



AGENDA

CALIFORNIA COMMUNITY LAND TRUST NETWORK SPECIAL MEETING JUNE 13, 2018

Conference Call
Call-In Number: 866-528-2256
Access Code: 8489593#

CALL TO ORDER

10:30 a.m.

ROLL CALL

PRESIDENT:
VICE PRESIDENT:
TREASURER:
SECRETARY
BOARD MEMBER
BOARD MEMBER
BOARD MEMBER

MARK ASTURIAS
DEVIKA GOETSCHIUS
BRUCE WOLFE
FRANCIS MCILVEEN
ARIANNE DAR
JEAN DIAZ
IAN WINTER

ADDITIONS AND DELETIONS TO THE AGENDA

INTRODUCTIONS

PUBLIC COMMENTS

THE PRESIDENT OF THE CALIFORNIA COMMUNITY LAND TRUST NETWORK WILL CALL FOR PUBLIC COMMENTS

Any member of the public may address the Board of the California Community Land Trust Network on items within the Board's subject matter jurisdiction, but which are not listed on the agenda during PUBLIC COMMENTS. However, no action may be taken on matters that are not part of the posted agenda. PUBLIC COMMENTS are scheduled for 15 minutes and should be limited to three minutes per person.

BOARD BUSINESS

1. MINUTES OF MAY 16, 2018

RECOMMENDED ACTION:

Approve minutes of May 16, 2018.

2. UPDATE ON ANNUAL CA CLT NETWORK CONFERENCE

RECOMMENDED ACTION:

Discuss, finalize and approve needed actions to implement conference.

3. LEGISLATIVE ADVOCACY

RECOMMENDED ACTION:

Authorize submittal of support letter on AB 2035 by President following Policy Committee recommendation.

4. DISCUSSION ON ALL OTHER MATTERS PERTAINING TO THE CORPORATION

RECOMMENDED ACTION:

Provide policy direction on activities of the Corporation.

BOARD COMMENTS

ADJOURNMENT



**California
Community
Land Trust
Network**

Perpetual Home Affordability ~ Stewardship ~ Community Control

AGENDA ITEM 1



**California
Community
Land Trust
Network**

Perpetual Home Affordability ~ Stewardship ~ Community Control

MEETING MINUTES

**CALIFORNIA COMMUNITY LAND TRUST NETWORK
SPECIAL MEETING
MAY 16, 2018**

Conference Call
Call-In Number: 866-528-2256
Access Code: 8489593#

CALL TO ORDER

10:33 a.m.

ROLL CALL

PRESIDENT:	MARK ASTURIAS	Present
VICE PRESIDENT:	DEVIKA GOETSCHIUS	Absent
TREASURER:	BRUCE WOLFE	Present
SECRETARY	FRANCIS MCILVEEN	Present
BOARD MEMBER	ARIANNE DAR	Present
BOARD MEMBER	JEAN DIAZ	Present
BOARD MEMBER	IAN WINTER	Present

ADDITIONS AND DELETIONS TO THE AGENDA

INTRODUCTIONS

No other attendees, except Bruce's dog, Lady, eating a bone.

PUBLIC COMMENTS

None

BOARD BUSINESS

1. MINUTES OF APRIL 19, 2018

RECOMMENDED ACTION:

Approve minutes of April 19, 2018.

Arianne, moved to approve, Jean Seconded. Passed 6 yes, 0 noes.

2. UPDATE ON ANNUAL CA CLT NETWORK CONFERENCE

RECOMMENDED ACTION:

Discuss and approve needed actions to implement conference.

Wanting to find out status of work needed. Specifically what is the actual agenda for the day.

Jean: wants to add new mortgage financing update (e.g. Freddie Mac)

Mark: legislation update on SB1056, and implementation of AB2818

Bruce: should we revisit the hiring of a lobbyist?

Mark: maybe talk about hiring staff.

Bruce: should we talk about strategic planning.

Bruce: logistics question, if we need a sound system, Bruce has one w/ microphone that he can bring.

Jean: found the work w/ Allison H helpful last year. Would be helpful to have a recap of last year's facilitated meeting, and lead into a next step for a long-range strategic plan.

Arianne: would only want a facilitator if we are doing actual strategic planning.

