



California Affordable Housing Agency

## AGENDA

### THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS CALIFORNIA AFFORDABLE HOUSING AGENCY

September 11, 2023

10:00am

806 W. 19th Street  
Merced, CA 95340  
(209) 384-0001

Zoom

<https://us06web.zoom.us/j/5600363167?pwd=RmZTR0NabzcrY0ZYQIZyYUd6blpwZz09>

Meeting ID: 560 036 3167

Passcode: 293018

Phone Number:

1(720) 707-2699

#### Executive Committee Member Locations

2039 Forest Avenue Suite 10  
Chico, California 95928

1612 Sisk Road  
Modesto, California 95350

1402 D Street  
Brawley, California 92227

1400 West Hillcrest Drive  
Newbury Park, California 91302

815 W. Ocean Ave  
Lompoc, CA 93436

- I. CALL TO ORDER AND ROLL
- II. DIRECTORS' AND/OR AGENCY ADDITIONS/DELETIONS TO THE AGENDA

(M/S/C): \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**III. APPROVAL OF MEETING MINUTES**

1. August 14, 2023

(M/S/C): \_\_\_\_/\_\_\_\_/\_\_\_\_

**IV. UNSCHEDULED ORAL COMMUNICATIONS**

**NOTICE TO THE PUBLIC**

At this time, any person(s) may comment on any item that is not on the Agenda. Please state your name and address for the record. Action will not be taken on an item that is not on the Agenda. If it requires action, it will be referred to Staff and/or placed on the next Agenda. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of five (5) minutes.

**V. FINANCIAL REPORT OF ADMINISTRATOR**

Financial Report – July 2023

**VI. RESOLUTION, ACTION AND INFORMATION ITEMS**

**A. RESOLUTIONS:**

None.

**B. ACTION ITEMS:**

- 1. Action Item 2023-01A**  
**Acceptance/Approval 2021 FY Agency Audit**

(M/S/C): \_\_\_\_/\_\_\_\_/\_\_\_\_

- 2. Action Item 2023-02A**  
**Proposal to modify Legal Services Contract**

(M/S/C): \_\_\_\_/\_\_\_\_/\_\_\_\_

**C. INFORMATION/DISCUSSION ITEM(S)**

1. Executive Director's Report
2. Current update on Trio Program;
3. Current update on prospective projects and financings;
4. Current update on member projects and administrative matters.

**VII. CLOSED SESSION**

None

**VIII. DIRECTORS' COMMENTS**

**I X. SCHEDULING OF FUTURE EXECUTIVE BOARD MEETINGS**

(The second Monday of the month): 10 am on October 9, 2023; November 13, 2023 and December 11, 2023.

**X. ADJOURNMENT**



California Affordable Housing Agency

## MINUTES

### THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS CALIFORNIA AFFORDABLE HOUSING AGENCY MEETING

August 14, 2023  
10:00 a.m.

806 West 19<sup>th</sup> Street  
Merced, CA

- I. The Board Meeting of the Executive Board of the California Affordable Housing Agency was called to order by Bob Havlicek at 10:03 a.m. The roll was taken and a quorum declared present. The following Executive Board Members were present for the meeting:

CalAHA Executive Board Members Present:

1. Bob Havlicek, Chairperson and Executive Director, Housing Authority of the County of Santa Barbara
2. Jim Kruse, Vice Chair and Executive Director, Stanislaus Regional Housing Authority
3. Kirk Mann, Secretary/Treasurer and Executive Director, Imperial Valley Housing Authority
4. Ed Mayer, Executive Director, Housing Authority of the County of Butte

Absent:

5. Michael Nigh, Executive Director, Housing Authority of the County of Ventura

Others Present:

6. Thomas E. Lewis, General Counsel
7. Nick Benjamin, Executive Director - CalAHA

806 West 19<sup>th</sup> Street, Merced, CA 95340  
(209) 384-0001



8. Kao Xiong, Law Office of Thomas E. Lewis
9. Blanca Bustos, Imperial Valley Housing Authority
10. Scott Collins, Executive Director, Housing Authority of the City of San Luis Obispo (Joined at 10:14 am)

II. Directors' and/or Agency Additions/Deletions to the Agenda:

(M/S/C): E. Mayer/J. Kruse -Motion to approve  
Approved: 4-0-1

III. Approval of the Minutes:

1. Minutes of June 12, 2023

(M/S/C): J. Kruse/E. Mayer -Motion to approve  
Approved: 4-0-1

IV. Unscheduled Oral Communication:

Bob Havlicek indicated that the National Housing Trust Fund is accepting applications through September 2023. Mr. Havlicek indicated that this will benefit the Housing Authority of the County of Butte and encouraged Mr. Mayer to look into it.

