



# City of Loma Linda Official Report

Ovidiu Popescu, Chairman  
Ronald Dailey, Vice Chairman  
Stan Brauer, Board Member  
Rhodes Rigsby, Board Member  
Phillip Dupper, Board Member

AGENCY AGENDA: January 10, 2012  
TO: Agency Board Members  
VIA: T. Jarb Thaipejr, Executive Director  
FROM: Pamela Byrnes-O'Camb, Agency Secretary  
SUBJECT: Minutes of December 6 and 13, 2011

Approved/Continued/Denied By Redevelopment Agency Date _____
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## **RECOMMENDATION**

It is recommended that the Agency Board approve the Minutes of December 6 and 13, 2011.

City of Loma Linda

Redevelopment Agency Minutes

Special Meeting of December 6, 2011

A special meeting of the Redevelopment Agency was called to order by Chairman Popescu at 5:34 p.m., Tuesday, December 6, 2011 in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Agency Members Present:

Ovidiu Popescu, Chairman  
Ron Dailey, Vice-Chairman  
Stan Brauer  
Rhodes Rigsby  
Phill Dupper

Agency Members Absent:

None

Others Present:

Executive Director T. Jarb Thaipejr  
General Counsel Richard E. Holdaway  
Special Counsel Mark Huebsch

**Closed Session**

**CRA-2011-019 - Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.8)**

- a. League of California Cities and California Redevelopment Agency vs. Matosantos
- b. Elaine Aghaeepour vs. Agency & City, Case #CIVSS 818178

The Agency Board immediately recessed to consider the closed session items listed, and reconvened at 7:00 p.m. with all members present. Agency General Counsel announced that the Agency Board met with Legal Counsel on both items and gave direction; there was no final action to report.

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No public participation comments were offered upon invitation of the Chair and no conflicts of interest were noted.

**New Business**

**CRA-2011-020 - Discussion and direction pertaining to Request for Proposals from the County of San Bernardino Home Investment Partnership Program (HOME) Affordable Housing Development Participation**

Special Counsel Huebsch of Stradling Yocca Carlson & Rauth, Newport Beach addressed the Agency Board, stating that San Bernardino County issued a Notice of Funding Availability (NOFA) on November 22 for HOME funds in a total amount of \$3.55 million with applications due Thursday, December 22, a date prior to the anticipated ruling from the Supreme Court. He further stated that the time period which had to deploy all of the HOME Funds, had one year remaining to obligate the funds.

He elaborated that the Agency was approached by Corporation For Better Housing, expressing interest in developing the west side of Poplar Street under a previous land use approval, and requesting a letter of support to be submitted to the County of San Bernardino for that development. At this point in time, business terms have not been negotiated.

He noted that moving forward would be conditioned on the Supreme Court allowing the Agency to continue; and while the Agency has made significant progress in reducing its affordable housing deficit, there was still a modest deficit of 27 very-low units, 9 low-income units and 122 moderate-income units.

Mr. Huebsch also noted that SB 450 which was vetoed by the Governor after unanimous approval in the Legislature may be reintroduced. AB 450 created a category of extremely-low income and would require an Agency that held land to contribute to the Housing Fund from non-housing money in an amount that would be 1-1/2 times the acquisition and holding costs or current fair market value. He added that part of the problem with SB 450 is that while an Agency would have to gross up money, it would not solve the problem of developing the land with housing. SB 450 was one of the measures dealing with local government that was passed unanimously and therefore, if Redevelopment is allowed to continue, it would more than likely be brought back.

A positive aspect is that HOME Funds are available; Loma Linda is in a very good competitive position because Loma Linda utilized County HOME Funds for a project on the east side of Poplar Street which was not age-restricted; therefore the possibility exists for a senior housing project on the west side. Various agencies don't have that capacity.

He added that Corporation For Better Housing has an advantage in that they have land use approval, an entitlement that has been extended. The County has established an evaluation process, listing one of the main considerations as readiness. The Agency owns all of the land necessary for the project and land use approval for the project is in place. Inducement for the Agency would be to address the affordable housing deficit and production of housing in addition to minimizing potential exposure to SB 450 for having owned land for an extended period of time.

Mr. Huebsch noted that staff had not started discussion with the developer, but there was a reasonably positive prognosis to negotiate quickly to a conclusion given past history, the very significant factor being the land use approval.

He confirmed that there was a total of \$3.55 million available; there was a limit of one project per jurisdiction and therefore one or possibly two projects would be considered.

An extensive question-and-answer period followed.

