

RA Item 4
Item 3 of RA MTA
(RA-2009-29) 10/23/08

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04341

DATE OF FINAL PASSAGE NOV 13 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE AMENDED AGREEMENT BY AND BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND THE SAN DIEGO HOUSING COMMISSION AND PROVIDING CERTAIN AUTHORIZATIONS IN CONNECTION WITH THE ADMINISTRATION AND MANAGEMENT OF THE LINDA VISTA REDEVELOPMENT HOUSING ENHANCEMENT LOAN PROGRAM.

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

WHEREAS, pursuant to California Health and Safety Code Section 33334.2 of the California Community Redevelopment Law [CRL], the Agency must set aside twenty percent (20%) of tax increment funds generated in a project area to be used for the purposes of increasing, improving, and preserving the community's supply of low- and moderate- income housing available at affordable housing cost to persons and families of low or moderate income and very low income households; and

WHEREAS, in accordance with Section 33334.2(e)(7) of the CRL, the Agency may exercise any or all of its powers to carry out the purposes set forth in Section 33334.2, including providing for the rehabilitation of buildings or structures that benefit persons and families of low or moderate income; and

WHEREAS, in order to carry out and implement the objectives and goals of the Redevelopment Plan for the Project Area and the CRL, the Agency created the newly revised Linda Vista Redevelopment Housing Enhancement Loan Program [Linda Vista HELP Program] to provide housing enhancement/rehabilitation loans to owner-occupants of eligible residential properties built prior to 1980 within the Linda Vista Community Planning Area, whose gross household income is no greater than 100% of the area median family income [AMI] for San Diego County; and

WHEREAS, the Linda Vista Community Planning Area encompasses the Project Area and neighborhoods surrounding the Project Area; and

WHEREAS, subject to the availability of Linda Vista HELP Program funds, the Agency would loan to an eligible owner-occupant of an eligible property an amount up to \$20,000 to be used toward rehabilitating and enhancing the interior and exterior conditions of the owner-occupant's dwelling and/or providing water conserving landscape improvements and/or energy conserving improvements to the subject property; and

WHEREAS, the Agency's loan would be forgivable over a ten (10) year period and evidenced by a Memorandum of Lien Affecting Real Property recorded against the subject property that is subordinate in priority to any and all rights of an institutional first mortgage holder, concurrent mortgage holder and/or prior issuer of home equity lines of credit, whose deed of trust is secured by the subject property; and

WHEREAS, the San Diego Housing Commission has provided effective services in the administration and management of the former Linda Vista Redevelopment Project Area Housing Enhancement Loan Program under an Agreement entered into by the Parties on or about July 28,

2005, a copy of which was filed on July 28, 2005 with the office of the secretary to the Agency as Document No. D-03922; and

WHEREAS, in light of the above, the Agency and the San Diego Housing Commission propose to enter into the Amended Agreement which authorizes the San Diego Housing Commission to continue to provide the necessary administration and management services for the newly revised Linda Vista HELP Program, including management and expenditure of the Agency funds allocated toward the Linda Vista HELP Program; NOW, THEREFORE,

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

1. That the Agency approves the Amended Agreement by and between the Agency and the San Diego Housing Commission, and the Exhibits attached thereto, for administration and management services in connection with the Linda Vista HELP Program [Agreement].
2. That this Agreement shall amend, replace and supersede in its entirety the Agreement entered into by the Parties on or about July 28, 2005, a copy of which was filed on July 28, 2005 in the office of the secretary to the Agency as Document No. D-03922.
3. That the Agency authorizes the San Diego Housing Commission to administer and manage the Linda Vista HELP Program on behalf of the Agency pursuant to the adopted Guidelines for the Linda Vista HELP Program [Guidelines], and as said Guidelines may be amended in writing by the Agency, and in accordance with the Agreement.
4. That the Agency authorizes the San Diego Housing Commission to administer and manage the expenditure of the Agency funds allocated toward the Linda Vista HELP Program.
5. That the Agency authorizes the San Diego Housing Commission to execute on behalf of the Agency the Memorandum of Lien Affecting Real Property, attached as Exhibit "A"


to the Guidelines, to be recorded against each subject property that is assisted by the Linda Vista HELP Program.

6. That the Executive Director of the Agency, or designee, is hereby authorized and empowered to execute, for and on behalf of the Agency, the Agreement, a copy of which shall be placed on file in the office of the secretary of the Agency as Document No. D- 04341.

7. That this activity is not a "project" for purposes of the California Environmental Quality Act [CEQA] because it does not meet the criteria set forth in CEQA Guidelines Section 15378. Therefore, pursuant to CEQA Guidelines Section 15060(c)(3), this activity is not subject to CEQA. Further, this activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301(a)(d)(h).

APPROVED: MICHAEL J. AGUIRRE, General Counsel

By


Kendall D. Berkey
Deputy General Counsel

KDB:nda
10/02/08
Or.Dept:Redev.Agency
RA-2009-29
MMS#6864
Comp. R-2009-434
RA-2009-28
RA-2009-30

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of OCT 28 2008.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 11.13.08
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

OCT 28 2008

Passed by the Redevelopment Agency of The City of San Diego on _____, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 13 2008

AUTHENTICATED BY:

JERRY SANDERS

Executive Director of The City of San Diego, California.

ELIZABETH S. MALAND

Secretary of The City of San Diego, California.

(Seal)

By *Janette J. [Signature]*, Deputy

Office of the Redevelopment Agency, San Diego, California

Resolution Number R-04341