V. FINANCIAL REPORT OF ADMINISTRATOR:

Mr. Benjamin provided a brief overview of the current financials.

VI. RESOLUTION, ACTION AND INFORMATION/DISCUSSION ITEMS:

A. RESOLUTION ITEMS:

**RESOLUTION 2023-05**

**A RESOLUTION OF THE CALIFORNIA AFFORDABLE HOUSING AGENCY  
AUTHORIZING THE EXECUTIVE DIRECTOR OR THEIR ASSIGNEE TO  
ENTER INTO AN INDEPENDENT CONTRACTOR AGREEMENT WITH THE  
ALTA CALIFORNIA REGIONAL CENTER REGARDING TRAINING AND  
CONSULTATION SERVICES AND FURTHER AUTHORIZING THE  
EXECUTIVE DIRECTOR TO TAKE ANY NECESSARY ACTIONS TO  
FINALIZE THE TERMS OF THE AGREEMENT**

Mr. Benjamin indicated that Ian Evans, Executive Director at Yolo County Housing Authority, referred CalAHA to John Decker at Alta California Regional Center (Alta). Alta and the State Department of Developmental Services (DDS) are in need of consultants/trainers for housing and development for their regional centers throughout California. Mr. Benjamin and Tom Lewis introduced CalAHA to Mr. Decker and he was very interested in what the agency has to offer. Mr. Benjamin recently attended their Association of California Regional Center (ACRC) conference in San Diego where all 21 regional center executive directors attended. Mr. Benjamin introduced CalAHA, its mission and what CalAHA can do for their agencies. The feedback was very positive. A lot of the directors came forward and expressed their need for training on affordable housing, housing authorities and development. Mr. Benjamin indicated that the regional centers care for disabled individuals throughout California. They do not know much about affordable housing. The San Diego Regional Center has done several housing deals. Only about 7 or 8 of the regional centers has some element of housing. CalAHA needs to enter into an agreement with ACRC to proceed.

Mr. Lewis indicated that the state budget for DDS is approximately \$14 billion. Mr. Lewis and Mr. Benjamin will be the main or primary presenters. The board members can come on as specialists to do brief webinars or modules. Mr. Mayer asked if there is a good budget set aside for CalAHA. Mr. Benjamin indicated that CalAHA's fee will be \$250/hour. He's already got several hours ready to be billed. We will be billing them for assembling the modules and getting it over to them. It is a \$400,000 contract for two years and they found another \$37,000 they can use for travel budget. Mr. Mayer asked if this will affect our bandwidth. Mr. Benjamin indicated that it is doable as its 800 hours per year at about 65 hours per month. Mr. Mayer indicated that these training modules will also be good training for our own members. Mr. Lewis indicated that each regional center has different challenges as one center might have 10 counties and another has far less and they might not have the staff to do all of their outreach to become involved in new housing developments. This is an opportunity to help our members collaborate. Mr. Havlicek indicated that in terms of capacity, if we're doing well, we can build capacity within the organization.

(M/S/C): E. Mayer/J. Kruse-Motion to approve  
Approved: 4-0-1

**B. ACTION ITEMS:**

None.

**C. INFORMATION/DISCUSSION ITEMS.**

1. Executive Director's Report – Mr. Benjamin indicated that his main report was regarding ACRC.

2. Current update on Trio Program: None.
3. Current update on prospective projects and financings: Mr. Mayer asked about the agency audit and contract for review for Mr. Lewis and Mr. Benjamin. Mr. Lewis indicated that the auditor did not have the audit ready, but it should be ready to review at our upcoming meeting. Mr. Benjamin updated the board on the sale of Olive Tree Apartments. Dawson Holdings is preparing to buy Olive Tree. They have two rounds to receive approval for tax credits. According to Aaron Moayed, Dawson is pretty confident they can get it in the next round. Dawson wants to see if we'll be ok extending escrow. Mr. Mayer indicated that CalAHA has done two to three transactions with Dawson and he knows Justin is very capable of getting the deal done. Mr. Benjamin indicated that by selling Olive Tree Apartments, the agency should make \$1M.

