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3 **RESOLUTION NUMBER 2015-012**  
4 **MAKING CERTAIN FINDINGS UNDER HEALTH AND SAFETY CODE SECTION**  
5 **33433; APPROVING THE ATTACHED DISPOSITION AND DEVELOPMENT**  
6 **AGREEMENT (I) TO CONVEY PROPERTY KNOWN AS ASSESSOR'S PARCEL**  
7 **NUMBERS 768-361-010 THROUGH -012, AND 768-362-001 THROUGH -016, AND**  
8 **768-371-001 THROUGH -019, AND 768-372-015, LOCATED IN THE CITY OF**  
9 **COACHELLA, CALIFORNIA TO COACHELLA VALLEY HOUSING COALITION,**  
10 **AND (II) TO PROVIDE FINANCIAL ASSISTANCE TO THE TIERRA BONITA 39**  
11 **HOMEOWNERSHIP PROJECT; AND MAKING CERTAIN FINDINGS WITH**  
12 **RESPECT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT**

13 **WHEREAS**, the City of Coachella adopted the Redevelopment Plan for the City  
14 of Coachella ("Redevelopment Plan") for Project Area 3 ("Project Area");

15 **WHEREAS**, in accordance with California Health and Safety Code Section  
16 33490, the former Coachella Redevelopment Agency ("RDA") adopted a five year  
17 Implementation Plan for the Project Area, as amended from time to time  
18 ("Implementation Plan"), which established goals to support affordable housing,  
19 economic development, community revitalization and other activities necessary or  
20 appropriate to carry out the objectives of the Redevelopment Plan;

21 **WHEREAS**, Assembly Bill No. x1 26, as modified by Assembly Bill No. 1484  
22 ("Dissolution Act"), added Parts 1.8 and 1.85 to Division 24 of the California  
23 Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.,  
24 the "CRL"). As a result of the Dissolution Act, the RDA was dissolved on February 1,  
25 2012 such that the RDA is now deemed a former redevelopment agency under  
26 Health and Safety Code Section 34173;

27 **WHEREAS**, pursuant to the Dissolution Act, City of Coachella Resolution No.  
28 2012-10 adopted on January 25, 2012, and that certain Memorandum of  
Understanding dated June 4, 2013 between Housing Authority of the County of  
Riverside ("Housing Authority") and the City of Coachella, all housing functions  
previously performed by the former RDA, including related rights, powers, duties,

1 obligations, and housing assets were transferred to the Housing Authority, including  
2 that certain vacant real property consisting of approximately 9.308 acres located at  
3 Avenue 53 and Calle Leandro in the City of Coachella, County of Riverside known as  
4 Assessor's Parcel Numbers 768-361-010 through -012, and 768-362-001 through -  
5 016, and 768-371-001 through -019, and 768-372-015, as legally described in Exhibit  
6 "A" attached hereto and incorporated herein by this reference ("Property"), and former  
7 RDA 2006 Series A Taxable Bond Proceeds ("Bond Proceeds");

8 **WHEREAS**, the Housing Authority wishes to implement certain proposed uses  
9 in the Project Area including low income housing and the elimination of blight, which  
10 use will aid in carrying out the Redevelopment Plan and Implementation Plan  
11 pursuant to its obligations under the Dissolution Act as successor housing agency;

12 **WHEREAS**, Coachella Valley Housing Coalition, a non-profit public benefit  
13 corporation ("CVHC"), has proposed to acquire the Property from the Housing  
14 Authority to develop and construct and/or cause the construction of 39 affordable  
15 for-sale single family homes consisting of thirty-three (33) 4-bedroom/2-bathroom  
16 single family homes with a minimum of 1,600 square feet, and six (6) 3-bedroom/2-  
17 bathroom single family homes with a minimum of 1,400 square feet ("Units"), each  
18 with related parking and infrastructure, to be sold to and occupied by low income first  
19 time homebuyers for an affordable sales price ("Project"), as more specifically  
20 provided for in the proposed Disposition and Development Agreement between the  
21 Housing Authority and CVHC attached hereto as Exhibit "C" and incorporated herein  
22 by this reference ("Disposition and Development Agreement"). The Units shall remain  
23 affordable for a period of no less than fifteen (15) years since the Project will be built  
24 pursuant to the self-help method. Such affordability restrictions shall be secured by  
25 recorded covenants encumbering the Property;

26 **WHEREAS**, in order to carry out and implement the Project, the proposed  
27 Disposition and Development Agreement provides for the Housing Authority's sale of  
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1 the Property to CVHC for the purchase price of One Dollar (\$1), subject to the terms  
2 and conditions contained therein;

3 **WHEREAS**, the proposed Disposition and Development Agreement also  
4 contemplates that the Housing Authority will provide financial assistance to the  
5 Project in an amount not to exceed the total of One Million, One Hundred Eighty Nine  
6 Thousand, Eight Hundred Dollars 00/100 (\$1,189,800) (“Authority Loan”) derived from  
7 the Bond Proceeds. Each qualified purchaser of a single family home constructed as  
8 part of the Project will receive a portion of the Authority Loan funds in the form of a  
9 purchase money loan evidenced by a promissory note with a forty-five year (45) year  
10 term and secured by a deed of trust encumbering the subject purchaser parcel, as  
11 more specifically set forth in the proposed Disposition and Development Agreement;

12 **WHEREAS**, the proposed development of the Project and Authority Loan will  
13 eliminate existing blight and result in the development of much needed low income  
14 affordable housing that will benefit the Coachella community;

15 **WHEREAS**, pursuant to CRL Section 33433, Housing Authority staff prepared  
16 a Summary Report (“Summary Report”) which is attached hereto as Exhibit “B” and  
17 incorporated herein by this reference;

