

LOMA LINDA HOUSING AUTHORITY

AGENDA

REGULAR MEETING OF FEBRUARY 12, 2019

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, February 12, 2019 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](http://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](http://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 March 12, 2019 meeting must be submitted in writing to the City Clerk no later than Noon, Tuesday, February 26, 2019**

**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**

1.      **Joint Public Hearing** of the City Council and Housing Authority pertaining to the sale of 25450 Sonora Loop and approving a Housing Disposition Agreement
  - a.      LLHA Bill #R-2019-01 - Authorizing the sale of 25450 Sonora Loop to Lopez and approving the Housing Disposition Agreement
  - b.      Council Bill #R-2019-05 - Consenting to the sale of 25450 Sonora Loop to Lopez

**G.**      **Consent Calendar**

2.      Demands Register
3.      Minutes of December 18, 2018 and January 8, 2019

**H.**      **Chair and Member Reports**

**I.**      **Reports of Officers**

**J.**      **Adjournment**



# City of Loma Linda Official Report

Rhodes Rigsby, Mayor  
John Lenart, Mayor pro tempore  
Ovidiu Popescu, Councilman  
Phillip Dupper, Councilman  
Ronald Dailey, Councilman

Approved/Continued/Denied  
By City Council  
Date \_\_\_\_\_

CITY COUNCIL AGENDA: February 12, 2019

TO: City Council

FROM: Barbara Nicholson, City Clerk/Authority Secretary *BN*

VIA: T. Jarb Thaipejr, City Manager *TJT*

SUBJECT: **Joint Meeting** of the City Council and Housing Authority pertaining to the sale of 25450 Sonora Loop and approving a Homebuyer Loan Agreement (25450 Sonora Loop) [City Clerk]

- a. LLHA Bill #R-2019-01 - Approving A Homebuyer Loan Agreement with Wendi K. Lopez
- b. Council Bill #R-2019-05 - Approving certain actions to be taken in connection with implementation of a Homebuyer Loan Agreement by and between The Loma Linda Housing Authority and Wendi K. Lopez

## RECOMMENDATION

It is recommended that the Housing Authority Board and City Council approve the respective Council Bills authorizing and consenting to the sale of 25450 Sonora Loop to Wendi K. Lopez, and that the Housing Authority approve the Homebuyer Loan Agreement by and between the Loma Linda Housing Authority and Wendi K. Lopez, as well as the origination of a new loan by the City to Wendi K. Lopez (as buyer of the subject property).

## BACKGROUND

The single family residential property known as 25450 Sonora Loop (the "Property") was developed as part of the Gardner development and was sold to a private party and remained in ownership as the residence of a low income household. The owner obtained secondary financing and ultimately had the secondary loan foreclosed. A purchaser at the foreclosure sale (Kenneth Royal Roe and Rhonda Samira Roe, Co-Trustees of the Roe Family trust dated December 2, 1997 as Amended by a First Amendment to and Complete Restatement of the Roe Family Trust dated December 2, 1997: herein the "Prior Owner") sold the property to a household consisting of Albert H. Situmorang and Grace Diana (herein, the "Seller"). In connection with the sale by Prior Owner to Seller, the Loma Linda Redevelopment Agency ("Former Agency") made a first deed of trust loan, and the Prior Owner made a second trust deed loan in the original principal amount of \$19,000.00 (the "Junior Loan"). As the Board is aware, the housing assets of the Former Agency (including the loan made by the Former Agency in connection with the Property) became the assets of the Housing Authority.

The City subsequently purchased the Junior Loan from the Prior Owner; City now holds the Junior Loan.

Recently, the Seller expressed a desire to sell the Property. A household was located (Wendi K. Lopez: the "Buyer") meeting the income limitations applicable for ownership of the Property. The Seller and the Buyer have entered into a purchase and sale agreement concerning the Property (the "Purchase and Sale Agreement"). In order for the sale to be viable, given the limitations on the amounts that may be

expended as affordable housing cost under the applicable statutes and regulations, it is necessary to restructure the existing loans. Under the actions as proposed for this agenda item: (i) a loan made by the Redevelopment Agency would be extinguished and replaced by a new loan in the original principal amount of \$150,000.00 to be made by the Housing Authority (to the Buyer); (ii) the Junior Loan (as acquired by the City from the Prior Owner) would be extinguished and replaced by a new loan made by City to the Buyer. The new Housing Authority loan will be senior to the new City loan. The terms of the Housing Authority loan and the new City loan are more fully set forth in an instrument entitled "Homebuyer Loan Agreement" (the "HLA") in the form submitted herewith. In keeping with normal and customary practices of the Housing Authority, the Housing Authority will obtain title insurance as to its beneficial interest under the deed of trust securing repayment of the new Housing Authority loan; similarly, title insurance will be obtained by the City as to its loan. The amount of the City loan has been calculated to cover the amounts expended by the City to acquire the Junior Loan, cover costs associated with the proposed sale by Seller to Buyer, and cover various other transactional costs.