Mr. Benjamin indicated there is a project on 13<sup>th</sup> Street and G Street in Merced that he received from Harry Richard (AREF). He wanted to see if we have any interest. Mr. Lewis can drive out to check the units out. Mr. Kruse asked if we're actively looking for investment projects as there are a few projects that approached him. The Santa Cruz year round Farmworkers Migrant Center is up for sale. Stanislaus Regional Housing Authority has been asked numerous times if there is interest in buying it. Mr. Kruse is already running the center. Santa Cruz is having problems paying for the wastewater. Mr. Benjamin indicated that Olive Tree Apartments is the last CalAHA owned property. We have to look at it at an investment point and see if it will generate income. Mr. Mayer indicated that our approach is that we welcome every deal. We can have Patrick Howard look at the economic standpoint. We do welcome our members to bring deals forward. Mr. Lewis indicated that CalAHA is working with AREF on Rumble Road project with Stan Regional. Doesn't look like the deal will be done until October. Mr. Richard also reviewed Mr. Mayer's Butte County Bonds project and just sent a new project for Mr. Mayer to look at.

Mr. Lewis indicated that he has a meeting with Sarah Rambler who is the new Executive Director at the City of Livermore Housing Authority. Mr. Lewis met her at the recent PSWRC-NAHRO conference. She just finished the conversion of 125 units of public housing and is interested in what CalAHA has to offer.

Mr. Mayer indicated that he met with Roger Diefendorf last week and he brought a public housing plan that Mike Andrew put together. Mr. Mayer indicated that have it not been for CalAHA, Plumas Housing Authority would not be on this great path. Mr. Lewis indicated that it is time to start thinking

about the annual retreat for next year. He is looking at end of February or early March. The retreat will be in Solvang, CA next year

4. Current update on member projects and administrative matters: None.

VIII. CLOSED SESSION:

None.

IX. DIRECTORS' COMMENTS:

None.

X. SCHEDULING OF FUTURE EXECUTIVE BOARD MEETINGS:

(The second Monday of the month):

September 11, 2023; October 9, 2023; November 13, 2023; December 11, 2023

XI. ADJOURNMENT:

Meeting adjourned @ 10:46 am.

(M/S/C): J. Kruse/E. Mayer - Motion to approve  
Approved: 4-0-1

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date



**CALIFORNIA AFFORDABLE HOUSING AGENCY JPA**  
**COMPILED FINANCIAL STATEMENTS**  
**JULY 2023**

Grey B. Roberts & Co.  
2824 Park Avenue, Suite B  
Merced, CA 95348

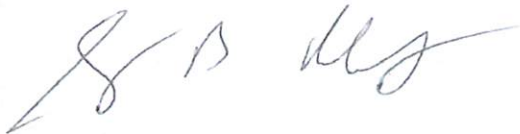
GREY B. ROBERTS & CO.  
CERTIFIED PUBLIC ACCOUNTANTS  
2824 PARK AVENUE, SUITE B  
MERCED, CALIFORNIA 95348  
TELEPHONE (209) 383-2442  
FAX (209) 383-3583

Board of Directors  
California Affordable Housing Agency JPA

We have compiled the accompanying cash basis statement of net assets of the general fund of California Affordable Housing Agency JPA as of July 31, 2023, and the related cash basis statement of activities for the seven months ended in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit substantially all the disclosures and the Statement of Cash Flows required by generally accepted accounting principles. If the omitted disclosures and statements were included in the financial statements, they might influence the user's conclusions about the Company's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.



August 11, 2023

**California Affordable Housing Agency**

**Balance Sheet**

As of July 31, 2023

	<u>Jul 31, 23</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Cash	42,000.00
Mechanics Bank Checking	27,054.93
Mechanics Money Market	1,555,076.19
F & M Bank - Checking	20,662.82
F & M Bank - Money Market	52,955.81
<b>Total Checking/Savings</b>	<u>1,697,749.75</u>
<b>Other Current Assets</b>	
<b>Accounts Receivable</b>	
Housing Assistance Receivable	16,768.00
Ben Harvy Investments, LLC	50,097.33
A/R Court of Fountains	101,263.70
Accounts Receivable - Other	2,663.84
<b>Total Accounts Receivable</b>	<u>170,792.87</u>
Intercompany Due To	13,436.17
Prepaid Insurance	6,810.36
Tenant Security Deposits	21,035.00
Mortgage Escrow Deposits	-854.29
Other Reserves	437,903.59
<b>Total Other Current Assets</b>	<u>649,123.70</u>
<b>Total Current Assets</b>	2,346,873.45
<b>Fixed Assets</b>	
Other Reserves court of Fountai	721,961.92
Land Olive Tree Apartments	110,000.00
Buildings and Improvements	1,333,018.03
Depreciation Building and Improvements	-381,594.00
<b>Total Fixed Assets</b>	<u>1,783,385.95</u>
<b>Other Assets</b>	
AHA Organizational Costs	21,902.48
Accum Amort of Costs	-21,902.48
Bond and loan fees	173,999.52
Accumulated amortizations	-37,539.52
<b>Total Other Assets</b>	<u>136,460.00</u>
<b>TOTAL ASSETS</b>	<u><u>4,266,719.40</u></u>

