09%	98.26%	97.67%	98.16%
Los Arboles, Oakley	30	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.72%
Bay Vista, Rodeo	242	96.28%	96.69%	96.28%	96.28%	95.04%	95.45%	96.28%	96.28%	95.87%	95.87%	95.87%	97.11%	96.11%
Hacienda, Martinez	50	100.00%	100.00%	100.00%	100.00%	96.00%	96.00%	96.00%	94.00%	98.00%	96.00%	98.00%	100.00%	97.83%
Casa de Manana, Oakley	40	100.00%	100.00%	100.00%	100.00%	97.50%	97.50%	92.50%	100.00%	100.00%	100.00%	100.00%	100.00%	98.96%
Casa de Serena, Bay Point	50	100.00%	100.00%	100.00%	100.00%	100.00%	98.00%	98.00%	96.00%	94.00%	94.00%	94.00%	94.00%	97.33%
Elder Winds, Antioch	100	100.00%	100.00%	100.00%	100.00%	99.00%	99.00%	98.00%	97.00%	98.00%	97.00%	98.00%	97.00%	98.58%
Vista Del Camino, San Pablo	100	100.00%	99.00%	99.00%	99.00%	99.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.00%	99.00%	99.50%
Kidd Manor, San Pablo	41	100.00%	100.00%	100.00%	97.56%	100.00%	97.56%	100.00%	100.00%	100.00%	97.56%	100.00%	97.56%	99.19%
Occup. Rate without N. Richmond	953	98.53%	98.64%	98.64%	98.43%	97.69%	97.38%	97.17%	97.38%	97.59%	97.06%	97.69%	97.38%	97.80%
Las Deltas, Richmond	72	36.11%	36.11%	36.11%	36.11%	36.11%	36.11%	36.11%	36.11%	34.72%	34.72%	34.72%	34.72%	35.65%
Las Deltas, Richmond	84	58.33%	58.33%	58.33%	58.33%	58.33%	58.33%	58.33%	57.14%	57.14%	57.14%	55.95%	54.76%	57.54%
Las Deltas, Richmond	54	46.30%	46.30%	42.59%	42.59%	40.74%	40.74%	40.74%	40.74%	40.74%	40.74%	40.74%	40.74%	41.82%
N. Richmond Occup. Rate	210	47.62%	47.62%	46.67%	46.67%	46.19%	46.19%	46.19%	45.71%	45.24%	45.24%	44.76%	43.81%	45.99%
Occup. Rate with N. Richmond	1163	89.34%	89.42%	89.25%	89.08%	88.39%	88.13%	87.96%	88.05%	88.13%	87.70%	88.13%	87.70%	88.44%

**Housing Authority of the County of Contra Costa
Annual Trend (New Lease)
2015-16**

DEVELOPMENT	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Total
Alhambra Terrace, Martinez	1	0	0	0	0	0	0	1	0	0	1	0	3
Bridgmeont, Antioch	0	2	1	0	0	0	0	0	0	0	2	0	5
Los Nogales, Brentwood	1	1	0	0	0	0	0	0	0	0	0	0	2
El Pueblo, Pittsburg	0	0	0	2	0	2	0	2	1	0	5	1	13
Los Arboles, Oakley	0	0	0	0	0	0	0	0	0	0	0	0	0
Bay Vista, Rodeo	5	3	0	0	1	4	3	1	0	0	4	3	24
Hacienda, Martinez	0	0	0	0	0	1	0	0	2	1	1	1	6
Casa de Manana, Oakley	1	0	0	0	1	0	0	3	0	0	0	0	5
Casa de Serena, Bay Point	0	0	1	0	0	0	0	1	0	0	2	1	5
Elder Winds, Antioch	4	0	0	0	0	1	0	0	2	1	1	2	11
Vista Del Camino, San Pablo	0	0	0	2	1	1	0	1	0	0	0	1	6
Kidd Manor, San Pablo	0	0	0	0	1	0	0	0	0	0	1	0	2
Total without N. Richmond	12	6	2	4	4	9	3	9	5	2	17	9	82
Las Deltas, Richmond	0	0	0	0	0	0	0	0	0	0	0	0	0
Las Deltas, Richmond	0	0	0	0	0	0	0	0	0	0	0	0	0
Las Deltas, Richmond	0	0	0	0	0	0	0	0	0	0	0	0	0
N. Richmond Total	0	0	0	0	0	0	0	0	0	0	0	0	0
Total with N. Richmond	12	6	2	4	4	9	3	9	5	2	17	9	82

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: September 13, 2016



Contra
Costa
County

Subject: FY 2015-2016 4th QUARTER BUDGET REPORT

RECOMMENDATIONS

ACCEPT the 4th Quarter (Unaudited) Budget Report for the period ending 3/31/2016.

BACKGROUND

This report is intended to provide the Board of Commissioners with an overview of the financial position of the Housing Authority of the County of Contra Costa (HACCC) for the 4th quarter period ending 3/31/2016. The report begins with a summary of HACCC's overall fiscal standing at the end of the quarter. The overall numbers are then broken down by individual funds. Each fund overview includes a brief program summary and an explanation of the variance between budgeted and actual performance.

AGENCY OVERVIEW: Budget Report

Changes in HACCC's overall budget position for the fourth quarter are shown in the chart below. Activity in Section 8 voucher program (HCV) had the most significant impact on HACCC's budget.

Projected revenue increased by \$6,063,802 and was primarily a result of HCV utilization growth. The growth is a result of new project-based units being brought online and new clients being called from the wait list. The increased revenues was funded through the HUD-held restricted reserves with a current balance of \$5,712,651. Expenditures increased overall by \$2,693,260 as a result of increased growth in HCV program, which over shadowed a savings in operating expenditure of \$469,745.

