

**RESOLUTION NUMBER 4698/HA 004**

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AND THE CITY OF PERRIS HOUSING AUTHORITY, AUTHORIZING THE TRANSFER OF PROPERTY LOCATED AT 904 S. D STREET WITH ASSESSOR'S PARCEL NUMBER 313-273-009 FROM THE CITY OF PERRIS TO THE CITY OF PERRIS HOUSING AUTHORITY**

**WHEREAS**, the City of Perris ("City") is a municipal corporation duly organized under the laws and Constitution of the State of California; and

**WHEREAS**, the City of Perris Housing Authority ("Authority") is a public body, corporate and politic, organized and existing under the California Housing Authorities Law (Health & Safety Code § 34200, *et seq.*) for the purpose of assisting in the provision of affordable housing to persons of lower income, as that term is defined in the Health & Safety Code; and

**WHEREAS**, on December 4, 1994 the City purchased the property located at 904 S. D Street, with Assessor's Parcel Number 313-273-009 ("Property") with funds from the Downtown Park Development Fund for the purpose of using the Property for open space or some other related purpose within the Downtown area of the City; and

**WHEREAS**, the restriction of using the Property for open space or some other related purpose is expired as of March 25, 2008, the City no longer requires the use of the Property for open space or other related purpose, and no other restriction or covenant on the disposition or development of the Property exists; and

**WHEREAS**, pursuant to the California Housing Authorities Law, on December 11, 2012, the Authority approved a Disposition and Development Agreement (the "Draft DDA") with Amcal Multi-Housing, Inc. ("Developer") for the construction of a family housing development on the Property consisting of a three-story structure with 40 residential units, a childcare facility, a community room, common open space and retail space, in which the residential units would be restricted for use by low-, very low-, and extremely low-income households, other than the one unit restricted for rent to a qualified property manager (the "Project"); and

**WHEREAS**, on November 21, 2013, the Authority approved and ratified the Draft DDA, whose terms were finalized on March 4, 2013 and amended on July 1, 2013, to reflect an increase in the amount of financial assistance to be provided to the Developer at an amount not to exceed \$3,323,000 (the "Final DDA"); and

**WHEREAS**, pursuant to the Final DDA, the City desires to convey the Property to the Authority, and the Authority desires to accept the Property from the City, to effectuate the purposes of the Final DDA; and

**WHEREAS**, in accordance with Government Code § 37350, the conveyance of Property from the City to the Authority is for the common benefit of the community of the City and its residents; and

**WHEREAS**, in accordance with Government Code § 65402, the conveyance of Property for the purposes of the Project is in conformance with the City's General Plan.

**NOW, THEREFORE**, the City Council of the City and the Board of the Authority do hereby find, determine, and resolve as follows:

**Section 1.** The above recitals are all true and correct and are hereby adopted as findings.

**Section 2.** The City conveys the Property to the Authority, and the Authority accepts the Property from the City.

**Section 3.** The City Manager of the City and Executive Director of the Authority are hereby authorized and directed to take such further actions and execute such additional documents as may be necessary to implement and effect this Resolution on behalf of the City and Authority.

**Section 4.** This Resolution shall go into effect immediately upon its adoption.

**Section 5.** The City Clerk and Authority Secretary shall certify to the passage and adoption hereof.

**ADOPTED, SIGNED, and APPROVED** this 11th day of March, 2014.

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Mayor and Chair, Daryl R. Busch

ATTEST:

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City Clerk and Authority Secretary, Nancy Salazar

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) §  
CITY OF PERRIS )

I, NANCY SALAZAR, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4698/HA 004 was duly and regularly adopted by the City Council of the City of Perris and the City of Perris Housing Authority at a regular meeting held the 11<sup>th</sup> day of March, 2014, by the following called vote:

AYES: YARBROUGH, LANDERS, RODRIGUEZ, ROGERS, BUSCH

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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City Clerk, Nancy Salazar