

LOMA LINDA HOUSING AUTHORITY

AGENDA

REGULAR MEETING OF OCTOBER 11, 2016

A regular meeting of the Housing Authority of the City of Loma Linda is scheduled to be held at 7:00 p.m. or as soon thereafter as possible, Tuesday, October 11, 2016 in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Reports and Documents relating to each agenda item are on file in the Office of the City Clerk and are available for public inspection during normal business hours. The Loma Linda Branch Library is also provided an agenda packet for your convenience. The agenda and reports are also located on the City's Website at www.lomalinda-ca.gov.

Materials related to an item on this Agenda submitted to the Housing Authority Board after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 25541 Barton Road, Loma Linda, CA during normal business hours. Such documents are also available on the City's website at www.lomalinda-ca.gov subject to staff's ability to post the documents before the meeting.

Persons wishing to speak on an agenda item are asked to complete an information card and present it to the City Clerk prior to consideration of the item. When the item is to be considered, please step forward to the podium, the Chair will recognize you and you may offer your comments. The Housing Authority meeting is recorded to assist in the preparation of the Minutes, and you are therefore asked to give your name and address prior to offering testimony.

The Oral Reports/Public Participation portion of the agenda pertains to items NOT on the agenda and is limited to 30 minutes; 3 minutes allotted for each speaker. Pursuant to the Brown Act, no action may be taken by the Housing Authority at this time; however, the Housing Authority Board may refer your comments/concerns to staff or request that the item be placed on a future agenda.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (909) 799-2819. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Later requests will be accommodated to the extent feasible.

Agenda item requests for the NOVEMBER 8, 2016 meeting must be submitted in writing to the City Clerk no later than NOON, MONDAY, OCTOBER 24, 2016

A. Call To Order

B. Roll Call

C. Items To Be Added Or Deleted

D. Oral Reports/Public Participation - Non-Agenda Items (Limited to 30 minutes; 3 minutes allotted for each speaker)

E. Conflict of Interest Disclosure - Note agenda item that may require member abstentions due to possible conflicts of interest

F. **Scheduled Items**

G. **Consent Calendar**

1. Demands Register
2. Minutes of September 13, 20 and 27, 2016
3. LLHA Bill #R-2016-06 –Approving the Homebuyer Loan Agreement for the purchase of 25530 Portola Loop by David Lightbourne [**Secretary**]

H. **Chair and Member Reports**

I. **Reports of Officers**

J. **Adjournment**



City of Loma Linda Official Report

Rhodes Rigsby, Chairman
Phill Dupper, Vice-Chairman
Ovidiu Popescu, Member
Ronald Dailey, Member
John Lenart, Member

HOUSING AUTHORITY AGENDA: October 11, 2016
TO: Board Members
SUBJECT: Demands Register

Approved/Continued/Denied By City Council Date _____
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RECOMMENDATION

It is recommended that the Housing Authority Board approve the attached list of demands for payment.

vchlist
09/21/2016 2:45:43PM

Voucher List
CITY OF LOMA LINDA
09-27-2016 HA

Page: 1

Bank code : bofaha

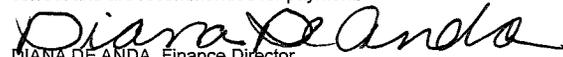
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
1772	9/27/2016	000110 BURTRONICS BUSINESS SYSTEM	PREVIEW 18629-HA	P-0000013486	PRINTING OVERAGES	14.64	
Total :						14.64	
1773	9/27/2016	002021 EQUIFAX INFORMATION SERVICES	9901208	P-0000013370	CREDIT REPORT	26.06	
Total :						26.06	
1774	9/27/2016	000266 ROBBINS & HOLDAWAY, A PROFESSIONAL CC 31797			PROFESSIONAL/LEGAL SERVICES	124.69	
Total :						124.69	
1775	9/27/2016	001799 STRADLING, YOCCA, CARLSON, & RAUTH	313629-0000 313630-0006		PROFESSIONAL/LEGAL SERVICE PROFESSIONAL/LEGAL SERVICE	1,409.40 5,045.60	
Total :						6,455.00	
4 Vouchers for bank code :		bofaha				Bank total :	6,620.39
4 Vouchers in this report						Total vouchers :	6,620.39

Bank code : bofaha

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
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CLAIMS VOUCHER APPROVAL

I have reviewed the above listing of payments on check nos. 1772 through 1775 for a total disbursement of \$ 6,620.39, and to the best of my knowledge, based on the information provided, they are correct and are recommended for payment.


