

RA #6
2/23/10
RA #6

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04486

DATE OF FINAL PASSAGE FEB 26 2010

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO (i) APPROVING THE OWNER PARTICIPATION AGREEMENT [OPA] RELATING TO THE ACQUISITION AND REHABILITATION OF THE HOTEL SANDFORD PROPERTY [PROJECT] LOCATED IN THE CORTEZ REDEVELOPMENT DISTRICT OF THE EXPANSION SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT AREA [REDEVELOPMENT PROJECT AREA], (ii) AUTHORIZING THE EXPENDITURE OF UP TO \$6,095,000 FROM THE AGENCY'S LOW AND MODERATE INCOME HOUSING FUND FOR THE REDEVELOPMENT PROJECT AREA TO FINANCE A PORTION OF THE PROJECT'S COSTS; (iii) APPROVING THE RELOCATION PLAN FOR THE PROJECT AND MAKING CERTAIN DETERMINATIONS RELATED THERETO; AND (iv) AUTHORIZING THE AGENCY'S EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS AND ADMINISTER THE AGENCY'S OBLIGATIONS FOR THE PROJECT, AS PROVIDED IN THE OPA.

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 Centre City Redevelopment Project Area [Redevelopment Project Area] in accordance with the California Community Redevelopment Law (Health and Safety Code Sections 33000 *et seq.*) [CRL]; and

WHEREAS, the Centre City Development Corporation, acting on behalf of the Agency, has negotiated an Owner Participation Agreement [OPA] with the San Diego Housing Commission [Commission], wherein the Commission has agreed to acquire and rehabilitate the Hotel Sandford [Project], a 130-unit Single Room Occupancy [SRO] residential hotel located

within the Redevelopment Project Area at the northeast corner of Fifth Avenue and A Street, within the Cortez neighborhood of downtown San Diego, California [Property]; and

WHEREAS, the OPA requires the Commission to facilitate the completion of the rehabilitation work and thereafter operate the Hotel Sandford as SRO rental housing that is affordable to Very Low Income households and Low Income households (as defined and provided for in the OPA); and

WHEREAS, the OPA contemplates that the Agency will issue to the Commission a forgivable, residual receipts loan in an amount not to exceed \$6,095,000 [Loan], to be derived from the Agency's low and moderate-income housing funds for the Redevelopment Project Area, subject to the terms of the OPA; and

WHEREAS, the Commission has caused a qualified relocation consultant, Overland Pacific & Cutler, Inc., to prepare the Relocation Plan for the Project dated December 2009 [Relocation Plan], which constitutes a feasible method or plan for relocation of the certain SRO residents to be temporarily or permanently displaced from the Hotel Sandford as a result of the Project [collectively, the Residents], in accordance with CRL Section 33411; and

WHEREAS, according to the Relocation Plan, the Project will cause, or is assumed to result in, the displacement of the Residents, all of whom are Low Income households (as defined in the OPA), as follows: (i) the permanent displacement of one (1) SRO resident so that such resident's unit can be utilized as the on-site manager's residence; and (ii) the temporary displacement of SRO residents in staggered phases of twelve (12) units at a time, for approximately ten (10) days in each instance; and

WHEREAS, the Relocation Plan confirms that the Project will not result in any temporary or permanent displacement of tenants in the commercial space on the ground floor of the Property, such as the barber college, the delicatessen, and the presently vacant space; and

WHEREAS, the Relocation Plan provides that no Residents shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by each displaced person or family at a rental rate comparable to the rental rate as of the time of displacement, and each such housing unit must be a decent, safe, sanitary, and otherwise standard dwelling unit; and

WHEREAS, California Code of California Regulations, Title 25, Section 6010 states that no public entity may proceed with any phase of a project or other activity which will result in the displacement of any person, business or farm until such public entity makes certain specified determinations; and

WHEREAS, in accordance with California Code of California Regulations, Title 25, Section 6010, the Agency will make the following determinations relating to the Relocation Plan [collectively, the Relocation Determinations] through the adoption of this Resolution:

