

FORM APPROVED COUNTY COUNSEL
BY: Gregory P. Priano 6/3/15
DATE

Departmental Concurrence

SUBMITTAL TO THE BOARD OF COMMISSIONERS
HOUSING AUTHORITY
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

265A



FROM: Housing Authority

SUBMITTAL DATE:
June 4, 2015

SUBJECT: Adoption of Resolution Number 2015-003, Approving the Disposition and Development Agreement by and between the Housing Authority of the County of Riverside and Habitat for Humanity Riverside, Inc. to Convey Property Known as Assessor's Parcel Numbers 169-100-055, 169-100-057 and 169-070-035 Located in the City of Jurupa Valley for the Jurupa Valley Enriched Veterans Neighborhood Project and Affirming the Adopted Initial Study Checklist/ Mitigated Negative Declaration Under City of Jurupa Valley Master Application 1463, District 2, [\$0]

RECOMMENDED MOTION: That the Board of Commissioners:

1. Affirm the Board of Commissioners has reviewed and considered the Initial Study Checklist/ Mitigated Negative Declaration Under City of Jurupa Valley Master Application 1463 (attached) for the Jurupa Valley Enriched Veterans Neighborhood Project adopted by the City of Jurupa Valley and finds that no new environmental documentation is required as it pertains to the Disposition and Development Agreement because all potentially significant effects of the project were adequately analyzed as they pertain to the authority of the Housing Authority of the County of Riverside(Housing Authority) acting as a Responsible Agency;

(Continued)

Robert Field

Robert Field
Executive Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: N/A				Budget Adjustment: No	
				For Fiscal Year: 2014/15	

C.E.O. RECOMMENDATION:

APPROVE

BY:

Rohini Dasika
Rohini Dasika

County Executive Office Signature

MINUTES OF THE HOUSING AUTHORITY BOARD OF COMMISSIONERS

☐ A-30
☐ 4/5
☐ Vote

☐ Positions Added
☐ Change Order

Prev. Agn. Ref.: 3-33 of 3/26/13; 10-3
of 8/20/13; 10-3 of 1/28/2014

District: 2

Agenda Number:

10-1

SUBMITTAL TO THE BOARD OF COMMISSIONERS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Housing Authority

FORM 11: Adoption of Resolution Number 2015-003, Approving the Disposition and Development Agreement by and between the Housing Authority of the County of Riverside and Habitat for Humanity Riverside, Inc. to Convey Property Known as Assessor's Parcel Numbers 169-100-055, 169-100-057 and 169-070-035 Located in the City of Jurupa Valley for the Jurupa Valley Enriched Veterans Neighborhood Project and Affirming the Adopted Initial Study Checklist/ Mitigated Negative Declaration Under City of Jurupa Valley Master Application 1463, District 2, [\$0]

DATE: June 4, 2015

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RECOMMENDED MOTION: (Continued)

2. Conduct a joint Public Hearing with the County of Riverside Board of Supervisors per Health and Safety Code Sections 33431 and 33433 regarding the proposed Disposition and Development Agreement between the Housing Authority and Habitat for Humanity Riverside, Inc. and Summary Report, each attached;
3. Adopt Resolution Number 2015-003 Making Certain Findings Under Health and Safety Code Section 33433; Approving the attached Disposition and Development Agreement to Convey Property Known as Assessor's Parcel Numbers 169-100-055, 169-100-057 and 169-070-035, located in the City of Jurupa Valley, California to Habitat for Humanity Riverside, Inc. for the Jurupa Valley Enriched Veterans Neighborhood Project; and Making Certain Findings with Respect to the Disposition and Development Agreement;
4. Approve the Disposition and Development Agreement, including all attachments, including, but not limited to the Grant Deed, Agreement Containing Covenants, and Escrow Agreement, each attached;
5. Authorize the Chairman of the Board of Commissioners to execute the attached Disposition and Development Agreement;
6. Authorize the Executive Director, or designee, to take all necessary steps to implement the Disposition and Development Agreement including, but not limited to, signing the Grant Deed, Agreement Containing Covenants, Escrow Agreement and subsequent, necessary and relevant documents; and
7. Direct Housing Authority Staff to file the Notice of Determination with the County Clerk within 5 working days.

