



AGENDA

REGULAR MEETING OF THE HEMET HOUSING AUTHORITY

July 24, 2018

REGULAR SESSION

7:00 p.m.
City of Hemet City Council Chambers
450 E. Latham Avenue

Call to Order

Roll Call

ROLL CALL: Board Members Brown, Krupa and Meyer, Vice Chairperson Wright and Chairperson Perciful

Housing Authority Business

Notice to the Public

The Consent Calendar contains items which are typically routine in nature and will be enacted by one motion by the Board unless an item is removed for discussion by a member of the public, staff, or Board. If you wish to discuss a Consent Calendar item please come to the microphone and state the number of the item you wish to discuss. Then wait near the lectern. When the Chairperson calls your turn give your last name, and address, then begin speaking. You will have three minutes at that time to address the Board.

Consent Calendar

1. **Approval of Minutes** – December 12, 2017
2. **Recommendation by Finance** – Acceptance of transfer of 107 E. Mayberry from the Hemet Community Land Trust
 - a. Adopt a resolution accepting the transfer of the real property located at 107 E. Mayberry from the Hemet Community Land Trust in exchange for one dollar (\$1.00). **Resolution No. 0022**

Communications from the Public

Anyone who wishes to address the Housing Authority regarding items not on the agenda may do so at this time. As a courtesy, please complete a Request to Speak Form found at the Secretary's desk. Submit your completed form to the Secretary prior to the beginning of the meeting. Presentations are limited to three minutes in consideration of others who are here for agenda items. Please come forward to the lectern when the Chairperson calls upon you. When you are recognized, you may proceed with our comments.

****Notice: Members of the Public attending shall comply with the adopted Rules of Decorum in Resolution No. 4545. A copy of the Rules of Decorum are available from the Secretary.***

State law prohibits the Housing Authority from taking action or discussing any item not appearing on the agenda except for brief responses to statements made or questions posed by the public. In addition, they may, on their own initiative or in response to questions posed by the public, ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to them at a subsequent meeting. Furthermore, a member of the Housing Authority or the Board itself may take action to direct staff to place a matter of business on a future agenda.

Future Agenda Items

If Members of Board have items for consideration at a future Housing Authority meeting, please state the agenda item to provide direction to the Executive Director.

Adjournment

Adjournment

Staff reports and other disclosable public records related to open session agenda items are available at the Secretary's Office or at the public counter located at 445 E. Florida Avenue during normal business hours.



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MINUTES

REGULAR MEETING OF THE HEMET HOUSING AUTHORITY

December 12, 2017

REGULAR SESSION

7:00 p.m.

City of Hemet City Council Chambers

450 E. Latham Avenue

Call to Order

Chairperson Krupa called the meeting to order at 9:46 p.m.

Roll Call

PRESENT: Board Members Brown, Meyer and Wright, Vice Chairperson Perciful and Chairperson Krupa

ABSENT: None

Reorganization

1. Agency Secretary to Call for Nominations for Chairperson
Board Member Krupa moved and Board Member Meyer seconded a motion to nominate Board Member Perciful for Chairperson. Motion carried 5-0.
 2. Chairperson to Call for Nominations for Vice Chairperson
Board Member Krupa moved and Chairperson Perciful seconded a motion to nominate Board Member Wright for Vice Chairperson. Motion carried 5-0.
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Board Business Consent Calendar

3. **Approval of Minutes** – December 13, 2016
4. **Recommendation by Secretary** – Adopting and Promulgating the Housing Authority's Conflict of Interest Code
 - a. Adopt a resolution adopting and promulgating the Conflict of Interest Code and Designated Officials and Employees of the Hemet Housing Authority required to file a Statement of Economic Interest. This resolution will rescind Resolution No. 0021. **Resolution No. 0022**
Board Member Krupa moved and Board Member Meyer seconded a motion to approve the Consent Calendar as presented. Motion carried 5-0.

Communications from the Public

There were no communications from the Public at this time.

Future Agenda Items

Funding
Housing Grants

Adjournment

Adjourned at 9:49 p.m.