Mark: need to work on fleshing out agenda soon.

Ian & Francis: maybe 1 -2 hour session to discuss training needs & resources currently available.

Jean: Do a survey monkey on training/TA needs of CLTs; what resources that CLTs think are important for Network to provide. Jean happy to pull together a survey monkey. Include survey ?s of what to do for Agenda.

Mark to send Jean contact list.

3. LEGISLATIVE ADVOCACY

RECOMMENDED ACTION:

Request Policy Committee review of California Assembly Bills 2035, 2065, 2922 and 3152 and authorize submittal of support or oppose letters by President following Policy Committee recommendation.

Mark: haven't had chance for Policy committee to review/make recommendations, so question does board feel comfortable devolving authority to policy committee to take action.

Jean & Bruce: thinks it best to have policy committee review & recommend action to the board.

Mark: benefits of increasing visibility via making public comments/positions on legislation.

Need for good 'surveillance' on bills; and for a process to take positions on bills, b/c the wide diversity of CLT orgs (i.e. potential conflicts in the interests of the CLTs).

Bruce: AB2065, seems to be ok; 2035 seems to be ok; 3152 reeks of SB827, encroaches upon that bill—trying to fast track developments.

Jean: moves to accept the recommendation referring bills to policy committee for review/recommendation; Bruce: seconds that as long as a decision will be reached at the next policy committee meeting. Amendment—that review of bills happens at next meeting with a decision at that time.

Arianne: allow committee to make recommendation (e.g. submit to board for a vote, or to table it pending further information).

Passed: 6 yes; 0 noes

4. DISCUSSION ON ALL OTHER MATTERS PERTAINING TO THE CORPORATION

RECOMMENDED ACTION:

Provide policy direction on activities of the Corporation.

Arianne: looking for a good grant writer for the CCHD economic grant. Francis will put her in touch w/ Tracy Parent for possible grant writing.

Francis: we now have a bank account at Coop Federal Credit Union

Ian: tracking of expenses for the 501(h) election; he will pass on comments from NCLT's auditor about tracking & making the elections.

Mark to send Arianne list of the policy committee members.

Bruce: trying to get software from TechSoup, requiring a credit/debit card. Asking to be able to be reimbursed for direct cost.

BOARD COMMENTS

Next Meeting:

June 13th, 10:30 am, conference call.

ADJOURNMENT

Mark officially adjourned at 11:20 am



AGENDA ITEM 2



**REQUEST FOR CALIFORNIA COMMUNITY LAND TRUST NETWORK
BOARD ACTION**

BOARD MEETING DATE:

June 13, 2018

TITLE: **UPDATE ON ANNUAL CA CLT NETWORK CONFERENCE**

Mark Asturias

President

RECOMMENDED ACTION:

Discuss, finalize and approve needed actions to implement conference.

BACKGROUND:

Board Member Ian Winter will provide a brief update on the Annual CA CLT Network Conference.



AGENDA ITEM 3



REQUEST FOR CALIFORNIA COMMUNITY LAND TRUST NETWORK BOARD ACTION

BOARD MEETING DATE:

June 13, 2018

TITLE: **LEGISLATIVE ADVOCACY**

A handwritten signature in blue ink that reads "Mark Asturias". The signature is written in a cursive style and is underlined.

President

RECOMMENDED ACTION:

Authorize submittal of support letter on AB 2035 by President following Policy Committee recommendation.

BACKGROUND:

The Board directed at its last meeting that a request be sent to the Policy Committee to make recommendations on adopting a policy position on various state legislation. Four bills were initially discussed by the Board as being sent to the Policy Committee:

- Assembly Bill 2035
- Assembly Bill 3065
- Assembly Bill 3152
- Assembly Bill 2922

The Policy Committee was asked to review the legislation however, prior to the requested bills being reviewed, the State Assembly did not pass some out of committee. The three bills held in committee were AB 3065, AB 3152 and AB 2922. As such, no position is warranted at this time unless these issues are resurrected either next legislative year or through the gut and amend process this year. Assembly Bill 2035, however, passed out of the Assembly and was ordered to the Senate where it is currently waiting for assignment to a Senate committee.