18 **WHEREAS**, in accordance with CRL Section 33431 and 33433, the Housing  
19 Authority and the County of Riverside (“County”) held a joint public hearing on the  
20 proposed sale of the Property and the Authority Loan pursuant to such Disposition  
21 and Development Agreement, having duly published notice of such public hearing  
22 and made copies of the proposed Disposition and Development Agreement,  
23 Summary Report and other documents available for public inspection, and comment  
24 in accordance with CRL Section 33433;

25 **WHEREAS**, pursuant to CRL Section 33433, the Board of Supervisors  
26 considered the information in the Summary Report and has made the findings  
27 required by CRL Section 33433 with respect to the Disposition and Development  
28 Agreement;

1           **WHEREAS**, the Board of Commissioners has also duly considered all the terms  
2 and conditions of the proposed sale of the Property and the Authority Loan financing  
3 set forth in the proposed Disposition and Development Agreement, and the  
4 information contained in the submittal to the Board of Commissioners by staff and  
5 provided at the public hearing, and believes that development of the Property and the  
6 provision of the Authority Loan in accordance with the proposed Disposition and  
7 Development Agreement is in the best interests of the County of Riverside and the  
8 health, safety and welfare of its residents, and in accord with the public purposes and  
9 provisions of applicable State and local law and requirements;

10           **WHEREAS**, pursuant to the California Environmental Quality Act (“CEQA”), the  
11 City of Coachella, as the applicable lead agency, determined from an Initial Study  
12 Checklist that the proposal could have a significant effect on the environment;

13           **WHEREAS**, the lead agency determined that through Project modifications and  
14 the incorporation of appropriate mitigation measures, there will be no significant  
15 physical environmental impacts and a final determination for a Mitigated Negative  
16 Declaration was adopted on or about August 25, 2004 by the City Council of the City of  
17 Coachella;

18           **WHEREAS**, the lead agency filed a Notice of Determination for the Project;

19           **WHEREAS**, the Housing Authority has limited approval and implementing  
20 authority over the Project and, therefore, pursuant to Section 15096 of the State CEQA  
21 Guidelines serves only as a Responsible Agency for the Project; and

22           **WHEREAS**, pursuant to Section 15096 of the State CEQA Guidelines, the  
23 Housing Authority, acting as a Responsible Agency, considered the environmental  
24 effects of the Project as evaluated in the Initial Study Checklist, Mitigated Negative  
25 Declaration, City of Coachella Staff Report, and other associated documents  
26 (“Administrative Record”) and determined the Administrative Record to be adequate as  
27 certified by the lead agency.

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1           **NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**  
2 **ORDERED** by the Board of Commissioners of the Housing Authority of the County of  
3 Riverside, State of California, in regular session assembled on August 18, 2015, in  
4 the meeting room of the Board of Commissioners located on the 1<sup>st</sup> floor of the  
5 County Administrative Center, 4080 Lemon Street, Riverside, California, and based  
6 upon the evidence and testimony presented on the matter, both written and oral,  
7 including the Administrative Record as it relates to the Project, as follows:

- 8           1. That it has received and heard all oral and written objections (if any) to the  
9           proposed Disposition and Development Agreement, to the proposed sale  
10          of the Property pursuant to the proposed Disposition and Development  
11          Agreement, to the proposed Authority Loan, and to the other matters  
12          pertaining to this transaction, and that all such oral and written objections  
13          (if any) are hereby overruled.
- 14          2. The foregoing recitals are true and correct.
- 15          3. The Board of Commissioners has reviewed and approves the Summary  
16          Report attached hereto as Exhibit "B" and incorporated herein by this  
17          reference
- 18          4. The Board of Commissioners hereby finds and determines that the  
19          provision of Authority Loan funds to the Project in the maximum total  
20          amount of One Million One Hundred Eighty Nine Thousand Eight  
21          Hundred Dollars (\$1,189,800), and the sale of the Property for One  
22          Dollar (\$1) to CVHC, plus additional consideration provided in therein,  
23          and the development and construction of the Project on the Property in  
24          accordance with the Disposition and Development Agreement will assist  
25          in the elimination of blight and will provide housing for low income  
26          persons.
- 27          5. The Board of Commissioners hereby finds and determines that the  
28          Authority Loan and sale of the Property to CVHC in accordance with the

1 Disposition and Development Agreement is consistent with the  
2 Implementation Plan adopted pursuant to California Health and Safety  
3 Code Section 33490.

4 **6.** The Board of Commissioners hereby finds and determines that the  
5 consideration to be paid by CVHC to the Housing Authority, in the  
6 amount of One Dollar (\$1), for the sale of the Property is not less than  
7 the fair market value at its highest and best use in accordance with the  
8 plan and as permitted by the current zoning.

9 **7.** The Board of Commissioners, as the decision-making body for the  
10 Housing Authority, and in their limited role as a Responsible Agency  
11 pursuant to CEQA, has received, reviewed, and considered the  
12 information contained in the Administrative Record for the Project. The  
13 Board of Commissioners finds that, as to those potential environmental  
14 impacts within the Housing Authority's powers and authorities as  
15 Responsible Agency, that the Administrative Record for the Project  
16 contains a complete, objective, and accurate reporting of those potential  
17 impacts as they relate to the Project under the authority of the Housing  
18 Authority as the Responsible Agency. This determination reflects the  
19 independent judgment and analysis of the Housing Authority and the  
20 Board of Commissioners.

21 **8.** The Board of Commissioners hereby approves the Project as required  
22 under Section 15096 of the State CEQA Guidelines, and its limited role  
23 as a Responsible Agency, and directs staff to file a Notice of  
24 Determination with the Riverside County Clerk within five (5) working  
25 days of the approval of the Project.

26 **9.** The Board of Commissioners hereby approves the Authority Loan and  
27 sale of the Property to CVHC in accordance with the Disposition and  
28 Development Agreement.

1           **10.** The Board of Supervisors hereby finds and determines that the  
2           Disposition and Development Agreement between the Housing Authority  
3           and CVHC including all attachments thereto, attached hereto as Exhibit  
4           "C" and incorporated herein by this reference, is hereby approved.

