

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 03999

DATE OF FINAL PASSAGE FEB 09 2006

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO FOR THE CITY HEIGHTS SQUARE SENIOR HOUSING PROJECT LOCATED IN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA.

WHEREAS, the City Heights Square Senior Housing Project (“Project”) is a 151 unit affordable housing development; and

WHEREAS, the Project is located within the boundaries of the City Heights Redevelopment Project Area (“Project Area”); and

WHEREAS, on May 3, 2005, the Redevelopment Agency of the City of San Diego (“Agency”) authorized the Executive Director to execute the Disposition and Development Agreement (“DDA”) between the Agency and City Heights Square, L.P. and Senior Housing Corporation (“Developer”); and

WHEREAS, on that same day, \$7,105,100 in Notice of Funding Availability (“NOFA”) funds was allocated to the Project, contingent upon receipt of tax credit financing; and

WHEREAS, September 28, 2005, the Developer, was awarded the nine-percent Low Income Housing Tax Credits (“Tax Credits”) for the Project; and

WHEREAS, due to unanticipated construction cost increases, the Developer has requested an additional \$2,000,000 of NOFA funds; and

WHEREAS, if the First Implementation Agreement to the DDA for the Auburn Park Apartments Project is approved, this action will release \$2,038,823 back to the NOFA Program for use in other NOFA projects;

WHEREAS, subsequent to the award of Tax Credits, the Project has 150 days (February 24, 2006) to meet the readiness to proceed requirement; and

WHEREAS, if the Developer is unable to secure the needed funding for the increase in costs, the Project will lose the Tax Credit award and will not be constructed; NOW,

THEREFORE,

BE IT RESOLVED that the Redevelopment Agency of the City of San Diego, as follows:

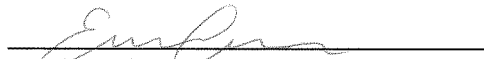
1. Authorizes the Executive Director, or designee, to execute the First Implementation Agreement to the Disposition and Development Agreement between the Redevelopment Agency of the City of San Diego and City Heights Square, L.P. and Senior Housing Corporation, for the City Heights Square Senior Housing Project; and
2. Authorizes the additional expenditure of funds for the City Heights Square Senior Housing Project in the amount not to exceed \$2,000,000 as an Agency operating agreement (\$1,700,000 from the Centre City Redevelopment Project and \$300,000 from the City Heights Redevelopment Project Area); and
3. Approves the Findings of Benefit for use of Centre City housing low/mod set-aside funds outside of the Centre City Project Area; and
4. Approves the finding that an economically feasible alternative method of financing the project on substantially similar terms and conditions, but without subordination, is not reasonably available; and
5. Authorizes the Executive Director, or designee, to subordinate the lien of the

Agency affordable housing covenants as provided in California Health and Safety Code section 33334.14; and

6. Authorizes the Executive Director, or designee, to execute such documents and make such changes to documents as reasonably necessary and approved by Agency counsel to carry out the Disposition and Development Agreement as amended by the First Implementation Agreement.

APPROVED: MICHAEL J. AGUIRRE, General Counsel

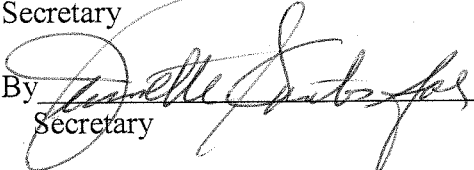
By


Eunice Chan
Deputy General Counsel

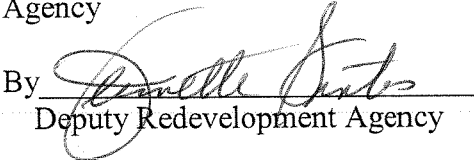
ECC:nda
01/20/06
Or.Dept:Redev.Agency
RA-2006-79
MMS#2977
Comp: R-2006-658
R-2006-660

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of FEB 07 2006.

ELIZABETH S. MALAND
Secretary

By 
Secretary

Jeannette Santos, Deputy Redevelopment
Agency

By 
Deputy Redevelopment Agency

Approved: Feb 09, 06
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2600559

ORIGINATING

DEPT. NO.: 10275

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
TOTAL AMOUNT											

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$300,000.00

Vendor: City Heights Square, L.P. and Senior Housing Corporation (SHC)

Purpose: Authorizing the expenditure of funds for the purpose of providing additional funds for the City Heights Square Senior Housing Project.

Date: January 23, 2006 By: Weihong Dai
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
001	0	98204	98204	2004	4638	002004					300,000.00
TOTAL AMOUNT											\$300,000.00

FUND OVERRIDE

Passed by the Redevelopment Agency of The City of San Diego on FEB 07 2006, by the following vote:

Agency Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 09 2006

AUTHENTICATED BY:

JERRY SANDERS
Executive Director of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
Secretary of The City of San Diego, California.

By , Deputy

Office of the Redevelopment Agency, San Diego, California

Resolution Number R- 03999