The Policy Committee recommended the General Membership weigh in on legislation through an online poll. The Committee requested a one page summary along with a copy of the legislation be provided as part of the online poll. This was accomplished on June 5 (attached). Responses to the survey as of June 8 were to unanimously support this legislation and the President will update the Board on the total number of reviews along with final recommended positions.

Legislative Advocacy

June 13, 2018

Page 2 of 2

However, based on the recommendations of the General Membership, it is suggested the Board approve releasing a support position letter from the Network to the bill's author, Assembly Member Mullin.

Attachments:

1. Summary
2. Draft Legislation



MEMORANDUM

DATE: June 4, 2018
TO: Policy Committee
FROM: Mark Asturias
SUBJECT: AB 2035 – AFFORDABLE HOUSING AUTHORITIES

Recommended Position: SUPPORT

Introduced by Assembly Member Kevin Mullin, AB 2035 makes it easier to create an affordable housing authority (AFA) and defines eligible income levels. An AFA is not a housing authority that administers the federal Section 8 Housing Choice Voucher program. AFA's are locally controlled agencies set up to administer local property tax funds set aside for affordable housing (previously called property tax increment.)

California Government Code 62000 currently allows local jurisdictions to set up an AFA to fund the promotion and development of affordable housing. AFA's are meant to take the place of redevelopment agencies, which were dissolved by the State. Current law requires that an AFA undertake functions that will provide low- and moderate income housing and AB 2035 further clarifies that an AFA is limited to only implementing affordable housing programs. AB 2035 streamlines the creation of an AFA and revises the definition of affordable housing. The following points highlight reasons for supporting the legislation:

- AFA's are limited to providing low- and moderate-income housing.
- The definitions of affordable income, and rent and affordable housing cost (ownership) are included.
- Incomes and rents are tied to Health and Safety Code which uses area median income for the local county.
- AFA's can provide funding to affordable homeownership developments that will serve households with incomes up to 120 percent of area median income.
- Funding can also be used to make loans or grants to improve, rehabilitate, or retrofit buildings or structures within the area established by an AFA.
- Funding can be used for acquisition of real property so long as there are affordable housing covenants and restrictions running with the land (the CLT ground lease could qualify.)

The current text of the legislation and the analysis prepared by the Chief Consultant to the Assembly Local Government Committee are attached.

AMENDED IN ASSEMBLY MAY 16, 2018
AMENDED IN ASSEMBLY APRIL 16, 2018
AMENDED IN ASSEMBLY MARCH 20, 2018
CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 2035

Introduced by Assembly Member Mullin

February 6, 2018

An act to amend Sections 62250, 62251, 62252, 62253, 62254, and 62255 of, and to add Section 62261.1 to, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2035, as amended, Mullin. Affordable housing authorities.

Existing law authorizes a city, county, or city and county to adopt a resolution creating an affordable housing authority with powers limited to providing low- and moderate-income housing and affordable workforce housing, as provided, by means of tax increment financing. Existing law defines various terms for these purposes.

This bill would additionally define the terms “authorizing resolution” and “property tax increment” for these purposes. *The bill would additionally revise these provisions to limit the authority to providing low- and moderate-income housing and affordable housing, as specified.*

Existing law sets forth the composition of the governing board of an authority created pursuant to these provisions and requires the governing board to be an odd number with at least 5 or 7 members, at least 3 of which are required to be appointed by the legislative body of the city or county, as specified.

This bill would, in the case of an authority created by a city and county, require the governing board to include appointments made by the mayor in the same amount as are appointed by the legislative body of the city and county, as specified.

Existing law authorizes specified local entities to adopt a resolution to provide property tax increment revenues to the authority.

This bill would require the resolution provision for receipt of property tax increment to become effective in the property tax year that begins after the December 1 immediately following the adoption of a resolution to provide property tax revenues to the authority. The bill would additionally authorize the repeal of the resolution by giving the county auditor-controller at least 90 days' notice prior to the end of the current fiscal year, as specified. The bill would also require the county auditor-controller to deduct any costs incurred by the county in administering these provisions, prior to distributing property tax increment to the authority.

Existing law additionally authorizes specified local entities to adopt a resolution allocating other tax revenues to the authority, subject to certain requirements.

This bill would authorize the repeal of this resolution, as specified.