5           **11.** The Board of Commissioners hereby authorizes the Chairman of the  
6           Board of Commissioners to execute the Disposition and Development  
7           Agreement.

8           **12.** The Board of Commissioners hereby authorizes the Executive Director,  
9           or designee, to sign all documents necessary and appropriate to carry  
10          out and implement the Disposition and Development Agreement and  
11          Authority Loan, including, but not limited to subsequent and relevant  
12          documents such as the Grant Deed, Agreement Containing Covenants,  
13          Escrow Agreement, and all relevant attachments and exhibits to the  
14          Disposition and Development Agreement, and to administer the Housing  
15          Authority's obligations, responsibilities, and duties to be performed under  
16          said Disposition and Development Agreement, subject to approval as to  
17          form by County Counsel.

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EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

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

Lots 24 through 31, 55 through 58 and 78 through 104, Inclusive of Tract No. 31158, In the City of Coachella, County of Riverside, State of California, as shown by Map on file in Book 397, Pages 1 to 5 Inclusive of maps, in the office of the Riverside County Recorder.

Assessor Parcel Numbers 768-361-010 through -012, and 768-362-001 through -016, and 768-371-001 through -019, and 768-372-015.



**Tierra Bonita 39 lots in tract 31158  
Avenue 53 and Calle Leandro, Coachella  
Acres: 9.308**



EXHIBIT "B"  
SUMMARY REPORT  
(Behind this page)

EXHIBIT "C"

DISPOSITION AND DEVELOPMENT AGREEMENT

(Behind this page)

**RESOLUTION NUMBER 2015-144**

**MAKING CERTAIN FINDINGS UNDER HEALTH AND SAFETY CODE SECTION 33433; APPROVING THE ATTACHED DISPOSITION AND DEVELOPMENT AGREEMENT (I) TO CONVEY PROPERTY KNOWN AS ASSESSOR'S PARCEL NUMBERS 768-361-010 THROUGH -012, AND 768-362-001 THROUGH -016, AND 768-371-001 THROUGH -019, AND 768-372-015, LOCATED IN THE CITY OF COACHELLA, CALIFORNIA TO COACHELLA VALLEY HOUSING COALITION, AND (II) TO PROVIDE FINANCIAL ASSISTANCE TO THE TIERRA BONITA 39 HOMEOWNERSHIP PROJECT; AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT**

**WHEREAS**, the City of Coachella adopted the Redevelopment Plan for the City of Coachella ("Redevelopment Plan") for Project Area 3 ("Project Area");

**WHEREAS**, in accordance with California Health and Safety Code Section 33490, the former Coachella Redevelopment Agency ("RDA") adopted a five year Implementation Plan for the Project Area, as amended from time to time ("Implementation Plan"), which established goals to support affordable housing, economic development, community revitalization and other activities necessary or appropriate to carry out the objectives of the Redevelopment Plan;

**WHEREAS**, Assembly Bill No. x1 26, as modified by Assembly Bill No. 1484 ("Dissolution Act"), added Parts 1.8 and 1.85 to Division 24 of the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq., the "CRL"). As a result of the Dissolution Act, the RDA was dissolved on February 1, 2012 such that the RDA is now deemed a former redevelopment agency under Health and Safety Code Section 34173;

**WHEREAS**, pursuant to the Dissolution Act, City of Coachella Resolution No. 2012-10 adopted on January 25, 2012, and that certain Memorandum of Understanding dated June 4, 2013 between Housing Authority of the County of Riverside ("Housing Authority") and the City of Coachella, all housing functions previously performed by the former RDA, including related rights, powers, duties,

1 obligations, and housing assets were transferred to the Housing Authority, including  
2 that certain vacant real property consisting of approximately 9.308 acres located at  
3 Avenue 53 and Calle Leandro in the City of Coachella, County of Riverside known as  
4 Assessor's Parcel Numbers 768-361-010 through -012, and 768-362-001 through -  
5 016, and 768-371-001 through -019, and 768-372-015, as legally described in Exhibit  
6 "A" attached hereto and incorporated herein by this reference ("Property"), and former  
7 RDA 2006 Series A Taxable Bond Proceeds ("Bond Proceeds");

8 **WHEREAS**, the Housing Authority wishes to implement certain proposed uses  
9 in the Project Area including low income housing and the elimination of blight, which  
10 use will aid in carrying out the Redevelopment Plan and Implementation Plan  
11 pursuant to its obligations under the Dissolution Act as successor housing agency;

12 **WHEREAS**, Coachella Valley Housing Coalition, a non-profit public benefit  
13 corporation ("CVHC"), has proposed to acquire the Property from the Housing  
14 Authority to develop and construct and/or cause the construction of 39 affordable  
15 for-sale single family homes consisting of thirty-three (33) 4-bedroom/2-bathroom  
16 single family homes with a minimum of 1,600 square feet, and six (6) 3-bedroom/2-  
17 bathroom single family homes with a minimum of 1,400 square feet ("Units"), each  
18 with related parking and infrastructure, to be sold to and occupied by low income first  
19 time homebuyers for an affordable sales price ("Project"), as more specifically  
20 provided for in the proposed Disposition and Development Agreement between the  
21 Housing Authority and CVHC attached hereto as Exhibit "C" and incorporated herein  
22 by this reference ("Disposition and Development Agreement"). The Units shall remain  
23 affordable for a period of no less than fifteen (15) years since the Project will be built  
24 pursuant to the self-help method. Such affordability restrictions shall be secured by  
25 recorded covenants encumbering the Property;

26 **WHEREAS**, in order to carry out and implement the Project, the proposed  
27 Disposition and Development Agreement provides for the Housing Authority's sale of  
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1 the Property to CVHC for the purchase price of One Dollar (\$1), subject to the terms  
2 and conditions contained therein;