DIANA DE ANDA, Finance Director

Recommend that City Council approve for payment.

T. Jarb Thaipejr, City Manager

Approved by the City Council at their meeting held on 10-11-2016 and the City Treasurer is hereby directed to pay except as noted.

Rhodes Rigsby, Mayor

vchlist
10/03/2016 8:21:26AM

Voucher List
CITY OF LOMA LINDA
09-30-2016 HA

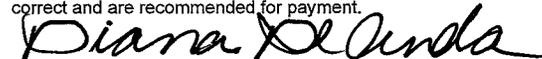
Page: 1

Bank code : bofaha

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
1776	9/22/2016	005456 THE STRICKLER ASSOCIATION	LL 1006	P-0000013436	BLANKET PURCHASE ORDER	1,375.00
Total :						1,375.00
1 Vouchers for bank code : bofaha						Bank total : 1,375.00
1 Vouchers in this report						Total vouchers : 1,375.00

CLAIMS VOUCHER APPROVAL

I have reviewed the above listing of payments on check nos.
1776 through 1776 for a total
disbursement of \$ 1,375.00, and to the best of
my knowledge, based on the information provided, they are
correct and are recommended for payment.


DIANA DE ANDA, Finance Director

Recommend that City Council approve for payment.

T. Jarb Thaipejr, City Manager

Approved by the City Council at their meeting held on
10-11-2016 and the City Treasurer is hereby directed
to pay except as noted.

Rhodes Rigsby, Mayor

vchlist
10/06/2016 12:41:43PM

Voucher List
CITY OF LOMA LINDA
10-11-2016 HA

Page: 1

Bank code : bofaha

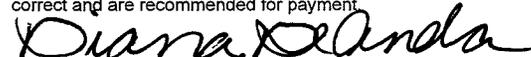
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
1777	10/4/2016	002713	PREFERRED MANAGEMENT GROUP	25613	HOA DUES-25613 PROSPECT/OCT 2016	135.00
					Total :	135.00
1778	10/6/2016	005395	USBANK EQUIPMENT FINANCE	314368549-HA	P-0000013487 EQUIPMENT LEASE NEW AGREEMENT	41.79
					Total :	41.79
1779	10/11/2016	000110	BURTRONICS BUSINESS SYSTEM	AR12756 HA	P-0000013681 FREIGHT FOR TONER CARTRIDGES	0.11
				AR12758 HA	P-0000013681 FREIGHT FOR TONER CARTRIDGES	0.11
				AR15575 HA	P-0000013681 FREIGHT FOR TONER CARTRIDGES	0.33
					Total :	0.55
1780	10/11/2016	003647	MID-CENTURY INSURANCE CO	A735921223	POLICY #93133-22-39 INSURANCE PRE	1,126.87
					Total :	1,126.87
1781	10/11/2016	000868	SBC TAX COLLECTOR	20160204657	2016 ANNUAL SECURED PROPERTY TAX	1,079.87
					Total :	1,079.87
1782	10/11/2016	001356	STAPLES BUSINESS ADVANTAGE	3314577784-HA	P-0000013428 PRINTER INK	28.66
					Total :	28.66
1783	10/11/2016	005456	THE STRICKLER ASSOCIATION	LL1007	P-0000013436 CONSULTING SERVICES FOR HOUSING	2,310.00
					Total :	2,310.00
1784	10/11/2016	005127	VOLOGY, INC.	INV408153 HA	P-0000013696 VMWARE SUPPORT AND SUBSCRIPTION	91.49
					Total :	91.49
8	Vouchers for bank code :	bofaha			Bank total :	4,814.23
8	Vouchers in this report				Total vouchers :	4,814.23

Bank code : bofaha

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
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CLAIMS VOUCHER APPROVAL

I have reviewed the above listing of payments on check nos.
1777 through 1784 for a total
disbursement of \$ 4,814.23, and to the best of
my knowledge, based on the information provided, they are
correct and are recommended for payment


DIANA DE ANDA, Finance Director

Recommend that City Council approve for payment.

