

RESOLUTION NUMBER R- 311521

DATE OF FINAL PASSAGE JAN 31 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE ACQUISITION OF THE REAL PROPERTY AND IMPROVEMENTS LOCATED AT 1401 IMPERIAL AVENUE, ASSESSOR'S PARCEL NUMBERS 535-614-01 AND 535-614-02; AUTHORIZING THE MAYOR TO COMPLETE THE ACQUISITION IN ACCORDANCE WITH THE TERMS OF A PURCHASE AND SALE AGREEMENT AND EXECUTE ANY RELATED AND NECESSARY DOCUMENTS; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXPEND AN AMOUNT NOT TO EXCEED \$7,300,000 FOR ACQUISITION, ENTITLEMENTS, AND PREPARATION OF THE REAL PROPERTY AND IMPROVEMENTS FOR USE AS A HOUSING NAVIGATION CENTER.

WHEREAS, the City has identified the real property located at 1401 Imperial Avenue, San Diego, California, further identified as Assessor's Parcel Numbers 535-614-01 and 535-614-02, (Property), currently owned by 1401 Imperial Holding Company, LLC (Seller), as an ideal location for a housing navigation center, which can serve as an entry point to the Coordinated Entry System (CES) to provide core services to address the housing crisis and help individuals access a range of mainstream services that impact housing stability; and

WHEREAS, the Property is an approximately 10,000 square foot lot, which has been recently improved with a three story building of approximately 26,508 square feet that requires only minor modifications to be operated as a housing navigation center, and contains new furniture, fixtures, and equipment; and

WHEREAS, the San Diego Housing Commission is currently accepting proposals in response to a Request for Proposals issued for a service provider to operate a housing navigation

center, and having a location available for the housing navigation center at the time the service provider is selected will allow these services to be provided to the impacted community in a shorter timeframe; and

WHEREAS, the City and Seller have negotiated a Purchase and Sale Agreement for the City's acquisition of the Property at a purchase price of \$7,000,000, and a copy of the Purchase and Sale Agreement is on file in the Office of the City Clerk as Document No.

RR-311521; and

WHEREAS, Seller has also agreed to donate to the City all personal property remaining at the Property as of the close of escrow, which is further described in Exhibit C to the Purchase and Sale Agreement, and generally includes office furniture, fixtures, and equipment; and

WHEREAS, the City may be required to incur costs after the acquisition to apply for any necessary land use entitlements to allow the Property to be used as a housing navigation center; and

WHEREAS, the City will also be required to incur costs to remove building signage and make minor modifications to allow the Property to be used as a housing navigation center after acquisition; and

WHEREAS, City staff has identified \$7,300,000 in federal Community Development Block Grant (CDBG) funds available to the City to fund the acquisition, entitlement, and minor modifications of the Property to allow its use as a housing navigation center; NOW,

THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego (Council), that the City's acquisition of the Property to provide a housing navigation center will serve public

purposes; is in the best interest of the health, safety, and general welfare of the City, and is approved.

BE IT FURTHER RESOLVED, that the Mayor, or designee, is authorized on behalf of the City to complete the acquisition of the Property in accordance with the terms and conditions of the Purchase and Sale Agreement between the City and Seller, on file in the Office of the City Clerk as Document No. RR- 311521 (Purchase and Sale Agreement); to negotiate, enter into, and execute any and all documents that are necessary and appropriate to effectuate the transactions contemplated in the Purchase and Sale Agreement; and to implement the approvals provided in this Resolution, all in forms approved by the Office of the City Attorney.

BE IT FURTHER RESOLVED, that the Mayor, or his designee is authorized to accept the donation of personal property located within the Property upon close of escrow as described in Exhibit C to the Purchase and Sale Agreement.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to allocate \$7,300,000 in federal Community Development Block Grant (CDBG) funds to purchase the Property, apply for any necessary land use entitlements and make minor modifications to the building, all for the purpose of creating a housing navigation center at the Property, contingent upon the Chief Financial Officer certifying that funds are available.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to accept repayment of CDBG debt from the Successor Agency in a total amount not to exceed \$3,500,000, as "Program Income" under Title 24 Code of Federal Regulations § 570.500, as approved by the California Department of Finance, and included in the Successor Agency's Eleventh "Recognized Obligation Payment Schedule" submitted to the California Department of Finance for FY 2018 (ROPS 11, also known as 'ROPS 17-18'), to acquire the Property for the