Under the HLA, the existing affordability covenants would remain in effect; the Buyer will expressly acknowledge that her purchase of the Property is subject to the existing affordability covenants.

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.

### **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 loan made by the City will provide revenue over the term of that loan to the City. An initial cash outlay by the City is required to generate sufficient proceeds to close the sale of the Property from the Seller to the Buyer.

RESOLUTION NO. \_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA APPROVING CERTAIN ACTIONS TO BE TAKEN IN CONNECTION WITH IMPLEMENTATION OF A HOMEBUYER LOAN AGREEMENT BY AND BETWEEN THE LOMA LINDA HOUSING AUTHORITY AND WENDI K. LOPEZ**

(25450 Sonora 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, several sites, including without limitation that land located at 25450 Sonora Loop (the "Property") were improved, in part, using moneys from the Housing Fund;

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 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, among the assets transferred to the Authority were covenants and a senior deed of trust recorded as the Property in connection with a sale of the Property in 2011 to the current owners of the Property, Albert H. Situmorang and Grace Diana (collectively, "Seller") acquired the Property from a private lender (which had acquired the Property from the Prior Owner), with the consent of the Former Agency, as subject to covenants of record restricting occupancy and ownership of the Property to households which at the time of purchase were households having an income not exceeding eighty

Resolution No.

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 covenants of record as to the Property currently provide that they continue in effect until September 30, 2029;

WHEREAS, at the time the Seller acquired the Property from a private party (Kenneth Royal roe and Rhonda Samira Roe, Co-Trustees of the Roe Family Trust dated December 2, 1997 as Amended by a First Amendment to and Complete Restatement of the Roe Family Trust dated December 2, 1997 [the “Prior Owner”]), the Former Agency made a loan to Seller in the first lien position in the original principal amount of One Hundred Fifty Thousand Dollars (\$150,000.00) (the “Senior Loan”) as secured by a deed of trust recorded among the official land records of the County Recorder of the County of San Bernardino (“Official Records”) as Document No. 2011-0001789 (the “Senior Loan Deed of Trust”). In addition, the Prior Owner made a loan to the Seller in the original principal amount of Nineteen Thousand Dollars (\$19,000.00) (the “Junior Loan”), which Junior loan was secured by a deed of trust recorded among Official Records as Document No. 2011-0001790 (the “Junior Loan Deed of Trust”);

WHEREAS, City has subsequently acquired the Junior Loan and the Junior Loan Deed of Trust from the Prior Owner;

WHEREAS, Seller has entered into an agreement entitled “Purchase and Sale Agreement” dated as of January 17, 2019 (the “Purchase Agreement”) with Wendi K. Lopez (“Buyer” or “Program Participant”) under which Seller will sell the Property to the Program Participant for a purchase price of One Hundred Seventy Four Thousand Dollars (the “Purchase Price”), consisting primarily of relief of Seller from obligations under the Senior Loan and the Junior Loan, under terms and conditions more particularly set forth in the Purchase Agreement, and a draft agreement entitled “Homebuyer Loan Agreement” dated as of January 22, 2019 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 and City restructure the financial arrangements between Authority and City on the one hand and the Buyer on the other hand, with a new loan to be originated by Authority in the original principal amount of One Hundred Fifty Thousand Dollars (\$150,000.00) (the “New Authority Loan”), to be secured by a deed of trust (the “New Authority Deed of Trust”) but with an interest rate of five percent (5%) per annum, and the City to replace the Junior Loan and the Junior Loan Deed of Trust with a new loan in the original principal amount of Twenty Two Thousand Dollars (\$22,000.00) (the “New City Loan”) to be secured by a deed of trust (the “New City Deed of Trust”) which will be junior to the New Authority Deed of Trust. In connection with these transactions, the City will remit the sum of up to Four Thousand Dollars (\$4,000.00) (the “City Accommodation Amount”) as hereafter determined by the City Manager as necessary to generate sufficient cash to effect the closing of the sale by Seller to Buyer and the closing of the New Authority Loan and the New City Loan. The increase in the amount of the junior loan will assist the City in recovering costs experienced in connection with the purchase of the Junior Loan, costs associated with furnishing the City Accommodation Amount, and other costs associated with the processing of the Homebuyer Loan Agreement with Buyer;

WHEREAS, in connection with the sale by Seller to Buyer under the Purchase and Sale Agreement, and the recording of the New Authority Deed of Trust and the New City Deed of Trust, the

Resolution No.