Action of Board On: **09/13/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 13, 2016

Joseph Villarreal, Executive Director

Contact: 925-957-8028

By: , Deputy

cc:

BACKGROUND (CONTD)

>

HACC Agency Summary	Annual Budget	4th Quarter Actual 3/31/16	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 104,372,487	\$ 110,436,289	\$ -0-	\$ 110,436,289	\$ 6,063,802
Expenditures	\$ 105,721,640	\$ 108,414,900	\$ -0-	\$ 108,414,900	\$(2,693,260)
	\$ (1,349,153)	\$ 2,021,389	\$ -0-	\$ 2,021,389	

The net change to reserve totals for the end of the fourth quarter was a gain of \$2,021,389. The net gain was a result of a increase to unrestricted reserve in the amount of \$1,882,522 and \$138,868 in restricted reserves as shown in the summary below.

Analysis of Agency Reserves	Beginning Balance 4/1/15 (Unaudited)	4th Quarter ending 3/31/16 (Unaudited)	Reserve Balance period ending 3/31/16 (Unaudited)
Total Reserves	\$ 13,913,342	\$ 2,021,390	\$ 15,934,732
<u>Restricted Reserves</u>			
Housing Choice Vouchers	\$ 5,524,220	\$ 188,431	\$ 5,712,651
Public Housing & Cap. Funds	\$ -0-	\$ -0-	\$ -0-
State & Local Programs	\$ 1,933,719	\$ (49,563)	\$ 1,884,156
Housing Certificates Programs	\$ -0-	\$ -0-	\$ -0-
Total Restricted Reserves	\$ 7,457,939	\$ 138,868	\$ 7,596,807
<u>Unrestricted Reserves</u>			
Housing Choice Vouchers	\$ 3,058,940	\$ 928,221	\$ 3,987,161
Public Housing & Cap. Funds	\$ 803,588	\$ 452,345	\$ 1,255,933
State & Local Programs	\$ 2,592,875	\$ 496,855	\$ 3,089,730*
Housing Certificates Programs	\$ -0-	\$ 5,101	\$ 5,101
Total Unrestricted Reserves	\$ 6,455,403	\$ 1,882,522	\$ 8,337,925

* Does not include unfunded pension liability of \$6.8 million.

As a reminder, almost all reserves are restricted for use within each program. The designation of restricted or unrestricted reserves merely indicates that the funds are obligated for special use within the program (restricted) or that they can be used for any purpose tied to the program (unrestricted). The only reserves that can be used freely are unrestricted reserves within the State and Local Programs that are not tied to the tax credit properties. These reserves can be used to support any of HACCC's programs.

FUNDS OVERVIEW: Housing Choice Vouchers

Program Summary - The HCV program provides assistance to families in the private rental market. HACCC qualifies families for the program based on income. These families find a home in the private rental market and HACCC provides them with a subsidy via a HAP contract with the property owner. HAP is paid by HACCC directly to the owner. Through its HCV program, HACCC is authorized to provide affordable housing assistance to a maximum of 6,783 families. However, due to funding constraints, the program is only able to support approximately 6,300 families currently.

Summary of Difference Between Budgeted and Quarterly-End Estimate:

Revenue – While funding constraints do not currently allow HACCC to lease all 6,783 units it has been allocated, the number of HCV units under contract has increased to an average leasing level of 6,371. The net variance of \$4,937,794 was a result of an increase in HAP funding in the amount of \$4,599,337 and increase administrative fees in the amount of \$338,457 as a result of increased number of units under contract.

Expenditures – As stated above, expenditures are on pace with the increase in revenue. However, due to savings in operating expenditures the variance is down to \$3,163,007.

Housing Choice Vouchers	Annual Budget	4th Quarter Actual 3/31/16 (Unaudited)	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 84,931,760	\$ 89,869,554	\$ -0-	\$ 89,869,554	\$ 4,937,794
Expenditures	\$ 85,589,875	\$ 88,752,882	\$ -0-	\$ 88,752,882	\$ (3,163,007)
	\$ (658,115)	\$ 1,116,672	\$ -0-	\$ 1,116,672	

Analysis of Program Reserves:

Housing Choice Vouchers	Beginning Balance 4/1/15 (Unaudited)	4th Quarter 3/31/16 (Unaudited)	Reserve Balance period ending 3/31/16 (Unaudited)
Restricted Reserves	\$ 5,524,220	\$ 188,431	\$ 5,712,651
Unrestricted Reserves	\$ 3,058,940	\$ 928,221	\$ 3,987,161
Total Reserves	\$ 8,583,160	\$ 1,116,652	\$ 9,699,812

Public Housing Operating and Capital Funds

Program Summary - HACCC owns and manages 1,179 public housing units at 16 different sites throughout the County. Operating funds for these properties come from tenant rents as well as an operating subsidy received from HUD that is designed to cover the gap between rents collected from the low-income tenants and annual operating expenses. HUD allocates the Capital Fund annually via formula to approximately 3,200 housing authorities. Capital Fund grants may be used for development, financing, modernization, and management improvements within public housing.

Summary of Difference Between Budgeted and Quarterly-End Estimate:

Revenue – The variance of \$438,208 was primarily related to increase in tenant rent levels due to reduced vacancies and increases in tenant income.

Expenditures - The variance of \$271,951 is a result of reduced operating cost during the period.

Public Housing Operating and Capital Fund	Annual Budget	4th Quarter Actual 3/31/16 (Unaudited)	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 10,324,043	\$ 10,762,251	\$ -0-	\$ 10,762,251	\$ 438,208
Expenditures	\$ 10,581,858	\$ 10,309,907	\$ -0-	\$ 10,309,907	\$ 271,951
	\$ (257,815)	\$ 452,344	\$ -0-	\$ 452,344	

Analysis of Program Reserves:

Public Housing & Capital Fund	Beginning Balance 4/1/15 (Unaudited)	4th Quarter 3/31/16 (Unaudited)	Reserve Balance period ending 3/31/16 (Unaudited)
Restricted Reserves	\$ -0-	\$ -0-	\$ -0-
Unrestricted Reserves	\$ 803,588	\$ 452,345	\$ 1,255,933
Total Reserves	\$ 803,588	\$ 452,345	\$ 1,255,933

State and Local Programs

Program Summary - HACCC administers a variety of programs and activities that are either not funded by HUD or that involve non-restricted HUD funds. Currently, HACCC is the managing general partner for two tax credit projects (DeAnza Gardens & Casa Del Rio) and also has a contract with the City of Antioch to run their rental rehabilitation program. HACCC receives management fees for administering the Public Housing and HCV programs under HUD's asset-management model. In addition, the State and Local Program manages the employee pension benefit program.