3 **WHEREAS**, the proposed Disposition and Development Agreement also  
4 contemplates that the Housing Authority will provide financial assistance to the  
5 Project in an amount not to exceed the total of One Million, One Hundred Eighty Nine  
6 Thousand, Eight Hundred Dollars 00/100 (\$1,189,800) (“Authority Loan”) derived from  
7 the Bond Proceeds. Each qualified purchaser of a single family home constructed as  
8 part of the Project will receive a portion of the Authority Loan funds in the form of a  
9 purchase money loan evidenced by a promissory note with a forty-five year (45) year  
10 term and secured by a deed of trust encumbering the subject purchaser parcel, as  
11 more specifically set forth in the proposed Disposition and Development Agreement;

12 **WHEREAS**, the proposed development of the Project and Authority Loan will  
13 eliminate existing blight and result in the development of much needed low income  
14 affordable housing that will benefit the Coachella community;

15 **WHEREAS**, pursuant to CRL Section 33433, Housing Authority staff prepared  
16 a Summary Report (“Summary Report”) which is attached hereto as Exhibit “B” and  
17 incorporated herein by this reference;

18 **WHEREAS**, in accordance with CRL Section 33431 and 33433, the Housing  
19 Authority and the County of Riverside (“County”) held a joint public hearing on the  
20 proposed sale of the Property and the Authority Loan pursuant to such Disposition  
21 and Development Agreement, having duly published notice of such public hearing  
22 and made copies of the proposed Disposition and Development Agreement,  
23 Summary Report and other documents available for public inspection, and comment  
24 in accordance with CRL Section 33433;

25 **WHEREAS**, pursuant to CRL Section 33433, the Board of Commissioners  
26 considered the information in the Summary Report and has made the findings  
27 required by CRL Section 33433 with respect to the Disposition and Development  
28 Agreement;

1           **WHEREAS**, the Board of Supervisors has also duly considered all the terms  
2 and conditions of the proposed sale of the Property and the Authority Loan financing  
3 set forth in the proposed Disposition and Development Agreement, and the  
4 information contained in the submittal to the Board of Supervisors by staff and  
5 provided at the public hearing, and believes that development of the Property and the  
6 provision of the Authority Loan in accordance with the proposed Disposition and  
7 Development Agreement is in the best interests of the County of Riverside and the  
8 health, safety and welfare of its residents, and in accord with the public purposes and  
9 provisions of applicable State and local law and requirements;

10           **WHEREAS**, pursuant to the California Environmental Quality Act (“CEQA”), the  
11 City of Coachella, as the applicable lead agency, determined from an Initial Study  
12 Checklist that the proposal could have a significant effect on the environment;

13           **WHEREAS**, the lead agency determined that through Project modifications and  
14 the incorporation of appropriate mitigation measures, there will be no significant  
15 physical environmental impacts and a final determination for a Mitigated Negative  
16 Declaration was adopted on or about August 25, 2004 by the City Council of the City of  
17 Coachella;

18           **WHEREAS**, the lead agency filed a Notice of Determination for the Project;

19           **WHEREAS**, the Housing Authority has limited approval and implementing  
20 authority over the Project and, therefore, pursuant to Section 15096 of the State CEQA  
21 Guidelines serves only as a Responsible Agency for the Project; and

22           **WHEREAS**, pursuant to Section 15096 of the State CEQA Guidelines, the  
23 Housing Authority, acting as a Responsible Agency, considered the environmental  
24 effects of the Project as evaluated in the Initial Study Checklist, Mitigated Negative  
25 Declaration, City of Coachella Staff Report, and other associated documents  
26 (“Administrative Record”) and determined the Administrative Record to be adequate as  
27 certified by the lead agency.

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1           **NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**  
2 **ORDERED** by the Board of Supervisors of the County of Riverside, State of  
3 California, in regular session assembled on August 18, 2015, in the meeting room of  
4 the Board of Supervisors located on the 1<sup>st</sup> floor of the County Administrative Center,  
5 4080 Lemon Street, Riverside, California, and based upon the evidence and  
6 testimony presented on the matter, both written and oral, including the Administrative  
7 Record as it relates to the Project, as follows:

- 8           1. That it has received and heard all oral and written objections (if any) to the  
9           proposed Disposition and Development Agreement, to the proposed sale  
10          of the Property pursuant to the proposed Disposition and Development  
11          Agreement, to the proposed Authority Loan, and to the other matters  
12          pertaining to this transaction, and that all such oral and written objections  
13          (if any) are hereby overruled.
- 14          2. The foregoing recitals are true and correct.
- 15          3. The Board of Supervisors has reviewed and approves the Summary  
16          Report attached hereto as Exhibit "B" and incorporated herein by this  
17          reference
- 18          4. The Board of Supervisors hereby finds and determines that the provision  
19          of Authority Loan funds to the Project in the maximum total amount of  
20          One Million One Hundred Eighty Nine Thousand Eight Hundred Dollars  
21          (\$1,189,800), and the sale of the Property for One Dollar (\$1) to CVHC,  
22          plus additional consideration provided in therein, and the development  
23          and construction of the Project on the Property in accordance with the  
24          Disposition and Development Agreement will assist in the elimination of  
25          blight and will provide housing for low income persons.
- 26          5. The Board of Supervisors hereby finds and determines that the Authority  
27          Loan and sale of the Property to CVHC in accordance with the  
28          Disposition and Development Agreement is consistent with the



1 Implementation Plan adopted pursuant to California Health and Safety  
2 Code Section 33490.

3 **6.** The Board of Supervisors hereby finds and determines that the  
4 consideration to be paid by CVHC to the Housing Authority, in the  
5 amount of One Dollar (\$1), for the sale of the Property is not less than  
6 the fair market value at its highest and best use in accordance with the  
7 plan and as permitted by the current zoning.