T. Jarb Thaipejr, City Manager

Approved by the City Council at their meeting held on
10-11-2016 and the City Treasurer is hereby directed
to pay except as noted.

Rhodes Rigsby, Mayor



City of Loma Linda Official Report

Rhodes Rigsby, Chairman
Phill Dupper, Vice-Chairman
Ovidiu Popescu, Member
Ronald Dailey, Member
John Lenart, Member

HOUSING AUTHORITY AGENDA: October 11, 2016
TO: Housing Authority Members
VIA: T. Jarb Thaipejr, Executive Director
FROM: Pamela Byrnes-O'Camb, Secretary
SUBJECT: Minutes of September 13, 20, and 27, 2016

Approved/Continued/Denied By: Housing Authority Date _____
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RECOMMENDATION

It is recommended that the Housing Authority Board approve the Minutes of September 13, 20 and 27, 2016.

Loma Linda Housing Authority

Minutes

Regular Meeting of September 13, 2016

A regular meeting of the Loma Linda Housing Authority was called to order by Chairman Rigsby at 8:53 p.m., Tuesday, September 13, 2016, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Board Members Present:

Chairman Rhodes Rigsby
Vice-Chairman Phill Dupper
Ovidiu Popescu
Ron Dailey
John Lenart

Board Members Absent:

None

Others Present:

Assistant Executive Director Konrad Bolowich
General Counsel Richard Holdaway

No items were added or deleted; no public participation comments were offered upon invitation of the Chair; and no conflicts of interest were noted.

LLHA-2016-020 - Consent Calendar

Motion by Lenart, seconded by Dupper and unanimously carried to approve the following items:

The Demands Register dated August 23, 2016 with commercial demands totaling \$4,888.97.

The Demands Register dated August 31, 2016 with commercial demands totaling \$2,408.6.

The Demands Register dated September 13, 2016 with commercial demands totaling \$176.79.

The Minutes of August 9, 2016 as presented.

The meeting adjourned at 8:53 p.m.

Approved at the meeting of _____.

Secretary

Loma Linda Housing Authority

Minutes

An Adjourned Regular Meeting of September 20, 2016

An adjourned regular meeting of the Loma Linda Housing Authority was called to order by Chairman Rigsby at 6:02 p.m., Tuesday, September 20, 2016, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Board Members Present:	Chairman Rhodes Rigsby Vice-Chairman Phill Dupper Ovidiu Popescu John Lenart
Board Members Absent:	Ron Dailey
Others Present:	Assistant Executive Director Konrad Bolowich General Counsel Richard Holdaway

No items were added or deleted; no public participation comments were offered upon invitation of the Chair; and no conflicts of interest were noted.

Scheduled Items

CC-2016-089

LLHA-2016-021 – Joint Meeting of the City Council and Loma Linda Housing Authority relating to an Intercreditor and Subordination Agreement by and among the County of San Bernardino, the City of Loma Linda, the Loma Linda Housing Authority, and Loma Linda Vets L.P., a California limited partnership

- a. Council Bill #R-2016-39 – City Council Authorizing the execution of the Intercreditor and Subordination Agreement
- b. LLHA Bill #R-2016-05 – Housing Authority authorizing the execution of the Intercreditor and Subordination Agreement

Mark Huebsch of Stradling Yocca Carlson & Rauth, Special Counsel to the Housing Authority, presented a report, stating that last week he was contacted by a County representative with a request for subordination of covenants earlier recorded on behalf of the City and the Housing Authority relating to the development on the south side of Van Leuven Street, east of Poplar Street to a County agreement with the developer of that property, which County agreement contained affordability requirements. Discussions with the County, Staff, and outside attorneys were initiated, with staff being prepared to carry forward a proposed action under which the City and Housing Authority would subordinate covenants to the County agreement, provided that the City and Housing Authority were made third party beneficiaries of the County agreement, thus resulting in the ability of the City and Commission to count the units as restricted under the County agreements. The County agreed that 86 units would be counted for production for the City and its Housing Authority involving subordination of one moderate-income covenant for 86 very low and low covenants at no cost to the City or the Housing Authority.

