

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

518



**FROM:** Housing Authority

**SUBMITTAL DATE:**  
May 8, 2014

**SUBJECT:** Adoption of Housing Authority Resolution 2014-004, Authorization to Release and Transfer Low and Moderate Income Housing Funds to the Successor Agency to the Redevelopment Agency for the County of Riverside (Successor Agency), All Districts, [\$0]

**RECOMMENDED MOTION:** That the Board of Commissioners:

1. Adopt Housing Authority Resolution No. 2014-004 authorizing the release and transfer of the balance of Low and Moderate Income Housing Funds (LMIHF) net of program income from the Housing Authority of the County of Riverside to the Successor Agency;
2. Authorize the release and transfer of approximately \$17 million in former Low-Moderate Income Housing Funds (LMIHF), less program income, from the Housing Authority of the County of Riverside to the Successor Agency, pursuant to Department of Finance recommendation, which amount may change with interest earned and expenses paid through the date of May 31, 2014; and,

(Continued)

Robert Field  
Executive Director

Departmental Concurrence

FORM APPROVED COUNTY COUNSEL  
BY:   
ANITA C. WILLIS 5-1-14

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0	

**SOURCE OF FUNDS:** Transfer from Low and Moderate Income Housing Fund to Successor Agency Trust Fund

**Budget Adjustment:** No  
**For Fiscal Year:** 2013/14

**C.E.O. RECOMMENDATION:** APPROVE

BY:   
Rohini Dasika

County Executive Office Signature

**MINUTES OF THE HOUSING AUTHORITY BOARD OF COMMISSIONERS**

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Stone and Benoit  
Nays: None  
Absent: Tavaglione and Ashley  
Date: May 20, 2014  
xc: Housing, E.O.

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

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

Housing Authority

**FORM 11:** Adoption of Housing Authority Resolution 2014-004, Authorization to Release and Transfer Low and Moderate Income Housing Funds to the Successor Agency to the Redevelopment Agency for the County of Riverside (Successor Agency), All Districts, [\$0]

**DATE:** May 8, 2014

Page 2 of 2

**RECOMMENDED MOTION:** (Continued)

3. Authorize the Executive Director, or designee, to take all necessary steps to implement Resolution 2014-004 including, but not limited to, signing subsequent necessary and relevant documents subject to approval by County Counsel.

**BACKGROUND:**

**Summary**

Assembly Bill (AB) 1484, Section 34176(d) states that "...any funds transferred to the city, county, or city and county or designated entity pursuant to this section, together with any funds generated from housing assets, as defined in subdivision (e), shall be maintained in a separate Low and Moderate Income Housing Asset Fund which is hereby created in the accounts of the entity assuming the housing functions pursuant to this section."

Based on interpretation of Section 34176(d), the Successor Agency adopted Resolution No. 2013-001 to release and transfer the balance of Low and Moderate Income Housing Funds (LMIHF) to the Housing Authority, and the Housing Authority adopted Resolution No. 2013-001 to accept the release and transfer of the balance of LMIHF from the Successor Agency on January 15, 2013.

Subsequent to the review of the submitted Recognized Obligation Payment Schedule (ROPS) for the period of January through June 2014, a Meet and Confer meeting with the California Department of Finance (DOF) concluded with the recommendation to transfer funds from the Housing Authority back to the Successor Agency.

Approximately \$17 million in LMIHF is managed by the Housing Authority which includes funds encumbered by enforceable obligations, amounts from denied projects, amounts from projects not moving forward, and remaining balances after project completion. These funds are requested to be transferred from the Housing Authority back to the Successor Agency, less program income and its accrued interest, which amount may change with interest earned and expenses paid through the date of May 31, 2014.

County Counsel has reviewed and approved Housing Authority Resolution No. 2014-004 as to form. Staff recommends that the Board of Commissioners approve Housing Authority Resolution No. 2014-004 to authorize the release and transfer of LMIHF from the Housing Authority of the County of Riverside to the Successor Agency to the former Redevelopment Agency for the County of Riverside.

**Impact on Residents and Businesses**

Adoption of this item will assist the California Department of Finance with review and reconciliation of amounts of LMIHF on subsequent Recognized Obligation Payment Schedules. Citizens and businesses throughout Riverside County will not be impacted.