Authority will release and reconvey the Senior Loan Deed of Trust and City will cause to be released and reconveyed the Junior Deed of Trust, whereupon the Senior Loan and the Junior Loan will thereupon be deemed cancelled;

WHEREAS, under the Homebuyer Loan Agreement, in addition to the New Authority Loan and the New City Loan, affordability covenants in place as to the Property will remain in full force and effect and will apply to the extent necessary that affordability covenants remain in effect until the later to occur of September 30, 2029 or the satisfaction in full of each of the New Authority Loan and the New City Loan;

WHEREAS, the terms of the New Authority Loan and the New City Loan 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 (as the New Authority Loan) and the City is willing to lend (as the New City Loan), 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, 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 City Council has duly considered all terms and conditions of the proposed Homebuyer Loan Agreement, as well as the restructuring of the City Loan as the New City Loan as described herein and the disbursement of the City Accommodation Amount, as referenced above, 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;

Resolution No.

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.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES RESOLVE AS FOLLOWS:

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

Section 2. The City Council hereby consents to the approval by the Authority of the Homebuyer Loan Agreement in substantially the form presented at the meeting at which this Resolution is considered, 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 City Council further appropriates the City Accommodation Amount (from the 03 account maintained by the City) and authorizes the expenditure of such City Accommodation Amount by the City Manager, or his designees, in connection with the implementation of the purchase of the subject property by the Buyer and the implementation of the Homebuyer Loan Agreement. The City Manager, and his designees, are hereby authorized to execute a release of the Junior Deed of Trust, a deed authorization as to the New City Deed of Trust, and any instruments necessary or convenient to implement the Homebuyer Loan Agreement, and to undertake such actions as are reasonable and necessary to further the implementation of the Homebuyer Loan Agreement.

APPROVED AND ADOPTED this 12th day of February, 2019.

By: \_\_\_\_\_  
Rhodes Rigsby, Mayor

ATTEST:

\_\_\_\_\_  
Barbara Nicholson, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF SAN BERNARDINO    )  
CITY OF LOMA LINDA            )

I, Barbara Nicholson, City Clerk of the City of Loma Linda, do hereby certify that the foregoing Resolution No. \_\_\_\_ was introduced and adopted at a regular meeting provided by law of the City Council of the City of Loma Linda held on the 12th day of February, 2019, by the following vote of the members thereof:

AYES:                    COUNCIL MEMBERS:  
NOES:                    COUNCIL MEMBERS:  
ABSENT:                 COUNCIL MEMBERS:  
ABSTAIN:                COUNCIL MEMBERS:

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE LOMA LINDA HOUSING AUTHORITY  
APPROVING A HOMEBUYER LOAN AGREEMENT WITH WENDI K. LOPEZ  
(25450 Sonora 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, several sites, including without limitation that land located at 25450 Sonora Loop (the "Property") were improved, in part, using moneys from the Housing Fund;

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 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, among the assets transferred to the Authority were covenants and a senior deed of trust recorded as the Property in connection with a sale of the Property in 2011 to the current owners of the Property, Albert H. Situmorang and Grace Diana (collectively, "Seller") acquired the Property from a private lender (which had acquired the Property from the Prior Owner), with the consent of the Former Agency, as subject to covenants of record restricting occupancy and ownership of the Property 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 covenants of record as to the Property currently provide that they continue in effect until September 30, 2029;

WHEREAS, at the time the Seller acquired the Property from a private party (Kenneth Royal roe and Rhonda Samira Roe, Co-Trustees of the Roe Family Trust dated December 2, 1997 as Amended by a First Amendment to and Complete Restatement of the Roe Family Trust dated December 2, 1997 [the “Prior Owner”]), the Former Agency made a loan to Seller in the first lien position in the original principal amount of One Hundred Fifty Thousand Dollars (\$150,000.00) (the “Senior Loan”) as secured by a deed of trust recorded among the official land records of the County Recorder of the County of San Bernardino (“Official Records”) as Document No. 2011-0001789 (the “Senior Loan Deed of Trust”). In addition, the Prior Owner made a loan to the Seller in the original principal amount of Nineteen Thousand Dollars (\$19,000.00) (the “Junior Loan”), which Junior loan was secured by a deed of trust recorded among Official Records as Document No. 2011-0001790 (the “Junior Loan Deed of Trust”);