Summary of Difference between Budgeted and Quarterly-End Estimate:

Revenue –The variance of \$753,163 was primarily a result of increase in management fees earned due to increased utilization in the voucher and shelter plus care programs, increased rents in the tax credit properties, and the close out of a pending insurance claim.

Expenditures - The \$88,920 variance is a result of staff turnover.

State & Local Programs	Annual Budget	4th Quarter Actual 3/31/16 (Unaudited)	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 5,272,282	\$ 6,025,445	\$ -0-	\$ 6,025,445	\$ 753,163
Expenditures	\$ 5,667,073	\$ 5,578,153	\$ -0-	\$ 5,578,153	\$ 88,920
	\$ (394,791)	\$ 447,292	\$ -0-	\$ 447,292	

Analysis of Reserves:

State & Local Programs	Beginning Balance 4/1/15 (Unaudited)	4th Quarter 3/31/16 (Unaudited)	Reserve Balance Period ending 3/31/16 (Unaudited)
Restricted Reserves	\$ 1,933,719	\$ (49,563)	\$ 1,884,156
Unrestricted Reserves	\$ 2,592,875	\$ 496,855	\$ 3,089,730*
Total Reserves	\$ 4,526,594	\$ 447,292	\$ 4,973,886

* does not include the unfunded pension liability of 6.8 million.

Housing Certificate Programs

Program Summary - HACCC administers two separate Housing Certificate Programs; Shelter Plus Care and Moderate Rehabilitation (Mod Rehab). The Shelter-Plus Care Program provides rental assistance for hard-to-serve homeless persons with disabilities in connection with supportive services funded from sources outside the program. HACCC assists approximately 285 clients under this program. The Mod Rehab program was designed in 1978 as an expansion of the rental certificate program. Mod Rehab was designed to provide low-cost loans for the rehabilitation of rental units in an effort to upgrade and preserve the nation's housing stock. In return, the owner agreed to provide long-term affordable housing for low income families. The program was repealed in 1991 and no new projects are

authorized for development. HACCC administers 28 Mod Rehab units.

Summary of Difference Between Budgeted and Quarter-End Estimate:

Revenue-The \$65,342 variance in revenue is a result of decreased Federal funding for rent payments (HAP) and is also the primary cause of \$108,874 reduction in expenditures.

Expenditure- The \$108,874 variance in expenditure is primarily the reduction of HAP as outline above, the remaining \$43,532 savings is labor cost due to staff turnover.

Housing Certificate Programs	Annual Budget	4th Quarter Actual 3/31/16 (Unaudited)	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 3,844,402	\$ 3,779,060	\$ -0-	\$ 3,779,060	\$ (65,342)
Expenditures	\$ 3,882,833	\$ 3,773,959	\$ -0-	\$ 3,773,959	\$ 108,874
	\$ (38,431)	\$ 5,101	\$ -0-	\$ 5,101	

Analysis of Reserves:

Housing Certificate Programs	Beginning Balance 4/1/15 (Unaudited)	4th Quarter 3/31/16 (Unaudited)	Reserve Balance period ending 3/31/16 (Unaudited)
Restricted Reserves	\$ -0-	\$ -0-	\$ -0-
Unrestricted Reserves	\$ -0-	\$ 5,101	\$ 5,101
Total Reserves	\$ -0-	\$ 5,101	\$ 5,101

FISCAL IMPACT

None. Information item only.

CONSEQUENCE OF NEGATIVE ACTION

None. Information item only.

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: September 13, 2016



Contra
Costa
County

Subject: DECLARATION OF TRUST UPDATES FOR LAS DELTAS AND LAS DELTAS ANNEX I

RECOMMENDATIONS

APPROVE the recording of updated Declarations of Trust (DOT) for the Las Deltas and Las Deltas Annex I public housing developments.

BACKGROUND

On April 12, 2016, the Board approved the recording of updated DOTs for all of HACCC's properties except Las Deltas and Las Deltas Annex I. The DOTs for Las Deltas were not brought before the Board for approval in April as staff were still working to finalize the unit configuration for each of the three DOTs for these properties. That process is concluded and the new DOTs are now ready to be recorded.

The DOT is a legal instrument that grants the U.S. Department of Housing and Urban Development (HUD) an interest in a public housing property. It provides public notice that the property must be operated in accordance with all federal public housing requirements, including the requirement not to convey or otherwise encumber the property unless expressly authorized by federal law and/or HUD.

The need for housing authorities (PHAs) to ensure a current DOT is recorded against all property that has been acquired, developed, maintained or assisted with funds authorized by the U.S. Housing Act of 1937 (Act) is required by the Act, HUD regulations and the Annual Contributions Contract (ACC), which is attached to HUD funding. Notwithstanding this requirement, HUD has increasingly been finding that, in many instances, PHAs may be unaware that the original DOT recorded against the property (at acquisition or development) has expired with the

Action of Board On: **09/13/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 13, 2016

Joseph Villarreal, Executive Director

Contact: 925-957-8028

By: , Deputy

cc:

BACKGROUND (CONTD)

repayment and/or forgiveness of development funds. However, if these developments have continued, and will continue, to receive assistance under the Act, federal law requires that PHAs record current DOTs against them.

In addition to being an ongoing federal requirement, it is important for PHAs to maintain current DOTs against their public housing properties for other reasons, including: (a) to ensure the accuracy of HUD subsidy calculations and payments under the Operating Fund and Capital Fund; and (b) to expedite HUD's processing and approvals of other federal public housing programs (e.g., Capital Fund Finance Program (CFFP) and Operating Fund Financing Program (OFFP) under Section 30 of the Act, mixed finance development under 24 CFR§ 941 Subpart F, and dispositions under Section 18 of the Act).

