

FORM APPROVED COUNTY COUNSEL
BY: JHAILA R. BROWN
DATE: 6-19-14
Departmental Concurrence

**SUBMITTAL TO THE BOARD OF COMMISSIONERS
HOUSING AUTHORITY
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

813
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FROM: Housing Authority

SUBMITTAL DATE:
June 19, 2014

SUBJECT: Resolution 2014-007, Authorization for Activation of Riverside Community Housing Corp. and Commencement of Corporate Operations, All Districts, [\$0]

RECOMMENDED MOTION: That the Board of Commissioners:

1. Authorize activation of Riverside Community Housing Corporation (RCHC) and commencement of corporate operations;
2. Approve Resolution 2014-007, Authorizing Activation of Riverside Community Housing Corp. and Commencement of Corporate Operations; and
3. Authorize the Executive Director, or designee, to take any necessary actions to facilitate the initial meeting of the RCHC Board of Directors.

BACKGROUND:

Summary

(Commences on Page 2.)

Robert Field
Executive Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: N/A				Budget Adjustment: No	
				For Fiscal Year:	2014/15

C.E.O. RECOMMENDATION:

APPROVE

BY:

County Executive Office Signature

Rohini Dasika

MINUTES OF THE HOUSING AUTHORITY BOARD OF COMMISSIONERS

☐ Positions Added
☐ Change Order

☐ A-30
☐ 4/5 Vote

Prev. Agn. Ref.:

District: ALL

Agenda Number:

10-2

SUBMITTAL TO THE BOARD OF COMMISSIONERS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Housing Authority

FORM 11: Resolution 2014-007, Authorization for Activation of Riverside Community Housing Corp. and Commencement of Corporate Operations, All Districts, [\$0]

DATE: June 19, 2014

Page 2 of 2

BACKGROUND:

Summary

The Riverside Community Housing Corp. (RCHC) is a non-profit public benefit corporation, the creation of which was authorized by Resolution Number 92-002 (Resolution 92-002), adopted by the Housing Authority of the County of Riverside's (Authority) Board of Commissioners on January 7, 1992. Resolution 92-002 is attached hereto. RCHC was created as an affiliate of the Authority for the purpose of financing, acquiring, developing, rehabilitating, owning, managing and selling affordable housing in Riverside County for persons of low and moderate income, and to access certain state and federal programs available to non-profit corporations.

Resolution 92-002 promulgates that the RCHC Board of Directors be comprised of eight persons. The resolution further promulgates that the Authority Executive Director is named as Chairman of the RCHC Board of Directors and the balance of RCHC's Board of Directors is to be appointed by the Authority's Board of Commissioners. Since its incorporation on April 9, 1992, RCHC has been inactive and the balance of the Board of Directors has not yet been appointed.

Due to dwindling funding resources, most notably the elimination of the Redevelopment Agency for the County of Riverside, the Authority must seek and utilize all possible funding sources to meet Riverside County's affordable housing objectives. Opportunities for new and additional funding such as grants and low income housing tax credits (LIHTC) are available to non-profit corporations. Activating RCHC will facilitate increased access to these valuable financial resources.

Staff recommends approval for the activation of RCHC and commencement of RCHC's corporate operations. The Directors, other than the Chairman of the Board, must first be formally appointed by the Authority's Board of Commissioners. Staff recommends the balance of un-appointed RCHC Board of Directors positions be comprised of the Board of Commissioners. The first order of corporate business would then be to hold the initial RCHC Board of Directors meeting.

Due to the nature of the relationship between the Authority and RCHC, RCHC is subject to the provisions of the Brown Act (section 54950 et seq. of the California Government Code). Therefore, staff recommends that the venue of the initial meeting of RCHC's Board of Directors be the Board Chambers for the Authority Board of Commissioners, with the Riverside County Clerk of the Board serving as the RCHC Clerk. Staff proposes the date for the initial meeting of RCHC's Board of Directors to be August 5, 2014.

County Counsel has reviewed and approved Resolution 2014-007, attached hereto, as to form.

Impact on Residents and Businesses

Approving this item will have a positive impact on residents of Riverside County by activating a non-profit public benefit corporation designed to create and preserve affordable housing opportunities.

Attachments:

Resolution 92-002

Resolution 2014-007

2
3 **RESOLUTION NUMBER 2014-007**

4 **AUTHORIZING ACTIVATION OF RIVERSIDE COMMUNITY HOUSING CORP. AND**
5 **COMMENCEMENT OF CORPORATE OPERATIONS**
6

7 **WHEREAS**, the Housing Authority of the County of Riverside ("AUTHORITY")
8 Board of Commissioners adopted Resolution Number 92-002 ("Resolution 92-002")
9 on January 7, 1992 for the purpose of authorizing the creation of the Riverside
10 Community Housing Corp. ("CORPORATION");

11 **WHEREAS**, CORPORATION is a California non-profit public benefit
12 corporation created as an affiliate of the AUTHORITY for the purpose of financing,
13 acquiring, developing, rehabilitating, owning, managing and selling affordable housing
14 in Riverside County for persons of low and moderate income, and to access certain
15 state and federal programs available to non-profit corporations;

16 **WHEREAS**, Resolution 92-002 promulgates that the CORPORATION's Board
17 of Directors be comprised of eight (8) persons. Resolution 92-002 further promulgates
18 that the AUTHORITY Executive Director is named as Chairman of the
19 CORPORATION's Board of Directors and the balance of the CORPORATION's
20 Board of Directors is to be appointed by the AUTHORITY's Board of Commissioners;