Existing law authorizes an authority to issue bonds in conformity with provisions governing the issuance of general obligation bonds.

This bill would additionally authorize an authority to issue bonds in conformity with the Housing Authorities Law.

Existing law requires the authority to contract for an independent audit every 5 years beginning in the calendar year in which the authority has allocated a cumulative total of more than \$1,000,000 in property tax revenues or other revenues, including any proceeds of a debt issuance, as specified.

This bill would instead require an authority to contract for an independent audit commencing in the fiscal year in which the authority has been allocated a cumulative total of more than \$1,000,000 in revenues, including any proceeds of a debt issuance, and annually thereafter.

The bill would additionally require any proceeding to attack, review, *se set* aside, void, or annul the creation of an authority, the adoption of an affordable housing plan, the allocation of tax revenues to an authority, or the issuance of bonds by an authority to be commenced within 30 days of the ~~enaction~~ *enactment* of the resolution authorizing the action.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 62250 of the Government Code is
2 amended to read:
3 62250. For purposes of this division, the following terms have
4 the following meanings:
5 (a) “Affordable ~~workforce~~ housing” means housing with an
6 affordable housing cost, as defined in Section ~~50093 of the Health~~
7 ~~and Safety Code. 50052.5 of the Health and Safety Code, or~~
8 ~~affordable rent, as defined in Section 50053 of the Health and~~
9 ~~Safety Code, for households whose gross income does not exceed~~
10 ~~120 percent of the area median income.~~
11 (b) “Authority” means an affordable housing authority created
12 pursuant to this division.
13 (c) “Authorizing resolution” means a resolution adopted
14 pursuant to subdivision (a) of Section 62251 creating an authority.
15 (d) “Consenting local agency” means a local agency that has
16 adopted a resolution of its governing body consenting to the
17 affordable housing investment plan.
18 (e) “Plan” means an affordable housing investment plan adopted
19 pursuant to Section 62252. The plan shall be deemed to be the plan
20 described in Section 16 of Article XVI of the California
21 Constitution.
22 (f) “Property tax increment” means that portion of the ad
23 valorem taxes, as defined under subdivision (a) of Section 1 of
24 Article XIII A of the California Constitution, levied each year in
25 excess of the amount levied by or for a taxing agency upon the
26 total sum of the assessed value of the taxable property in the
27 boundaries of an authority as defined in the resolution first
28 establishing the authority, as shown upon the assessment roll used
29 in connection with the taxation of that property by the taxing
30 agency as of the last equalized roll prior to either the effective date
31 of the authorizing resolution or, if specified in the authorizing
32 resolution, another fiscal year no more than five years prior to the
33 effective date of the authorizing resolution. Property tax increment
34 shall not include taxable properties located within the boundaries
35 of a former redevelopment agency dissolved pursuant to Section

1 34172 of the Health and Safety Code unless and until all
2 obligations of the former redevelopment agency have been retired
3 and the successor agency to the former redevelopment agency has
4 fully dissolved. Following dissolution, for purposes of calculating
5 property tax increment for those taxable properties located within
6 the boundaries of a former redevelopment agency, the fiscal year
7 following final dissolution shall serve as the last equalized roll.

8 (g) “Real property” means any of the following:

9 (1) Land, including land under water and waterfront property.

10 (2) Buildings, structures, fixtures, and improvements on the
11 land.

12 (3) Any property appurtenant to, or used in connection with,
13 the land.

14 (4) Every estate, interest, privilege, easement, franchise, and
15 right in land, including rights-of-way, terms for years, and liens,
16 charges, or encumbrances by way of judgment, mortgage, or
17 otherwise and the indebtedness secured by those liens.

18 SEC. 2. Section 62251 of the Government Code is amended
19 to read:

20 62251. (a) A city, county, or city and county may adopt a
21 resolution creating an affordable housing authority that shall be
22 limited to providing low- and moderate-income housing and
23 affordable-workforce housing pursuant to this division. An
24 authority created pursuant to this division is a public body,
25 corporate and politic. An authority shall be deemed to be an
26 “agency” described in subdivision (b) of Section 16 of Article XVI
27 of the California Constitution only for purposes of receiving
28 property tax increment revenues.