8 **7.** The Board of Commissioners, as the decision-making body for the  
9 Housing Authority, and in their limited role as a Responsible Agency  
10 pursuant to CEQA, has received, reviewed, and considered the  
11 information contained in the Administrative Record for the Project. The  
12 Board of Supervisors finds that, as to those potential environmental  
13 impacts within the Housing Authority's powers and authorities as  
14 Responsible Agency, that the Administrative Record for the Project  
15 contains a complete, objective, and accurate reporting of those potential  
16 impacts as they relate to the Project under the authority of the Housing  
17 Authority as the Responsible Agency. This determination reflects the  
18 independent judgment and analysis of the Housing Authority and the  
19 Board of Supervisors.

20 **8.** The Board of Supervisors hereby approves the Authority Loan and sale  
21 of the Property to CVHC in accordance with the Disposition and  
22 Development Agreement.

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**9.** The Board of Supervisors hereby finds and determines that the Disposition and Development Agreement between the Housing Authority and CVHC including all attachments thereto, attached hereto as Exhibit “C” and incorporated herein by this reference, is hereby approved.

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EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

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

LOTS 24 THROUGH 31, 55 THROUGH 58 AND 78 THROUGH 104, INCLUSIVE OF TRACT NO. 31158, IN THE CITY OF COACHELLA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 397, PAGES 1 TO 5 INCLUSIVE OF MAPS, IN THE OFFICE OF THE RIVERSIDE COUNTY RECORDER.

ASSESSOR PARCEL NUMBERS 768-361-010 THROUGH -012, AND 768-362-001 THROUGH -016, AND 768-371-001 THROUGH -019, AND 768-372-015

**Tierra Bonita 39 lots in tract 31158  
Avenue 53 and Calle Leandro, Coachella  
Acres: 9.308**



EXHIBIT "B"  
SUMMARY REPORT  
[Behind this page]

EXHIBIT "C"

DISPOSITION AND DEVELOPMENT AGREEMENT

[Behind this page]

NOTICE OF JOINT PUBLIC HEARING BY THE HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE AND THE COUNTY OF RIVERSIDE REGARDING THE PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE AND THE COACHELLA VALLEY HOUSING COALITION, TO PROVIDE FINANCIAL ASSISTANCE AND CONVEY REAL PROPERTY KNOWN AS ASSESSOR'S PARCEL NUMBERS 768-361-010 through -012, and 768-362-001 through -016, and 768-371-001 through -019, and 768-372-015 LOCATED IN THE CITY OF COACHELLA, CALIFORNIA, FOR THE DEVELOPMENT OF THE TIERRA BONITA 39 HOMEOWNERSHIP PROJECT AND USE THEREOF

NOTICE IS HEREBY GIVEN THAT the Housing Authority of the County of Riverside's ("Authority") Board of Commissioners ("BOC") and the County of Riverside's ("County") Board of Supervisors ("BOS") have scheduled a Joint Public Hearing on August 18, 2015, at the hour of 9:00 a.m. or as soon thereafter as the matter can be heard, in the Board Chambers, County Administrative Center, 4080 Lemon Street 1<sup>st</sup> Floor, Riverside, CA 92501, pursuant to Section 33433 of the California Health and Safety Code ("Section 33433"), for the purpose of considering a proposed Disposition and Development Agreement ("Agreement") by and between the Authority and The Coachella Valley Housing Coalition, a California nonprofit public benefit corporation ("CVHC"). The proposed Agreement provides for the provision of financial assistance and conveyance by the Authority to CVHC of certain real property consisting of approximately 9.308 acres, identified as Assessor's Parcel Numbers 768-361-010 through -012, and 768-362-001 through -016, and 768-371-001 through -019, and 768-372-015, located at Avenue 53 and Calle Leandro in the City of Coachella ("Site") and the development thereon of 39 affordable for sale single-family homes, with related infrastructure and parking. The Authority and County will be conducting a public hearing on this matter pursuant to California Community Redevelopment Law (Health and Safety Code Sections 33000 *et seq.*) ("Law").

The City of Coachella, as the appropriate lead agency under the California Environmental Quality Act (CEQA), prepared and adopted the Initial Study Checklist/Mitigated Negative Declaration under Resolution No. 2004-62 for Tract 31158 on August 25, 2004. 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 Authority will review and consider the information contained in the record of decision from the City of Coachella during the Joint Public Hearing.

The Joint Public Hearing will be held to consider the proposed provision of financial assistance and the proposed conveyance of the Site by the Authority to CVHC for the development of the Tierra Bonita 39 Homeownership Project, as described in this Notice.

The following documents are available for public inspection and copying during regular business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) at the offices of the Authority located at 44-199 Monroe Street, Suite B, Indio, CA 92201:

1. A copy of the proposed Agreement; and
2. A Summary Report prepared pursuant to Section 33433 which describes and specifies:
  - a. The costs to be incurred by the Authority under the proposed Agreement;
  - b. The estimated value of the interests to be conveyed by the Authority to CVHC pursuant to the Agreement at the highest and best uses permitted under the plan;
  - c. The estimated value of the interest to be conveyed at the use and with the conditions, covenants, and development costs required by the Agreement;
  - d. The consideration to be paid to the Authority pursuant to the transaction;
  - e. An explanation of the difference, if any, between the consideration to be paid to the Authority under the transaction, and the fair market value at the highest and best use consistent with the plan; and
  - f. An explanation of why the conveyance and development of the Site will assist in the elimination of blight.

At any time before the date and time set forth above for the Joint Public Hearing by the Authority and County, any written comments on or objections to the proposed Agreement may be filed with the County Clerk. Comments may also be submitted during such period on the other documents referred to in this Notice. All persons wishing to question, comment, object to, or be heard on any or all such matters at the Joint Public Hearing will be given an opportunity to appear and be so heard. If you later desire to challenge actions of the County or Authority in connection with these actions, you could be limited to raising issues you have raised at or before the public hearing.

Any interested person wishing to comment may submit written comments attention to Leah Rodriguez, Housing Specialist, by **August 13, 2015**, at the Authority offices listed above, or may appear and be heard at the time of the Joint Public Hearing on **August 18, 2015**.

