



Board Summary Report

Date: 3/6/20
To: Board of County Commissioners
Through: Don Klemme, Community Resources Department Director
From: Linda Haley
Subject: Arapahoe County Housing Authority Annual Meeting

Direction/Information:

The Board of County Commissioners (BOCC) meets annually as the Arapahoe County Housing Authority (ArCHA) Board to conduct required business and to receive reports on programs administered by ArCHA. The Agenda for the ArCHA Board meeting is included as Attachment 1.

Request and Recommendation

The BOCC, meeting as the ArCHA Board will be asked to consider the minutes from the 2019 ArCHA meeting, two agreements, and two signature authorities:

1. Approval of the Agenda for the annual meeting. (Attachment 1)
2. Approval of the minutes of the 2019 ArCHA Annual Meeting. (Attachment 2)
3. Update on the Dominionium Tax Deferral.
4. Metro Mortgage Plus Down Payment Assistance Program update.
5. Update on the Point in Time Survey Activities
6. Approval of the amendment with Impact Development Fund to manage our Rehab Portfolio.(Attachment 3)
7. Approval of the amendment with Impact Development Fund to manage our Down Payment Assistance Portfolio. (Attachment 4)
8. Update and approval of the agreement between Arapahoe County and ArCHA to lend County employees to ArCHA to administer programs as the Housing Authority. (Attachment 5)
9. Authorization for Don Klemme as Director of the Community Resources Department, to sign regular business agreements and policies on behalf of the Housing Authority Board.
10. Authorization for Linda Haley, as Director of ArCHA, to sign appropriate administrative documents on behalf of the Housing Authority Board, such as the County's First Time Homebuyer Program covering administrative items such as the Release of Deeds and Trusts and Short Sales.

Background

An annual meeting of ArCHA is required under the by-laws of ArCHA. An agenda is proposed by staff and approved by ArCHA, along with the minutes from the previous annual meeting. Historically, the

Secretary of ArCHA has been the Director of the Community Resources Department. At this meeting, ArCHA receives reports on ArCHA programs and provides direction to staff on ArCHA initiatives.

Links to Align Arapahoe

1. Quality of Life. Arapahoe County Citizen's lives are improved by programs such as the Down Payment Assistance Program.
2. Fiscal Responsibility. The activities of ArCHA increase the opportunities to provide services to vulnerable citizens of Arapahoe County.

Discussion

In 2018 the BOCC agreed to provide Dominion Developers a property tax exemption for a Low Income Housing Tax Credit Senior Project in Centennial. The process for this is still underway as there continue to be problems that must be addressed prior to breaking ground for this project.

In 2019 we updated the Down Payment Assistance Program agreement with Metro Mayors. This agreement remains in effect until changes are requested by either party. In addition to referring people to this program, citizens requesting down payment assistance with home purchases are also referred to the Colorado Housing and Finance Authority (CHFA).

Each year we participate in the Point in Time Survey with Metro Denver Homeless Initiative. Results of the survey won't be available until June 2020. Our activities included taking the lead on implementing the Point in Time for Western Arapahoe County, working with magnet events that were held at Sheridan Library and Giving Heart, conducting counts at Graceful Café, Bemis Library, and Café 180, and recruiting volunteers to count along Broadway in Littleton and Englewood.

Approval of the agreement between Arapahoe County and ArCHA to lend County employees to ArCHA to administer programs as the Housing Authority and authorization for Don Klemme to sign the agreement on behalf of the Housing Authority Board.

The proposed agreement between Arapahoe County and ArCHA to lend County employees to ArCHA is Attachment 3. In early 2019 significant staff time was utilized for emergency housing response to the Windermere fire. We were able to utilize unallocated Aid to Agencies funds to cover some of this staff time. Should there be a large emergency housing need in the future current ArCHA funds and HCDS staffing may not be sufficient to meet the need. HCDS staff supports the approval of this agreement.

Approval of the Amendments between ArCHA and Impact Development Fund to manage our Housing Rehabilitation portfolio and our Down Payment Assistance Portfolio.

Impact Development Fund manages two loan portfolios for us for programs that we no longer offer and do not have the in-house financial expertise to manage. Our contract with Impact Development Fund for our rehab portfolio is \$1500/year and the contract for our Down Payment Assistance Portfolio is \$3500/year. Attachments 4 and 5. Our contract is in effect for one more year but the cost to manage these portfolios has been reduced due to a diminishing number of loans which they are managing as they are paid off.

