

**SUBMITTAL TO THE BOARD OF DIRECTORS OF THE
REDEVELOPMENT AGENCY
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

201



FROM: Redevelopment Agency

SUBMITTAL DATE:
January 12, 2011

SUBJECT: First Amendment to Memorandum of Understanding with Northtown Housing Development Corporation

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the First Amendment to Memorandum of Understanding between the Redevelopment Agency for the County of Riverside and Northtown Housing Development Corporation;
2. Authorize the Chairman of the Board of Directors to execute the attached First Amendment; and
3. Authorize the Executive Director, or designee, to take all necessary steps to implement the First Amendment including, but not limited to, signing subsequent necessary and relevant documents.

BACKGROUND: (Commences on Page 2)

Lisa Brandl for

Robert Field
Executive Director
By Lisa Brandl, Deputy Executive Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: No

SOURCE OF FUNDS: Redevelopment Low- and Moderate-Income Housing Funds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer L. Sargent*

County Executive Office Signature Jennifer L. Sargent

FORM APPROVED COUNTY COUNSEL
BY: ANITA C. WILLIS
DATE: 12-30-10
Departmental Concurrence

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 4.2 of 12/23/08 District: 2 Agenda Number: **4.6**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

BACKGROUND:

On December 23, 2008, the Board of Directors approved a Memorandum of Understanding with Northtown Housing Development Corporation (NHDC) for the purpose of negotiating the terms and conditions of a disposition and development agreement of an affordable housing project located at 5115 Mission Boulevard in the community of Rubidoux with Assessor Parcel Number 179-330-003 and 179-330-005. The Memorandum of Understanding includes a predevelopment loan in an amount up to \$660,000 for expenses that will be incurred in the process of obtaining all entitlements and preparations for financing necessary for analyzing and investigating the development of the project.

On August 18, 2010, the property at 3640 Crestmore Road with Assessor Parcel Number 179-330-002 was acquired for inclusion into the project.

NHDC requests an amendment to the Memorandum of Understanding to include the additional parcel, modify the schedule of performance, and extend the term of the agreement for an additional 24 months. All other terms and conditions of the Memorandum of Understanding will remain unchanged.

Agency counsel has reviewed and approved as to form the attached First amendment to Memorandum of Understanding. Staff recommends that the Board of Directors approve the First Amendment to Memorandum of Understanding.

Attachments:

- First Amendment to Memorandum of Understanding

1 **FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING**
2 **INCLUDING EXCLUSIVE RIGHT TO NEGOTIATE**

3 This First Amendment to Memorandum of Understanding ("First Amendment")
4 is made and entered into this ____ day of _____, 20__, by and
5 between the REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE
6 ("AGENCY"), a public body, corporate and politic and NORTHTOWN HOUSING
7 DEVELOPMENT CORPORATION ("DEVELOPER"), a California nonprofit public
8 benefit corporation.

9 **WITNESSETH:**

10 **WHEREAS**, on December 23, 2008, AGENCY approved a Memorandum of
11 Understanding ("MOU") including Exclusive Negotiating Rights for the purpose of
12 negotiating the terms and conditions of a Disposition and Development Agreement of
13 an affordable housing project located at 5115 Mission Boulevard in the community of
14 Rubidoux with Assessor Parcel Numbers 179-330-003 and 179-330-005 (the
15 "Project"); and

16 **WHEREAS**, AGENCY is providing DEVELOPER a predevelopment loan in the
17 amount of \$660,000 for expenses that will be incurred in the process of obtaining all
18 entitlements and preparations for financing necessary for analyzing and investigating
19 the development of the Project; and

20 **WHEREAS**, on August 18, 2010, AGENCY acquired the property at 3640
21 Crestmore Road with APN 179-330-002 for inclusion into the Project;

22 **WHEREAS**, DEVELOPER has requested to amend the MOU to include the
23 additional parcel, modify the schedule of performance and extend the term of the
24 MOU for an additional twenty-four (24) months; and

25 **WHEREAS**, AGENCY will amend the MOU to include the additional parcel,
26 modify the schedule of performance and extend the term of the MOU for an additional
27 twenty-four (24) months; and

28 **WHEREAS**, amending the MOU will assist the AGENCY in fulfilling its

1 affordable housing objectives for the Redevelopment Agency for the County of
2 Riverside.