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3 **RESOLUTION NUMBER 2014-004**  
4 **AUTHORIZATION TO RELEASE AND TRANSFER BALANCE OF LOW AND**  
5 **MODERATE INCOME HOUSING FUNDS TO THE SUCCESSOR AGENCY TO THE**  
6 **REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE**

7 **WHEREAS**, on June 28, 2011, Governor Brown signed Assembly Bill (AB) x1  
8 26 to dissolve redevelopment agencies throughout the State of California, and ABx1  
9 27, the companion bill to allow redevelopment agencies to continue activities after  
10 making payment to the State;

11 **WHEREAS**, on December 29, 2011, the California Supreme Court announced  
12 its decision to uphold ABx1 26 and strike down ABx1 27, thus eliminating  
13 redevelopment agencies;

14 **WHEREAS**, ABx1 26 is codified in the California Health and Safety Code; and

15 **WHEREAS**, pursuant to ABx1 26, the County of Riverside Board of  
16 Supervisors adopted Resolution No. 2012-035 on January 10, 2012, which  
17 designated the Housing Authority of the County of Riverside as the Successor  
18 Agency for the redevelopment housing function;

19 **WHEREAS**, on January 10, 2012, the Housing Authority of the County of  
20 Riverside (the "Housing Authority") Board of Commissioners accepted, via adoption of  
21 Resolution No. 2012-001, the responsibilities for performing all activities as the  
22 successor to the redevelopment housing function;

23 **WHEREAS**, on February 1, 2012, all California redevelopment agencies were  
24 eliminated and the Housing Authority assumed all the former redevelopment housing  
25 functions previously performed by the former Redevelopment Agency for the County  
26 of Riverside, including all rights, powers, assets, liabilities, duties, and obligations  
27 associated with the housing activities;

28 **WHEREAS**, on June 27, 2012, Governor Brown signed AB 1484, legislation

1 amending provisions of the CA Health and Safety Code as it relates to the dissolution  
2 of redevelopment agencies;

3 **WHEREAS**, Assembly Bill 1484, Section 34176(d) states that "...any funds  
4 transferred to the city, county, or city and county or designated entity pursuant to this  
5 section, together with any funds generated from housing assets, as defined in  
6 subdivision (e), shall be maintained in a separate Low and Moderate Income Housing  
7 Asset Fund which is hereby created in the accounts of the entity assuming the  
8 housing functions pursuant to this section.";

9 **WHEREAS**, based on interpretation of Section 34176(d), the Successor  
10 Agency adopted Resolution No. 2013-001 to release and transfer the balance of Low  
11 and Moderate Income Housing Funds (LMIHF) to the Housing Authority, and the  
12 Housing Authority adopted Resolution No. 2013-001 to accept the release and  
13 transfer of the balance of LMIHF from the Successor Agency on January 15, 2013;

14 **WHEREAS**, subsequent to the review of the submitted Recognized Obligation  
15 Payment Schedule (ROPS) for the period of January through June 2014, a Meet and  
16 Confer meeting with the California Department of Finance (DOF) concluded with the  
17 recommendation to transfer funds from the Housing Authority back to the Successor  
18 Agency; and

19 **WHEREAS**, approximately \$17 million in LMIHF is managed by the Housing  
20 Authority which includes funds encumbered by enforceable obligations, amounts from  
21 denied projects, amounts from projects not moving forward, and remaining balances  
22 after project completion. These funds are requested by DOF to be transferred from  
23 the Housing Authority back to the Successor Agency, less program income and its  
24 accrued interest, which amount may change with interest earned and expenses paid  
25 through the date of May 31, 2014.

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1 NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND  
2 ORDERED by the Board of Commissioners in regular session assembled on May 20,  
3 2014, as follows:

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

6 2. That the Board of Commissioners authorizes the release and transfer of  
7 the balance of the Low & Moderate Income Housing Funds estimated at \$17 million  
8 to the Successor Agency, which amount may change with interest earned and  
9 expenses paid through the date of May 31, 2014.

10 3. This resolution shall take effect after approval by the Board of  
11 Commissioners.

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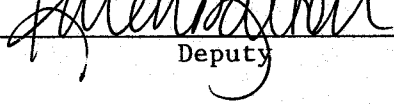
14 ROLL CALL:

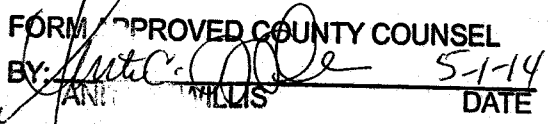
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Ayes: Jeffries, Stone and Benoit  
Nays: None  
Absent: Tavaglione and Ashley

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18 The foregoing is certified to be a true copy of a resolution duly  
19 adopted by said Board of Supervisors on the date therein set forth.

20 KECIA HARPER-IHEM, Clerk of said Board

By   
Deputy

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27 FORM APPROVED COUNTY COUNSEL  
BY:  5-1-14  
DATE

05.20.14 10-2