



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 11, 2011
TO: Agency Board Members
VIA: T. Jarb Thaipejr, Executive Director
FROM: Pamela Byrnes-O'Camb, Agency Secretary
SUBJECT: Minutes of December 14, 2010

Approved/Continued/Denied By Redevelopment Agency Date _____
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RECOMMENDATION

It is recommended that the Agency Board approve the Minutes of December 14, 2010.

A regular meeting of the Redevelopment Agency was called to order by Chairman Popescu at 9:33 p.m., Tuesday, December 14, 2010 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 Thaipr
General Counsel Richard E. 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.

New Business

CRA-2010-50

CC-2010-117- -Joint Meeting of the Agency Board and City Council pertaining to approving the Lease Rider and Estoppel Agreement and authorize the Executive Director to execute an instrument substantially in the form submitted herewith, together with such modifications as the Executive Director may deem necessary or convenient upon conferring and consulting with Agency Special Counsel

- a. CRA Bill #R-2010-14
- b. Council Bill #R-2010-43

The Redevelopment Agency was called to order at 9:33 p.m. with all members present. The City Clerk presented the report, stating that the item pertained to the 120-unit apartment complex at 10799 Poplar Street which was under construction; that the developer leased the land from the Redevelopment Agency; the Agency provided direct financial assistance in the form of a loan to be repaid from residual receipts generated by the housing development; and the project was awarded \$2 million in assistance in the form of HOME moneys administered by the County, also repayable from residual receipts.

She elaborated that in implementing the development, the yield from tax credit investors did not meet that which had been projected; therefore the developer applied for and obtained a commitment from the California Tax Allocation Committee (CTAC) to infuse about \$3.1 million to the Project with no repayment required if conformity with the Agency's Lease Agreement and agreements with the County and TCAC were met.

She than asked that the proposed resolutions be adopted by both the Redevelopment Agency and the City Council, approving the Lease Rider and Estoppel Agreement required by TCAC and related to the additional funding.

Discussion ensued pertaining to amount of grant, prevailing wage, and developer profit. City Attorney Holdaway suggested that Agency Special Counsel could respond to the City Council's concerns and that prior to signing documents, The City Manager/Executive Director would consult with the Chairman and Vice-Chairman of the Redevelopment Agency.

Motion by Popescu, seconded by Dupper and unanimously carried to adopt CRA Bill #R-2010-14 subject to review by the Executive Committee.

- **Motion by Popescu, seconded by Dupper and unanimously carried to adopt Council Bill #R-2010-43 subject to review by the Mayor and himself.**

Resolution No. 337

A Resolution of the Loma Linda Redevelopment Agency approving a Lease Rider and Estoppel Agreement in connection with an Amended Disposition and Development/Affordable Housing Agreement by and between the Agency and 10799 Poplar St., L.P., a California limited partnership

Resolution No. 2676

A Resolution of the City Council of the City of Loma Linda consenting to the approval and execution by the Loma Linda Redevelopment Agency of a Lease Rider and Estoppel Agreement in connection with an Amended Disposition and Development/Affordable Housing Agreement by and between the Agency and 10799 Poplar St., L.P., a California limited partnership

The Agency Board recessed at 9:44 p.m. to allow completion of the City Council Agenda and reconvened at 9:50 p.m. with all members present.

General

CRA-2010-51 - Minutes

Motion by Brauer, seconded by Rigsby and unanimously carried to approve the Minutes of November 9, 2010 as presented.

CRA-2010-52 - CRA Bill #R-2010-13 - Approval of Homebuyer Loan Agreement between Albert H. Situmorang, Grace Diana and the Agency for the purchase of 25450 Sonora Loop

The Secretary presented the report, stating that the former owner defaulted; the house became bank-owned and was auctioned in June 2010 without notice to the Agency and without Agency knowledge. The Agency, upon learning of the change in ownership, contacted the new owner, apprised him of the long-term affordability covenant, and sought his cooperation in the ultimate sale of the house to avoid litigation to protect the covenant.

The owner agreed to sell the property to a household which qualified as a lower income household and at a sales price which was affordable to that household, the result being that the continued occupancy of the house would be consistent with the terms of the recorded covenants.

She then explained that as in one other transaction, the Agency was asked to finance a portion of the sales price, with the owner financing the remainder. The documents reflected prior Agency Board policy.

Motion by Rigsby, seconded by Dupper and unanimously carried to adopt CRA Bill #R-2010-13.

Resolution No. 338

A Resolution of the Loma Linda Redevelopment Agency approving a Homebuyer Loan Agreement with Albert H. Situmorang and Grace Diana (25450 Sonora Loop)

CRA-2010-53 - 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, 2010

The Secretary presented the report, stating that because of the time element involved in receiving the final audit and the requirement to file the Agency's reports by December 31, request was being made to authorize the submittal of the report prior to Agency Board review in order to meet the State deadline and to avoid penalty. She indicated that a full report would be presented for Agency Board acceptance at a later date.

Motion by Dupper, seconded by Rigsby and unanimously carried to authorize submittal of the subject reports to the appropriate agencies by December 31, 2010.

CRA-2010-54 - Request to exceed Program Limits relating to rehabilitation of a mobile home at 26397 Redlands Boulevard

The Secretary presented her report, stating that inspection of the mobile home revealed the need for improvements that exceeded her expense authority; that the mobile home was structurally sound and that due to the very limited income of the owners, their age and mobility restrictions, it was recommended that the request to exceed the Program limits be approved.

Motion by Dailey, seconded by Dupper and unanimously carried to approve the request to exceed the Program limits for a total rehabilitation amount of up to \$11,000.00.

CRA-2010-55 - Closed Session - Conference with Real Property Negotiator (Government Code Section 54956.8)

- a. Property: 25438 Sonora Loop (APN 0283-271-03)
Negotiating Parties: T. Jarb Thaipejr, Pamela Byrnes-O'Camb, and Representative of Federal National Mortgage Association
Under Negotiation: Price and terms of payment
- b. Property: 25450 Sonora Loop (APN 0283-271-06)
Negotiating Parties: T. Jarb Thaipejr, Pamela Byrnes-O'Camb, Kenneth & Rhonda Roe
Under Negotiation: Price and terms of payment
- c. Property: APN 0283-192-22 (Vacant lot on the west side of Mt. View Avenue, between Lane Street and Van Leuven Street)
Negotiating Parties: Jarb Thaipejr, Pamela Byrnes-O'Camb, and Doyce Nicola, Trustee of the Mountain View LLC Trust, owner
Under Negotiation: Price and terms of payment

The Agency Board recessed at 9:57 p.m. to consider the closed session items as listed and reconvened at 10:17 p.m. with all members present. General Counsel Holdaway announced that Item "b" was not considered due to action taken in open session relating to the same item; relating to Item "a," direction was given to the Negotiators and there was no final action to report; relating to Item "c," direction was given to the Negotiators and there was no final action to report.

The meeting adjourned at 10:17 p.m.

Approved at the meeting of

Secretary