



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 19-297 **Version:** 1 **Name:**
Type: Informational Report **Status:** Passed
File created: 2/25/2019 **In control:** DHHS: Administrative
On agenda: 3/12/2019 **Final action:** 3/12/2019
Title: Master Lease Agreement by and between County of Humboldt and Samoa Vance Ave, LP

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Master Lease Agreement by and Between County of Humboldt and Samoa Vance, LP, 3. Subordination, Non-Disturbance and Attornment Agreement

Date	Ver.	Action By	Action	Result
3/12/2019	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: DHHS: Administration

Agenda Section: Consent

SUBJECT:

Master Lease Agreement by and between County of Humboldt and Samoa Vance Ave, LP

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve, and authorize the Director of the Department of Health and Human Services (DHHS) to execute, the attached master lease agreement and subordination, non-disturbance and attornment agreement with Samoa Vance, LP regarding DHHS's leasing of twenty (20) units for DHHS-selected tenants.

SOURCE OF FUNDING:

Social Services Fund

DISCUSSION:

DHHS and Danco Communities have collaborated on a project that offers affordable housing units for families who are homeless or at-risk of homelessness. The Samoa Coast Townhomes (the "Project") located at Vance Avenue south of Cutten Street, Samoa, is a multifamily eighty (80) unit complex for low-income tenants built by Samoa Vance Ave, LP, part of Danco Communities.

The proposed master lease agreement (attachment 1) sets forth the conditions under which Samoa

Vance Ave, LP will master lease twenty (20) rental units in the Project to DHHS for lease to tenants designated by DHHS. Samoa Vance Ave, LP has received an allocation of low-income housing tax credits for the Project and intends for the project to qualify as a “low income housing project” under Section 42 of the Internal Revenue Code. The requirements for the project under Section 42 of the Internal Revenue Code and the California Tax Credit Allocation Committee Regulatory Agreement are collectively referred to as the “LIHTC Requirements.” DHHS reserves the use of 20 units for DHHS clients. DHHS selects and places homeless households who meet the LIHTC requirements set forth in the master lease agreement.

The initial term of this Lease shall be for a period of Twenty (20) years, commencing upon receiving a Certificate of Occupancy and full access to the rental unit. Leases will be in the client’s name. For each DHHS Unit, DHHS will pay Samoa Vance Ave, LP rent in a month amount equal to the difference between the Base Rent and the Fair Market Rent (FMR). The FMR as used in the proposed master lease agreement is the amount approved from time to time by the U.S. Department of Housing and Urban Development. The difference between what the client pays and FMR will be paid by DHHS with funds designated for, or authorized for use for, housing for DHHS clients. DHHS’ obligations under this agreement are contingent upon the availability of local, state and/or federal funds. In the event such funding is reduced or eliminated, DHHS can terminate this agreement due to insufficient funding.

There is a critical lack of affordable housing in Humboldt County. This collaboration supports the Housing First approach by providing affordable housing for homeless and at-risk of homelessness California Work Opportunities and Responsibility to Kids (CalWORKs)-eligible households and families with Child Welfare Services (CWS) involvement. To meet funder requirements and to ensure units are reserved for DHHS clients, the master lease agreement must be executed.

Consistent with the Housing First model for service delivery, Humboldt County DHHS will provide case management services for residents placed by this project and will make referrals for tenancy and assist clients in completing applications and securing funds for deposits. Case management services for persons with serious mental illness will be billed to Medi-Cal as appropriate.

Therefore, staff recommends that the Board approve and authorize the DHHS Director to execute the attached master lease agreement and subordination, non-disturbance and attornment agreement with Samoa Vance Ave, LP, regarding DHHS’ leasing of 20 units for DHHS-selected tenants.

FINANCIAL IMPACT:

The costs associated with this agreement shall not exceed Five Hundred Sixty Thousand Eight Hundred and Eighty Dollars (\$560,880.00) for the maximum biennial (two (2) fiscal years) rental payments. The funding will be provided through a combination of federal, state and local allocation and grant dollars. DHHS has included this cost in the approved fiscal year 2018-19 budget and will continue to include this cost in DHHS’ proposed budgets as long as funding allows. There will be no impact to the County General Fund.

STRATEGIC FRAMEWORK:

This action supports your Board’s Strategic Framework by protecting vulnerable populations and

creating opportunities for improved safety and health.

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to approve the attached master lease agreement. This alternative is not recommended as lack of housing for DHHS clients including CalWORKs-eligible households that are homeless and at-risk of homelessness has been a continuing problem.

ATTACHMENTS:

1. Master Lease Agreement by and Between County of Humboldt and Samoa Vance, LP
2. Subordination, Non-Disturbance and Attornment Agreement

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

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