Staff Report

TO: Honorable Chairperson Perciful and Hemet Housing Authority

FROM: Allen Parker, Executive Director

DATE: July 24, 2018

RE: Acceptance of transfer of 107 E. Mayberry from the Hemet Community Land Trust

RECOMMENDATION:

That the Hemet Housing Authority adopt a resolution accepting the transfer of the real property located at 107 E. Mayberry from the Hemet Community Land Trust in exchange for one dollar (\$1.00).

BACKGROUND:

On June 26, 2018, the HCLT Board of Directors authorized the transfer of real property at 107 E. Mayberry in the City of Hemet ("Property") to the Hemet Housing Authority in exchange for one dollar (\$1.00). The Property was acquired using Neighborhood Stabilization Program funds in 2011 and it was intended that when the housing market improved HCLT would consider available options for redeveloping the property consistent with NSP National Objectives for affordable housing. Options would include either partnering with Habitat for Humanity or a Request for Proposals to develop the property in the future.

DISCUSSION:

The NSP program is in the process of close out, the Property is the last property funded through the City's NSP program. HUD has been communicating with Staff regarding the regulations and restrictions of selling or donating the property staying within the criteria of the NSP National Objectives, which include verifying low-to-moderate income status of the future homeowner. During May 2017, HUD suggested reaching out to the local Habitat for Humanity to explore the option of donating the property to build affordable low-to-moderate income residential homes. Habitat for Humanity San Jacinto is agreeable to acquiring the property for future affordable housing development within the City of Hemet in cooperation with the Hemet Housing Authority and Council affordable housing goals.

The Hemet Housing Authority is in a better position to conclude a transaction with Habitat for Humanity and monitor compliance with NSP Objectives than HCLT. As such, HCLT is transferring the Property to the Hemet Housing Authority.

FISCAL IMPACT:

Acquiring the Property will cost \$1.00.

Recommended By:



Lorena Rocha
Finance Director

Approved By:



Allen Parker
Executive Director

ATTACHMENTS:

- 1) Resolution Accepting Transfer of Property



**HEMET HOUSING AUTHORITY
Hemet, California
RESOLUTION BILL NO. 0023**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HEMET HOUSING AUTHORITY ACCEPTING A GRANT DEED FROM THE HEMET COMMUNITY LAND TRUST FOR THE REAL PROPERTY LOCATED AT 107 E. MAYBERRY IN THE CITY OF HEMET

WHEREAS, on June 26, 2018, the Board of Directors of the Hemet Community Land Trust adopted a resolution approving the transfer of the real property located at 107 E. Mayberry in the City of Hemet ("Property") to the Hemet Housing Authority for \$1.00; and

WHEREAS, the Hemet Community Land Trust has executed a Grant Deed transferring the Property to the Hemet Housing Authority, a copy of which is attached hereto as Exhibit A, but the Grant Deed cannot be recorded until formally accepted by the Board of the Hemet Housing Authority.

NOW, THEREFORE, BE IT RESOLVED,

1. That the Hemet Housing Authority accepts the Grant Deed for the Property from the Hemet Community Land Trust attached hereto as Exhibit A and authorizes the recording of the Grant Deed with the Riverside County Recorder; and

2. That the Hemet Housing Authority authorizes the payment of one dollar (\$1.00) to the Hemet Community Land Trust for the Property; and

3. That the Executive Director is authorized to do such acts and to take such steps as may be necessary or convenient to carry this Resolution into effect.

PASSED, APPROVED, AND ADOPTED this 24th day of July, 2018.

Michael Perciful, Chairperson

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ATTEST:

APPROVED AS TO FORM:

Sarah McComas, City Clerk

Erica L. Vega, Asst. City Attorney

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State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the 24th day of July, 2018 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sarah McComas, City Clerk

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EXHIBIT A

GRANT DEED

SEE NEXT PAGE

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Hemet Housing Authority
445 E. Florida Avenue
Hemet, CA 92543
Attention: Executive Director

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

GRANT DEED

(107 East Mayberry)

For valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Hemet Community Land Trust, a California nonprofit public benefit corporation (the "**Grantor**") hereby grants and conveys to the Hemet Housing Authority, a public corporation organized and existing pursuant to the California Housing Authorities Law (Health and Safety Code § 34200 *et seq.*) (the "**Grantee**"), the real property (the "**Property**") located in the City of Hemet, County of Riverside, California at 107 East Mayberry Avenue, known as Riverside County Assessor's Parcel Nos. 446-141-001 more particularly described in Exhibit A attached hereto and incorporated in this grant deed ("**Grant Deed**") by this reference.

