

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04364

DATE OF FINAL PASSAGE FEB 02 2009

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 CITY HEIGHTS 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 City Heights 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 City Heights Redevelopment Housing Enhancement Loan Program [City Heights HELP Program] to provide housing enhancement/rehabilitation loans to owner-occupants of eligible one- and two- unit properties in the City Heights Redevelopment Project Area [Project Area], whose gross household income is no greater than 100% of the area median family income [AMI] for San Diego County; and

WHEREAS, subject to the availability of City Heights HELP Program funds, the Agency would loan to an eligible owner-occupant of an eligible property an amount up to \$30,000 to be used toward rehabilitating and enhancing the interior and exterior conditions of the owner-occupant's dwelling; 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 a 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 City Heights Redevelopment Project Area Housing Rehabilitation Program under an Agreement entered into by the Parties on or about February 13, 2004, and the First Amendment to said Agreement entered into by the Parties on or about November 16, 2005, copies of which are on file with the office of the secretary to the Agency as Document Nos. D-03714 and D-03969 respectively; and

WHEREAS, the San Diego Housing Commission currently provides effective services in the administration and management of Housing Enhancement Loan Programs in the North Park, San Ysidro, Crossroads and Linda Vista Redevelopment Project Areas; and

WHEREAS, in light of the above, the Agency and the San Diego Housing Commission propose to enter into an Amended Agreement which authorizes the San Diego Housing Commission to provide the necessary administration and management services for the City Heights HELP Program, including management and expenditure of the Agency funds allocated toward the City Heights 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 City Heights 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 February 13, 2004 and the First Amendment to said Agreement entered into by the Parties on or about November 16, 2005, copies of which are on file with the office of the secretary to the Agency as Document Nos. D-03714 and D-03969 respectively.
3. That the Agency authorizes the San Diego Housing Commission to administer and manage the City Heights HELP Program on behalf of the Agency pursuant to the adopted Guidelines for the City Heights 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 City Heights 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 City Heights 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- 04364.

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).

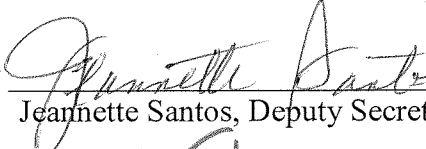
APPROVED: JAN I. GOLDSMITH, General Counsel

By 
Kendall D. Berkey
Deputy General Counsel

KDB:nda
12/17/08
Or.Dept:Redev.Agency
RA-2009-57
MMS#7284
Comp. RA-2009-56

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of JAN 13 2009.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: Feb 2, 09
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

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

51

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2900486
DEPT. _____
NO.: 9975

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: _____ \$400,000.00

Vendor: San Diego Housing Commission

Purpose: To adopt the revised city Heights Redevelopment Project Area Housing Enhancement Loan Program (HELP) Guidelines and to approve the amended agreement by and between the redevelopment agency of the City of San Diego and the City of San Diego Housing Commission in Connection wit the City Heights Redevelopment Housing Enhancement Loan Program (HELP).

Date: December 26, 2008 By: Francisco J Lopez
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
1	0	98204	98204	2007	4651	002007					\$340,000.00
2	0	98204	98204	2007	4223	002007					60,000.00
TOTAL AMOUNT											\$400,000.00

AC-361 (REV 2-92) FUND OVERRIDE

AC 2900486

Passed by the Redevelopment Agency of The City of San Diego on JAN 13 2009, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carl DeMaio	<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"/>
Marti Emerald	<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"/>

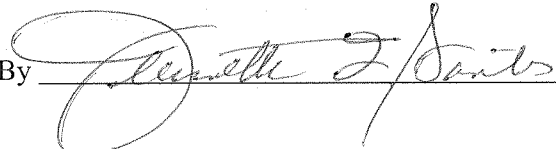
Date of final passage FEB 02 2009.

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- 04364