In HACCC's case, ensuring that the DOTs are updated properly will help expedite the RAD disposition of all or part of Las Deltas in North Richmond and will also ensure that future dispositions are not hung up due to the lack of a current DOT. If the Board votes to approve this item, HACCC will submit updated DOTs to the County Recorder's Office.

FISCAL IMPACT

There is no financial impact for the recording of the Declarations of Trust for HACCC properties.

CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners not approve the request to update the Declarations of Trust for the Las Deltas and Las Deltas Annex I public housing development, HUD may take whatever action it deems necessary and appropriate, including, but not limited to, the following actions: (A) temporarily withhold cash payments pending correction of the deficiency by the PHA; (B) disallow all or part of the cost of the activity or action not in compliance; (C) wholly or partly suspend or terminate the current award for the PHA's program; (D) require that some or all of the grant amounts be remitted to HUD; (E) condition a future grant and elect not to provide future grant funds to the PHA until appropriate actions are taken to ensure compliance; (F) withhold further awards for the program, or (G) take other remedies that may be legally available.

ATTACHMENTS

DOT CA011006

CA011009a

CA011009b

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

Name: Housing Authority of the County of Contra Costa

Address: PO Box 2759
Martinez, CA 94553

WHEN RECORDED MAIL TO:

Name: Housing Authority of the County of Contra Costa

Address: PO Box 2759
Martinez, CA 94553

(THIS SPACE FOR RECORDER'S USE ONLY)

Declaration of Trust CA011006 North Richmond

TITLE OF DOCUMENT

Declaration of Trust

(Public Housing Modernization Grant Projects)

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0075
exp. 10/31/2017

Whereas, (1, see instructions) The Housing Authority of the County of Contra Costa
(herein called the Public Housing Agency (PHA), a public body corporate and politic, duly created and organized pursuant to and in accordance with the provisions of the laws of the (2) State of California, and the United States of America, Secretary of Housing and Urban Development (herein called HUD) pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437, et seq.) and the Department of Housing and Urban Development Act (5 U.S.C. 624) entered into a certain contract with the effective date as of (mm/dd/yyyy) (3) 01/09/1952, (herein called the Annual Contributions Contract) and a certain Modernization Project Grant Amendment to the Annual Contributions Contract with the effective date as of (mm/dd/yyyy) (4) 04/13/2015, (herein called the Modernization Grant Amendment) providing for a grant to be made by HUD to assist the PHA in modernizing lower income housing project(s); and

Whereas, as of the date of the execution of this Declaration of Trust, the Modernization Grant Amendment and the Annual Contributions Contract cover certain individual lower income housing projects located in: (5) the Unincorporated Town of North Richmond, County of Contra Costa, State of California which will provide approximately (6) 76 dwelling units; and which lower income housing projects are known as Modernization Project No. (7) CAQ11006 and individual projects as follows:
Project No. (8) _____ with approximately _____ dwelling units,
Project No. (8) _____ with approximately _____ dwelling units, and
Project No. (8) _____ with approximately _____ dwelling units; and

Whereas, the modernization of each Project will have been financed with grant assistance provided by HUD.

Now Therefore, to assure HUD of the performance by the PHA of the covenants contained in the Modernization Grant Amendment and the Annual Contributions Contract, the PHA does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of HUD, for the purposes herein stated, the following described real property situated in: (9)

the Unincorporated Town of North Richmond, County of Contra Costa, in the State of California

To Wit: (Insert legal description for each individual project.)(10)

See Attachment "A".

and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

The PHA hereby declares and acknowledges that during the existence of the trust hereby created, HUD has been granted and is possessed of an interest in the above described Project property, To Wit:

The right to require the PHA to remain seized of the title to said property and to refrain from transferring, conveying, assigning, leasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said property or any part thereof, appurtenances thereto, or any rent, revenues, income, or receipts therefrom or in connection therewith, or any of the benefits or contributions granted to it by or pursuant to the Modernization Grant Amendment and the Annual Contributions Contract, or any interest in any of the same except that the PHA may (1) to the extent and in the manner provided in the Annual Contributions Contract, (a) lease dwellings and other spaces and facilities in any Project, or (b) convey or otherwise dispose of any real or personal property which is determined to be excess to the needs of any Project, or (c) convey or dedicate land for use as streets, alleys, or other public right-of-way, and grant easements for the establishment, operation, and maintenance of public utilities; or (d) enter into and perform contracts for the sale of dwelling units to members of tenant families, as authorized by the United States Housing Act of 1937, or (2) with the approval of HUD, release any Project from the trust hereby created; Provided, That nothing herein contained shall be construed as prohibiting the conveyance of title to or the delivery of possession of any Project to HUD pursuant to the Annual Contributions Contract.

The endorsement by a duly authorized officer of HUD (1) upon any conveyance or transfer made by the PHA of any real or personal property which is determined to be excess to the needs of any Project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public right-of-way, or for the establishment, operation and maintenance of public utilities, or (3) upon any instrument transferring or conveying a dwelling unit, or an interest therein, to a member of a tenant family, or (4) upon any instrument of release made by the PHA of any Project shall be effective to release such property from the trust hereby created.

The individual projects covered by the Modernization Grant Amendment shall be subject to this Declaration of Trust for a period of twenty years beginning on the date of the Modernization Grant Amendment. Each individual project shall also be subject to this Declaration of Trust for a period of twenty years after the date of the most recent Modernization Grant Amendment applicable to that project. Upon expiration of the period during which the PHA is obligated to operate the individual projects in accordance with the Annual Contributions Contract, the trust hereby created shall terminate and no longer be effective.

In Witness Whereof, the PHA by its officers thereunto duly authorized has caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this date (mm/dd/yyyy) _____.

(Seal)

(1, see instructions)

By _____ Chairperson

Attest _____ Secretary

Date (mm/dd/yyyy) _____

Instructions for Completing form HUD-52190-B, Declaration of Trust (Public Housing Modernization Grant Projects)

Promptly after execution of an ACC Modernization Grant Amendment, HUD Counsel shall prepare and transfer to the PHA, form HUD-52190-B, Declaration of Trust (Public Housing Modernization Grant Projects), which shall cover all of the individual projects included in the modernization grant project. The letter transmitting the Declaration of Trust shall instruct the PHA to complete, execute, and record the Declaration of Trust and provide HUD Counsel with a copy as soon as it has been recorded. (Counsel for the PHA will be responsible for providing the legal description for the individual projects if HUD Counsel does not have this information in his/her files.)

