

RESOLUTION NUMBER R- 306123
DATE OF FINAL PASSAGE OCT 04 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REALLOCATION OF FISCAL YEAR 2009 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO THE SAN DIEGO HOUSING COMMISSION FOR THE PARKER-KIER APARTMENTS REHABILITATION PROJECT AND AUTHORIZING THE SUBMISSION OF A THIRD SUBSTANTIAL AMENDMENT TO THE FISCAL YEAR 2009 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE EXECUTION OF AN AGREEMENT FOR THE PROJECT BY THE MAYOR OR HIS DESIGNEE

WHEREAS, on May 6, 2008, the Council of the City of San Diego (City Council) adopted Resolution No. R-303662, in which the City Council authorized the City Auditor and Comptroller to accept Community Development Block Grant (CDBG) funds in the amount of \$14,852,521 from the U.S. Department of Housing and Urban Development (HUD) for the City's Fiscal Year (FY) 2009 CDBG Program;

WHEREAS, pursuant to this same resolution, the City Council approved the funding allocations and recommendations for the City's FY 2009 CDBG Program, set forth in Report to the City Council No. 08-070, a copy of which is on file with the Office of the City Clerk as Document No. RR-303662, as modified by Resolution R-303662; and

WHEREAS, the approved FY 2009 CDBG funding allocations and recommendations included a total of \$1,277,478 to the San Diego Housing Commission (SDHC) for the Affordable Housing Program project; and

WHEREAS, to date, the City has entered into a contract with SDHC for the expenditure of \$180,000 of the CDBG funds allocated to the Affordable Housing Program project and the remaining \$1,097,478 in FY2009 CDBG funds in the project remains unexpended; and

WHEREAS, SDHC has made a request to the CDBG Program Office and submitted an application for CDBG funds in compliance with Council Policy 700-02 to reallocate the remaining \$1,097,478 in FY 2009 CDBG funds from the Affordable Housing Program project to the Parker-Kier Apartments Rehabilitation project, a CDBG-eligible Minor Residential Rehabilitation project; and

WHEREAS, the reallocation of the above mentioned funds to the Parker-Kier Apartments Rehabilitation project will change the funding in the Minor Residential Rehabilitation eligible activity category by over 30 percent of the previous category funding total; and

WHEREAS, the City's Consolidated Plan requires that Substantial Amendment to the appropriate fiscal year Annual Action Plan be submitted upon the addition or deletion of an activity (program) that changes the funding at the category level by more than 30 percent; and

WHEREAS, on June 1, 2009, the City Council previously approved a Second Substantial Amendment to the City's Fiscal Year 2009 Annual Action Plan; and

WHEREAS, on July 20, 2010, with funding from other sources and in anticipation of this additional CDBG funding in the amount of \$1,097,478, the Housing Authority of the City of San Diego approved HA Resolution No. HA-1476 authorizing, among other things, the San Diego Housing Commission to solicit bids for rehabilitation work and accept the most responsive bid for the Parker-Kier Apartments Rehabilitation project;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the reallocation of \$1,097,478 in Fiscal Year 2009 CDBG funds awarded to the San Diego Housing Commission


for the Affordable Housing Program project to the Parker-Kier Apartments Rehabilitation project is approved;

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to submit to the Department of Housing and Urban Development (HUD) a Third Substantial Amendment to the City's Fiscal Year 2009 Annual Action Plan to reflect the reallocation of \$1,097,478 in CDBG funds to the Parker-Kier Apartments Rehabilitation project;

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to negotiate and execute an agreement with the SDHC for the Parker-Kier Apartments Rehabilitation project, contingent upon the Chief Financial Officer certifying that the approved funds are available;

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Kenneth So
Deputy City Attorney

KS:js
08/20/10
Or.Dept: CPCI
R-2011-151
PL#2010-01109.001

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~SEP 13 2010~~

ELIZABETH S. MALAND
City Clerk

By *Mary Zumaiga*
Deputy City Clerk

Approved: 10-4-10
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000003494
DEPT. NO.: 1617

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	Funcional 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: \$1,097,478.00

Vendor: SAN DIEGO HOUSING COMMISSION (SDHC)

Purpose: Authorizing the expenditures of funds from FY09 CDBG Grant to SDHC for the Parker - Kier Apartments Rehabilitaion project.

Date: August 10, 2010 By: Marilyn Nguyen
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Funcional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
001	600000	NON-PROGRAM	GJ1000003-09	OTHR-00000000-NS	512066	1617	1617000001		\$51,287.00
002	600000	NON-PROGRAM	FR1000003-09	OTHR-00000000-NS	512066	1617	1617000001		\$559,091.00
003	600000	NON-PROGRAM	LG1000003-09	OTHR-00000000-NS	512066	1617	1617000001		\$86,954.00
004	600000	NON-PROGRAM	GK1000003-09	OTHR-00000000-NS	512066	1617	1617000001		\$400,146.00
TOTAL AMOUNT									\$1,097,478.00

CC-361 (REV 7-09)

FUND OVERRIDE
CC 3000003494

R - 306123

SEP 13 2010