Authorization for Don Klemme, as Director of the Community Resources Department, to sign regular business agreements and policies on behalf of the Housing Authority Board.

HCDS staff recommends approval of this item to facilitate administrative items that are time sensitive.

Authorization for Linda Haley, as the Director of ArCHA, to sign appropriate administrative documents on behalf of the Housing Authority Board, such as the County's First Time Homebuyer Program covering administrative items such as the Release of Deeds of Trust, Subordination Agreements, and Short Sales.

HCDS staff recommends approval of this item to facilitate administrative items that are time sensitive.

Alternatives

The BOCC may recommend alternatives to any of the recommendations listed above.

Fiscal Impact

Arapahoe County General Funds in the amount of \$30,000 annually are provided to ArCHA to support the activities, staff time, and training required to manage ArCHA programs and to support the annual Point in Time Survey. Any costs that are appropriate to be charged to HOME or CDBG are allocated to those programs.

Concurrence

HCDS staff supports the recommendations made above.

Attorney Comments

Reviewed By:

Linda Haley, Housing and Community Development Division Manager
Don Klemme, Community resources Department Director
Todd Weaver, Finance Department Director
Tiffanie Bleau, Assistant County Attorney

AGENDA
ANNUAL MEETING
BOARD OF COUNTY COMMISSIONERS
March 30, 2020
WEST HEARING ROOM
5334 S. PRINCE ST.
LITTLETON, COLORADO 80166

Attachment #1

- I. Call to Order (Chairman Sharpe)
- II. Roll Call
- III. Review and Approve Agenda (Attachment 1)
- IV. Approval of the Minutes of the Annual Meeting of March 26, 2019 (Attachment 2)
- V. New Business
 - A. Metro Mortgage Plus Program Update
 - B. Dominion Tax Deferral Update
 - C. Point in Time Survey Activities Update
 - D. Renewal of Agreements
 - 1. Approval of an amendment with Impact Development fund to manage our Rehab Program Portfolio.(Attachment 3)
 - 2. Approval of an amendment with Impact Development Fund to manage our First Time Homebuyer portfolio. (Attachment 4)
 - 3. Update and approval of the agreement between Arapahoe County and ArCHA to lend County employees to ArCHA to administer programs as the Housing Authority (Attachment 5).
 - E. Signature Authorizations
 - 1. Authorization for Don Klemme, as Director of the Community Resources Department, to sign regular business agreements and policies on behalf of the Housing Authority Board.
 - 2. Authorization for Linda Haley, as the Director of ArCHA, to sign appropriate administrative documents, such as Release of Deeds and Trusts Subordination Agreements, and Short Sales on behalf of the Housing Authority Board.
- VI. Old Business- as may be announced
- VII. Adjournment

**ARAPAHOE COUNTY HOUSING AUTHORITY
MINUTES
ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS
ANNUAL ARAPAHOE COUNTY HOUSING AUTHORITY MEETING
TUESDAY MARCH 26, 2019
11:00 A.M. – WEST HEARING ROOM
5334 SOUTH PRINCE STREET
LITTLETON, COLORADO**

PRESENT

Jeff Baker, Commissioner
Bill Holen, Commissioner
Nancy Sharpe, Commissioner
Kathleen Conti, Commissioner
Linda Haley, Division Manager, Housing and Community Development Services
Tiffany Bleau, Assistant County Attorney
Michelle Halstead, Director of Communications
Gail Stumpo, Clerk and Recorder
Carol Zsako, Recording Secretary for the Arapahoe County Housing Authority

CALL TO ORDER

The meeting of the Arapahoe County Housing Authority (ArCHA) was called to order by the Chair of the Board of County Commissioners (BOCC), Commissioner Baker, at 11:02 a.m. Roll call was taken and Commissioner Baker, Commissioner Holen, Commissioner Sharp and Commissioner Conti were present. Commissioner Jackson (was absent and excused). Introductions were made by Community Resources Department staff: Liana Escott, Community Development Administrator; Jeremy Fink, Community Development Administrator; Emily Spada, Grants Fiscal Specialist; Carol Zsako, Business Associate III.