The following instructions pertain to the use of the blank spaces in form HUD-52190-B:

1. Insert the name of the Public Housing Agency as it appears in the Modernization Grant Amendment.
2. Insert the name of the general governmental unit, indicating whether it is a State or Commonwealth.
3. Insert the date of the Annual Contributions Contract which has been amended by addition of the Modernization Grant Amendment.
4. Insert the effective date of the Modernization Grant Amendment.
5. Insert the names of the political subdivisions in which the housing projects covered by the Modernization Grant Amendment are located, e.g., City of _____, County of _____, State of _____.
6. Insert the approximate total number of units included in the modernization grant project.
7. Insert the modernization project number.
8. Insert the individual project number and approximate number of units for each individual project included in the modernization grant project. If more than three projects are included, add additional entries.
9. Same as Item 5.
10. Insert legal description for each individual project or of each individual unit comprising a project (e.g., single-family detached or semi-detached units operated in accordance with the Turnkey III or other Homeownership Program.)

DESCRIPTION OF PROPERTY OF PROJECT CAL 11-6
DESCRIBED IN PRELIMINARY REPORT #119194
AND POLICIES #52931, 52920, and 52918

PRELIMINARY REPORT #119194:

Lots 325, 326, and 327 in Block 12 as shown on the map of Truman Addition, filed in book 8 of Maps, page 198 in the office of the County Recorder of Contra Costa County.

POLICY #52931:

Portion of Lot 198 as shown on the Map of the San Pablo Rancho, accompanying and Forming a Part of the Final Report of the Referees in Partition, which map was filed on March 1, 1894, in the office of the County Recorder of Contra Costa County, and portion of lots 24 and 25 in Section 1, Township 1 North, Range 5 West, Mount Diablo Base and Meridian, portion of Survey No. 151 of Swamp and Overflowed Lands, as shown on the map entitled, Map No. 1, Salt Marsh and Tide Lands situated in the County of Contra Costa, State of California, 1872, which map is on file in the office of the Surveyor General at Sacramento, filed in Map Book 8, page 198 in the office of the County Recorder of Contra Costa County, described as a whole as follows:

Beginning at the northeast corner of Lot 303, Block 12, as said lot and block are designated and so delineated on that certain map entitled, "Truman Addition to Richmond" filed November 18, 1912, in volume 8 of Maps, page 191, records of Contra Costa County; thence from said point of beginning, South 0 degree 04' East along the easterly line of said Block 12, 525.47 feet to the southeast corner of Lot 321 of said Block 12; thence South 89 degrees 56' West along the southerly line of said Lot 321, Block 12, 176.87 feet to the southwest corner of said Lot 321; thence South 28 degrees 15' West along the westerly line of Lots 322, 331, and 332, 170.39 feet to the southwest corner of Lot 322 of said Block 12, said point being on the northerly line of Standard Avenue, (40 feet in width); thence leaving said westerly line, South 89 degrees 56' West along the northerly line of Standard Avenue produced westerly 242.32 feet; thence leaving said line North 0 degrees 04' West, parallel to the easterly line of the aforesaid Block 12, 705.47 feet to a point on the direct extension westerly of the centerline of Silver Avenue, as said avenue is shown on the aforesaid map of "Truman Addition to Richmond"; thence North 89 degrees 56' East along said centerline produced 388.86 feet to a point on the westerly line of said "Truman Addition to Richmond"; thence South 0 degrees 39' East along said westerly line, 30.00 feet to the northwest corner of the aforesaid Lot 303, Block 12; Thence North 89 degrees 56' East along the northerly line of said Lot 303, 110.84 feet to the point of beginning and containing an area of 7.273 acres, more or less.

SAVING AND EXCEPTING THEREFROM:

First: Rights granted to Contra Costa County by John T. Haywords, dated April 2, 1898, recorded April 4, 1898, in book 77 of Deeds, page 472.

Second The rights reserved in the deed from Standard Oil Company of California to Charles Gnecco, et ux, dated November 2, 1942, and recorded January 6, 1943, in volume 723 of Official Records, page 121, as follows:

"Excepting and reserving to grantor, its successors and assigns, all petroleum, asphaltum, gas and other minerals within or underlying, or that may be produced from the said land, together with the exclusive right to mine for and remove them from said land."

"Grantor shall pay grantees for any damage to or loss of said land or the improvements of grantee thereon, which may result from the exercise of said rights."

By Agreement between Standard Oil Company of California, a corporation, and Parr Richmond Industrial Corporation, a corporation, dated June 12, 1951, recorded June 27, 1951, under Recorder's Serial No. 31129, the above rights were modified to read as follows:

"Excepting and reserving to grantor, its successors and assigns, all oil, gas, asphaltum and other hydrocarbons and other minerals, whether similar to those herein specified or not, within or underlying or that may be produced from said parcel of land, and also excepting and reserving to grantor, its successors and assigns, the sole and exclusive right to drill slanted wells from adjacent lands into and through the subsurface of said parcel of land for the purpose of recovering said reserved minerals from said parcel of land and from other properties, but not the right to dig any shaft or tunnel beneath the surface of said parcel of land; provided, however, that the surface of said parcel of land and the subsurface thereof to a depth of thirty feet shall never be used for the exploration, development, extraction or removal of said reserved minerals and grantor hereby agrees that none of said operations on the surface of the remaining land described in said indenture dated November 2, 1942, shall be conducted within 100 feet of any building upon said parcel of land hereinabove described."

Third: Rights granted to the County of Contra Costa by Parr-Richmond Industrial Corporation, dated March 29, 1949, recorded April 6, 1949, in book 1371 of Official Records, page 237.

POLICY #52920:

Lots 323, 324, 328, 329, 330, 331, and 332 in Block 12 as shown on the map of Truman Addition filed in book 8 of Maps, page 198, in the office of the County Recorder of Contra Costa County.