BACKGROUND:

Summary

Habitat for Humanity Riverside, Inc., a California nonprofit public benefit corporation (Habitat) has partnered with the California Department of Veteran Affairs (CalVet) to build safe and affordable housing for lower income families with a preference to assist veterans and their families. Habitat proposes to acquire 5.56 acres of vacant land owned by the Housing Authority of the County of Riverside (Housing Authority) located 420 feet north of Mission Boulevard at the terminus of Amarillo Street in the City of Jurupa Valley in the County of Riverside known as Assessor's Parcel Numbers 169-100-055, 169-100-057 and 169-070-035 (Property) and develop thereon 26 for sale single-family homes for lower income households.

(Continued)

SUBMITTAL TO THE BOARD OF COMMISSIONERS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Housing Authority

FORM 11: Adoption of Resolution Number 2015-003, Approving the Disposition and Development Agreement by and between the Housing Authority of the County of Riverside and Habitat for Humanity Riverside, Inc. to Convey Property Known as Assessor's Parcel Numbers 169-100-055, 169-100-057 and 169-070-035 Located in the City of Jurupa Valley for the Jurupa Valley Enriched Veterans Neighborhood Project and Affirming the Adopted Initial Study Checklist/ Mitigated Negative Declaration Under City of Jurupa Valley Master Application 1463, District 2, [\$0]

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BACKGROUND:

Summary (Continued)

On March 26, 2013, the County of Riverside (County) pledged its goal to ensure that every veteran in Riverside County who wishes to help themselves has access to medical and mental health services, workforce development training, job assistance and affordable housing priority under the Veteran Assistance Leadership of Riverside County (VALOR). As a member of the VALOR sub-committee of the County Board, the Housing Authority supports the program and its "No Veteran Left Behind" strategy.

On August 20, 2013, the Board of Commissioners adopted Resolution No. 2013-008 with the intent to donate property and support Habitat and its reservation of \$9,000,000 from CalVet to implement its Habitat Enriched Neighborhood model and partner with local businesses and community organizations to provide and support a community of lower income households, with a preference for veterans, with social services and training to achieve self-sufficiency (Jurupa Valley Enriched Veterans Neighborhood Project).

On January 28, 2014, the Board of Commissioners approved that certain Exclusive Negotiation Agreement (ENA) with Habitat to explore and negotiate in good faith a Disposition and Development Agreement (DDA) for the Jurupa Valley Enriched Veterans Neighborhood Project including the conveyance of the Property to Habitat and the development thereon of 26 for sale single-family homes to be sold to lower income households for an affordable sales price (collectively, the Project). Pursuant to the ENA, the period of negotiation was extended for one additional year ending August 20, 2015.

Habitat has processed entitlements with the City of Jurupa Valley for the development of the Project and is prepared to enter into a DDA acceptable to the Board that will constitute a commitment for conveyance and development of the Property. Habitat proposes to reserve all homes for lower income households whose incomes do not exceed 80% percent of the County area median income, adjusted for family size, as defined by Health and Safety Code (HSC) Section 50079.5. Income and resale restrictions relating to the Project shall be memorialized in the attached proposed Agreement Containing Covenants which shall be recorded against the Property. Additional covenants will be recorded individually against each home as they are sold by Habitat to qualified purchasers. The income and resale restrictions shall remain in place for 45 years. Funding for predevelopment and construction costs will be financed through third-party capital contributions and a construction loan from CalVet, which will then be converted into individual conventional home loans for each qualified purchaser once the construction is completed. The proposed DDA, including all attachments, is attached.

Pursuant to the proposed DDA, subject to the satisfaction of certain conditions precedent, the Housing Authority shall convey the Property to Habitat, pursuant to a Grant Deed, for one dollar plus the additional consideration set forth in the DDA. Habitat shall be responsible for all construction and development costs, entitlements, securing financing, construction, on-site and off-site improvements and maintenance obligations until completion of the Project. Pursuant to the proposed DDA, the Housing Authority shall retain a right of reverter, wherein title to the Property reverts back to the Housing Authority in the event Habitat does not develop the Property pursuant to the DDA.