CALL TO CONVENE

A motion to convene as the Arapahoe County Housing Authority (ArCHA) was made by Commissioner Holen and seconded by Commissioner Conti. The motion passed unanimously.

Commissioner Baker turned over the Agenda Review to Linda Haley.

ADOPTION OF AGENDA

Linda Haley requested that the agenda be amended to add one item. A motion to accept the agenda as amended was made by Commissioner Baker and seconded by Commissioner Holen. The motion passed unanimously.

APPROVAL OF MINUTES

A motion to approve the ArCHA minutes of March 20, 2018 was made by Commissioner Holen and seconded by Commissioner Conti. The motion passed unanimously.

NEW BUSINESS

Section 8 Program Update

Linda gave a brief summary of the program. ArCHA no longer contracts with South Metro Housing Options for the Housing Choice vouchers (Section 8) due to the State of Colorado making a determination that in cases where counties were using sub-grantees to manage the program, the State would contract directly with the sub-grantee who is managing the program. South Metro Housing Options continues to manage the vouchers. There are currently 474 active, leased up vouchers, 20 people who are searching and a wait list of 209.

Dominium Tax Deferral Update

In 2018 the BOCC agreed to provide Dominium Developers a property tax exemption for a Low Income Housing Tax Credit Senior Project in Centennial. The process for this is still underway as there have been a number of delays in moving this development forward.

Long Term Recovery Activity Updates

The Long Term Recovery activities following the Windermere Fire are beginning to wrap up. There are currently 4 residents that staff are working with to secure housing. The remainder of the residents can be documented to be housed or do not respond to our attempts to contact them. It is important to note that since November 18, 2018 we have spent 557 staff hours working on re-housing and related needs of the 160 displaced residents. The hours represent almost 1 FTE (40 hours per week for 15 weeks). The cost for this staff time is \$29,554.65. We have also spent approximately \$30,000 from the Arapahoe County Foundation on needs such as security deposits, rent, moving expenses, and gift cards to assist with miscellaneous needs.

Additionally it is important to note that a plan needs to be considered for addressing future long term recovery needs. The Housing and Community Development staff with 3.25 FTE's cannot continue to be called upon to devote this level of staffing time to emergency needs without jeopardizing other grants and programs that we are managing.

The ArCHA Board acknowledged the issue and is receptive to considering options.

RENEWAL OF AGREEMENTS

Approval of the updated agreement between the City and County of Denver and Arapahoe County to participate in the Metro Mortgage Assistance Plus Program for down payment assistance for low and moderate income households.

We currently participate in this program. Denver has updated and made some changes to the program and is requesting that all participants sign new agreements. The current program allows assistance up to 5%, increased from 4% in the past. The loan is a no interest second loan that is forgivable after 36 months. There is no cost to Arapahoe County to participate. The program costs are covered by the value generated by the loans.

A motion was made by Commissioner Holen and seconded by Commissioner Baker to update and approve the agreement between the City and County of Denver and Arapahoe County to participate in the Metro Mortgage Assistance Plus Program for down payment assistance for low and moderate income households. The motion passed unanimously.

Approval is being requested to update and approve the agreement between Arapahoe County and ArCHA to lend County employees to ArCHA to administer programs as the Housing Authority.

A motion was made by Commissioner Sharpe and seconded by Commissioner Conti to update and approve the agreement between Arapahoe County and ArCHA to lend County employees to ArCHA for administration of programs as the Housing Authority be approved. The motion passed unanimously.

Approval is being requested for the renewal of Loan Servicing Agreements with Impact Development Fund (formerly known as Funding Partners).

A motion was made by Commissioner Holen and seconded by Commissioner Sharpe to renew the Loan Servicing Agreements with Impact Development Fund (formerly known as Funding Partners). The motion passed unanimously.

SIGNATURE AUTHORIZATIONS

Approval is being requested to authorize Don Klemme, as Director of the Community Resources Department, to sign regular business agreements and policies on behalf of the Housing Authority Board. HCDS staff recommends approval of this item to facilitate administrative items that are time sensitive.

A motion was made by Commissioner Holen and seconded by Commissioner Conti to approve authorization for Don Klemme to sign regular business agreements and policies on behalf of the Housing Authority Board. The motion passed unanimously.