1. Non-Discrimination. Grantee shall not restrict the rental, sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, or any portion thereof, on the basis of race, color, religion, creed, sex, sexual orientation, disability, marital status, ancestry, or national origin of any person. Grantee covenants for itself and all persons claiming under or through it, and this Grant Deed is made and accepted upon and subject to the condition that there shall be no discrimination against or segregation of any person or group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property or part thereof, nor shall Grantee or any person claiming under or through Grantee establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in, of, or for the Property or part thereof.

All deeds, leases or contracts made or entered into by Grantee, its successors or assigns, as to any portion of the Property or the Improvements shall contain the following language:

(a) In Deeds, the following language shall appear:

“(1) Grantee herein covenants by and for itself, its successors and assigns, and all persons claiming under or through it, that there shall be no discrimination against or segregation of a person or of a group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the property herein conveyed nor shall the grantee or any person claiming under or through the grantee establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in the property herein conveyed. The foregoing covenant shall run with the land.

“(2) Notwithstanding paragraph (1), with respect to familial status, paragraph (1) shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in paragraph (1) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11 and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o), and (p) of Section 12955 of the Government Code shall apply to paragraph (1).”

(b) In Leases, the following language shall appear:

“(1) The lessee herein covenants by and for the lessee and lessee’s heirs, personal representatives and assigns, and all persons claiming under the lessee or through the lessee, that this lease is made subject to the condition that there shall be no discrimination against or segregation of any person or of a group of persons on account of race, color, creed, religion, sex, sexual orientation, marital status, national origin, ancestry or disability in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the property herein leased nor shall the lessee or any person claiming under or through the lessee establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sublessees, subtenants, or vendees in the property herein leased.

“(2) Notwithstanding paragraph (1), with respect to familial status, paragraph (1) shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in paragraph (1) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11 and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o), and (p) of Section 12955 of the Government Code shall apply to paragraph (1).”

(c) In Contracts, the following language shall appear:

“There shall be no discrimination against or segregation of any person or group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the property nor shall the transferee or any person claiming under or through the transferee establish or permit any such practice or practices of discrimination or segregation with reference to selection, location, number, use or occupancy of tenants, lessee, subtenants, sublessees or vendees of the land.”

2. Restrictions on Transfer. The Grantee covenants and agrees that the Property will be used for the provision of affordable housing. Grantee acknowledges that the Property was acquired by Grantor using federal Neighborhood Stabilization Program funds, and covenants and agrees to comply with all statutes, rules and regulations applicable to the Property under the Neighborhood Stabilization Program. The Grantee agrees that any future transfer of the Property shall be subject to the requirements of the Neighborhood Stabilization Program.

3. Grantee's Acknowledgement. By its execution of this Grant Deed, Grantee has acknowledged and accepted the provisions hereof.

4. Counterparts. This Grant Deed may be executed in counterparts, each of which shall be an original and all of which taken together shall constitute one and the same instrument.

SIGNATURES ON FOLLOWING PAGES.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Grant Deed as of this _____ day of _____, 2018.

GRANTOR:

HEMET COMMUNITY LAND TRUST, a nonprofit public benefit corporation

By: _____

Print Name: _____

Title: _____

GRANTEE:

HEMET HOUSING AUTHORITY, a public corporation

By: _____

Print Name: _____

Title: _____

APPROVED AS TO FORM:

Authority Counsel

SIGNATURES MUST BE NOTARIZED.

Exhibit A

PROPERTY

All that certain real property situated in the County of Riverside, State of California, described as follows:

[insert legal description]

ASSESSOR'S PARCEL NUMBER: 446-141-001.

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On _____, 20__, before me, _____, (here insert name and title of the 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 me 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)

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On _____, 20__, before me, _____, (here insert name and title of the 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 me 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)