

REGULAR MEETING AGENDA - ORANGE COUNTY HOUSING FINANCE TRUST

WEDNESDAY, APRIL 13, 10:00 A.M.

MEETING WILL BE HELD VIA TELECONFERENCE/VIDEOCONFERENCE ONLY

DOUG CHAFFEE

Chairman

STEPHEN FAESSEL

Vice Chairman

DON BARNES

Director

LISA A. BARTLETT

Director

JAMEY FEDERICO

Director

SHARI FREIDENRICH

Director

FRED JUNG

Director

DAVID PENALOZA

Director

ED SACHS

Director

Trust Manager

Adam Eliason

Trust Counsel

Jacqueline Guzman

Clerk of the Trust

Robin Stieler

GUIDANCE FOR PUBLIC ACCESS TO REDUCE RISK OF COVID-19: On September 16, 2021, Governor Gavin Newsom signed into law Assembly Bill 361 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public due to the State of Emergency resulting from the threat of Novel Coronavirus (COVID-19). To ensure the safety of the Commissioners and staff, and for the purposes of limiting the risk of COVID-19, in-person public participation at this meeting of the Commission will not be permitted. This meeting will be held via Zoom. Members of the public can listen to and participate in the live meeting by accessing the following:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83660334342?pwd=djI4d01tS1B2REVORFOyNFNlciZDZz09>

Webinar ID: 836 6033 4342

Passcode: 746778

Or One tap mobile: US: +16699009128,,83660334342# or +12532158782,,83660334342#

Or Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Members of the public may address the Commission regarding any item in one of two ways:

1. **Real-time Comment** – To provide a real-time public comment during the meeting, please access the Zoom information identified above. Speakers will be recognized by the Commission Chair at the time the agenda item is to be considered. If attending virtually via Zoom, use the hand-raise icon to be called on for public comment, and if calling in via telephone, dial *9. A speaker's comments shall be limited to three minutes. Anyone causing disruption can be removed from the meeting at the discretion of the Chair.

2. **Written Comment** – The Commission is also accepting public comments to be submitted by emailing them to aeliason@ochft.org. The comments will be distributed to all of the Directors and read into the record. If you wish to comment on a specific agenda item, please identify the item in your email. General public comments will be addressed during the general public comment item on the agenda. In order to ensure that staff has the ability to provide comments to the Directors in a timely manner, please submit your comments by 12:00 p.m. on April 12, 2022. Public comments will be made available to the public upon request. In compliance with

the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Clerk of the Board's Office 72 hours prior to the meeting at (714) 834-2206

Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda. When addressing the Orange County Housing Finance Trust, please state your name for the record prior to providing your comments.

*All supporting documentation is available for public review online at:
www.OCHFT.org and in the office of the Clerk of the Board of Supervisors located in the
Hall of Administration Building, 333 W. Santa Ana Blvd., 10 Civic Center Plaza, Room 465,
Santa Ana, California 92701 during regular business hours,
8:00 a.m. - 5:00 p.m., Monday through Friday.*

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT CALENDAR ITEMS (Item 1):

1. Approve Orange County Housing Finance Trust minutes from the March 16, 2022, meeting

DISCUSSION ITEMS (Item 2):

At this time, members of the public in attendance may ask the Board to be heard, and emails received by members of the public will be read into the record on the following items as those items are called.

2. Adopt Resolution finding that, due to the proclaimed state of emergency arising from the Novel Coronavirus (COVID-19) and local officials continued recommended measures to promote social distancing, it is necessary for Directors to participate in the meetings via teleconferencing

HOUSING TRUST MANAGER REPORT (Item 3):

3. Oral Report from the Housing Trust Manager

PUBLIC COMMENTS:

At this time members of the public may address the Trust, and emails received by deadline will be read into record on any matter not on the agenda but within the jurisdiction of the Trust. The Trust or Chair may limit the length of time each individual may have to address the Trust, and emails received are to be read.

DIRECTOR COMMENTS:

ADJOURNED:

NEXT MEETING: April 27, 2022, at 10:00 a.m.

Agenda Item 1
Minutes – March 16, 2022

**REGULAR MEETING SUMMARY ACTION MINUTES
ORANGE COUNTY HOUSING FINANCE TRUST**

WEDNESDAY, MARCH 16, 2022, 10:00 A.M.

DOUG CHAFFEE
Chairman

STEPHEN FAESSEL
Vice Chairman

DON BARNES
Director

LISA A. BARTLETT
Director

JAMEY FEDERICO
Director

SHARI FREIDENRICH
Director

FRED JUNG
Director

DAVID PENALOZA
Director

ED SACHS
Director

Trust Manger
Adam Eliason

Trust Counsel
Jacqueline Guzman

Clerk of the Trust
Robin Stieler

ATTENDANCE: Directors Barnes, Bartlett, Chaffee, Faessel, Federico, Freidenrich and Jung
(All Members participated via Zoom)

ABSENT: Directors Penalozza and Sachs

PRESENT: Trust Counsel
Clerk of the Trust
Jacqueline Guzman
Robin Stieler

CALL TO ORDER

The Clerk called the meeting to order at 10:04 a.m.