**Motion by Dupper, seconded by Brauer and unanimously carried to direct Special Counsel to negotiate toward a potential Disposition and Development Agreement with Corporation For Better Housing relating to the west side of Poplar Street and submit to the Board for consideration, with any Agency participation to be contingent upon the Supreme Court's ruling in League of California Cities and California Redevelopment Agency vs. Matosantos and further subject to the financial constraints of the Agency, and to advise the Agency relative to the viability of a letter of support to the County in connection with the Request for Proposals.**

The meeting adjourned at 7:50 p.m.

Approved at the meeting of

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Secretary

City of Loma Linda

Redevelopment Agency Minutes

Regular Meeting of December 13, 2011

REDEVELOPMENT AGENCY  
APPROVAL

A regular meeting of the Redevelopment Agency was called to order by Chairman Popescu at 5:44 p.m., Tuesday, December 13, 2011 in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Agency Members Present:	Ovidiu Popescu, Chairman Ron Dailey, Vice-Chairman Stan Brauer Rhodes Rigsby Phill Dupper
Agency Members Absent:	None
Others Present:	Executive Director T. Jarb Thaipejr General Counsel Richard E. Holdaway Special Counsel Mark Huebsch

**Closed Session**

CRA-2011-021

**CC-2011-107 – Joint Conference of the City Council and Redevelopment Agency Board with Real Property Negotiator (Government Code Section 54956.8)**

Property:	Approximately 5.46 acres on the west side of Poplar Street, north of Van Leuven Street and south of San Timoteo Creek
Negotiating Parties:	T. Jarb Thaipejr, Konrad Bolowich, Corporation for Better Housing
Under Negotiation:	Price and Terms of Payment

The Agency Board and City Council immediately recessed to consider the closed session item listed and reconvened at 7:05 p.m. with all members present. General Counsel Holdaway announced that the City Council and Agency Board met with its Negotiators and gave direction; there was no final action to report.

The Agency Board recessed until 7:14 p.m. and reconvened with all members present.

**Scheduled Items**

**CRA-2011-022 - Joint meeting of the City Council and Redevelopment Agency Board pertaining to consideration of submittal of letter to County of San Bernardino in support of potential affordable senior housing project under a Disposition and Development Agreement to be negotiated with Corporation for Better Housing (West side of Poplar Street, approximately 5.5 acres)**

Special Counsel Huebsch presented the item, stating that the item dealt with an application that consisted of a letter of support for a cooperative agreement between the City and Corporation for Better Housing relating to a Notice of Funding Availability (NOFA) issued by the County of San Bernardino regarding \$3.5 million of HOME monies to be spread on a competitive basis for cities in San Bernardino County.

He went on to explain that in the past, a project on the east side of Poplar Street that the Agency supported was successful in receiving funds. Land for the subject project was on the west side of Poplar Street. He noted that the deadline to respond to the NOFA was December 22, approximately 30 days from issuance. In addition, due to the legislative action to suspend redevelopment agencies, redevelopment agencies were limited; however, basic parameters for the development of approximately 50 senior apartments on the west side of Poplar Street existed.

He then asked for authorization for a letter of support and a cooperation agreement which would basically say that the City is supportive of the effort. He spoke with representatives of the County who were well aware of the limitations of redevelopment agencies, but suggested some statement of support from the City would be helpful. A Memorandum of Understanding was prepared and would suffice at this point, understanding the situations placed on redevelopment agencies. Representatives of the developer were present to respond to questions.

Chairman Popescu stated that he had many issues and would want the project to come back; therefore he would not support the request.

**Motion by Dailey, seconded by Brauer and carried to authorize a letter of support and cooperation agreement for a potential affordable senior housing project on the west side of Poplar Street. Chairman Popescu and Board Member Dupper opposed.**

The Agency Board recessed at approximately 7:18 p.m. and reconvened at 12:23 a.m. with all members present. No items were added or deleted; no public participation comments were offered upon invitation of the Chair and no conflicts of interest were noted.

**General**

**CRA-2011-023 - Minutes of October 11, 2011**

**Motion by Rigsby, seconded by Dailey and unanimously carried to approve the Minutes of October 11, 2011 as presented.**

**CRA-2011-024 - Authorize submittal of Agency State Controller's Report and the Annual State Housing and Community Development (HCD) Report to the State Controller's Office and the U. S. Bureau of Census by December 31, 2011**

**Motion by Rigsby, seconded by Brauer and unanimously carried to authorize submittal of the State Controller's Report and the Annual State Housing and Community Development (HCD) Report to the State Controller's Office and the U. S. Bureau of Census by December 31, 2011**

**CRA-2011-025 - Chamber of Commerce Quarterly Report and request for disbursement of funds pursuant to Agreement with Agency**

**Motion by Rigsby, seconded by Brauer and unanimously carried to receive the report and authorize disbursement of funds.**

The meeting adjourned at 12:25 a.m.

Approved at the meeting of

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Secretary