

BUTTE COUNTY AFFORDABLE HOUSING
DEVELOPMENT CORPORATION

Board of Directors Meeting

2039 Forest Avenue
Chico, CA 95928

SPECIAL MEETING AGENDA

June 15, 2023
2:00 p.m.

Due to COVID-19 and California State Assembly Bill 361 that amends the Ralph M. Brown Act to include new authorization for remote meetings, including remote public comment for all local agencies. California State Assembly Bill 361 extends the provision of Governor Newsom's Executive Order N-29-20 and N-35-20 until January 2024. The meeting will be a hybrid meeting both in person at this Housing Authority office and remotely. Members of the Board of Commissioners and HACB staff will be participating either in person or remotely. The Board of Commissioners welcomes and encourages public participation in the Board meetings either in person or remotely from a safe location.

Members of the public may be heard on any items on the Commissioners' agenda. A person addressing the Commissioners will be limited to 5 minutes unless the Chairperson grants a longer period of time. Comments by members of the public on any item on the agenda will only be allowed during consideration of the item by the Commissioners. Members of the public desiring to be heard on matters under jurisdiction of the Directors, but not on the agenda, may address the Commissioners during agenda item 6.

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/808683149>

You can also dial in using your phone.

Access Code: 808 683 149
United States (Toll Free): [1 866 899 4679](tel:18668994679)
United States: +1 (571) 317-3116

If you have any trouble accessing the meeting agenda, or attachments; or if you are disabled and need special assistance to participate in this meeting, please email marysolp@butte-housing.com or call 530-895-4474 x.210. Notification at least 24 hours prior to the meeting will enable the Housing Authority to make a reasonable attempt to assist you.

NEXT RESOLUTION NO. 23-9C

ITEMS OF BUSINESS

1. ROLL CALL
2. AGENDA AMENDMENTS

3. CONSENT CALENDAR
4. CORRESPONDENCE
5. REPORTS FROM PRESIDENT
 - 5.1 Orchard View Apartments Phase I, Gridley – Amendment to Development MOA.
Recommendation: Resolution No. 23-9C
6. MEETING OPEN FOR PUBLIC DISCUSSION
7. MATTERS CONTINUED FOR DISCUSSION
8. SPECIAL REPORTS
9. REPORTS FROM DIRECTORS
10. MATTERS INITIATED BY DIRECTORS
11. EXECUTIVE SESSION
12. DIRECTORS' CALENDAR
Next regular meeting – August 17, 2023
13. ADJOURNMENT

BUTTE COUNTY AFFORDABLE HOUSING DEVELOPMENT CORPORATION

RESOLUTION NO. 23-9C

AMENDMENT TO
MEMORANDUM OF AGREEMENT
FOR
DEVELOPMENT AND OPERATION OF
ORCHARD VIEW APARTMENTS PHASE I, GRIDLEY

WHEREAS, on September 16, 2021 the Butte County Affordable Housing Development Corporation (BCAHDC) adopted Resolution No. 21-18C, authorizing the Memorandum of Agreement (MOA) with Pacific West Communities (PWC) for participation in the 48-unit affordable housing development project known as Orchard View Apartments Phase I, Gridley; and

WHEREAS, an amendment to the MOA (Amendment) is necessary to address addition of Solar Tax Credit funding to the project and compensation of associated administrative costs; and

WHEREAS, such Amendment has been drafted and determined to be in the best interest of all concerned;

THEREFORE BE IT RESOLVED by the Board of Directors of the Butte County Affordable Housing Development Corporation (BCAHDC) to authorize its President to execute the Amendment to the Memorandum of Agreement between BCAHDC and Pacific West Communities (PWC) regarding the 48-unit Orchard View Apartments I, Gridley, project, such Amendment attached to and made a part of this Resolution Number 23-9C,

Dated: June 15, 2023.

Edward S. Mayer President

ATTEST:

Marysol Perez, Secretary

**AMENDMENT TO MEMORANDUM OF AGREEMENT FOR DEVELOPMENT AND
OPERATION OF ORCHARD VIEW APARTMENTS, PHASE I, GRIDLEY**

That certain “Memorandum of Agreement” entered by and between Pacific West Communities, Inc., an Idaho corporation (“PWC”) and Butte County Affordable Housing Development Corporation, a California nonprofit public benefit corporation (“BCAHDC”) dated September 16, 2021 (the “Agreement”), is hereby modified and amended as follows:

1. Paragraph 6 is deleted in its entirety and hereby replaced with the following:

As compensation for the services in connection with the management of the Project and commencing as of the funding date of the conversion installment by the Limited Partner of the Project, the Administrative General Partner of the Project shall receive 90% and the Managing General Partner of the project shall receive 10% of an annual “Partnership Management Fee” in the amount of \$30,000 per annum, which shall accrue if not paid in any given year.

Except as expressly set forth hereinabove, the Agreement shall continue in full force and effect with all provisions remaining unchanged.

Executed this 15th day of June 2023.

PACIFIC WEST COMMUNITIES, INC.,
an Idaho corporation

By: _____
Name: Caleb Roope
Its: President and CEO

BUTTE COUNTY AFFORDABLE HOUSING DEVELOPMENT CORPORATION,
a California nonprofit public benefit corporation

By: _____
Name: Edward S. Mayer
Its: President