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BACKGROUND:

Summary (Continued)

Pursuant to HSC Sections 33431 and 33433 the Housing Authority's published a Notice of Joint Public Hearing notifying the public of the joint Housing Authority and County public hearing and consideration of the proposed DDA with Habitat relating to the conveyance of the Property and the development thereon. In addition, pursuant to HSC Section 33433, the Housing Authority made available for public review on the date the Notice of Joint Public Hearing was published the attached DDA, including all attachments, and the attached Summary Report.

The City of Jurupa Valley, as the appropriate lead agency under the California Environmental Quality Act (CEQA), prepared and adopted the Initial Study Checklist/Mitigated Negative Declaration under Master Application 1463 on March 19, 2015. The lead agency determined through the Initial Study that all issues of environmental concern can be adequately mitigated to a level of less than significant. Notice of the study and Mitigated Negative Declaration was published in accordance with the CEQA. Acting in its limited role as a responsible agency under CEQA, the Housing Authority has received, reviewed and considered the information contained in the record of decision from the City of Jurupa Valley and finds that as to the potential environmental impacts within the Housing Authority's authority as responsible agency, the project is within the scope of the impacts evaluated and the project has been adequately addressed in the initial study and mitigated negative declaration. Housing Authority Staff will file a Notice of Determination with the County Clerk within 5 working days after the approval of the proposed DDA.

County Counsel has reviewed and approved the attached DDA, Grant Deed, Agreement Containing Covenants, and Escrow Agreement as to form. Staff recommends that the Board approve the attached DDA, including all attachments, including, but not limited to the Grant Deed, Agreement Containing Covenants, and Escrow Agreement.

Impact on Residents and Businesses

Residents and families of the Project will have an opportunity to benefit from a number of classes and services provided by non-profit and social service partnerships including, but not limited to, financial management, budgeting, home repair, home maintenance, veteran counseling, nutrition, gardening, computer training, employee training, workforce development, tutoring and higher education training.

SUPPLEMENTAL:

Additional Fiscal Information

No general funds will be used for this agreement. Habitat will bear its own costs and expenses incurred or to be incurred in connection with the Jurupa Valley Enriched Veterans Neighborhood Project.

Attachments:

- Initial Study Checklist/ Mitigated Negative Declaration (City of Jurupa Valley Master Application 1463), Notice of Determination
- Housing Authority Resolution Number 2015-003
- 33433 Summary Report, Site Map and Public Notice
- Proposed Disposition and Development Agreement (including all attachments), Grant Deed, Agreement Containing Covenants, and Escrow Agreement

ATTACHMENT NO. 1
LEGAL DESCRIPTION

All that certain real property in the City of Jurupa Valley, County of Riverside, State of California, described as follows:

PARCEL A: (APN: 169-100-055-1 AND 169-100-057-3)

PARCEL 2 OF PARCEL MAP NO. 34696, IN THE CITY OF JURUPA VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 226, PAGES 95 TO 99, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THOSE PORTIONS CONVEYED IN GRANT DEEDS RECORDED APRIL 22, 2008 AS INSTRUMENT NO. 2008-0199763 OF OFFICIAL RECORDS AND SAID PORTIONS AS SHOWN ON PAGES 9 AND 10 AS CONVEYED BY BOOK 137 OF RECORD OF SURVEYS PAGES 99-113, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL B: (APN: 169-070-035-1 formerly APN 169-070-003)

THE WESTERLY 4 FEET OF THAT PORTION OF LOT 3 OF LA BONITA TRACT, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 1, PAGE 12 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT;
THENCE NORTH ON THE WEST LINE OF SAID LOT TO A POINT IN THE SOUTH LINE OF THE NORTH 5 ACRES OF SAID LOT, CONVEYED TO HARRY O. NORTHRUP AND WIFE, BY DEED FILED FOR RECORD NOVEMBER 25, 1924 IN BOOK 621, PAGE 334 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE EAST ON THE SOUTH LINE OF SAID NORTH 5 ACRES, 165 FEET;
THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID LOT TO THE SOUTH LINE OF SAID LOT;
THENCE WEST ON SAID SOUTH LINE, 165 FEET TO THE POINT OF BEGINNING.

**Property
Site Map**
APNs: 169-100-055, 169-100-057 and 169-070-035
Acres: 5.6