29 (b) (1) A school entity, as defined in subdivision (f) of Section
30 95 of the Revenue and Taxation Code, may not participate in an
31 authority created pursuant to this section.

32 (2) A successor agency, as defined in subdivision (j) of Section
33 34171 of the Health and Safety Code, may not participate in an
34 authority created pursuant to this part, and an entity created
35 pursuant to this part shall not receive any portion of the property
36 tax revenues or other moneys distributed pursuant to Section 34188
37 of the Health and Safety Code.

38 (3) An authority formed by a city or county that created a
39 redevelopment agency that was dissolved pursuant to Part 1.85
40 (commencing with Section 34170) of Division 24 of the Health

1 and Safety Code shall not become effective until the successor
2 agency or designated local authority for the former redevelopment
3 agency has adopted findings of fact stating all of the following:

4 (A) The agency has received a finding of completion from the
5 Department of Finance pursuant to Section 34179.7 of the Health
6 and Safety Code.

7 (B) Former redevelopment agency assets that are the subject of
8 litigation against the state, where the city or county or its successor
9 agency or designated local authority are a named plaintiff, have
10 not been or will not be used to benefit any efforts of an authority
11 formed under this part unless the litigation has been resolved by
12 entry of a final judgment by any court of competent jurisdiction
13 and any appeals have been exhausted.

14 (C) The agency has complied with all orders of the Controller
15 pursuant to Section 34167.5 of the Health and Safety Code.

16 (c) The governing board of an authority created pursuant to this
17 division shall be an odd number of members with at least five or
18 seven members in total, as follows:

19 (1) (A) In the case of an authority formed by a city, at least
20 three members of the city council appointed by the city council.

21 (B) In the case of an authority formed by a county, at least three
22 members of the board of supervisors appointed by the board of
23 supervisors.

24 (C) In the case of an authority created jointly by a city and a
25 county, at least three members of the city council and three
26 members of the board of supervisors.

27 (D) In the case of an authority created by a city and county, the
28 mayor shall appoint the same number of members as are appointed
29 by the legislative body of the city and county. Appointments made
30 pursuant to this subparagraph shall not be subject to review by the
31 legislative body of the city and county.

32 (2) At least one member of the public who lives or works within
33 the boundaries of the city or county that created the authority.

34 (d) The boundaries of an authority created pursuant to this
35 division may be identical to the boundaries of the city or county
36 that created the authority.

37 SEC. 3. Section 62252 of the Government Code is amended
38 to read:

39 62252. (a) An authority created pursuant to this division shall,
40 by resolution, create a Low and Moderate Income Housing Fund

- 1 and adopt an affordable housing investment plan that may include
2 either or both of the following:
- 3 (1) A provision for the receipt of property tax increment
4 generated within the area.
- 5 (2) A provision for the receipt of any tax revenues allocated to
6 the authority pursuant to subdivision (b) of Section 62253.
- 7 (b) The plan shall include each of the following elements:
- 8 (1) A statement of the principal goals and objectives of the plan.
- 9 (2) An affordable housing program that describes how the
10 authority will fulfill its objective and if duties and activities will
11 be assigned to a city or county housing department or public
12 housing authority.
- 13 (3) The estimated amount that will be deposited in the Low and
14 Moderate Income Housing Fund during each of the next five years.
- 15 (4) Estimates of the number of new, rehabilitated, or price
16 restricted residential units to be assisted during each of the five
17 years and estimates of the expenditures of moneys from the Low
18 and Moderate Income Housing Fund during each of the five years.
- 19 (5) A description of how the program will implement the
20 requirements for expenditures of funds in the Low and Moderate
21 Income Housing Fund over a 10-year period at various income
22 levels.
- 23 (6) Estimates of the number of units, if any, to be developed by
24 the authority for very low, low-, and moderate-income households
25 during the next five years.
- 26 (7) A fiscal analysis setting forth the projected receipt of revenue
27 and projected expenses over a five-year planning horizon, including
28 the potential issuance of bonds backed by property tax increment
29 revenues pursuant to subdivision (a) of Section 62253 during the
30 term of the plan.
- 31 (8) Time limits as follows:
- 32 (A) Forty-five years for the establishing of loans, advances, and
33 indebtedness.
- 34 (B) Forty-five years for repayment of all of the authority's debts
35 and obligations, and fulfilling all of the authority's housing
36 obligations. The plan shall specify that an authority shall dissolve
37 as a legal entity in no more than 45 years, and that no further taxes
38 shall be allocated to the authority thereafter. Nothing in this
39 subparagraph shall be interpreted to prohibit an authority from
40 refinancing outstanding debt solely to reduce interest costs.