Approval is being requested for signature authorization for Linda Haley, as the Director of ArCHA, to sign appropriate administrative documents, such as Release of Deeds and Trusts Subordination Agreements, and Short Sales, on behalf of the Housing Authority Board. HCDS staff recommends approval of this item to facilitate administrative items that are time sensitive.

A motion was made by Commissioner Conti and seconded by Commissioner Sharpe to approve authorization for Linda Haley to sign administrative documents on behalf of the Housing Authority Board, as the Director of ArCHA. The motion passed unanimously.

OLD BUSINESS

No old business to discuss.

There being no further business to come before the Board of the Arapahoe County Housing Authority, Commissioner Baker moved to adjourn, seconded by Commissioner Conti. Motion passed unanimously and meeting was adjourned at 11:22 a.m.

Respectfully submitted,

Carol Zsako
Recording Secretary
Arapahoe County Housing Authority

**AMENDMENT NUMBER ONE TO THE
HOME INVESTMENT PARTNERSHIP AGREEMENT**

**SUBGRANTEE: Impact Development Fund
PROJECT NAME: Loan Servicing: Homeowner Rehabilitation Programs**

This First Amendment is made by and between Impact Development Fund (SubGrantee) and the Arapahoe County Housing Authority, State of Colorado, (ArCHA) for the conduct of Loan Servicing for ArCHA Homeowner Rehabilitation projects generated through Housing and Urban Development (HUD) HOME entitlement funds.

WHEREAS, the SubGrantee has contracted with ArCHA to administer Loan Servicing for County generated loans on May 15th, 2019 to start on April 29, 2019 and to end on March 31, 2021 per contract CSHC197086.

WHEREAS, the Loan Servicing fee for Program year 2020 is now \$1,500 as a result of a diminishing portfolio, we are amending the original contract.

NOW, THEREFORE, for the mutual consideration of the parties, the receipt and sufficiency of which are hereby acknowledged, the County and the SubGrantee agree that the contract amount will be changed to \$1,500 for Program Year 2020.

All other terms, conditions and sections of the original Agreement not inconsistent with this Amendment are reaffirmed and incorporated herein by this reference.

To the County: Arapahoe County Housing & Community Development
 1690 W. Littleton Blvd., Suite 300
 Littleton, CO 80120-2069

To the SubGrantee: Impact Development Fund
 200 E 7th Street, #412
 Loveland, CO 80537

In Witness Whereof, the Parties have caused this Amendment to be duly executed this _____ day of,

_____.

SubGrantee: _____

Name & Title: _____

Signature: _____

Arapahoe County:

**AMENDMENT NUMBER ONE TO THE
HOME INVESTMENT PARTNERSHIP AGREEMENT**

**SUBGRANTEE: Impact Development Fund
PROJECT NAME: Loan Servicing: Down Payment Assistance Programs**

This First Amendment is made by and between Impact Development Fund (SubGrantee) and the Arapahoe County Housing Authority, State of Colorado, (ArCHA) for the conduct of Loan Servicing for ArCHA Down payment Assistance Loans generated through Housing and Urban Development (HUD) HOME entitlement funds.

WHEREAS, the SubGrantee has contracted with ArCHA to administer Loan Servicing for County generated loans on May 15th, 2019 to start on April 29, 2019 and to end on March 31, 2021 per contract CSHC197086.

WHEREAS, the Loan Servicing fee for Program year 2020 is now \$3,500 as a result of a diminishing portfolio, we are amending the original contract.

NOW, THEREFORE, for the mutual consideration of the parties, the receipt and sufficiency of which are hereby acknowledged, the County and the SubGrantee agree that the contract amount will be changed to \$3,500 for Program Year 2020.

All other terms, conditions and sections of the original Agreement not inconsistent with this Amendment are reaffirmed and incorporated herein by this reference.