WHEREAS, City has subsequently acquired the Junior Loan and the Junior Loan Deed of Trust from the Prior Owner;

WHEREAS, Seller has entered into an agreement entitled “Purchase and Sale Agreement” dated as of January 17, 2019 (the “Purchase Agreement”) with Wendi K. Lopez (“Buyer” or “Program Participant”) under which Seller will sell the Property to the Program Participant for a purchase price of One Hundred Seventy Four Thousand Dollars (the “Purchase Price”), consisting primarily of relief of Seller from obligations under the Senior Loan and the Junior Loan, under terms and conditions more particularly set forth in the Purchase Agreement, and a draft agreement entitled “Homebuyer Loan Agreement” dated as of January 22, 2019 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 and City restructure the financial arrangements between Authority and City on the one hand and the Buyer on the other hand, with a new loan to be originated by Authority in the original principal amount of One Hundred Fifty Thousand Dollars (\$150,000.00) (the “New Authority Loan”), to be secured by a deed of trust (the “New Authority Deed of Trust”) but with an interest rate of five percent (5%) per annum, and the City to replace the Junior Loan and the Junior Loan Deed of Trust with a new loan in the original principal amount of Twenty Two Thousand Dollars (\$22,000.00) (the “New City Loan”) to be secured by a deed of trust (the “New City Deed of Trust”) which will be junior to the New Authority Deed of Trust. In connection with these transactions, the City will remit the sum of up to Four Thousand Dollars (\$4,000.00) (the “City Accommodation Amount”) as hereafter determined by the City Manager as necessary to generate sufficient cash to effect the closing of the sale by Seller to Buyer and the closing of the New Authority Loan and the New City Loan. The increase in the amount of the junior loan will assist the City in recovering costs experienced in connection with the purchase of the Junior Loan, costs associated with furnishing the City Accommodation Amount, and other costs associated with the processing of the Homebuyer Loan Agreement with Buyer;

WHEREAS, in connection with the sale by Seller to Buyer under the Purchase and Sale Agreement, and the recording of the New Authority Deed of Trust and the New City Deed of Trust, the Authority will release and reconvey the Senior Loan Deed of Trust and City will cause to be released and reconveyed the Junior Deed of Trust, whereupon the Senior Loan and the Junior Loan will thereupon be deemed cancelled;

WHEREAS, under the Homebuyer Loan Agreement, in addition to the New Authority Loan and the New City Loan, affordability covenants in place as to the Property will remain in full force and effect and will apply to the extent necessary that affordability covenants remain in effect until the later to occur of September 30, 2029 or the satisfaction in full of each of the New Authority Loan and the New City Loan;

WHEREAS, the terms of the New Authority Loan and the New City Loan 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 (as the New Authority Loan) and the City is willing to lend (as the New City Loan), 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 Senior Deed of trust and cancel the Senior Loan provided that the New Authority Deed of Trust and the New City Deed 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 deed acceptances and any instruments necessary or convenient to implement the Homebuyer Loan Agreement, 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.

APPROVED AND ADOPTED this 12th day of February, 2019.

By: \_\_\_\_\_  
Rhodes Rigsby, Chairman

ATTEST:

\_\_\_\_\_  
Barbara Nicholson, Authority Secretary

STATE OF CALIFORNIA            )  
COUNTY OF SAN BERNARDINO    )  
CITY OF LOMA LINDA            )

I, Barbara Nicholson, Secretary of the Loma Linda Housing Authority, do hereby certify that the foregoing Resolution No. \_\_\_\_ was introduced and adopted at a regular meeting provided by law of the Loma Linda Housing Authority held on the 12th day of February, 2019, by the following vote of the members thereof:

AYES:                    AUTHORITY MEMBERS:  
NOES:                    AUTHORITY MEMBERS:  
ABSENT:                 AUTHORITY MEMBERS:  
ABSTAIN:                AUTHORITY MEMBERS:



