



## REPORT TO CITY COUNCIL

**DATE:** APRIL 13, 2016

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** GREG RAMIREZ, CITY MANAGER 

**BY:** NATHAN HAMBURGER, ASSISTANT CITY MANAGER 

**SUBJECT:** REQUEST FOR APPROVAL OF FISCAL YEAR 2014-15 AGOURA HILLS HOUSING SUCCESSOR ANNUAL REPORT IN COMPLIANCE WITH SENATE BILL 341

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The purpose of this report is to provide the City Council, serving as the Housing Successor Board to the former Redevelopment Agency, with the completed Fiscal Year 2014-15 annual report and seek authorization to submit the report to the California Housing and Community Development Department (HCD), in compliance with Senate Bill 341 (SB 341). This bill was enacted in 2013 and imposed new requirements on cities serving in the capacity as successor housing agencies to former redevelopment agencies. Compliance with the new regulations commenced on January 1, 2014, and this report is a means to complete one of the outstanding requirements. Other sections of the legislation distinctively apply to funds encumbered by the Housing Successor and specifies the use of these funds and the timelines under which funds must be utilized for their stated purpose. It also requires certain auditing and report responsibilities, which the Housing Successor must comply with. The required audits have been completed and provided to the State.

The new requirements under SB 341, specifically, were established to ensure the production and preservation of housing for those persons meeting the existing criteria to be defined as low or very-low households (defined as a percentage of the area median income) and mandate that the Housing Successor follow certain provisions in the existing Community Redevelopment Law in their use of the funds. The new provisions also limit the amount of Housing Funds that can be used towards senior citizen housing. In addition, provisions of Senate Bill 107, effective September 2015, changed some of the requirements set forth for Housing Successor agencies in regards to loan repayments that were under agreements between the former Redevelopment Agency and the City. This, in turn, changed some of the reporting requirements for Fiscal Year 2014-15 but have all been complied with in the preparation of this report.

Additionally, SB 341 has now established time periods in which the Housing Funds must be spent and allows the Housing Successors Agency to adopt an expenditure plan as necessary, which was previously not allowed as Successor Agencies worked towards dissolution of the former redevelopment agencies. Should a Successor

Housing Agency not properly expend the funds and complete the required five-year report, the funds will be required to be transferred to the California Department of Housing and Community Development. As outlined in the attached report, the Housing Successor will have a balance of approximately \$211,538, with no expenditures as of the close of Fiscal Year 2014-15. In future years, there are not expected to be any large streams of revenue into this fund. As part of the current fiscal year's work plan, Planning Department staff is reviewing the options for use of these funds, along with other Housing In-Lieu Funds to meet any future required obligations. It is anticipated that staff will present this item to the City Council serving as the Housing Successor Agency Board, later this year.

The final requirements of SB 341 (Health and Safety Code, Section 34176.1(f)), require a separate audit of the Housing Successor Fund, which was completed as a component of the City's Comprehensive Annual Financial Report (CAFR), conducted at the close out of Fiscal Year 2014-15 and separate from this report. A copy of the annual report and the City's CAFR are required to be posted on the City's website. This report will be submitted to HCD following City Council review and approval.

## **RECOMMENDATION**

It is recommended the City Council review and approve the Fiscal Year 2014-15 Annual Housing Successor Report and direct staff to submit the report to the California Housing and Community Development Department.

Attachment: 2014-15 SB 341 Housing Successor Report

**Table 1**  
**Agoura Hills Successor Housing Agency**  
**Annual Report Required by SB 341 (1)**  
**Fiscal Year 2014-15**

Description	H & S Code	Timeframe	Detail	Total
<b>Low and Moderate Income Asset Fund (2)</b>				
1 City Loan Repayment Amount	34176.1 (f) (1)	2014-15	_____	_____ 17,030
2. Housing Funds Deposited During:	34176.1 (f) (2)	2014-15		_____ 7,398
City Loan Repayment			_____ 3,406	
ROPS Related			_____ -	
Other			_____ 3,992	
3. Cash Balance in the Fund as of Fiscal Year End	34176.1 (f) (3)	6/30/2015		_____ 211,538 (3)
ROPS Related			_____ -	
Other			_____ 211,538	
4. Expenditures by Category	34176.1 (f) (4)	2014-15		
Administration			_____ 2,828	_____ 2,828
Housing Preservation/Monitoring			_____ -	_____ -
Homeless/Rapid Rehousing			_____ -	_____ -
Program #1			_____ -	_____ -
Program #2			_____ -	_____ -
Total Expenditures			_____	_____ 2,828
Allowable Administrative Costs (4)	34176.1 (a) (1)	2014-15		_____ 200,000
<b>Other Reporting Requirements</b>				
5. Real Property Owned - Total	34176.1 (f) (5)	6/30/2015		_____ 125,556
Statutory Value of Real Property (Land)			_____ -	
Loans and Grants Receivable			_____ 125,556	
6. Transferred Funds to Develop Transit Housing	34176.1 (f) (6)	6/30/2015		_____ None
7. Projects with Funding Included on the ROPS	34176.1 (f) (7)	2014-15		_____ None
8. Duration of Property Held	34176.1 (f) (8)	6/30/2015		_____ Not Applicable
9. Obligations Outstanding per 33413	34176.1 (f) (9)	6/30/2015		_____ None
10. Expenditure Targeting Requirements (5)	34176.1 (f) (10)	from 1/1/2014		_____ N/A (6)
11. Rental Housing Units Restricted for Seniors	34176.1 (f) (11)	6/30/2015		_____ Not Applicable
12. Excess Surplus Calculation/Reporting	34176.1 (f) (12)	6/30/2015		_____ None
13. Homeownership Unit Inventory	34176.1 (f) (13)	6/30/2015		_____ None