POLICY #52918:

Lot 322 in Block 12 as shown on the map of Truman Addition, filed in book 8 of Maps, page 198 in the office of the County Recorder of Contra Costa County.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____
(insert name and title of officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to be that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (SEAL)

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

Name: Housing Authority of the County of Contra Costa

Address: PO Box 2759
Martinez, CA 94553

WHEN RECORDED MAIL TO:

Name: Housing Authority of the County of Contra Costa

Address: PO Box 2759
Martinez, CA 94553

(THIS SPACE FOR RECORDER'S USE ONLY)

Declaration of Trust CA011009A North Richmond

TITLE OF DOCUMENT

Declaration of Trust

(Public Housing Modernization Grant Projects)

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0075
exp. 10/31/2017

Whereas, (I, see instructions) The Housing Authority of the County of Contra Costa
(herein called the Public Housing Agency (PHA), a public body corporate and politic, duly created and organized pursuant to and in accordance with the provisions of the laws of the (2) State of California, and the United States of America, Secretary of Housing and Urban Development (herein called HUD) pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437, et seq.) and the Department of Housing and Urban Development Act (5 U.S.C. 624) entered into a certain contract with the effective date as of (mm/dd/yyyy) (3) 06/29/1959, (herein called the Annual Contributions Contract) and a certain Modernization Project Grant Amendment to the Annual Contributions Contract with the effective date as of (mm/dd/yyyy) (4) 04/13/2015, (herein called the Modernization Grant Amendment) providing for a grant to be made by HUD to assist the PHA in modernizing lower income housing project(s); and

Whereas, as of the date of the execution of this Declaration of Trust, the Modernization Grant Amendment and the Annual Contributions Contract cover certain individual lower income housing projects located in: (5) the Unincorporated Town of North Richmond, County of Contra Costa, State of California which will provide approximately (6) 58 dwelling units; and which lower income housing projects are known as Modernization Project No. (7) CA011009A and individual projects as follows:
Project No. (8) _____ with approximately _____ dwelling units,
Project No. (8) _____ with approximately _____ dwelling units, and
Project No. (8) _____ with approximately _____ dwelling units; and

Whereas, the modernization of each Project will have been financed with grant assistance provided by HUD.

Now Therefore, to assure HUD of the performance by the PHA of the covenants contained in the Modernization Grant Amendment and the Annual Contributions Contract, the PHA does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of HUD, for the purposes herein stated, the following described real property situated in: (9)

the Unincorporated Town of North Richmond, County of Contra Costa, in the State of California

To Wit: (Insert legal description for each individual project.)(10)

See Attachment "A".

and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

The PHA hereby declares and acknowledges that during the existence of the trust hereby created, HUD has been granted and is possessed of an interest in the above described Project property, To Wit:

The right to require the PHA to remain seized of the title to said property and to refrain from transferring, conveying, assigning, leasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said property or any part thereof, appurtenances thereto, or any rent, revenues, income, or receipts therefrom or in connection therewith, or any of the benefits or contributions granted to it by or pursuant to the Modernization Grant Amendment and the Annual Contributions Contract, or any interest in any of the same except that the PHA may (1) to the extent and in the manner provided in the Annual Contributions Contract, (a) lease dwellings and other spaces and facilities in any Project, or (b) convey or otherwise dispose of any real or personal property which is determined to be excess to the needs of any Project, or (c) convey or dedicate land for use as streets, alleys, or other public right-of-way, and grant easements for the establishment, operation, and maintenance of public utilities; or (d) enter into and perform contracts for the sale of dwelling units to members of tenant families, as authorized by the United States Housing Act of 1937, or (2) with the approval of HUD, release any Project from the trust hereby created; Provided, That nothing herein contained shall be construed as prohibiting the conveyance of title to or the delivery of possession of any Project to HUD pursuant to the Annual Contributions Contract.

The endorsement by a duly authorized officer of HUD (1) upon any conveyance or transfer made by the PHA of any real or personal property which is determined to be excess to the needs of any Project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public right-of-way, or for the establishment, operation and maintenance of public utilities, or (3) upon any instrument transferring or conveying a dwelling unit, or an interest therein, to a member of a tenant family, or (4) upon any instrument of release made by the PHA of any Project shall be effective to release such property from the trust hereby created.

The individual projects covered by the Modernization Grant Amendment shall be subject to this Declaration of Trust for a period of twenty years beginning on the date of the Modernization Grant Amendment. Each individual project shall also be subject to this Declaration of Trust for a period of twenty years after the date of the most recent Modernization Grant Amendment applicable to that project. Upon expiration of the period during which the PHA is obligated to operate the individual projects in accordance with the Annual Contributions Contract, the trust hereby created shall terminate and no longer be effective.

In Witness Whereof, the PHA by its officers thereunto duly authorized has caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this date (mm/dd/yyyy) _____.

(Seal)

(I, see instructions)

By _____ Chairperson

Attest _____ Secretary

Date (mm/dd/yyyy) _____

Instructions for Completing form HUD-52190-B, Declaration of Trust (Public Housing Modernization Grant Projects)

Promptly after execution of an ACC Modernization Grant Amendment, HUD Counsel shall prepare and transfer to the PHA, form HUD-52190-B, Declaration of Trust (Public Housing Modernization Grant Projects), which shall cover all of the individual projects included in the modernization grant project. The letter transmitting the Declaration of Trust shall instruct the PHA to complete, execute, and record the Declaration of Trust and provide HUD Counsel with a copy as soon as it has been recorded. (Counsel for the PHA will be responsible for providing the legal description for the individual projects if HUD Counsel does not have this information in his/her files.)