In response to questions, Mr. Huebsch indicated that the County entered into an agreement some time ago with the developer; subordinating the one covenant would gain 86 covenants on units that would be developed anyway.

Kathy Brann of the County of San Bernardino Housing Authority spoke, indicating that the County entered into an agreement with the developer several months ago and it was her impression that the City and its Housing Authority had been informed. She went on to say the HOME Funds were at risk of being forfeited unless the funds were put into the subject project which would be built pursuant to prior City Council action. She also indicated the project would target military personnel and would therefore be a positive influence because of its proximity to the VA Medical Center and because on-site supportive services would be provided to include job training, monitoring medication, and implementing a standard of living to name a few.

Extensive discussion ensued relating to locating affordable housing within a particular area; the amenities that were approved and which were required for the project; existing affordable housing in the area; the City's desire to complete the approved senior housing project on the west side of Poplar Street; any deficit in very low, low and moderate income housing being extinguished or nearly extinguished; potential project impacts; the need to heavily subsidize the units; placing some affordable housing in Area D (south of Redlands Boulevard, east of California Street).

Mr. Huebsch also indicated that by subordinating, the City and its Housing Authority while not obligated to enforce, would allow the ability to do so. Ms. Brann also indicated that the County issued an RFP over a year ago; 13 projects were submitted of which the subject project was chosen based on the quality of developer META which purchased the project from Golden Eagle, the project, and management.

City Attorney Holdaway addressed various questions, including that the entitlement as to the subject property runs with the land; the project could be sold to any buyer; neither the City nor the Housing Authority could regulate rents without consent of the owner. He confirmed that three affirmative votes were required to approve the Intercreditor and Subordination Agreement. Ms. Brann confirmed that the housing was restricted to veterans because a portion of the funding came from the State of California Veterans Fund. Mr. Huebsch indicated a "yes" vote would allow the City and its Housing Authority to be third party beneficiaries and to count the units as production and allow enforcement; without a "yes" vote, there would be no ability to enforce by the City or its Housing Authority and the units could not be counted as production units.

Dick Wiley also spoke.

Motion by Dupper, seconded by Popescu to deny the request. Motion failed with Councilmen Rigsby and Lenart supporting the request. Councilman Dailey absent.

City Attorney Holdaway addressed various questions.

Mayor Rigsby suggested this item be considered when five members of the Council were present.

The meeting adjourned at 7:17 p.m.

Approved at the meeting of _____.

Secretary

Loma Linda Housing Authority

Minutes

A Regular Meeting of September 27, 2016

An adjourned regular meeting of the Loma Linda Housing Authority was called to order by Chairman Rigsby at 7:05 p.m., Tuesday, September 27, 2016, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Board Members Present:	Chairman Rhodes Rigsby Vice-Chairman Phill Dupper Ovidiu Popescu John Lenart
Board Members Absent:	Ron Dailey
Others Present:	Assistant Executive Director Konrad Bolowich General Counsel Richard Holdaway

No items were added or deleted; no public participation comments were offered upon invitation of the Chair; and no conflicts of interest were noted.

Scheduled Items

CC-2016-090

LLHA-2016-022 – Joint Meeting of the City Council and Loma Linda Housing Authority relating to an Intercreditor and Subordination Agreement by and among the County of San Bernardino, the City of Loma Linda, the Loma Linda Housing Authority, and Loma Linda Vets L.P., a California limited partnership

- a. Council Bill #R-2016-39 – City Council Authorizing the execution of the Intercreditor and Subordination Agreement
- b. LLHA Bill #R-2016-05 – Housing Authority authorizing the execution of the Intercreditor and Subordination Agreement

Councilman Dupper disclosed that he was employed by the County of San Bernardino, but was not related to the request under consideration.

