

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



10.3
(MT 10541)

On motion of Supervisor Jeffries, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Housing Authority regarding the Public Hearing for the Adoption of Resolution No. 2020-006, Making Certain Findings pursuant to California Health and Safety Code Section 33433, Authorization to Sell Fee Simple Interest in Real Property Located in the City of Wildomar, County of Riverside, State of California, Identified with Assessor's Parcel Numbers 380-100-008, 380-100-009, 380-100-010, 380-100-011 and 380-100-012 by Grant Deeds to Palm Communities, and Approval of the Disposition, Development and Loan Agreement between the Housing Authority of the County of Riverside and Palm Communities for the Sale and Development of the Property in Three Phases is taken off calendar.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on January 7, 2020 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: January 7, 2020
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.
10.3

xc:

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



ITEM: 10.3
(ID # 10541)

MEETING DATE:

Tuesday, January 7, 2020

FROM : HOUSING AUTHORITY:

SUBJECT: HOUSING AUTHORITY: Public Hearing for Adoption of Resolution Number 2020-006, Making Certain Findings Pursuant to California Health and Safety Code Section 33433; Authorization to Sell Fee Simple Interest in Real Property Located in the City of Wildomar, County of Riverside, State of California, Identified with Assessor's Parcel Numbers 380-100-008, 380-100-009, 380-100-010, 380-100-011 and 380-100-012 ("Property") by Grant Deeds to Palm Communities, and Approval of the Disposition, Development and Loan Agreement between the Housing Authority of the County of Riverside and Palm Communities for the Sale and Development of the Property in Three Phases, District 1, [\$0]; CEQA Exempt

RECOMMENDED MOTION: That the Board of Commissioners:

1. Find that the project is Exempt and the Disposition, Development and Loan Agreement does not constitute a project under California Environmental Quality Act (CEQA) general rule or "common sense" exemption of Section 15061(b)(3) pursuant to state CEQA Guidelines Section.
2. Conduct a public hearing with the Board of Commissioners Pursuant to Health and Safety Code 33431 and 33433;
3. Adopt Resolution Number 2020-006 Making Certain Findings Pursuant to California Health and Safety Code Section 33433; Authorization to Sell Fee Simple Interests in Real Property Located in the City of Wildomar, County of Riverside, State of California, Identified with Assessor's Parcel Numbers 380-100-008, 380-100-009, 380-100-010, 380-100-011 and 380-100-012 by Grant Deeds to Palm Communities; and Approval of the Disposition, Development and Loan Agreement between the Housing Authority of the County of Riverside and Palm Communities for the Sale and Development of the Property in Three Phases;
4. Approve the attached Disposition, Development and Loan Agreement, including all attachments, including, but not limited to form of the Grant Deed and Agreement Containing Covenants ("Agreement") between the Housing Authority of the County of Riverside ("HACR") and Palm Communities, a California corporation, providing for, among other things, the disposition of real property located in the City of Wildomar, County of Riverside, State of California, Identified with Assessor's Parcel Numbers 380-100-008, 380-100-009, 380-100-010, 380-100-011 and 380-100-012 by HACR to Palm Communities and the development and construction thereon by Palm Communities of affordable housing for very low, low and moderate income households;

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

5. Authorize the Executive Director of HACR to execute the Disposition, Development and Loan Agreement (the "Agreement) on behalf of HACR; and
6. Authorize the Executive Director of HACR, or designee, to execute any other documents and administer all actions necessary to implement, complete and memorialize the transactions contemplated in the Agreement, including, but not limited to executing the Grant Deed(s) and Agreement(s) Containing Covenants in substantially the form attached to the Agreement, and any escrow instructions, subject to and in such final form as approved by County Counsel.

ACTION:Policy



Robert Field, Assistant County Executive Officer/ECD 10/21/2019

MINUTES OF THE BOARD OF COMMISSIONERS

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			Budget Adjustment:	No
			For Fiscal Year:	19/20

C.E.O. RECOMMENDATION: Approve.

BACKGROUND:

Summary

The Housing Authority of the County of Riverside (Housing Authority) owns that certain real property located east of Arnett Road, west of Fox Ridge Lane, and south of Catt Road in the City of Wildomar, County of Riverside, State of California, identified with Assessor's Parcel Numbers 380-100-008, 380-100-009, 380-100-010, 380-100-011 and 380-100-012, depicted on the attached Site map ("Property"). Palm Communities (Developer) is a California corporation engaged in building safe and affordable housing for low-income families.

Pursuant to applicable provisions of the California Health and Safety Code, including Sections 34200, et seq., the "Housing Authorities Law", notwithstanding any other provision of law, whenever the Board of Commissioners determines that any real property owned by the Housing Authority can be used to provide housing affordable to low and moderate income families, and this use is in the Housing Authority's best interest, the Housing Authority may sell, convey or otherwise dispose of the real property at less than fair market value, to provide that affordable housing without complying with other provisions of Title 3, Division 2, Part 2, Chapter 5, Article 8 of the California Government Code. The Housing Authority is committed to providing affordable housing and services to the residents of the County of Riverside.