The following instructions pertain to the use of the blank spaces in form HUD-52190-B:

1. Insert the name of the Public Housing Agency as it appears in the Modernization Grant Amendment.
2. Insert the name of the general governmental unit, indicating whether it is a State or Commonwealth.
3. Insert the date of the Annual Contributions Contract which has been amended by addition of the Modernization Grant Amendment.
4. Insert the effective date of the Modernization Grant Amendment.
5. Insert the names of the political subdivisions in which the housing projects covered by the Modernization Grant Amendment are located, e.g., City of _____, County of _____, State of _____.
6. Insert the approximate total number of units included in the modernization grant project.
7. Insert the modernization project number.
8. Insert the individual project number and approximate number of units for each individual project included in the modernization grant project. If more than three projects are included, add additional entries.
9. Same as Item 5.
10. Insert legal description for each individual project or of each individual unit comprising a project (e.g., single-family detached or semi-detached units operated in accordance with the Turnkey III or other Homeownership Program.)

DESCRIPTION OF PROPERTY OF PROJECT CAL 11-9A
DESCRIBED IN DECLARATION OF TRUST - RECORDED DECEMBER 14, 1959

Portion of Blocks 4 and 5 and portion of Willow Street and Belmont Avenue, as shown on the map of Truman Addition, filed November 18, 1912, in Book 8 of Maps, page 198, in the office of the County Recorder of Contra Costa County, and portion of Lot 198, San Pablo Rancho, filed March 1, 1894, in the office of the County Recorder of Contra Costa County, described as follows:

Beginning in the northern line of Silver Avenue as shown on said map of Truman Addition (8 M 198), at the intersection thereof with a line that is parallel with and 100 feet westerly (measured at right angles) from the eastern line of said Block 5; thence from said point of beginning, North 0° 04' West, along said parallel line 760 feet to the southern line of Lot 6, in said Block 4; thence North 39° 29' 19" West, along the southwestern line of the parcel of land described in the deed from North American Title Guaranty Corporation, Contra Costa Division, to Lacy Douglas, Jr., et ux., dated March 22, 1955, recorded April 6, 1955, in Book 2510 of Official Records, page 517, a distance of 64.72 feet to the southwestern corner of the parcel of land described in the deed from North American Title Guaranty Corporation, Contra Costa Division, to Roy Lee Amos, et ux., dated March 22, 1955, recorded May 31, 1955, in Book 2507 of Official Records, page 287; thence along the western and northern line of said Amos parcel (2587 OR 287), North 1° 45' 46" West, 50.02 feet and North 89° 56' East, 76 feet to a northeastern line of the parcel of land described in the deed from North American Title Guaranty Corporation, Contra Costa Division, to Robert R. Platt, dated September 28, 1954, recorded October 1, 1954, in Book 2391 of Official Records, page 428; thence along the exterior line of said Platt parcel (2391 OR 428), as follows: North 47° 55' West, 120.72 feet, South 55° 35' West, 41.90 feet, South 59° 15' West, 358.44 feet; thence South 0° 04' East, parallel with said eastern line of said Block 5 a distance of 734.7 feet to said northern line of Silver Avenue; thence North 89° 56' East, along said last mentioned line, 399.70 feet to the point of beginning.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____
(insert name and title of officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to be that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (SEAL)

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

Name: Housing Authority of the County of Contra Costa

Address: PO Box 2759
Martinez, CA 94553

WHEN RECORDED MAIL TO:

Name: Housing Authority of the County of Contra Costa

Address: PO Box 2759
Martinez, CA 94553

(THIS SPACE FOR RECORDER'S USE ONLY)

Declaration of Trust CA011009B North Richmond

TITLE OF DOCUMENT

Declaration of Trust

(Public Housing Modernization Grant Projects)

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0075
exp. 10/31/2017

Whereas, (1, see instructions) The Housing Authority of the County of Contra Costa
(herein called the Public Housing Agency (PHA), a public body corporate and politic, duly created and organized pursuant to and in accordance with the provisions of the laws of the (2) State of California, and the United States of America, Secretary of Housing and Urban Development (herein called HUD) pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437, et seq.) and the Department of Housing and Urban Development Act (5 U.S.C. 624) entered into a certain contract with the effective date as of (mm/dd/yyyy) (3) 06/29/1959, (herein called the Annual Contributions Contract) and a certain Modernization Project Grant Amendment to the Annual Contributions Contract with the effective date as of (mm/dd/yyyy) (4) 04/13/2015, (herein called the Modernization Grant Amendment) providing for a grant to be made by HUD to assist the PHA in modernizing lower income housing project(s); and

Whereas, as of the date of the execution of this Declaration of Trust, the Modernization Grant Amendment and the Annual Contributions Contract cover certain individual lower income housing projects located in: (5) the Unincorporated Town of North Richmond, County of Contra Costa, State of California which will provide approximately (6) 80 dwelling units; and which lower income housing projects are known as Modernization Project No. (7) CA011009B and individual projects as follows:
Project No. (8) _____ with approximately _____ dwelling units,
Project No. (8) _____ with approximately _____ dwelling units, and
Project No. (8) _____ with approximately _____ dwelling units; and

Whereas, the modernization of each Project will have been financed with grant assistance provided by HUD.

Now Therefore, to assure HUD of the performance by the PHA of the covenants contained in the Modernization Grant Amendment and the Annual Contributions Contract, the PHA does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of HUD, for the purposes herein stated, the following described real property situated in: (9)

the Unincorporated Town of North Richmond, County of Contra Costa, in the State of California

To Wit: (Insert legal description for each individual project.)(10)

See Attachment "A".

and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

The PHA hereby declares and acknowledges that during the existence of the trust hereby created, HUD has been granted and is possessed of an interest in the above described Project property, To Wit:

The right to require the PHA to remain seized of the title to said property and to refrain from transferring, conveying, assigning, leasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said property or any part thereof, appurtenances thereto, or any rent, revenues, income, or receipts therefrom or in connection therewith, or any of the benefits or contributions granted to it by or pursuant to the Modernization Grant Amendment and the Annual Contributions Contract, or any interest in any of the same except that the PHA may (1) to the extent and in the manner provided in the Annual Contributions Contract, (a) lease dwellings and other spaces and facilities in any Project, or (b) convey or otherwise dispose of any real or personal property which is determined to be excess to the needs of any Project, or (c) convey or dedicate land for use as streets, alleys, or other public right-of-way, and grant easements for the establishment, operation, and maintenance of public utilities; or (d) enter into and perform contracts for the sale of dwelling units to members of tenant families, as authorized by the United States Housing Act of 1937, or (2) with the approval of HUD, release any Project from the trust hereby created; Provided, That nothing herein contained shall be construed as prohibiting the conveyance of title to or the delivery of possession of any Project to HUD pursuant to the Annual Contributions Contract.