PLEDGE OF ALLEGIANCE

Chairman Chaffee led the pledge of allegiance

ROLL CALL

The Clerk called the roll and confirmed quorum

CONSENT CALENDAR (Item 1)

1. Approve Orange County Housing Finance Trust minutes from the February 16, 2022, meeting **ON THE MOTION OF DIRECTOR FEDERICO, SECONDED BY DIRECTOR JUNG, BY A VOTE OF 7 TO 0, WITH DIRECTORS PENALOZA AND SACHS BEING ABSENT, APPROVED THE ORANGE COUNTY HOUSING FINANCE TRUST MINUTES FROM THE FEBRUARY 16, 2022 MEETING**

DISCUSSION ITEMS (Item 2-4):

2. Receive and file State funding advocacy update from Townsend Public Affairs **RECEIVED AND FILED STATE AND FEDERAL FUNDING ADVOCACY UPDATE FROM ERIC O'DONNELL OF TOWNSEND PUBLIC AFFAIRS**
3. Approve the Trust Procurement Policy **ON THE MOTION OF DIRECTOR FREIDENRICH, SECONDED BY CHAIRMAN CHAFFEE, BY A VOTE OF 6 TO 0, WITH DIRECTORS FAESSEL, PENALOZA AND SACHS BEING ABSENT, APPROVED AMENDED TRUST PROCUREMENT POLICY TO 1) ADD ADDITIONAL SENTENCE TO PAGE 3, 5.1. COMMODITY AND SERVICES PURCHASES (NON-CONSTRUCTION) SMALL PURCHASE LESS THAN \$10,000 TO READ: THE TRUST MANAGER MAY EXECUTE CONTRACTS OR PURCHASES UNDER THIS THRESHOLD WITHOUT BOARD APPROVAL SUBJECT TO A PRIOR TRUST APPROVED BUDGET ALLOCATION FOR THAT CONTRACT OR SERVICE; AND 2) TO REVISE AND LOWER THE VALUE FOR CONTRACTS OVER \$1,000,000 TO '\$500,000' ON PAGE 10 – INTERVIEWS; AND DIRECTED STAFF TO CLARIFY LANGUAGE WITHIN THE POLICY AND RETURN TO THE BOARD WITH AN AMENDED POLICY BEFORE RELEASING REQUEST FOR PROPOSAL**
4. Adopt Resolution finding that, due to the proclaimed state of emergency arising from the novel coronavirus (COVID-19), meeting in person presents imminent risks to the health and safety of attendees, and the emergency continues to directly impact the ability of the members to meet safely in person **ON THE MOTION OF DIRECTOR JUNG, SECONDED BY DIRECTOR BARNES, BY A VOTE OF 4 TO 3, WITH DIRECTORS BARTLETT, JUNG, FAESSEL AND CHAFFEE VOTING YES, DIRECTORS BARNES, FEDERICO AND FREIDENRICH VOTING NO AND DIRECTORS PENALOZA AND SACHS BEING ABSENT, THE BOARD APPROVED ITEM AS RECOMMENDED**

HOUSING TRUST MANAGER REPORT (Item 2)

5. Oral Report from the Housing Trust Manager **TRUST STAFF AND COUNSEL CONTINUE TO WORK CLOSELY WITH TRUST FUNDED DEVELOPERS ON A SERIES OF PROJECTS FOR PROJECT CLOSURE; FIVE TRUST PROJECTS HAVE BEEN FUNDED, CLOSED AND CONSTRUCTION HAS COMMENCED; STAFF IS CURRENTLY WORKING ON FOUR ADDITIONAL PROJECTS**

TRUST STAFF WILL SOON RECEIVE APPLICATIONS FOR THE THIRD NOTICE OF FUNDING; WILL RETURN TO THE BOARD IN MAY WITH FUNDING RECOMMENDATION

TRUST APPLIED AND RECEIVED FUNDING FROM THE STATE FOR THE LOCAL HOUSING TRUST FUND PROGRAM THAT THE HOUSING AND COMMUNITY DEVELOPMENT AT THE STATE OF CALIFORNIA ISSUES EVERY YEAR; APPLICATION PROCESS WILL BEGIN WITHIN 30 DAYS

PUBLIC & TRUST COMMENTS:

PUBLIC COMMENTS: None

DIRECTOR COMMENTS:

Chairman Chafee – Oral re: Trust approved resolution to continue virtual meeting (Agenda Item #4); requested to determine if future meetings could be held in-person

ADJOURNED: 11:06 a.m.

NEXT MEETINGS: April 13, 2022 at 10:00 a.m.