Mark Huebsch of Stradling Yocca Carlson & Rauth presented a report, stating that the resolutions before the City Council and the Housing Authority seek approval of an Intercreditor Agreement with the County of San Bernardino; he further indicated that the Housing Authority's initial involvement consisted of the sale of land that was a portion of the footprint of a development.

He went on to say that Housing Authority and City would be able to count units under various affordability categories if the Housing Authority and City became third party beneficiaries under the County agreement with the developer; these credits would count for purposes of RHNA as well as assisting regarding any production deficit at the time. He indicated that there had been discussions with representatives of the County and discussions with representatives of the State of California; while there had been some indication that subordination of Housing Authority and City Covenants would be requested to an agreement between the State (HCD) and the developer, it appeared probable that this would not be the case, but there was not a definitive interpretation on this matter. There was thus the possibility that there could be a request by the State for subordination of the Housing Authority and City Covenants some time down the road. To address this possibility, the form of resolutions provide authorization for the Executive Director and the City Manager to execute subordination to the State if it becomes necessary. He noted that representatives of the County were present and recommended adoption of the resolutions.

Councilman Popescu stated that he contacted County representatives pertaining to process and how the veterans would be vetted and was satisfied with their response; as a result, he would vote in favor of adopted the resolutions.

Dena Fuentes, Director of County Community Development and Housing addressed the City Council, apologizing concerning the lack of communication between the County and the City and understanding the frustration of the City Council relating to the project and the funding process, and indicated that communications would improve.

She then went on to say that over \$37 million from a number of funding sources would be provided to develop and operate the project, including funds from the County Housing Authority and the County

Housing Department. Regarding the HOME Funds, \$2.1 million has been targeted for the project and of those funds, \$900,000 must be spent by September 30 or the funds would be captured by the State.

Ms. Fuentes stated further that as part of the financing structure, the County Housing Authority applied for vouchers to help finance the rents for the apartment units; that if the project did not move forward, there was no guarantee that the vouchers would be able to be reprogrammed to other projects within the County.

Councilman Dupper indicated that he spoke to County Supervisors who provided the same assurances, and that he supported City Staff on this issue. He then asked about other County support to address various issues.

In response, Ms. Fuentes indicated that the VA would provide support to all of the veterans; that there would also be on-site services to provide good conduct rules, Life Steps to assist veterans in their living environment, helping with medication, rehabilitation, and employment training. It is anticipated that job creation and development would occur and the veterans would progress to regular market-rate units.

Discussion ensued.

Motion by Popescu, seconded by Lenart and unanimously carried to adopt Council Bill #R-2016-39 and LLHA Bill #R-2016-05 and authorize the City Manager to execute a subordination to the State if necessary. Councilman Dailey absent.

Resolution No. 2912

A Resolution of the City Council of the City of Loma Linda approving and authorizing the execution of an Intercreditor and Subordination Agreement by and among the County of San Bernardino, the City of Loma Linda, the Loma Linda Housing Authority, and Loma Linda Vets., LP., a California limited partnership

Resolution No. 32

A Resolution of the Loma Linda Housing Authority approving and authorizing the execution of an Intercreditor and Subordination Agreement by and among the County of San Bernardino, the City of Loma Linda, the Loma Linda Housing Authority, and Loma Linda Vets., LP., a California limited partnership

The meeting adjourned at 7:22 p.m.

Approved at the meeting of _____.

Secretary



City of Loma Linda Official Report

Rhodes Rigsby, Chairman
Phillip Dupper, Vice-Chairman
Ovidiu Popescu, Member
Ronald Dailey, Member
John Lenart, Member

HOUSING AUTHORITY AGENDA: October 11, 2016

TO: Housing Authority
FROM: Pamela Byrnes-O'Camb, Secretary *pbo*
VIA: T. Jarb Thaipejr, Executive Director

SUBJECT: LLHA Bill #R-2016-06 - Approving the Homebuyer Loan Agreement between the Loma Linda Housing Authority and David Lightbourne in connection with the sale of 25530 Portola Loop from Mark Boyer and Robin Escobar to David Lightbourne

Approved/Continued/Denied By Housing Authority Date _____

RECOMMENDATION

It is recommended that the Housing Authority Board adopt LLHA Bill #R-2016-06.