The endorsement by a duly authorized officer of HUD (1) upon any conveyance or transfer made by the PHA of any real or personal property which is determined to be excess to the needs of any Project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public right-of-way, or for the establishment, operation and maintenance of public utilities, or (3) upon any instrument transferring or conveying a dwelling unit, or an interest therein, to a member of a tenant family, or (4) upon any instrument of release made by the PHA of any Project shall be effective to release such property from the trust hereby created.

The individual projects covered by the Modernization Grant Amendment shall be subject to this Declaration of Trust for a period of twenty years beginning on the date of the Modernization Grant Amendment. Each individual project shall also be subject to this Declaration of Trust for a period of twenty years after the date of the most recent Modernization Grant Amendment applicable to that project. Upon expiration of the period during which the PHA is obligated to operate the individual projects in accordance with the Annual Contributions Contract, the trust hereby created shall terminate and no longer be effective.

In Witness Whereof, the PHA by its officers thereunto duly authorized has caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this date (mm/dd/yyyy) _____.

(Seal)

(1, see instructions)

By _____ Chairperson

Attest _____ Secretary

Date (mm/dd/yyyy) _____

Instructions for Completing form HUD-52190-B, Declaration of Trust (Public Housing Modernization Grant Projects)

Promptly after execution of an ACC Modernization Grant Amendment, HUD Counsel shall prepare and transfer to the PHA, form HUD-52190-B, Declaration of Trust (Public Housing Modernization Grant Projects), which shall cover all of the individual projects included in the modernization grant project. The letter transmitting the Declaration of Trust shall instruct the PHA to complete, execute, and record the Declaration of Trust and provide HUD Counsel with a copy as soon as it has been recorded. (Counsel for the PHA will be responsible for providing the legal description for the individual projects if HUD Counsel does not have this information in his/her files.)

The following instructions pertain to the use of the blank spaces in form HUD-52190-B:

1. Insert the name of the Public Housing Agency as it appears in the Modernization Grant Amendment.
2. Insert the name of the general governmental unit, indicating whether it is a State or Commonwealth.
3. Insert the date of the Annual Contributions Contract which has been amended by addition of the Modernization Grant Amendment.
4. Insert the effective date of the Modernization Grant Amendment.
5. Insert the names of the political subdivisions in which the housing projects covered by the Modernization Grant Amendment are located, e.g., City of _____, County of _____, State of _____.
6. Insert the approximate total number of units included in the modernization grant project.
7. Insert the modernization project number.
8. Insert the individual project number and approximate number of units for each individual project included in the modernization grant project. If more than three projects are included, add additional entries.
9. Same as Item 5.
10. Insert legal description for each individual project or of each individual unit comprising a project (e.g., single-family detached or semi-detached units operated in accordance with the Turnkey III or other Homeownership Program.)

DESCRIPTION OF PROPERTY OF PROJECT CAL 11-9B
DESCRIBED IN DECLARATION OF TRUST - RECORDED JUNE 03, 1960

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 20 in Block 8; all as shown on the map of North Richmond Tract No. 1 Addition, filed June 1, 1915, in Book 12 of Maps, page 274, in the office of the County Recorder of Contra Costa County.

Lots 24, 25, 26 and 27 in Block 2; Lots 11, 12, 13, 14, 15 and 16 in Block 3; Lots 20, 21 and 22 in Block 4; Lots 1, 2, 3, 4, 30, 31 and 32 in Block 7; Lots 2, 3 and 4 in Block 12; Lots 17, 18 and 19 in Block 14; Lots 4, 5 and 6 in Block 20; all as shown on the map of North Richmond Land and Ferry Company Tract No. 1, filed July 11, 1910, in Book 3 of Maps, page 59, in the office of the County Recorder of Contra Costa County.

Lots 9, 10 and 11 in Block 61; Lots 1, 2 and 3 in Block 62; Lots 15, 16 and 17 in Block 63; Lots 9, 10, 11, 28, 29, 30, 31, 32, 33 and 34 in Block 65; Lots 16, 17, 18 and 19 in Block 66; all as shown on the map of North Richmond Land and Ferry Company Tract No. 2, filed September 19, 1911, in Book 5 of Maps, page 124, in the office of the County Recorder of Contra Costa County.

Lots 201, 202, 203, 204, 205 and 206 in Block 8; Lots 243, 244, 245 and 246 in Block 10; Lots 264, 265, 266, 267, 284, 285, 286, 287, 288 and 289 in Block 11; Lots 371, 372 and 373 in Block 14; all as shown on the map of Truman Addition, filed November 18, 1912, in Book 8 of Maps, page 198, in the office of the County Recorder of Contra Costa County.

Lots 22, 23 and 24 in Block 3; Lots 9, 10, 11, 12, 23 and 24 in Block 6; Lots 7 and 8 in Block 9; Lots 17, 18 and 19 in Block 10; Lots 1 and 2 in Block 14; Lots 14, 15 and 16 in Block 18; Lots 29, 30 and 31 in Block 19; all as shown on the map of North Richmond Land and Ferry Company Tract No. 1, filed July 11, 1910, in Book 3 of Maps, page 59, in the office of the County Recorder of Contra Costa County.

Lots 1, 2, 3, 4, 5 and 6 in Block 64; all as shown on the map of North Richmond Land and Ferry Company Tract No. 2, filed September 19, 1911, in Book 5 of Maps, page 124, in the office of the County Recorder of Contra Costa County.

Lots 162, 163 and 164 in Block 6; Lots 219, 220, 221, 222, 228, 229 and 230 in Block 8; Lots 359, 360, 361, 367, 368 and 369 in Block 14; all as shown on the map of Truman Addition, filed November 18, 1912, in Book 8 of Maps, page 198, in the office of the County Recorder of Contra Costa County.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____
(insert name and title of officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to be that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (SEAL)