Publish: August 2, 2015  
August 9, 2015





**Notice of Determination**

To:  Office of Planning and Research  
For U.S Mail: Street Address:  
P.O. Box 3044 1400 Tenth St.  
Sacramento, CA 95812-3044 Sacramento, CA 95814

From: Public Housing Authority of the  
Agency: County of Riverside  
Address: 5555 Arlington Avenue  
Riverside, CA 92504  
Contact: Leah Rodriguez, Housing Specialist  
Phone: (760) 863-2534

County Clerk  
County of: Riverside  
2724 Gateway Drive  
P.O. Box 751  
Address: Riverside, CA 92502-0751

Lead Agency (if different from above):  
Address: City of Coachella  
1515 Sixth Street  
Coachella, CA 92236  
Contact: Luis Lopez, Community Service Director  
Phone: (760) 398-3502

**SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): \_\_\_\_\_

Project Title: Tierra Bonita 39 Homeownership Project

Project Location (include county): County of Riverside-Assessor Parcel Numbers 768-361-010 through -012, and 768-362-001 through -016, and 768-371-001 through -019, and 768-372-015

Project Description:  
The Housing Authority of the County of Riverside (Authority) intends to award funds and sell and convey property for the development and construction of 39 single-family homes affordable to lower income, first time homebuyers for a period of 45 years from the recorded notice of completion for each home. The potential environmental effects of the housing project were fully studied in the Initial Study Checklist/Mitigated Negative Declaration (ISC/MND), which was prepared by the City of Coachella, as Lead Agency, in connection with Resolution No. 2004-62 for Tract 31158 on August 25, 2004 by the Coachella City Council. Pursuant to CEQA Guidelines section 15096(f) the Authority, as a Responsible Agency, complies with CEQA by considering the environmental effects of the project as provided for in the ISC/MND. The Authority has received and considered the ISC/MND. The project will not result in any new significant environmental effects not identified in ISC/MND, nor will it substantially increase the severity of the environmental effects identified in ISC/MND. In addition, no considerably different mitigation measures have been identified and no mitigation measures found infeasible have become feasible.

Project Sponsor: Coachella Valley Housing Coalition

This is to advise that the Housing Authority of the Board of Commissioners approved the above project on

Lead agency or  Responsible Agency

August 18, 2015 and has made the following determinations regarding the above described project:  
(tentative date)

- 1. The Housing Authority of the County of Riverside considered the Initial Study Checklist/Mitigated Negative Declaration under Resolution No. 2004-62 for Tract 31158 as prepared and adopted on August 25, 2004 by the City of Coachella.
- 2. The project will not have a significant effect on the environment.

The Mitigated Negative Declaration is available to the General Public at:  
Housing Authority of the County of Riverside 44199 Monroe Street, Indio, CA 92201

Signature: (Public Agency) \_\_\_\_\_ Title: John Aguilar, Deputy Director  
Housing Authority of the County of Riverside

Date: 7/27/15 Date received for filing at OPR: \_\_\_\_\_

**Summary Report Pursuant To  
California Health and Safety Code Section 33433  
On a Disposition and Development Agreement  
By and Between  
The Housing Authority of the County of Riverside County  
and  
The Coachella Valley Housing Coalition**

The following Summary Report has been prepared pursuant to California Health and Safety Code Section 33433 (“Section 33433”). The Summary Report sets forth certain details of the proposed Disposition and Development Agreement (“Agreement”) between the Housing Authority of the County of Riverside (“Housing Authority”) and The Coachella Valley Housing Coalition (“CVHC”). After satisfaction of certain conditions precedent, the Agreement requires the Housing Authority to convey to CVHC approximately 9.308 acres of residentially zoned vacant real property located at Avenue 53 and Calle Leandro, in the City of Coachella, identified as Assessor’s Parcel Numbers 768-361-010 through -012, and 768-362-001 through -016, and 768-371-001 through -019, and 768-372-015 (“Site”) for the development and construction thereon of 39 for sale single-family homes to be sold to and occupied by lower income households whose incomes do not exceed 80% percent of the County area median income, adjusted for family size, as defined by California Health and Safety Code Section 50079.5, with related infrastructure and parking (collectively, the “Project”). A copy of the proposed Agreement is attached hereto as Attachment C.

The Housing Authority is a California housing authority acting under the California Housing Authorities Law, Part 2 of Division 24 of the Health and Safety Code (the “Housing Authorities Law”).

Assembly Bill No. x1 39, as modified by Assembly Bill No. 1484 (“Dissolution Act”), added Parts 1.8 and 1.85 to Division 24 of the California Community Redevelopment Law (Health and Safety Code sections 33000 et seq., the “CRL”). The Coachella Redevelopment Agency (“RDA”) was dissolved on February 1, 2012 such that the RDA is now deemed a former redevelopment agency under Health and Safety Code section 34173. Upon the dissolution of the former RDA, all authority, rights, powers, duties, obligations previously vested with the form RDA under CRL (except for the former RDA’s housing assets and functions) were vested with the Successor Agency to the Coachella Redevelopment Agency (“Successor Agency”). Pursuant to Health and Safety Code Section 34176, on January 25, 2012, the City of Coachella adopted Resolution No. 2012-10 electing not to retain responsibility for the housing assets and functions of the former RDA thus transferring the housing assets and function previously performed by the former RDA to the Housing Authority; Pursuant to Health and Safety Code Section 34176, on June 4, 2013, the Board of Commissioners of the Housing Authority approved that certain Memorandum of Understanding accepting the transfer of housing assets and functions previously performed by the former RDA, (“Asset Transfer”). As such, the Housing Authority now owns the Site.

The proposed conveyance of the Site for development to CVHC is subject to the reporting requirements imposed by Section 33433. Section 33433 requires the conveying entity to prepare a report that summarizes the following information in connection with the disposition and development transaction for the Site:

(i) The cost of the agreement to the agency, including land acquisition costs, clearance costs, relocation costs, the costs of any improvements to be provided by the agency, plus the expected interest on any loans or bonds to finance the agreements.