BACKGROUND

The single family residential property known as 25530 Portola Loop (the "Property") was sold by the Housing Authority to Mark Boyer and Robin Escobar ("Current Owner") in August, 2012. At that time, the Property was subject to covenants which limit the occupancy of the Property to a household of Low Income, with the additional requirement that the cost for the Property not exceed Affordable Housing Cost as determined in accordance with Health & Safety Code Section 50052.5. Current Owner has indicated to the Housing Authority that it desires to sell the Property, and that Current Owner has entered into a purchase and sale agreement as to the Property (the "Purchase and Sale Agreement") with David Lightbourne (the "Buyer"). An independent consultant experienced in affordable housing and income qualifications has reviewed the eligibility of Buyer as a purchaser/owner of the Property and has determined that Buyer qualifies.

In connection with the proposed sale of the Property by Current Owner to Buyer, two existing loans made by the Housing Authority to Current Owner would be extinguished; in their place, two new loans would be made by the Housing Authority to Buyer, each of which would be secured by a deed of trust as to the Property. In addition, the Housing Authority would fund Twelve Thousand Dollars (\$12,000.00) to the Current Owner as an accommodation in order to facilitate the sale. The terms of such loans and payment are more fully set forth in an instrument entitled "Homebuyer Loan Agreement" (the "HLA") in the form submitted herewith.

Under the HLA, the existing affordability covenants would remain in effect.

The HLA provides for monthly payments which will conform to Affordable Housing Cost for Lower Income Households as set by the State Department of Housing and Community Development (HCD) under Health and Safety Code Sections 50052.5, 50079.5, and related regulations. The loans made under the HLA have been structured in an effort to maximize the return to the Housing Authority (in order that

repayments will offset the payment to Current Owner and to provide resources for ongoing Housing Authority activities).

ANALYSIS

Housing Authority financing of the Property under the HLA will retain the affordability covenant, provide the Buyer within the lower income category the opportunity to purchase a home, and would provide a revenue source for the Housing Authority by way of monthly payments.

FINANCIAL IMPACT

Sale of the Property subject to the loans as provided under the HLA will provide the Housing Authority with revenue over time in the form of monthly payments of principal and interest. The loans by the Housing Authority would involve an initial cash outlay by the Housing Authority of \$12,000, as noted above; however, this amount would be more than recouped by the repayments of the loans.

RESOLUTION NO. ____

A RESOLUTION OF THE LOMA LINDA HOUSING AUTHORITY APPROVING A HOMEBUYER LOAN AGREEMENT WITH DAVID LIGHTBOURNE

(25530 Portola Loop)

WHEREAS, California Health and Safety Code Sections 33334.2 and 33334.6 authorized and directed the Loma Linda Redevelopment Agency (the “Former Agency”) to expend a certain percentage of all taxes which are allocated to the Former Agency pursuant to Section 33670 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- and moderate-income, lower income, and very low income;

WHEREAS, pursuant to applicable law the Former Agency established a Low and Moderate Income Housing Fund (the “Housing Fund”);

WHEREAS, pursuant to California Health and Safety Code Section 33334.2(e), in carrying out its affordable housing activities, the Former Agency was authorized to provide subsidies to or for the benefit of very low income and lower income households, or persons and families of low or moderate income, to the extent those households cannot obtain housing at affordable costs on the open market, and to provide financial assistance for the construction and rehabilitation of housing which will be made available at an affordable housing cost to such persons;

WHEREAS, ABx1 26, as adopted by the California Legislature in 2011 (the “2011 Dissolution Act”) dissolved redevelopment agencies throughout the State of California, including without limitation the Former Agency. Under the 2011 Dissolution Act, housing assets, such as the interests of the Former Agency were transferred to governmental entities as designated pursuant to the 2011 Dissolution Act;