To the County: Arapahoe County Housing & Community Development
 1690 W. Littleton Blvd., Suite 300
 Littleton, CO 80120-2069

To the SubGrantee: Impact Development Fund
 200 E 7th Street, #412
 Loveland, CO 80537

In Witness Whereof, the Parties have caused this Amendment to be duly executed this _____ day of,

_____.

SubGrantee: _____

Name & Title: _____

Signature: _____

Arapahoe County:

**AGREEMENT BETWEEN
ARAPAHOE COUNTY
AND ARAPAHOE COUNTY HOUSING AUTHORITY**

This Agreement is made this 1st day of April 2020, between the BOARD OF COUNTY COMMISSIONERS, COUNTY OF ARAPAHOE, STATE OF COLORADO and the ARAPAHOE COUNTY HOUSING AUTHORITY, a Colorado body corporate and politic (“Authority”). The Authority was established in 1991 to address low and moderate income housing needs and to develop and support affordable housing in Arapahoe County. To provide support for these activities, and for the mutual benefit of both parties, the Authority and County first entered into the following Agreement on September 26, 1995 and hereby take joint action to renew said Agreement, TO-WIT:

I. COUNTY HOUSING PROGRAMS ADMINISTERED BY THE AUTHORITY

In addition to programs and projects that the Authority chooses to develop on its own, the Authority and County agree that the Authority shall administer the following County programs. In administering these programs the Authority is herein delegated and conveyed the maximum authority and rights permitted by the various programs and grants. Where funds shall be granted or conveyed to the Authority from or through Arapahoe County, the Authority shall have the commensurate authority and responsibility for those funds. Authority expenses for administering these programs and projects shall be borne by the grants and by the County and the Authority to detail the responsibilities and rights of the Authority in administering particular funds or programs.

- a) Housing programs that may be initiated to develop or support affordable housing in the County as agreed to from time to time by the parties with a written memorandum.
- b) Metro Mortgage Assistance Plus Program.
- c) Developer requested tax property tax exemptions that may further the development of affordable housing.
- d) Long Term Recovery and homelessness initiatives that cannot be allocated to existing grant funds.

II. AUTHORITY MANAGEMENT

The Authority is managed by the County's Division Manager of the Housing and Community Development Services Division, Community Resources Department, and the staff of that Division, and that Division Manager shall report to the County's Director of the Community Resources Department. This staff of County employees is loaned to the Authority by the County. These loaned County employees are listed below. Accompanying their titles is approximately the percentage of time that the particular loaned employee is to devote to the Authority's matters with the remaining time being devoted to other County duties. All employees complete a time allocation form to provide documentation of the time charged to ArCHA. All County employees shall be paid by the County, which may be reimbursed by the Authority in a manner commensurate with the percentage of time the employees devote to the Authority's matters. All County employees shall report to the County's Division Manager of Housing and Community Development Services, who shall in turn report to the Director of Community Resources, who shall in turn report to the Authority Board of Commissioners.

1. Director of Community Resources Department (2%)
2. Division Manager of Housing and Community Development Services Division (20%)
3. Community Development Administrator 1 (10%)
4. Community Development Administrator 2 (10%)
5. Housing Specialist (10 %)
6. Grants Fiscal Specialist of Administrative Services Division of Community Resources Department (5%)
7. Community Resources Administrative staff (18% of the \$30,000 in the County General Fund allocated to ArCHA).

The Director of the Community Resources Department shall be the Recording Secretary to the Housing Authority Board.

III. SERVICES PROVIDED BY COUNTY

The County shall perform for the Authority payroll, accounting, and all other administrative services and functions that are normally performed for County departments. These services shall be performed for the same cost (if any) charged to other County departments or grant-funded programs. In a like manner the County shall provide office space to the Authority.

IV. CERTAIN COUNTY PROCEDURES AND POLICIES

The Authority shall from time to time adopt its own procedures and policies, but where it does not, the Authority may adopt the policies and procedures of the County.

V. OTHER ASSISTANCE

From time to time the County may provide whatever other assistance to the Authority that the County and the Authority decide upon.

This Agreement may be amended at any time and placed with the written agreement of both parties. Either party may elect to cancel or terminate this Agreement with sixty (60) days written notice to the other party. This Agreement shall otherwise terminate on March 31st of each year unless it is renewed by the Authority and the County.

ATTEST:

Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
COUNTY OF ARAPAHOE
STATE OF COLORADO

BY _____
Chairman

ATTEST:

Secretary to the Board

DON KLEMME, BY
PERMISSION OF THE
ARAPAHOE COUNTY HOUSING
AUTHORITY BOARD OF
COUNTY COMMISSIONERS
Resolution #