(ii) The estimated value of the interest to be conveyed or leased, determined at the highest and best uses permitted under the plan.

(iii) The estimated value of the interest to be conveyed or leased, determined at the use and with the conditions, covenants, and development costs required by the sale or lease. The purchase price or present value of the lease payments which the lessor will be required to make during the term of the lease. If the sale price or total rental amount is less than the fair market value of the interest to be conveyed or leased, determined at the highest and best use consistent with the redevelopment plan, then the agency shall provide as part of the summary an explanation of the reasons for the difference.

(iv) An explanation of why the sale or lease of the property will assist in the elimination of blight, with reference to all supporting facts and materials relied upon in making this explanation.

It is the intent of this Summary Report to meet all of the Section 33433 requirements and provide the required information and data. This Summary Report is based upon the information contained within the Agreement, and is organized into the following seven sections:

1. **Salient Points of the Agreement:** This section summarizes the major responsibilities imposed on the Housing Authority and CVHC in the Agreement.
2. **Cost of the Agreement to the Housing Authority:** This section details the total cost to the Housing Authority associated with implementing the Agreement.
3. **Estimated Value of the Interests to be Conveyed Determined at the Highest Use Permitted Under the Existing Zoning:** This section estimates the value of the interest to be conveyed determined at the highest use permitted under the Site's existing zoning.
4. **Estimated Reuse Value of the Interests to be Conveyed:** This section summarizes the valuation estimate for the Site based on the required scope of development, and the other conditions and covenants required by the Agreement.
5. **Consideration Received and Comparison with the Established Value:** This section describes the compensation to be received by the Housing Authority, and explains any difference between the compensation to be received and the established value of the Site.

6. **Blight Elimination:** This section describes the existing blighting conditions on the Site, and explains how the Agreement will assist in alleviating the blighting influence.
7. **Conformance with the AB 1290 Implementation Plan:** This section describes how the Agreement achieves the goals identified in the adopted AB 1290 Implementation Plan for the Jurupa Valley Project Area.

## 1. SALIENT POINTS OF THE AGREEMENT

### Description of the Site and Project

The property to be conveyed by the Housing Authority to CVHC is approximately 9.308 acres of residentially zoned vacant land owned by the Housing Authority located at Avenue 53 and Calle Leandro in the City of Coachella, County of Riverside identified as Assessor's Parcel Numbers (APN) 768-361-010 through -012, and 768-362-001 through -016, and 768-371-001 through -019, and 768-372-015, legally described in **Exhibit A** attached hereto and incorporated herein by this reference ("Site"). The Site is depicted on the Site Map attached hereto as Exhibit **B** and incorporated herein by this reference.

The Site was originally assembled by Rancho Housing Alliance, Inc. pursuant to the July 17, 2007 Coachellita Affordable Housing Agreement. The agreement authorized purchase of 9 acres of real property located at 84-824 Calle Verde and 40 single family lots in Tract 31158 and known as "Tierra Bonita". The Site consists of 39 single family lots within Tract 31158 known as Tierra Bonita and is approximately 9.308 acres. Pursuant to the Dissolution Act, the Site was ultimately transferred to the Housing Authority as discussed above, pursuant to the Housing Asset Transfer list approved by the California Department of Finance on March 5, 2015.

The former RDA originally acquired the site primarily for the purpose of carrying out its obligation to eliminate blight and for future development. When the Site was purchased by the former RDA, the Site consisted of vacant land. Due to the elimination of redevelopment in California, and the lack of available financing to construct affordable housing on the Site, the Housing Authority determined that the best use for the Site would be to enter into a disposition and development agreement requiring the development of affordable for sale single-family housing.

### Scope of Development

The proposed scope of development includes the development and construction on the Site of 39 new residential single-family units, 6 (six) of which shall be 3 (three) bedrooms and a minimum of 1,452 to 1,540 square feet, and 33 (thirty three) of which shall be 4 (four) bedrooms and a minimum of 1,600 to 1,693 square feet (Units), with related infrastructure and parking improvements, and the sale of the Units to qualified Lower Income First Time Homebuyers for an affordable sales price ("Project").

The term "Lower Income" used herein shall have the meaning set forth in Health and Safety Code Section 50079.5 (i.e., 80 percent (80%) of area median income, adjusted for family size). The term "First Time Homebuyer" used herein shall mean an individual and his or her spouse who have not owned a home during the three (3)-year period immediately preceding the

purchase of the Unit, except that an individual may not be excluded from consideration as a First Time Homebuyer on the basis that the individual owns or owned, as a principal residence during the 3-year period immediately preceding the purchase of the Unit, a dwelling unit whose structure is not permanently affixed to a permanent foundation in accordance with local or other applicable regulations.

### **CVHC Responsibilities**

The Agreement requires CVHC to accept the following responsibilities:

1. CVHC must accept conveyance of the Site in an “as-is” condition.
2. CVHC shall pay to the Housing Authority \$1 to purchase the Site, subject to the development obligations and sale and occupancy restrictions set forth in the proposed Agreement.
3. CVHC shall pay all escrow fees.
4. CVHC shall reserve all Units constructed on the Site for Lower Income households whose incomes do not exceed 80% percent of the County area median income, adjusted for family size, as defined by California Health and Safety Code Section 50079.5.
5. CVHC shall develop the Site pursuant to the Scope of Development attached to the Agreement.
6. CVHC is responsible for obtaining all necessary entitlements to carry out the entire Scope of Development.
7. CVHC shall cause all Units to be sold to and occupied by income qualified Lower Income households by causing affordable housing re-sale restrictions and a Grant Deed Addendum, attached to the Agreement, to be recorded against each Unit. The Units shall remain restricted for a period of no less than 45 years.
8. CVHC must secure all financing pursuant to the Agreement and the Schedule of Performance attached to the Agreement.

