



1505

EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL
Meeting of December 5, 2006

AGENDA TITLE: Affordable Housing Agreement (Developer's Agreement) and Affordable Housing and Buyer's Occupancy and Resale Restriction Agreement (Buyer's Agreement)

DEPARTMENT: Human Services (CS)	DEPT SIGNOFF:	CAO USE ONLY: 11/22
CONTACT: John Litwinovich		
DATE: 11/20/2006 PHONE: 6163		

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

Human Services, Community Services, recommends that the Board: 1. Approve the implementation and use of an Affordable Housing Agreement (Developer's Agreement) and an Affordable Housing and Buyer's Occupancy and Resale Restriction Agreement (Buyer's Agreement) for use in developing affordable housing projects and preserving affordable housing units. Initially, the Agreements will be utilized to meet requirements set forth by the Planning Commission for the Lesarra Attached Homes residential condominium project. Both Agreements will be used as standard format to develop future affordable housing projects and preserve affordable housing units. 2. Authorize Director of Human Services to execute both Agreements on behalf of the County for the Lesarra Attached Homes residential condominium project and to execute said Agreements for future affordable housing projects contingent on approval by County Counsel and Risk Management of specific Agreements for each project.

CAO RECOMMENDATIONS: Recommend approval. *Laura A. Hill*
11/27/06

Financial impact? () Yes (X) No	Funding Source: () Gen Fund () Other
	Other: Federal, State and County

BUDGET SUMMARY:

Total Est. Cost	\$0.00
Funding	
Budgeted	_____
New Funding	_____
Savings	_____
Other	_____
Total Funding	_____
Change in Net County Cost	\$0.00

CAO Office Use Only:

4/5's Vote Required () Yes (X) No

Change in Policy () Yes (X) No

New Personnel () Yes (X) No

CONCURRENCES:

Risk Management _____

County Counsel _____

Other _____

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or _____

Ayes: _____

Noes: _____

Abstentions: _____

Absent: _____

Rev. 04/05

I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors

Date: _____

Attest: Cindy Keck, Board of Supervisors Clerk

By: _____



EL DORADO COUNTY
DEPARTMENT OF HUMAN SERVICES
John Litwinovich
Director

November 13, 2006

El Dorado County Board of Supervisors
330 Fair Lane
Placerville, California 95667

Members of the Board:

Title: Affordable Housing Agreement (Developer's Agreement) and Affordable Housing and Buyer's Occupancy and Resale Restriction Agreement (Buyer's Agreement).

Recommendations:

Human Services, Community Services Division, recommends that the Board:

1. Approve the implementation and use of an Affordable Housing Agreement (Developer's Agreement) and an Affordable Housing and Buyer's Occupancy and Resale Restriction Agreement (Buyer's Agreement) for use in developing affordable housing projects and preserving affordable housing units. Initially, the Agreements will be utilized to meet requirements set forth by the Planning Commission for the Lesarra Attached Homes residential condominium project. Both Agreements will be used as standard format to develop future affordable housing projects and preserve affordable housing units.
2. Authorize the Director of Human Services to execute the Developer's and Buyer's Agreements on behalf of the County for the Lesarra Attached Homes residential condominium project and to execute said Agreements for any future affordable housing projects contingent upon approval by County Counsel and Risk Management of specific Agreements for each project.

Reasons for Recommendations:

Pacific West Company, dba Lesarra Attached Homes, Limited Partnership is developing a 160-unit residential condominium project which will include twelve (12) affordable housing units available to moderate income households. In order for the project to proceed, the Developer's Agreement must be executed between Lesarra Attached Homes, LP and the County. The Buyer's Agreement, which will be executed when individual units are sold, guarantees that the units remain available to moderate income households for no less than twenty (20) years. County Counsel and Risk Management have approved both Agreements. Copies of the Agreements are on file with the Board Clerk. Agreements for future projects will contain the same basic provisions, but may vary due to project specific requirements, which will be approved by County Counsel and Risk Management prior to execution.

Fiscal Impact: Total Cost (or Savings): No cost.

Net County Cost: No Net County Costs are involved.

Action to be Taken Following Approval:

Director of Human Services will execute Agreements for the Lesarra Attached Homes, LP condominium project. The Affordable Housing Agreement and the Affordable Housing and Buyer's Occupancy and Resale Restriction Agreement will be utilized for future affordable housing projects.

Sincerely,

John Litwinovich
Director of Human Services

Contract # Pacific West Co.

CONTRACT ROUTING SHEET

2006 OCT 23 PM 3:12
EL DORADO COUNTY COUNSEL
Formal Review
Antley Mearl

PROCESSING DEPARTMENT:
Department: Human Services
Dept. Contact: Joyce Aldrich
Phone #: 642-7276
Department Head
Signature: *John Peterson*

CONTRACTOR:
Name: Pacific West Company
Address: 8700 Technology Way
Reno, NV 89521
Phone: _____

CONTRACTING DEPARTMENT:
Compliance with Human Resources requirements? Yes: No:
Compliance verified by: _____

COUNTY COUNSEL: (Must approve all contracts and MOU's)
Approved: Disapproved: Date: 11/8/06 By: *PTJ*
Approved: Disapproved: Date: By:

Review and approve final draft of the:
 Affordable Housing Agreement (Developer's Agreement)
 Affordable Housing and Buyer's Occupancy and Resale Restriction Agreement (Buyer's Agreement)

Section D includes back up documentation indicating changes made as per County Counsel.
 Forward to Risk Management upon approval for review and approval.

RISK MANAGEMENT: (All contracts and MOU's except boilerplate grant funding agreements)
Approved: Disapproved: Date: 11/8/06 By: *J. Costello*
Approved: Disapproved: Date: By:

NOV 08 2006

OTHER APPROVAL (Specify department(s) participating or directly affected by this contract). Department(s): _____
Approved: Disapproved: Date: By:
Approved: Disapproved: Date: By:

DATE 10/23/2006
ATTORNEY ANITA FRANTZ
DEPT. INDEX NO. 51000