1 (9) A feasible method or plan for relocation of families and
2 persons to be temporarily or permanently displaced from housing
3 facilities in the plan area. The method or plan shall be consistent
4 with the requirements of Section 62256.

5 (c) The authority shall hold a public hearing before adopting an
6 affordable housing investment plan. The authority shall provide
7 notice of that hearing in accordance with Section 6062. The
8 authority shall consider any comments made on the plan at that
9 hearing before adopting the plan.

10 SEC. 4. Section 62253 of the Government Code is amended
11 to read:

12 62253. (a) (1) At any time before or after adoption of the plan,
13 any city, county, or special district, other than a school entity as
14 defined in subdivision (n) of Section 95 of the Revenue and
15 Taxation Code or a successor agency as defined in subdivision (j)
16 of Section 34171, that receives ad valorem property taxes from
17 property located within an area may adopt a resolution directing
18 the county auditor-controller to allocate its share of property tax
19 increment within the area covered by the plan to the authority. The
20 resolution adopted pursuant to this subdivision may direct the
21 county auditor-controller to allocate less than the full amount of
22 the property tax increment, and to establish a maximum amount
23 of time in years that the allocation takes place. These amounts
24 shall be allocated to the authority and when collected, shall be held
25 in a separate fund by the authority. Before adopting a resolution
26 pursuant to this subdivision, a city, county, or special district shall
27 approve a memorandum of understanding with the authority
28 governing the authority's use of property tax increment funds for
29 administrative and overhead expenses.

30 (2) The provision for the receipt of property tax increment shall
31 become effective in the property tax year that begins after the
32 December 1 immediately following the adoption of a resolution
33 pursuant paragraph (1). A resolution adopted pursuant to paragraph
34 (1) shall be provided to the county auditor-controller no later than
35 the December 1 immediately following its adoption.

36 (3) A resolution adopted pursuant to this subdivision may be
37 repealed and be of no further effect beginning in the fiscal year
38 following the adoption of any repeal, by giving the county
39 auditor-controller at least 90 days' notice prior to the end of the
40 current fiscal year, provided, however, that the county

1 auditor-controller shall continue to allocate the taxing entity's
2 share of ad valorem property taxes that have been pledged to the
3 repayment of debt issued by the authority to the authority until
4 that debt has been fully repaid, including by means of a refinancing
5 or refunding, unless otherwise agreed upon by the authority and
6 the taxing entity. For purposes of determining the annual amount
7 of a taxing entity's share of ad valorem property taxes that shall
8 continue to be allocated to an authority following a repeal, the
9 annual amount allocated for all years until the debt has been fully
10 repaid shall be the maximum amount required to service the debt
11 for any single annual period as provided in the authority's debt
12 service schedule.

13 (4) When the loans, advances, and indebtedness of an authority,
14 if any, and interest thereon, have been paid, or the maximum
15 amount of time in years has passed in accordance with a resolution
16 adopted pursuant to this subdivision, all funds thereafter received
17 from taxes upon the taxable property in the authority's boundaries
18 shall be paid into the funds of the respective taxing agencies as
19 taxes on all other property are paid.

20 (5) All of the taxes levied and collected upon the taxable
21 property in the boundaries of the authority shall be paid into the
22 funds of the respective taxing agencies as though the authority had
23 not been created unless the total assessed valuation of the taxable
24 property in the boundaries of an authority exceeds the total assessed
25 value of the taxable property in the boundaries as shown by the
26 last equalized assessment roll.