See accountants' report and notes to financial statements

**California Affordable Housing Agency**  
**Balance Sheet**  
As of July 31, 2023

	<u>Jul 31, 23</u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
Accounts Payable	39,981.82
Total Accounts Payable	<u>39,981.82</u>
<b>Other Current Liabilities</b>	
Accrued Interest	27,324.00
Deposit	154,900.00
Direct Deposit Liabilities	50,000.00
Tenant Security Deposits (L)	12,057.00
Series 2004A Bonds	20,000.00
U. S. Dept of Ag Note Payable	1,299.00
Series 2009A Bonds	-8,333.34
LT Portion of Bonds Payable	760,684.00
Current Portion of Notes Pay	215,280.00
LT Portion of Notes Payable	980,447.00
Bonds payable Court of Fountain	721,962.03
Issuer Holding Acct	296,884.00
Total Other Current Liabilities	<u>3,232,503.69</u>
Total Current Liabilities	<u>3,272,485.51</u>
Total Liabilities	3,272,485.51
<b>Equity</b>	
Change in Net Assets	-45,285.00
Unrestricted Net Assets	-819,602.00
Restricted Net Assets	776,639.00
Owner Contributions	175,000.00
Fund Balance	1,137,315.45
Net Income	-229,833.56
Total Equity	<u>994,233.89</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>4,266,719.40</u></u>

See accountants' report and notes to financial statements

**California Affordable Housing Agency**  
**Profit & Loss**  
January through July 2023

	<u>Jan - Jul 23</u>
Ordinary Income/Expense	
Income	
Other Income	3,420.00
Total Income	<u>3,420.00</u>
Expense	
Administrative Expenses	2,650.00
Bank fees/wires	818.47
Insurance Expense	-309.00
Accounting & Auditing Fee	5,185.00
Legal Expense	124,005.50
Training & Travel	865.10
Contract Costs	98,000.00
Office Supplies	226.96
Office Rent	6,000.00
Other Administrative Costs	-13,800.00
Website & Internet Expenses	721.45
Annual Retreat/Conference	32,413.37
Dues & Memberships	2,809.88
Conference fees	1,550.00
Total Expense	<u>261,136.73</u>
Net Ordinary Income	-257,716.73
Other Income/Expense	
Other Income	
Interest Income	27,883.17
Total Other Income	<u>27,883.17</u>
Net Other Income	27,883.17
Net Income	<u><u>-229,833.56</u></u>

See accountants' report and notes to financial statements



California Affordable Housing Agency

September 11, 2023

TO: CalAHA Executive Committee

FROM: Nick Benjamin, Executive Director

SUBJECT: Review and Adoption of Agency Annual Audit for Fiscal Year 2022

Attached you will find the Agency Annual Audit for fiscal year 2022. There were no findings by the auditor. For the third consecutive year, a detailed Management Discussion and Analysis (MD&A) was included for submission in the audit.

**RECOMMENDATION:** The Executive Committee accept the 2022 Agency Audit as presented.





California Affordable Housing Agency

September 11, 2023

TO: CalAHA Executive Committee

FROM: Nick Benjamin, Executive Director

SUBJECT: Consideration of Increase in Hourly Rate for Agency Legal Counsel,  
Tom Lewis

At last month's meeting, Ed Mayer asked if it was time to review compensation levels for myself and Tom Lewis. As to my compensation, it is provided for the next two years pursuant to the agreement, subject to annual performance review by the board.

Regarding Tom Lewis, his current hourly rate is at \$250 per hour. A brief history shows that Mr. Lewis' fees were at \$190 per year from 2001 to 2016. In 2016, his fees were raised to \$230 per hour. In January 2021, his fees were raised to \$240 per hour and \$125 per hour for paralegal time. In January 2022, his fees were raised to \$250 per hour and \$135 per hour for paralegal time.

I am recommending that Mr. Lewis' hourly rates be increased to \$275 per hour for attorney time and \$150 per hour for paralegal time. This will allow his office to catch up with the recent inflation increases over the last two years.

Mr. Lewis has served as Agency counsel since our inception. Kao Xiong has been serving us since 2016. I have personally observed the long hours and dedication to our agency that Mr. Lewis contributes. Given his highly qualified and lengthy service to our Agency, coupled with the intervals in rate increase, I recommend the Board approve an increase in hourly rates to \$275 per hour for attorney fees and \$150 per hour for paralegal time.