DOUG CHAFFEE
Chair, Orange County Housing Finance Trust

ROBIN STIELER
Clerk of the Orange County Housing Finance Trust

Agenda Item 2

Resolution to allow meetings
via teleconferencing

REQUEST FOR ORANGE COUNTY HOUSING FINANCE TRUST (OCHFT) BOARD ACTION

MEETING DATE: April 13 ,2022

SUBJECT: Adopt Resolution finding that, due to the proclaimed state of emergency arising from the Novel Coronavirus (COVID-19) and local officials continued recommended measures to promote social distancing, it is necessary for Directors to participate in the meetings via teleconferencing.

RECOMMENDED ACTION:

ADOPT RESOLUTION FINDING THAT, DUE TO THE PROCLAIMED STATE OF EMERGENCY ARISING FROM THE NOVEL CORONAVIRUS (COVID-19) AND LOCAL OFFICIALS CONTINUED RECOMMENDED MEASURES TO PROMOTE SOCIAL DISTANCING, IT IS NECESSARY FOR DIRECTORS TO PARTICIPATE IN THE MEETINGS VIA TELECONFERENCING.



Adam B. Eliason, Manager

SUMMARY:

Adoption of the attached resolution will allow the Board of Directors to make certain findings in order to continue meet via teleconferencing so long as social distancing is recommended by local officials.

DISCUSSION:

The Orange County Housing Finance Trust (Trust) met on February 4, 2022, considered the circumstances surrounding the proclaimed state of emergency due to the COVID-19 pandemic and found that meeting in person would present imminent risk to the health and safety of its attendees. Subsequent to the initial finding, the Trust met on February 16, 2022, and March 16,

2022, to reconsider the proclaimed state of emergency and found that meeting in person would continue to present imminent risk to the health and safety of its attendees.

During the March 16, 2022, meeting, this Board asked whether it was possible to conduct its next meeting both virtually and in person given the size of the Trust meeting room and the difficulty in socially distancing on the dais if the entire Board of Directors were to attend in person. The County of Orange Health Officer revised his Orders and Strong Recommendations on March 11, 2022. As part of the revised Orders and Strong Recommendations, the Health Officer continues to strongly recommend social distancing for certain populations. If adopted, the attached resolution would comply with the requirements found in Government Code section 54953 (e) by considering the proclaimed state of emergency, the Health Officer's strong recommendation and the ability to comply with that strong recommendation. This could include the option for some members to appear in person while others appear via teleconferencing as a measure to ensure social distancing. Should the resolution not be adopted, the Board of Directors would need to attend the Trust's next meeting in person.

ATTACHMENT:

Attachment A Resolution

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE ORANGE COUNTY HOUSING FINANCE TRUST
April 13, 2022

WHEREAS, California Government Code section 54953 (e) authorizes local agencies to use teleconferencing without complying with certain requirements during a proclaimed state of emergency; and

WHEREAS, this Board reviewed and considered the circumstances of the current state of emergency due to COVID-19 on February 4, 2022 and found that meeting in person would present imminent risk to the health and safety of its attendees; and

WHEREAS, on February 4, 2022, this Board resolved that it would meet virtually in accordance with Government Code section 54953 (e) and adopted its regular meeting calendar accordingly; and

WHEREAS, on February 16, 2022 and March 16, 2022, this Board reconsidered the circumstances of the current state of emergency due to COVID-19 and found that meeting in person would present imminent risk to the health and safety of its attendees; and

WHEREAS, The County of Orange Health Officer revised his Orders and Strong Recommendations on March 11, 2022;

WHEREAS, as part of the revised Orders and Strong Recommendations, the Health Officer strongly recommended social distancing for “Vulnerable Populations,” consistent with the Centers for Disease Control guidelines; and

WHEREAS, it is not possible for members of the Board of Directors to safely socially distance themselves from each other when conducting the business of the Orange County Housing Finance Trust during its regular meetings;

WHEREAS, in order to meet virtually, this Board must also make certain findings no later than every 30 days; and

WHEREAS, this Board has presently reviewed and considered the circumstances of the State of Emergency due to COVID-19; and

WHEREAS, this Board has presently reviewed and considered manners by which they may be able to adhere to the Strong Recommendations of the Orange County Health Officer.

NOW, THEREFORE, BE IT RESOLVED that

1. The above findings and recitals are true and correct and are incorporated herein in full by this reference
2. The Orange County Housing Finance Trust Board of Directors has reconsidered the circumstances of the state of emergency and determines that, due to state or local officials continued imposition and/or recommend measures to promote social distancing, it cannot safely adhere to the County of Orange Health Officer Orders and Strong Recommendations to socially distance; and

3. In order to adhere to the County of Orange Health Officer Orders and Strong Recommendations to socially distance, it is necessary for Directors to participate in the meetings via teleconferencing.