- (1) See Attachment A for a more complete description of each entry included on this table.  
(2) Referred to as the Special Revenue Fund in the Comprehensive Annual Financial Report (CAFR).  
(3) Excluded from the fund balance shown above are loans receivables and land held for resale.  
(4) SB 107 allows administrative costs to equal the greater of \$200,000 or 5% of the value of assets owned by the Housing Successor.  
(5) Pertains to requirements to target expenditures towards households earning 80% or less of the median income, as outlined in Health and Safety Code 34176.1(a)(3).  
(6) As the Agency has spent no money on programs since the effective date of SB 341, the requirements to target expenditures towards certain households or types of expenditures, as outlined in Health and Safety Code 34176.1(1)(3) are not currently applicable.

Date Prepared: March 17, 2016  
Prepared by: DHA Consulting, LLC

## Attachment A Housing Successor SB 341 Reporting Requirements

SB 341 was enacted in 2013 and imposed new housing requirements on cities acting as successor housing agencies to former redevelopment agencies beginning January 1, 2014. It applies to unencumbered funds held by the Housing Successor and provides that these funds must be used as outlined in the statute and the applicable provisions of the Health and Safety Code.

SB 341 also provides for new reporting requirements in place of previous reporting required of redevelopment agencies. Health and Safety Code Section 34176.1(f) sets out new reporting requirements, which requirements are summarized below.

1. **City Loan Repayment Amount:** Amount received the City received as a loan repayment on a City loan repayable pursuant to Health and Safety Code Section 34191.4. This is the applicable statute that sets forth the repayment terms under which the loan between the former Redevelopment Agency and the City of Agoura Hills is to be repaid by the Successor Agency. These repayment terms include a formula for the amount allowable to be repaid each year and the requirement that 20 percent of any loan repayment be deposited into the Low and Moderate Income Housing Fund.
2. **Amount Deposited During:** Amount deposited into the Low and Moderate Income Housing Asset Fund. Amounts are to be itemized in three categories: revenues deposited from city loan repayments as described under 1. above; amounts received from items on the ROPS; and all other amounts.
3. **Balance in the Fund:** Balance in the fund as of the close of the fiscal year.<sup>1</sup>
4. **Expenditures by Category:** A description of expenditures from the fund by category.
5. **Real Property Owned:** The statutory value of any real property owned by the Housing Successor and the value of any loans and grants receivable.
6. **Transferred Funds to Develop Transit Housing:** A description of transferred funds, if any, made pursuant to a provision of SB 341 that allows two housing successors to develop transit housing under certain circumstances.
7. **Projects with Funding Included on the ROPS:** A description of any project(s) for which the housing successor receives or holds property tax revenue pursuant to the ROPS and a status update of that project.
8. **Duration of Property Held:** A report on the Agency's compliance with limitations on the amount of time property purchased with Housing Funds can be held pursuant to Health and Safety Code Section 33334.16. This requirement is applicable for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For property acquired after February 1, 2012, the report must contain a status update on the project.
9. **Obligations Outstanding per 33413:** A description of any progress that has been made on meeting any of the outstanding replacement housing obligations and/or housing production requirements (pursuant to Health and Safety Code Section 33413). The Housing Successor's plans to meet unmet obligations are to be included in the SB 341 reporting.
10. **Expenditure Targeting Requirements:** The information required by 34176.1(a)(3)(B), which involves targeting expenditures towards assisting extremely low income households. Housing successors are required to meet specific targeting requirements on expenditures over a five year period.

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<sup>1</sup> Amounts on deposit as a result of ROPS entries are to be differentiated from other amounts on deposit.

## SB 341 Reporting Requirements (continued)

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11. **Rental Housing Units Restricted for Seniors:** The percentage of units that are deed-restricted rental housing exclusively for senior households and assisted individually or jointly by the housing successor, its former redevelopment agency and/or the City within the previous 10 years in relation to the aggregate number of units of assisted deed-restricted rental housing over the same time period.
12. **Excess Surplus:** The amount of Excess Surplus funds, if any, the amount of time the Excess Surplus has existed and the Housing Successor's plans for eliminating the Excess Surplus must be reported annually. Statutes require that housing successors not accumulate too much money in the Housing Fund without spending it on housing projects. Amounts held in excess of \$1 million or the amount deposited in the four prior years, whichever is larger, are deemed Excess Surplus and subject to additional restrictions.
13. **Homeownership Unit Inventory:** An inventory of deed restricted homeownership units assisted by the Authority or Former Agency, including the number, reason and dollars received by the Authority as a result of the loss of any of those units that has occurred annually. This first report is to include information for the loss of all units that has occurred since February 1, 2012.