purpose of creating a housing navigation center, contingent upon the Chief Financial Officer certifying the funds are available.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend a total amount not to exceed \$3,500,000 in FY 2018 CDBG debt repayment Program Income from the Successor Agency, as listed on ROPS 11 (ROPS 17-18) to FY 2018 Unobligated CDBG (UC1000003-18), for the acquisition of the Property and related actions for the purpose of creating a housing navigation center, contingent upon the Chief Financial Officer certifying the funds are available.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to transfer appropriations in an amount not to exceed \$1,840,523.68 for reprogramming to the Economic Development Department 1316, within Fund 600000, Grant Fund – Federal, Grant 1000003-2018, CDBG Program 18, FY 2018 Unobligated CDBG (UC1000003-18) contingent upon the Chief Financial Officer certifying that funds are available, of which: (a) \$1,625,547 is from CIP ABT00003, Citywide Energy Improvements within Fund 600000, Grant Fund – Federal, Grant 1000003-2017, CDBG Program 17; (b) \$99,475.50 is from CIP AIK00003, Sidewalk Repair & Replacement within Fund 600000, Grant Fund – Federal, Grant 1000003-2015, CDBG Program 15; (c) \$101,145.80 is from CIP AIL00001, Traffic Calming within Fund 600000, Grant Fund – Federal, Grant 1000003-2016, CDBG Program 16; and (d) \$14,355.38 is from CIP AIL00001, Traffic Calming within Fund 600000, Grant Fund – Federal, Grant 1000003-2015, CDBG Program 15.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to transfer appropriations in an amount not to exceed \$7,300,000 from FY 2018 Unobligated CDBG

(UC1000003-18) to fund the FY 2018 1401 Imperial Avenue Acquisition 600000, Grant 1000003-2018, contingent upon the Chief Financial Officer certifying that funds are available.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$7,300,000 for the purposes of acquiring the Property, applying for any necessary land use entitlements, and making minor modifications to the building to allow the Property to be used as a housing navigation center from the FY 2018 1401 Imperial Avenue Acquisition Fund in Fund 600000, Grant 1000003-2018, contingent upon the Chief Financial Officer certifying that adequate funds are available.

APPROVED: MARA W. ELLIOTT, City Attorney

By Melissa Ables  
Melissa Ables  
Deputy City Attorney

MA:sc  
01/17/2018  
Or.Dept: READ  
CC No.: 3000010705-10707-10708  
Doc. No.: 1669982\_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 29 2018.

ELIZABETH S. MALAND  
City Clerk

By Linda Irwin  
Deputy City Clerk  
Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

Approved: 1/31/18  
(date)

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING CC 3000010705  
 DEPT. NO. 1318

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: \_\_\_\_\_

Purpose: To reprogram CDBG funds to authorize the purchase of 1401 Imperial Avenue, San Diego, CA, Assessor's Parcel Numbers 535-614-01-00 and 535-614-02-00 to be used as a housing navigation center for homeless services in an amount not to exceed \$7,300,000

Date: January 23, 2018 By: Jessica Tran  
 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	600000	Non-Program	UC1000003-18	OTHR-00000000-NS	512117	1316	1316130001		\$1,959,476.32
TOTAL AMOUNT									\$1,959,476.32

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

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									



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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING CC 3000010708  
 DEPT. NO. 2113

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: \_\_\_\_\_

Purpose: To reprogram CDBG funds to authorize the purchase of 1401 Imperial Avenue, San Diego, CA, Assessor's Parcel Numbers 535-614-01-00 and 535-614-02-00 to be used as a housing navigation center for homeless services in an amount not to exceed \$7,300,000

Date: January 23, 2018 By: Jessica Tran  
 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	600000	AIL00001		OTHR-00000000-TR	512117	2113	2113120014	A-IL.00001	\$101,145.80
<b>TOTAL AMOUNT</b>									\$101,145.80

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

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
<b>TOTAL AMOUNT</b>									

FUND OVERRIDE



Passed by the Council of The City of San Diego on JAN 29 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 31 2018

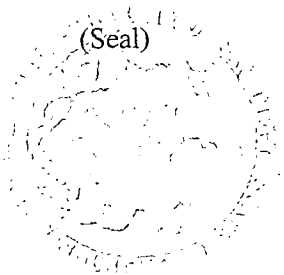
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

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

By Ginda Irwin, Deputy



Office of the City Clerk, San Diego, California  
Resolution Number R- 311521