### **Housing Authority Responsibilities**

In consideration for CVHC’s promises, covenants and obligations set forth in the proposed Agreement, the Agreement requires the Housing Authority to convey the Site to CVHC for the purchase price of \$1, subject to CVHC’s satisfactions of the terms and conditions set forth therein. Subject to the satisfaction of certain additional conditions precedent set forth in the Agreement, Authority shall provide purchase money loans to qualified low income first time homebuyers in a total aggregate amount not to exceed \$1,189,800 for all purchase loans as more specifically set forth in the Agreement.

### **2. COST OF THE AGREEMENT TO THE FORMER RDA AND THE HOUSING AUTHORITY**

The cost of acquiring the Site borne by the former RDA is approximately \$4,875,000. Such cost includes estimated land value based on appraisals conducted in the surrounding area, consideration paid for land, consulting fees, appraisal costs, title expenses and various other costs and expenses. The foregoing figure relating to the cost of the Agreement is an estimated amount

and does not include either an allocation of interest or an allocation of the cost of staff time expended on the acquisition of the Site.

**Costs Incurred**

**Land Acquisition**

Rancho Housing Alliance, Inc. July 17, 2007 Coachellita Affordable Housing Agreement authorized purchase of 40 units at \$5,000,000, one lot was transferred leaving 39 units for the project

40 lots within  
Tract 31158                     $\frac{\$5,000,000}{40 \text{ lots}} = \frac{\$125,000}{\text{per lot}}$

39 lots within  
Tract 31158                     $\$125,000 \text{ per lot} \times 39 \text{ lots} = \$4,875,000$

Site acquisition cost of 39 lots = \$4,875,000

**3. ESTIMATED VALUE OF THE INTEREST TO BE CONVEYED DETERMINED AT THE HIGHEST USE PERMITTED UNDER THE EXISTING ZONING**

Section 33433 requires the Housing Authority to identify the value of the interests being conveyed at the highest use allowed by the Site’s current zoning. The valuation must be based on the assumption that near-term development is required, but the valuation does not take into consideration any extraordinary use, quality and/or income restrictions that are being imposed on the development by the Housing Authority.

In an Appraisal Report prepared by Len Perdue, A.S.A. of Len Perdue & Associates Real Estate Appraiser and dated July 23, 2015 File No. 15-035 (Appraisal Report), the appraiser, concluded that given the Site’s current zoning and the General Plan, and considering the current market conditions and property uses in the immediate and greater surrounding areas, the highest and best use of the Site is to develop as proposed as single family residential housing.

Notwithstanding the affordable housing restrictions required by the Housing Authority, the appraiser utilized a Sales Comparison Approach to Value and determined under Premise 1 Value Estimate, the current “as is” Fair Market Value of the Fee Simple Estate of the Site is \$1,050,000, assuming the Highest and Best Use of the subject property is for 39 lots of single family homeownership development.

**4. ESTIMATED REUSE VALUE OF THE INTERESTS TO BE CONVEYED**

This section summarizes the valuation estimate for the Site based on the required scope of development, and the other conditions, covenants and income restrictions required by the Agreement.

According to the appraisal, land residual analysis showed that the Site currently has a negative residual land value which indicates that the proposed subject development is currently not economically feasible to build, from a Highest and Best Use standpoint, without assistance from a public subsidy.

Under Premise 2 Value Estimate, the appraiser determined an average home price of \$170,000 for each of the 7 3-bedroom homes and \$175,000 for each of the 32 4-bedroom homes for total anticipated revenue of \$6,790,000. By deducting 1% for miscellaneous expenses and unforeseen contingencies, the total potential maximum net sales proceeds for the 39 homes would be \$6,722,100. The total development and construction budget for the project, estimated at \$6,790,000, resulted in a present value of the project as proposed and analyzed in this scenario of negative \$67,900.

The Appraisal concluded that in consideration of the total development and construction budget for the project estimated at \$6,790,000, the estimated land residual value of the Site, assuming successful building entitlement and development of 39 single-family homes plus the sale and use restriction encumbering the site, is approximately \$1 dollar.

**5. CONSIDERATION RECEIVED IN COMPARISON WITH THE ESTABLISHED VALUE**

The Agreement requires the Housing Authority to convey the Site to CVHC for a purchase price of \$1 which is equal to the estimated land residual value of \$1.

**6. BLIGHT ELIMINATION**

The Site consists of vacant land located at Avenue 53 and Calle Leandro in the City of Coachella. Development of the Project on the Site will provide much needed affordable homeownership opportunities, fill in a gap of vacant land which had been used by vagrants and for illicit dumping and eliminate the blighting conditions caused by the improper and underutilization of the land. The Project will increase employment during the construction phase. Thus, the proposed Project fulfills the blight elimination requirement imposed by Section 33433.

**7. CONFORMANCE WITH THE AB 1290 IMPLEMENTATION PLAN**

The Project meets the following goals called out in the City of Coachella Redevelopment Plan Redevelopment Project Area 3 adopted pursuant to Health and Safety Code Section 33490:

Construction of residential housing on underdeveloped vacant land will assist the Housing Authority to eliminate and prevent the acceleration of physical blight and to encourage the better utilization of real property and spur new private enterprise investment.

**ATTACHMENT A**

**LEGAL DESCRIPTION**

Real property in the City of Coachella, County of Riverside, State of California, described as follows:

Lots 24 through 31, 55 through 58 and 78 through 104, Inclusive of Tract No. 31158, In the City of Coachella, County of Riverside, State of California, as shown by Map on file in Book 397, Pages 1 to 5 Inclusive of maps, in the office of the Riverside County Recorder.

Assessor parcel numbers 768-361-010 through -012, and 768-362-001 through -016, and 768-371-001 through -019, and 768-372-015.



**ATTACHMENT B**

**SITE MAP**

**(behind this page)**



August 2015

**ATTACHMENT C**

**DISPOSITION AND DEVELOPMENT AGREEMENT**

(behind this page)