Developer desires to acquire the Property from the Housing Authority to develop and construct thereon a multifamily rental housing project comprised of approximately 265 units, to be occupied by and rented to very low, low and moderate income households, as defined by California Health and Safety Code Sections 50079.5, 50093 and 50105, in accordance with the Housing Authorities Law. There is an unmet need for affordable housing within the County of Riverside. Staff recommends the Board of Commissioners authorize the sale of the Property to Developer and the subsequent development thereon since the Property can be used to provide housing affordable to very low, low and moderate income families and the use is in the Housing Authority's best interest. Staff recommends the Board of Commissioners adopt Resolution No. 2020-006 Making Certain Findings Pursuant to California Health and Safety Code Section 33433; Authorization to Sell Fee Simple Interests in Real Property Located in the City of Wildomar, County of Riverside, State of California, Identified with Assessor's Parcel Numbers 380-100-008, 380-100-009, 380-100-010, 380-100-011 and 380-100-012 by Grant Deeds to Palm Communities; and Approval of the Disposition, Development and Loan Agreement

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COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

between the Housing Authority of the County of Riverside and Palm Communities for the Sale and Development of the Property in Three Phases. Consistent with applicable provisions of the Health and Safety Code and subject to the satisfaction of certain conditions precedent, the Property will be sold at fair market value, and such sale will occur in up to three phases. In order to ensure the long-term affordability of the units consistent with applicable law, each phase will be subject to an Agreement Containing Covenants requiring the units remain affordable for fifty-five (55) years. The terms of the sale and development are set forth in the attached form of Disposition, Development and Loan Agreement, including attachments, ("DDLA") to be executed by the Housing Authority and Developer. The sale is estimated to be \$5 million across all three phases. The 10-acre lot has initially been appraised at approximately \$5 million. The creation of 265 affordable units will be built as a result of the project and is in the best interests of the Housing Authority, the County of Riverside, and residents of the Wildomar area. The County's investment will equate to an average of \$18,867 per unit for the eventual 265 low income units to be built.

Developer intends to build the project in up to 3 separate phases, this will be achieved by recording a parcel map and creating up to three legal parcels during the entitlement stage of the proposed project. The Developer is proposing to purchase each individual parcel at separate times in accordance to the Disposition, Development and Loan Agreement when sufficient financing has been secured for each individual phase. When the Developer satisfies the conditions precedent to acquire the parcel on which Phase 1 is to be developed, the Developer will pay One Million Six Hundred Thousand (\$1,600,000) cash for the first phase which proceeds will be used to repay the Housing Authority's bridge loan of to the County and the Housing Authority will carry back a promissory note for the balance of the fair market value purchase price. The Housing Authority will carry back a promissory note for the full fair market value purchase price of subsequent phases. All Housing Authority loans will be secured by a deed of trust recorded against the property for each phase. Developer shall be responsible for all construction and development costs, entitlements, securing financing, construction, on-site and off-site improvements, and maintenance obligations.

Pursuant to California Health and Safety Code Sections 33431 and 33433 the Housing Authority published a Notice of Public Hearing notifying the public of the public hearing and consideration of the proposed Disposition, Development and Loan Agreement with Developer 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 Disposition, Development and Loan Agreement, including all attachments, and the attached Summary Report.

Pursuant to the California Environmental Quality Act and State CEQA Guidelines (CEQA), the Disposition, Development and Loan Agreement does not constitute a project under general rule or "common sense" exemption of Section 15061(b)(3). The approval of the Disposition, Development and Loan Agreement provides for the sale of property and financing subject to specific conditions precedent, including the requirement that the Developer obtain all necessary land use approvals and entitlements from the City of Wildomar, including compliance with

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COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

CEQA. As the jurisdiction exercising land use control over the property, the City of Wildomar will be the lead agency for purposes of CEQA. Approval by the Housing Authority of the Disposition, Development and Loan Agreement will not result in any physical change to the environment.

County Counsel has reviewed and approved the attached Resolution No. 2020-006 and the Disposition, Development and Loan Agreement, including all attachments. Staff recommends that the Board adopt Resolution No. 2020-006 and approve the Disposition, Development and Loan Agreement, including all attachments.

Impact on Residents and Businesses

The proposed project will create temporary construction jobs and bring much needed quality very low, low and moderate income housing in the Wildomar area.

SUPPLEMENTAL:

Additional Fiscal Information

No general funds will be used for this agreement. Developer will bear its own costs and expenses incurred, or to be incurred, in connection with the development, construction and operation of the proposed project.

Attachments:

- Resolution No. 2020-006
- Disposition, Development and Loan Agreement, including all attachments
- 33433 Summary Report, Site Map and Public Notice
- Notice of Exemption

RF:HM:CH:MW:JG:mm MT #10541


Steven Atkeson

12/26/2019


Gregory Y. Priamos, Director County Counsel

12/26/2019

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: CARL SCHROEGER

Address: 13703 VIA SEGOVIA
(only if follow-up mail response requested)

City: MURRIETA **Zip:** 92562

Phone #: 951 751 7391

Date: 1/7/20 **Agenda #** 10.3

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support **Oppose** **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

(Submitted after
vote)

Didn't speak

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Anthony Michael Occhino

Address: 23316 Rhinestone

City: Wildomar Zip: 92595

Phone #: 760 771-7238

Date: 11/7/2020 Agenda # 10.3

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

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