# Loma Linda Housing Authority Official Report

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

HOUSING AUTHORITY AGENDA: February 12, 2019  
TO: Housing Authority Board  
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  
01/16/2019 2:38:01PM

Voucher List  
CITY OF LOMA LINDA  
01-22-2019 HA

Page: 1

Bank code : bofaha

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
2099	1/8/2019	005395 USBANK EQUIPMENT FINANCE	374336022 HA	P-0000015162	PRINTERS LEASE AGREEMENT	27.01
					Total :	27.01
2100	1/8/2019	005455 SOFTWARE ONE	US-PSI-718976 HA	P-0000015268	MICROSOFT CONTRACT RENEWAL	235.62
					Total :	235.62
2101	1/10/2019	004999 ROGERS, ANDERSON, MALODY &, SCOTT, LL 59472 HA		P-0000015408	YEAR-END AUDIT FOR FY 2018	250.00
					Total :	250.00
2102	1/10/2019	004999 ROGERS, ANDERSON, MALODY &, SCOTT, LL 59306 HA		P-0000015408	YEAR-END AUDIT FOR FY 2018	250.00
					Total :	250.00
2103	1/10/2019	000266 ROBBINS & HOLDAWAY, A PROFESSIONAL CC 36454			PROFESSIONAL/LEGAL SERVICES 00-	66.50
					Total :	66.50
2104	1/10/2019	002713 PREFERRED MANAGEMENT GROUP	25613 PROSPECT		25613 PROSPECT AVE-JAN 2019 HOA [	135.00
					Total :	135.00
2105	1/22/2019	005791 CENTURYLINK	76773632 HA	P-0000015176	CITY INTERNET AND VOIP	2.80
					Total :	2.80
2106	1/22/2019	004631 DHA CONSULTING, LLC	18-1206	P-0000015469	HOUSING AUTHORITY CONSULTIN SV[	3,918.75
					Total :	3,918.75
2107	1/22/2019	001799 STRADLING,YOCCA, CARLSON, & RAUTH	350175-0000		PROFESSIONAL/LEGAL SERVICES	6,377.00
					Total :	6,377.00
9 Vouchers for bank code :		bofaha			Bank total :	11,262.68
9 Vouchers in this report					Total vouchers :	11,262.68

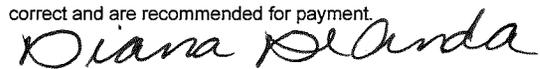
Page: 1

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.  
2099 through 2107 for a total  
disbursement of \$ 11,262.68, 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  
02-12-2019 and the City Treasurer is hereby directed  
to pay except as noted.

Rhodes Rigsby, Mayor

vchlist  
02/07/2019 7:27:01AM

Voucher List  
CITY OF LOMA LINDA  
02-12-2019 HA

Bank code : bofaha

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
2108	2/6/2019	005395 USBANK EQUIPMENT FINANCE	376787339 HA	P-0000015162	PRINTERS LEASE AGREEMENT	27.01
					<b>Total :</b>	<b>27.01</b>
2109	2/6/2019	002713 PREFERRED MANAGEMENT GROUP	25613		25613 PROSPECT-FEB 2019 HOA DUES	135.00
					<b>Total :</b>	<b>135.00</b>
2110	2/12/2019	005047 EMPHASYS SOFTWARE	INV000000000003613	P-0000015004	PROVIDE SOFTWARE AND SUPPORT F	2,326.83
					<b>Total :</b>	<b>2,326.83</b>
2111	2/12/2019	004879 FAX A FORM	8232		1098 LASER FORMS & ENVELOPES	98.56
					<b>Total :</b>	<b>98.56</b>
4 Vouchers for bank code : bofaha					<b>Bank total :</b>	<b>2,587.40</b>
4 Vouchers in this report					<b>Total vouchers :</b>	<b>2,587.40</b>

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.  
2108 through 2111 for a total  
disbursement of \$ 2,587.40, 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  
02-12-2019 and the City Treasurer is hereby directed  
to pay except as noted.

Rhodes Rigsby, Mayor



# Loma Linda Housing Authority Official Report

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

HOUSING AUTHORITY AGENDA: February 12, 2019

TO: Housing Authority Board

SUBJECT: Minutes of December 18, 2018 and January 8, 2019

Approved/Continued/Denied By City Council Date _____
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## **RECOMMENDATION**

It is recommended that the City Council approve the minutes of December 18, 2018 and January 8, 2019.