WHEREAS, acting as prescribed by the 2011 Dissolution Act, the City of Loma Linda (the “City”) (i) elected to act as the successor agency to the Former Agency (acting in such capacity, the “Successor Agency”) and (ii) designated the Loma Linda Housing Authority (the “Authority”) to receive the housing assets of the Former Agency, including without limitation real property located at 25530 Portola Loop (the “Property”);

WHEREAS, an oversight board (the “Oversight Board”) has been established, acting under the 2011 Dissolution Act, for the Successor Agency. At its meeting of March 20, 2012, by its Resolution No. 2012-004, the Oversight Board approved and affirmed the transfer of the housing assets of the Former Agency to the Authority, including without limitation the Property;

WHEREAS, following the transfer of housing assets of the Former Agency, the Authority entered into an agreement, dated as of June 12, 2012 (the “Housing Disposition Agreement”) with Mary Boyer, a single man, and Robin Escobar, a single woman (herein, collectively, “Seller”) under which the Seller agreed to purchase the Property, including a dwelling unit located thereon. Under the Housing Disposition Agreement, the Property was restricted to occupancy and ownership to households which at the time of purchase were households having an income not exceeding eighty percent (80%) of areawide median income, as further described at Health & Safety Code Section

50079.5 (“Low Income Households”) at a housing cost not in excess of the maximum housing cost permitted under California Health & Safety Code Section 50052.5 for a Low Income Household (“Affordable Housing Cost”). The Property was made subject to long-term covenants to assure that the Property would be maintained as an affordable housing resource. The conveyance of the Property from the Authority was made by a certain “Grant Deed Containing Resale Restrictions” which was recorded among the official land records of the County Recorder of the County of San Bernardino (“Official Records”) on August 14, 2012 as Document No. 2012-0324767 (the “Grant Deed Containing Restrictions”). The Property remains subject to those restrictions. The Property was sold subject to loans made by the Authority to Seller (the “Authority 2012 Loans”);

WHEREAS, under the Grant Deed Containing Restrictions, the Property is required to remain owner-occupied by households who, at the time of purchase, qualify as Low Income Households and at a price which does not exceed Affordable Housing Cost, for a period commencing as of August 14, 2012 and continuing until the forty-fifth (45th) anniversary thereof, namely, August 14, 2057; the period described thereby constitutes the “Affordability Period”;

WHEREAS, Seller has entered into an agreement entitled “Purchase and Sale Agreement” dated as of September 29, 2016 (the “Purchase Agreement”) with David Lightbourne (“Buyer” or “Program Participant”) under which Seller will sell the Property to the Program Participant for a purchase price of One Hundred Forty Three Thousand Six Hundred Fifty Seven Dollars (\$143,657.00) (the “Purchase Price”) under terms and conditions more particularly set forth in the Purchase Agreement, and a draft agreement entitled “Homebuyer Loan Agreement” dated as of October 11, 2016 between the Authority and Program Participant (the “Homebuyer Loan Agreement”). A copy of each of the Homebuyer Loan Agreement and the Purchase Agreement is on file with the Authority Secretary;

WHEREAS, Program Participant has provided financial information to the Authority and has represented that Program Participant is a low income household;

WHEREAS, in connection with the proposed sale by Seller to Buyer, Seller and Buyer have proposed that the Authority originate new loans in the combined amount of One Hundred Forty Two Thousand One Hundred Fifty Seven (\$142,157.00)(the “Authority Loan Amount”) to Buyer, and that the Authority authorize the expenditure of the sum of Twelve Thousand Dollars (\$12,000.00)(the “Authority Accommodation Amount”) to Seller (less Seller’s costs of sale), the latter in consideration of the payments Seller has previously made to Authority and to induce Seller to effect the sale of the Property to Buyer. The Authority Accommodation Amount exceeds the amount of principal previously paid down against the Authority 2012 Loans by Seller;

WHEREAS, in connection with the sale by Seller to Buyer under the Purchase and Sale Agreement, the Authority will release and reconvey the deeds of trust securing repayment of the Authority 2012 Loans and the Authority 2012 Loans will thereupon be deemed cancelled;

