



County of Sonoma

State of California

Date: November 8, 2022

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, California, and the Board of Commissioners of the Sonoma County Community Development Commission Amending the Affordable Housing Regulatory Agreement Preparation Fee, the Annual Compliance Monitoring Fee, and the Annual Congregate Housing Monitoring Fee, for Housing Developments that Include Affordable Units Pursuant to Receipt of Financial Assistance from the Community Development Commission or Regulatory Incentives from the County, or Imposition of County Inclusionary or Workforce Housing Requirements.

Whereas, the Board of Commissioners did adopt Resolution Number 94-0518 amending the Policy on Density Bonus Monitoring Fees to incorporate the Housing Element Type A and Type C Housing Opportunity Area Program and revise the fee schedule to set the application fee at \$500 for both rental and for-sale projects ("Agreement Preparation Fee"); and

Whereas, the Board of Commissioners did adopted Resolution Number 98-1106 amending the Policy on Density Bonus Monitoring Fees to revise the fee schedule effective September 1, 1998 and increasing the rental unit fee from \$50 to \$75 per year per targeted unit ("Compliance Monitoring Fee"); and

Whereas, the Board of Supervisors did on April 26, 2005 approve revisions to the County Fund for Housing (CFH) Policies, which among other actions established a monitoring fee for CFH-assisted emergency shelters, transitional housing, group home or other congregate special needs housing facilities at \$100 per facility per year ("Congregate Housing Monitoring Fee"); and

Whereas, the Board of Supervisors and Board of Commissioners did on April 11, 2015 approve revisions to the Community Development Commission Loan Policies to apply the same \$75 per rental unit Compliance Monitoring Fee and \$100 per facility Congregate Housing Monitoring Fee to housing developments receiving any type of financial assistance from the Commission; and

Whereas, the Agreement Preparation, Compliance Monitoring, and Congregate Housing Monitoring Fees are necessary to permit the Commission to offset administrative expenses of preparing affordable housing regulatory agreements and monitoring on-going compliance with affordability restrictions; and

Whereas, the administrative costs associated with agreement preparation and compliance monitoring have increased and now exceed the previously established fees; and

Whereas, the cost of living, as measured by the cumulative increase in the Bureau of Labor Statistics' Consumer Price Index for the San Francisco Bay Area has increased by more than one hundred and twenty-three percent (123%) since 1994 when the Agreement Preparation Fee was last set, by more than ninety-nine percent (99%) since 1998 when the rental Compliance Monitoring Fee was last set, and by more than sixty-four percent (64%) since 2005 when the Congregate Housing Monitoring Fee was set; and

Whereas, no further fee study is required to support the requested increase in these fees, as they are being set at levels that fall within the range of fees charged by other Bay Area jurisdictions and align with current actual costs. These fees are cost recovery fees and comply with Proposition 26 requirements.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma and the Board of Commissioners of the Sonoma County Community Development Commission do increase the affordable housing administrative fees as follows:

1. The affordable housing regulatory Agreement Preparation Fee for all rental and for-sale developments subject to affordability restrictions pursuant to County regulatory incentives or inclusionary or workforce housing requirements shall be \$1,000 per development effective, as of November 08, 2022.
2. The annual Compliance Monitoring Fee for all rental housing developments that receive financial assistance from the Community Development Commission, or that are subject to affordability restrictions pursuant to County regulatory incentives or inclusionary or workforce housing requirements, shall be \$150 per rental unit per year, effective, as of November 08, 2022
3. The annual Congregate Housing Monitoring Fee for all congregate facilities that receive financial assistance from the Community Development Commission shall be \$150 per rental unit per year, effective as of November 08, 2022.
4. The Agreement Preparation Fee, Compliance Monitoring Fee, and Congregate Housing Monitoring Fee shall be increased each year on July 1st to reflect the percentage increase in the Consumer Price Index for the San Francisco Bay Area, without further action of the Board of Supervisors or Board of Commissioners.

Supervisors and Commissioners:

Gorin: Rabbitt: Coursey: Hopkins: Gore:

Ayes: Noes: Absent: Abstain:

So Ordered.