27 (b) (1) At any time before or after the adoption of the plan, a
28 city, county, or special district, other than a school entity as defined
29 in subdivision (n) of Section 95 of the Revenue and Taxation Code
30 or a successor agency as defined in subdivision (j) of Section
31 34171, may adopt a resolution to allocate tax revenues of that
32 entity to the authority, including revenues derived from local sales
33 and use taxes imposed pursuant to the Bradley-Burns Uniform
34 Local Sales and Use Tax Law (Part 1.5 (commencing with Section
35 7200) of Division 2 of the Revenue and Taxation Code) or
36 transactions and use taxes imposed pursuant to the Transactions
37 and Use Tax Law (Part 1.6 (commencing with Section 7251) of
38 the Revenue and Taxation Code), provided that both of the
39 following apply:

1 (A) The use of those revenues by the authority for purposes of
2 this division is consistent with the purposes for which that tax was
3 imposed.

4 (B) The boundaries of the authority are coterminous with the
5 city or county that established the authority.

6 (2) A resolution adopted pursuant to this subdivision may be
7 repealed and be of no further effect, provided, however, that the
8 tax revenues allocated to the authority that have been pledged to
9 the repayment of debt issued by the authority shall continue to be
10 so allocated until that debt has been fully repaid, including by
11 means of a refinancing or refunding, unless otherwise agreed upon
12 by the authority and the taxing entity.

13 (c) A minimum of 95 percent of the allocated property tax
14 increment revenues pursuant to subdivision (a), and allocated tax
15 revenues pursuant to subdivision (b), shall be used to increase,
16 improve, and preserve the community's supply of housing for low,
17 very low, and moderate-income households. Not more than 5
18 percent of allocated revenues may be used for administration.

19 (d) Housing funds expended by an authority shall be spent in
20 proportion to the share of the regional housing need allocated to
21 the city, county, or city and county for each income category
22 pursuant to Section 65584 for low, very low, and moderate-income
23 housing.

24 (e) Prior to distributing property tax increment to the authority,
25 the county auditor-controller shall deduct any costs incurred by
26 the county in administering the provisions of this division.

27 (f) This section shall not be construed to do any of the following:

28 (1) Reduce any allocations of excess, additional, or remaining
29 funds that would otherwise have been allocated to county
30 superintendents of schools, cities, counties, and cities and counties
31 pursuant to clause (i) of subparagraph (B) of paragraph (4) of
32 subdivision (d) of Section 97.2, clause (i) of subparagraph (B) of
33 paragraph (4) of subdivision (d) of Sections 97.3, or Article 4
34 (commencing with Section 98) of Chapter 6 of Part 0.5 of Division
35 1, of the Revenue and Taxation Code had this section not been
36 enacted.

37 (2) Alter in any way the manner in which ad valorem property
38 tax revenue is allocated among taxing entities in a county that have
39 not passed a resolution pursuant to subdivision (a).

1 (3) Alter in any way the manner in which ad valorem property
2 tax revenue growth from fiscal year to fiscal year is otherwise
3 determined or allocated in a county.

4 (4) Alter in any way the ad valorem property tax revenue
5 allocations required under Article 4 (commencing with Section
6 98) of Chapter 6 of Part 0.5 of Division 1 of the Revenue and
7 Taxation Code.

8 (5) Alter in any way the calculations performed pursuant to
9 Section 95.3 of the Revenue and Taxation Code.

10 (6) Alter in any way the manner in which ad valorem property
11 tax revenue is allocated pursuant to Section 75.70 of the Revenue
12 and Taxation Code.

13 (7) Alter in any way the manner in which calculations are
14 performed pursuant to Section 97.70 of the Revenue and Taxation
15 Code.

16 SEC. 5. Section 62254 of the Government Code is amended
17 to read:

18 62254. An authority may do any of the following:

19 (a) Provide for low- and moderate-income housing and
20 affordable ~~workforce~~ housing in accordance with this division.

21 (b) Remedy or remove a release of hazardous substances
22 pursuant to the Polanco Redevelopment Act (Article 12.5
23 (commencing with Section 33459) of Chapter 4 of Part 1 of
24 Division 24 of the Health and Safety Code) or Chapter 6.10
25 (commencing with Section 25403) of Division 20 of the Health
26 and Safety Code.

27 (c) Provide for seismic retrofits of existing buildings in
28 accordance with all applicable laws and regulations.

29 (d) Acquire and transfer real property in accordance with Section
30 62260. The authority shall retain controls and establish restrictions
31 or covenants running with the land sold or leased for private use
32 for the periods of time and under the conditions as provided in the
33 plan. The establishment of these controls is a public purpose under
34 this division.