WHEREAS, under the Homebuyer Loan Agreement, the Authority will record deeds of trust as to the Property in the amount of the Authority Loan Amount (“Authority Deeds of Trust”), and affordability covenants in place as to the Property will remain in full force and effect and will be

extended to the extent necessary that affordability covenants remain in effect until the later to occur of August 14, 2057 or the satisfaction in full of the Authority Deeds of Trust;

WHEREAS, the terms of the Authority Loans are set forth in the draft Homebuyer Loan Agreement;

WHEREAS, the Program Participant has acknowledged and agreed that the use of the Property will continue to be restricted to "Low Income Households" (households having an income of not to exceed eighty percent (80%) of median income, as defined in California Health and Safety Code Section 50079.5), all as more particularly provided in the Homebuyer Loan Agreement, and that the Property is required to continue to be maintained at "Affordable Housing Cost" for a Low Income Household, as defined by California Health and Safety Code Sections 50079.5 and 50052.5;

WHEREAS, the Program Participant has represented and Authority staff has confirmed that the Program Participant requires financial participation by the Authority (in the form of the Authority Loans) in order to purchase the Property and would not be able to purchase the Property without such financial participation by the Authority. Program Participant is a Low Income Household;

WHEREAS, Program Participant has represented and warranted to Authority that Program Participant intends to reside in the Property as the Buyer's principal residence at all times during the period of Program Participant's ownership of the Property;

WHEREAS, the Authority wishes to lend, and Program Participant wishes to borrow, funds to enable Program Participant to purchase the Property (under the Purchase Agreement) upon the terms and conditions set forth in the Homebuyer Loan Agreement;

WHEREAS, the Authority staff has reviewed the Program Participant's eligibility for acquisition of the Property as a Low Income Household;

WHEREAS, the preservation of the Property as an affordable housing resource which continues to be available at Affordable Housing Cost to Low Income Households, subject to long-term covenants, assists in maintaining an existing covenant, promotes the affordable housing objectives of the Authority and furthers the provision of affordable housing and providing for mechanisms to better assure the long-term affordability of the Property;

WHEREAS, the Authority has duly considered all terms and conditions of the proposed Homebuyer Loan Agreement and believes that the Homebuyer Loan Agreement is in the best interests of the Authority and the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements;

WHEREAS, all actions required by all applicable law with respect to the proposed Homebuyer Loan Agreement have been taken in an appropriate and timely manner;

WHEREAS, the Authority has duly considered all of the terms and conditions of the proposed Homebuyer Loan Agreement and believes that the Homebuyer Loan Agreement is in the

best interests of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE LOMA LINDA HOUSING AUTHORITY DOES RESOLVE AS FOLLOWS:

Section 1. The Authority finds and determines that each of the recitals set forth above is true and correct.

Section 2. The Authority hereby approves the Homebuyer Loan Agreement in substantially the form presented to the Authority, subject to such revisions as may be directed by the governing board of the Authority and such changes as may be made by the Executive Director of the Authority or his designee. The Authority authorizes the Executive Director to release and reconvey the deed of trust securing repayment of the Authority 2012 Loans and to cancel the Authority 2012 Loans provided that the Authority Deeds of Trust are recorded and title insurance is provided for the benefit of the Authority as set forth in the Homebuyer Loan Agreement. The Executive Director of the Authority is hereby authorized to execute the Homebuyer Loan Agreement (including without limitation all attachments thereto) on behalf of the Authority, together with any instruments necessary or convenient to implement the Homebuyer Loan Agreement, to disburse the Authority Accommodation Amount, and to undertake such actions as are reasonable and necessary to further the implementation of the Homebuyer Loan Agreement. A copy of the Homebuyer Loan Agreement shall, when executed by the Authority, be placed on file in the office of the Secretary of the Authority.

Section 3 The Authority appropriates funds equal to the Authority Accommodation Amount and costs of the Authority in accomplishing the closing of the transactions referenced herein.

APPROVED AND ADOPTED this 11th day of October, 2016 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

By: _____
Rhodes Rigsby, Chairman

ATTEST:

Pamela Byrnes-O'Camb, Authority Secretary