(1) Fair and reasonable relocation payments will be provided to eligible persons as required by Article 3 of Title 25, Division 1, Chapter 6, Subchapter 1 of the California Code of Regulations [State Relocation Guidelines];

(2) A relocation assistance program offering the services described in Article 2 of the State Relocation Guidelines will be established;

(3) Eligible persons will be adequately informed of the assistance, benefits, policies, practices and procedures, including grievance procedures, provided for in the State Relocation Guidelines;

(4) Based upon recent survey and analysis of both the housing needs of persons who will be displaced and available replacement housing and considering competing demands for that housing, comparable replacement dwellings will be available, or provided, if necessary, within a reasonable period of time prior to displacement sufficient in number, size and cost for the eligible persons who require them;

(5) Adequate provisions have been made to provide orderly, timely, and efficient relocation of eligible persons to comparable replacement housing available without regard to race, color, religion, sex, marital status, or national origin with minimum hardship to those affected; and

(6) The Relocation Plan meets the requirements of California Code of Regulations, Title 25, Section 6038; and

WHEREAS, the Commission shall not displace any Residents until the suitable replacement housing units are available and ready for occupancy, in accordance with the Relocation Plan; and

WHEREAS, the Commission (as the entity carrying out the Project) and its relocation consultant will undertake the responsibility for implementing all actions contemplated by the Relocation Plan and for fulfilling all applicable requirements under the State Relocation Guidelines; and

WHEREAS, the Agency believes that the OPA is in the best interests 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 [Agency], as follows:

1. That the Agency approves the OPA, including all attachments and exhibits thereto.
2. That the Agency authorizes the Chief Financial Officer, as delegated, to appropriate and expend an amount not to exceed \$6,095,000 from the Agency's low and moderate-income housing funds for the Redevelopment Project Area to provide the Loan to the Commission, in accordance with the terms of the OPA.

3. That the Agency makes the Relocation Determinations, and adopts and approves the Relocation Plan for the Project, a copy of which shall be placed on file with the secretary of the Agency as Document No. D- 04486a

4. That the Agency's Executive Director, or designee, is authorized, on behalf of the Agency, to execute the OPA, including all attachments and exhibits thereto requiring the Agency's signature. A copy of the OPA, when fully executed, shall be placed on file with the secretary of the Agency as Document No. D- 04486b.

5. That the Agency's Executive Director, or designee, is authorized, on behalf of the Agency, to sign all documents necessary and appropriate to carry out and implement the OPA and to administer the Agency's obligations, responsibilities and duties to be performed under the OPA, including all attachments and exhibits thereto.

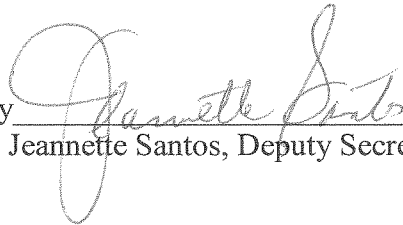
APPROVED: JAN I. GOLDSMITH, General Counsel

By Kevin Reisch
Kevin Reisch
Deputy General Counsel

KR:mm
02/09/10
Or.Dept:CCDC
RA-2010-60
MMS #10430
Comptroller Cert. #3000003035
Companion to: R-2010-556

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of FEB 23 2010.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 2-24-10
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on FEB 23 2010, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 26 2010

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- 04486

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

CC 3000003035

ORIGINATING DEPT. NO. _____

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: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original 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: _____ \$6,095,000.00

Vendor: San Diego Housing Commision

Purpose: Authorizing the expenditure of assets per the OPA agreement with the Vendor for acquisition and rehabilitation of the Hotel Sandford property for low and moderate housing. This is a Low/Mod project in the Centre City Redevelopment Project Area.

Date: February 8, 2010

By: Francisco J Lopez
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
001	200586	9204111102000	9204111102136	OTHR-00000012-NS	512025	2220	2220400011		\$6,095,000.00
TOTAL AMOUNT									\$6,095,000.00

FUND OVERRIDE

CC 3000003035