

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03045

ADOPTED ON SEPTEMBER 14, 1999

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE SECOND AMENDMENT TO THE AGENCY LOAN AND HOUSING DEVELOPMENT AGREEMENT WITH BOSTON VILLAGE, LLC, FOR THE BOSTON VILLAGE HOUSING DEVELOPMENT LOCATED IN THE SOUTHCREST REDEVELOPMENT PROJECT AREA AND APPROVING THE USE OF SOUTHCREST REDEVELOPMENT PROJECT LOW AND MODERATE INCOME HOUSING FUNDS TO FINANCE LANDSCAPE WORK ON THE PREMISES.

WHEREAS, the Redevelopment Agency of The City of San Diego [the Agency] is engaged in activities to carry out and implement the Redevelopment Plan for the Southcrest Redevelopment Project [the Project]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, on September 9, 1997, by Resolution No. R-2779, the Agency approved an Agency Loan and Housing Development Agreement with Boston Village, LLC [the Developer], to develop twelve single-family for-sale homes that are affordable for low- or moderate-income persons in the Project area, a copy of which is on file in the Office of the Secretary to the Agency as Document No. D-02779; and on November 4, 1997, by Resolution No. R-2789, the Agency approved a First Amendment to Agency Loan and Housing Development Agreement, a copy of which is on file in the Office of the Secretary to the Agency as Document No. D-02789 [collectively referred to as the Agreement]; and

WHEREAS, the Agency has negotiated a proposed Second Amendment to the Agreement [the Second Amendment] that would reimburse the developer in the amount of

\$12,000 for the construction of additional improvements to the homes, and finance a portion of the increased construction costs by increasing the purchase price of six units from \$155,000 to \$160,000, and reducing the amount of homebuyer assistance; and

WHEREAS, the Developer has installed front yard landscaping for the twelve units, and the Agency wishes to reimburse the Developer for the cost of the landscaping; and

WHEREAS, pursuant to California Health and Safety Code section 33334.2, the Project area has established a Low and Moderate Income Housing Fund [the Housing Fund], and the Agency wishes to use a portion of the Housing Fund to reimburse the Developer for the cost of the landscaping; and

WHEREAS, pursuant to Section 33334.2(e), these housing set-aside funds can be used to improve real property with on-site improvements if the improvements are made as part of a program which results in the new construction or rehabilitation of affordable housing units for low- or moderate-income persons that are directly benefitted by the improvements; and

WHEREAS, the Developer has submitted to the Agency copies of the proposed Second Amendment in a form desired by the Developer; and

WHEREAS, the Board of Directors of the Southeastern Economic Development Corporation [SEDC] has reviewed and discussed the proposed Second Amendment and has recommended that the Agency approve and the Agency enter into the Second Amendment; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Second Amendment and believes that the conditions contained in the proposed Second Amendment are in the best interest of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local law and requirements; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of The City of San Diego, as

follows:

1. That the Agency recognizes that it has received and heard all oral and written objections to the proposed Second Amendment to the Agency Loan and Housing Agreement with Boston Village, LLC, and to other matters pertaining to this transaction, and that all the oral and written objections are hereby overruled.

2. That the use of the funds from the Housing Fund may be used to pay for the front yard landscaping for the Boston Village housing development based on the information set forth in Attachment No. 1, which is attached to this Resolution and incorporated herein by this reference.

3. That the Executive Director of the Agency, or designee, is authorized to execute, for and on behalf of the Agency, the Second Amendment to the Agency Loan and Housing Agreement with Boston Village, LLC, a copy of which is on file in the office of the Secretary to the Agency as Document No. D-03045

APPROVED: CASEY GWINN, General Counsel

By

Elisa A. Cusato
Deputy Counsel

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