Loma Linda Housing Authority

Minutes

A Regular Meeting of December 18, 2018

A regular meeting of the Loma Linda Housing Authority was called to order by Chairman Rigsby at 7:06 p.m., Tuesday, December 18, 2018, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Board Members Present:	Chairman Rhodes Rigsby Vice Chairman John Lenart Ovidiu Popescu Phill Dupper
Board Members Absent:	Ron Dailey
Others Present:	Executive Director T Jarb Thaipejr 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.

CC-2018-089 –

**LLHA-2018-20 - Joint meeting of the City Council and Housing Authority regarding presentation of Audit Report for Fiscal Year 2017-2018**

The Housing Authority Board was called to order at 7:06 p.m. with all members present except Board Member Dailey. Finance Director DeAnda introduced Veronica Hernandez with Rogers, Anderson, Malody & Scott, LLP. Ms. Hernandez thanked the Finance Department for their help in compiling the necessary documents and information to complete the annual review of the City's financial statements. She continued, outlining the City's responsibilities as:

- Presenting the City's financial position and results of its operations fairly and in conformity with generally accepted accounting principles;
- Adopting sound accounting policies;
- Providing reasonable accounting estimates;
- Establishing and maintaining internal controls; and
- Preventing and detecting fraud.

The Auditors responsibilities included:

- Obtaining reasonable assurance that the financial statements are free of material misstatement;
- Examine, on a test basis, evidence supporting amounts and disclosures;
- Assessing accounting principles used, estimates made, and evaluating the overall financial statement presentation;
- Reviewing the City's internal control policies and procedures;
- Expressing an opinion on the City's financial statements.

Ms. Schultz continued, indicating that the financial statements were fairly presented in all material aspects, significant accounting policies have been consistently applied, estimates were reasonable, and disclosures were properly reflected in the financial statements. There were no disagreements with management, no material errors or irregularities were discovered, and no significant accounting issues were discovered.

Accounting Manager Sonia Fabela then presented the Comprehensive Annual Financial Report (CAFR) which included a Letter of Transmittal, a GFOA Certificate of Achievement for Excellence in Financial Reporting, Principal Officers and an Organizational Chart.

She presented the Financial Statements for the City, the Loma Linda Housing Authority (a special revenue fund), and the Successor Agency to the former Redevelopment Agency (a private purpose trust fund). She also reviewed GASB No. 68 which reported pensions on the Government-wide Financial Statements.

She also reviewed the General Fund, Statement of Revenues, Expenditures and Change in Fund Balance in addition to Water Acquisition, Water Enterprise, Sewer Capital, and Loma Linda Connected Communities. She thanked Accounting Specialist Kaveeta Prasad and all City staff for their assistance in the preparation of the City's 2018 Comprehensive Annual Financial Report.

City Manager Thaipejr and Mayor Rigsby commended City Staff and the Finance Department for maintaining a financially well run City. Finance Director DeAnda noted the hard work by Accounting Manager Sonia Fabela in pulling all portions of the CAFR together.

**Motion by Lenart, seconded by Popescu and unanimously carried to receive and file the Audit Report for fiscal year 2017-2018 (Dailey absent)**

**LLHA-2018-20 –Consent Calendar**

**Motion by Popescu, seconded by Lenart and carried to approve (Dailey absent):**

The Annual Housing Report for filing pursuant to Health & Safety Code Sections 34328 and 34176.1.

The meeting adjourned at 7:23 p.m.

Approved at the meeting of \_\_\_\_\_, 2019.

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Secretary

Loma Linda Housing Authority

Minutes

A Regular Meeting of January 8, 2019

A regular meeting of the Loma Linda Housing Authority was called to order by Chairman Rigsby at 9:23 p.m., Tuesday, January 8, 2019, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Board Members Present:

Chairman Rhodes Rigsby  
Vice Chairman John Lenart  
Ovidiu Popescu  
Ron Dailey

Board Members Absent:

Phill Dupper

Others Present:

Executive Director T Jarb Thaipejr  
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.

HA-2019-01 – Consent Calendar

**Motion by Popescu, seconded by Lenart and carried unanimously to approve the following (Dupper absent):**

The Demands Registers dated:

- December 25, 2018 with commercial demands totaling \$3,070.86.61;
- January 8, 2019 with commercial demands totaling \$46.33.

The minutes of December 11, 2019 as presented.

The meeting adjourned at 9:24 p.m.

Approved at the meeting of \_\_\_\_\_.

\_\_\_\_\_  
Secretary