21 **WHEREAS**, the balance of the CORPORATION's Board of Directors has not
22 yet been appointed;

23 **WHEREAS**, activating the CORPORATION and commencing with corporate
24 operations will allow access to additional sources of funding for the creation and
25 preservation of affordable housing opportunities throughout Riverside County;

26 **WHEREAS**, activation of the CORPORATION requires appointment of the
27 Board of Director positions which have not yet been filled;

28 **WHEREAS**, an initial meeting of the CORPORATION's Board of Directors is

1 necessary in order for the CORPORATION to become operational;

2 **WHEREAS**, the CORPORATION meets the definition of "legislative body"
3 pursuant to California Government Code §54952 and is therefore subject to the
4 provisions of the Brown Act (California Government Code §§ 54950 et seq.);

5 **WHEREAS**, the Brown Act requires that any meeting (as defined therein) of
6 the CORPORATION be open and public, with meeting notice, agenda and
7 accessibility subject to all Brown Act provisions;

8 **WHEREAS**, the Board of Commissioners desires to have the Riverside County
9 Clerk of the Board also serve as the CORPORATION's clerk; and

10 **WHEREAS**, the Board of Commissioners desires to activate the
11 CORPORATION and commence corporate operations.

12 **NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**
13 **ORDERED** by the Board of Commissioners in regular session assembled on July 1,
14 2014, as follows:

15 1. That the Board of Commissioners hereby finds and declares that the
16 above recitals are true and correct.

17 2. That the Board of Commissioners authorizes activation of the
18 CORPORATION and commencement of corporate operations.

19 3. That the Board of Commissioners appoints the members of the Board of
20 Commissioners to serve as the Board of Directors for the CORPORATION.

21 4. That the Board of Commissioners approves the date and venue of the
22 CORPORATION's initial Board of Directors meeting to be August 5, 2014 at the
23 Board Chambers, subject to the provisions of the Brown Act.

24 5. That the Board of Commissioners authorizes the Riverside County Clerk
25 of the Board to act as the CORPORATION's clerk.

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1 6. This resolution shall take effect after approval by the Board of
2 Commissioners.

3 H:\Department\Housing\Riverside Community Housing Corporation (RCHC)\Form 11 & Resolution 2014\BOC 7-1-14 Resolution
4 (6 17 14)(JRB revs 6 18 14).doc

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FORM APPROVED COUNTY COUNSEL

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BY: Jhaila R. Brown 6-18-14
JHAILA R. BROWN DATE

3388

SUBMITTAL TO THE BOARD OF COMMISSIONERS
OF THE HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE

FROM: EXECUTIVE DIRECTOR SUBMITTAL DATE: December 20, 1991

SUBJECT: **Approval of Resolution No. 92-002 authorizing the creation of a Nonprofit Public Benefit Corporation**

RECOMMENDED MOTION:

That the Board adopt Resolution No. 92-002, a resolution of the Housing Authority of the County of Riverside authorizing the creation of a Nonprofit Public Benefit Corporation for the purpose of increasing the supply of affordable housing for persons of low and moderate income in Riverside County.

JUSTIFICATION:

The creation of a Nonprofit Public Benefit Corporation will assist the Housing Authority in providing housing assistance to low and moderate income persons by providing funding opportunities which currently do not exist for the Housing Authority.

The Nonprofit can take advantage of programs that the State and Federal governments have provided specifically for nonprofit community based organizations as well as tax benefits such as the low income housing tax credit.

Attached are the proposed Articles of Incorporation and Bylaws.

APPROVED AS FORM
CAMFIELD & CHRISTOPHER

Date 12/20/91

By *[Signature]*

[Signature]
William A. Rosenberger
Executive Director

REVIEWED BY ADMINISTRATIVE OFFICE

DATE: 12/20/91 *[Signature]*

MINUTES OF THE BOARD OF COMMISSIONERS

On motion of Commissioner Larson, seconded by Commissioner Dunlap and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Cenicerros, Dunlap, Larson and Abraham

Noes: None

Absent: Younglove

Date: January 7, 1992

Gerald A. Maloney
Clerk of the Board

By: *[Signature]*

to: Prev. Agn. ref. Housing Authority

Depts. Comments

Dist. Deputy

AGENDA NC

RESOLUTION NUMBER 92-002

WHEREAS, the Housing Authority of the County of Riverside, pursuant to Chapter 1, commencing with Section 34200, Part 2 of Division 24 of the California Health and Safety Code, as amended (the "Housing Authority Law"), is authorized to provide housing assistance to persons of low and moderate income; and

WHEREAS, the creation of a Nonprofit Public Benefit Corporation for the purpose of developing and managing affordable housing for persons of low and moderate income will allow access to certain State and Federal affordable housing programs; and

WHEREAS, such programs will provide housing assistance to persons of low and moderate income;

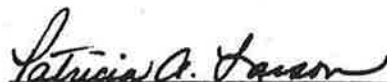
NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the County of Riverside authorize the creation of a Nonprofit Public Benefit Corporation for the purpose of financing, acquiring, developing, rehabilitating, owning, managing and selling affordable housing for low and moderate income persons; and

BE IT FURTHER RESOLVED that the Board of Directors of the Corporation shall consist of eight (8) persons. The Executive Director of the Housing Authority of the County of Riverside shall be the Chairman of the Board of Directors and the balance of the Directors shall be appointed by the Board of Commissioners of the Housing Authority.

BE IT FURTHER RESOLVED that this Resolution take effect immediately.

SEAL

ATTEST


Patricia A. Larson - Chairperson


William A. Rosenberger - Secretary

Approved January 7, 1992.