3 **NOW, THEREFORE**, in consideration of the foregoing, and the promises and
4 mutual covenants and conditions hereinafter set forth, AGENCY and DEVELOPER
5 do hereby agree as follows:

- 6 1. The Project shall include the properties located at 5115 Mission Boulevard
7 and 3640 Crestmore Road with Assessor Parcel Numbers 179-330-003,
8 179-330-005 and 179-330-002.
- 9 2. The Schedule of Performance in Exhibit "B" of the Memorandum of
10 Understanding shall be deleted in its entirety and replaced by the Schedule
11 of Performance which is attached hereto and by this reference incorporated
12 herein as Exhibit "B."
- 13 3. The term of the Memorandum of Understanding shall be extended for an
14 additional twenty-four (24) months and expire on December 22, 2012.
- 15 4. All other terms and conditions of the Memorandum of Understanding shall
16 remain unmodified and in full force and effect.
- 17 5. This First Amendment may be signed by the different parties hereto in
18 counterparts, each of which shall be an original, but all of which together
19 shall constitute one and the same agreement.
- 20 6. The effective date of this First Amendment is the date the parties execute
21 this First Amendment. If the parties execute the First Amendment on more
22 than one date, then the last date the First Amendment is executed by a
23 party shall be the Effective Date.
- 24 7. This First Amendment is not binding until approved by the Redevelopment
25 Agency for the County of Riverside Board of Directors.

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27 ///

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1 **IN WITNESS WHEREOF**, AGENCY and DEVELOPER have executed this
2 Amendment as of the date first above written.

3
4 AGENCY:

DEVELOPER:

5 REDEVELOPMENT AGENCY
6 FOR THE COUNTY OF RIVERSIDE

NORTHTOWN HOUSING DEVELOPMENT
CORPORATION, a California nonprofit public
benefit corporation

7
8 By: _____
9 BOB BUSTER, Chairman
10 Board of Directors

By:  _____
REBECA DENNIS
Executive Director

11
12 APPROVED AS TO FORM:
13 PAMELA J. WALLS
14 Agency Counsel

15 By: _____
16 ANITA C. WILLIS
17 Deputy

18 ATTEST:
19 KECIA HARPER-IHEM
20 Clerk of the Board

21 By: _____
22 Deputy

1 **IN WITNESS WHEREOF**, AGENCY and DEVELOPER have executed this
2 Amendment as of the date first above written.

3
4 **AGENCY:**

DEVELOPER:

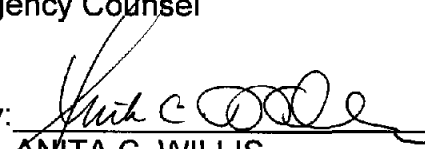
5 **REDEVELOPMENT AGENCY**
6 **FOR THE COUNTY OF RIVERSIDE**

NORTHTOWN HOUSING DEVELOPMENT
CORPORATION, a California nonprofit public
7 **benefit corporation**

8 By: _____
9 **BOB BUSTER, Chairman**
10 **Board of Directors**

By: _____
11 **REBECA DENNIS**
12 **Executive Director**

13 **APPROVED AS TO FORM:**
14 **PAMELA J. WALLS**
15 **Agency Counsel**

16 By:  _____
17 **ANITA C. WILLIS**
18 **Deputy**

19 **ATTEST:**
20 **KECIA HARPER-IHEM**
21 **Clerk of the Board**

22 By: _____
23 **Deputy**

EXHIBIT "B"

Schedule of Performance

MOU/ ENA/ Predevelopment Agreement Board Approval	December 23, 2008
Cottonwood MHP Acquisition	May 27, 2009
General Plan Amendment Application Submittal Board Approval	September 15, 2009 December 2009
Additional Parcel Acquisition	August 18, 2010
Fast Track	October 7, 2010
Change of Zone and Plot Plan Application Submittal Approval	February 7, 2011 October 7, 2011
Architectural & Engineering Drawings First Plan Check Submittal	December 14, 2011
Grading Permits	May 1, 2012
TCAC Application Submittal	Second TCAC Funding Round of 2012, or October 1, 2012