35 (e) Issue bonds in conformity with Article 4.5 (commencing
36 with Section 53506) and Article 5 (commencing with Section
37 53510) of Chapter 3 of Part 1 of Division 2 of Title 5, or Article
38 5 (commencing with Section 34350) of Chapter 1 of Part 2 of
39 Division 24 of the Health and Safety Code, provided that if any

1 provision thereof conflicts with this division, this division shall
2 control.

3 (f) (1) Borrow money, receive grants, or accept financial or
4 other assistance or investment from the state or the federal
5 government or any other public agency or private lending
6 institution for any project within its area of operation, and comply
7 with any conditions of a loan or grant. An authority may qualify
8 for funding as a disadvantaged community pursuant to Section
9 79505.5 of the Water Code or as defined by Section 56033.5. An
10 authority may also enter into an agreement with a qualified
11 community development entity, as defined by Section 45D(c) of
12 the Internal Revenue Code, to coordinate investments of funds
13 derived from the New Markets Tax Credit with those of the
14 authority in instances where coordination offers opportunities for
15 greater efficiency of investments to improve conditions described
16 in subdivisions (c) and (d) within the territorial jurisdiction of the
17 authority.

18 (2) Receive funds allocated to it pursuant to a resolution adopted
19 by a city, county, or special district to transfer these funds from a
20 source described in subdivision (d), (e), or (f) of Section 53398.75,
21 subject to any requirements upon, or imposed by, the city, county,
22 or special district as to the use of these funds.

23 (g) Adopt an affordable housing plan pursuant to Section 62252.

24 (h) Make loans or grants for owners or tenants to improve,
25 rehabilitate, or retrofit buildings or structures within the plan area.

26 (i) Construct foundations, platforms, and other like structural
27 forms necessary for the provision or utilization of air rights sites
28 for buildings to be used for purposes of providing affordable
29 housing pursuant to this division.

30 SEC. 6. Section 62255 of the Government Code is amended
31 to read:

32 62255. Commencing in the calendar year in which the authority
33 has allocated a cumulative total of more than one million dollars
34 (\$1,000,000) in property tax increment revenues pursuant to
35 subdivision (a) of Section 62253 or other revenues pursuant to
36 subdivision (b) of Section 62253, including any proceeds of a debt
37 issuance, and each year thereafter, the authority shall contract for
38 an independent audit conducted in accordance with generally
39 accepted governmental auditing standards.

1 SEC. 7. Section 62261.1 is added to the Government Code, to
2 read:
3 62261.1. Any action or proceeding to attack, review, set aside,
4 void, or annul the creation of an authority, the adoption of an
5 affordable housing plan pursuant to Section 62252, the allocation
6 of tax revenues to an authority pursuant to Section 62253, or the
7 issuance of bonds by an authority shall be commenced within 30
8 days after the enactment of the resolution authorizing the action.
9 Consistent with the time limitations of this section, an action or
10 proceeding with respect to an allocation of tax revenues to, or the
11 issuance of bonds by, an authority shall be brought pursuant to
12 Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of
13 the Code of Civil procedure. An authority that receives an
14 allocation of tax revenues pursuant to 62253 or that issues bonds,
15 warrants, contracts, obligations, or other evidences of indebtedness
16 may bring an action in the superior court of the county in which
17 the authority is located to determine the validity of the bonds,
18 warrants, contracts, obligations, or evidences of indebtedness
19 pursuant to Chapter 9 (commencing with Section 860) of Title 10
20 of Part 2 of the Code of Civil Procedure.



AGENDA ITEM 4



**REQUEST FOR CALIFORNIA COMMUNITY LAND TRUST NETWORK
BOARD ACTION**

BOARD MEETING DATE:

June 13, 2018

TITLE: **DISCUSSION ON ALL OTHER MATTERS PERTAINING TO THE
CORPORATION**

A handwritten signature in blue ink that reads "Mark Asturias".

President

RECOMMENDED ACTION:

Provide policy direction on activities of the Corporation.

BACKGROUND:

This item gives an opportunity to Board Members to talk about any other matters that may require action or direction by the Board that are not specifically noted in the agenda.