

RESOLUTION NO 264/3683

A JOINT RESOLUTION OF THE SOLEDAD REDEVELOPMENT AGENCY AND THE CITY COUNCIL OF THE CITY OF SOLEDAD RESCINDING RESOLUTION NO. 2971/189 AND REALLOCATING \$500,000 FROM THE AGENCY'S AFFORDABLE HOUSING SET-ASIDE FUNDS TO THE SOLEDAD HOUSING AUTHORITY FOR THE 439 BENITO STREET 143 UNIT MULTI-FAMILY AFFORDABLE HOUSING REDEVELOPMENT PROJECT AND MAKING FINDINGS FOR USE OF SUCH FUNDS OUTSIDE OF THE REDEVELOPMENT PROJECT AREA

WHEREAS, on August 11, 2005, the Soledad Planning Commission approved Conditional Use Permit 2005-01, filed by the Housing Authority of the County of Monterey, on behalf of the Soledad Housing Authority (hereafter the "Project Proponents"), known as the Benito Street Project, which proposes to demolish 72 units of affordable housing at 439 Benito Street and to redevelop the same with 143 units of affordable housing, a 4,500 sq ft. community center and a 3,150 sq ft. daycare center; and

WHEREAS, the Benito Street Project has been proposed in-lieu of the previously approved Benito Gardens Project by which the previously referenced 72 farm labor units were to be rehabilitated, and

WHEREAS, the Benito Street Project is located on property outside of but immediately adjacent to the Redevelopment Project Area, and

WHEREAS, the Soledad Redevelopment Agency and City Council previously allocated \$500,000 in Affordable Housing Set-Aside Funds to the Soledad Housing Authority for the Benito Gardens Project, but said funding was never used or transferred due to the fact that the Benito Gardens Project application was withdrawn and the CUP issued therefore expired due to a lack of project progress, and

WHEREAS, the Project Proponents have requested that the Agency and City consider reallocating the Set-Aside funds previously committed to the Benito Gardens Project to the new Benito Street Project; and

WHEREAS, the Benito Street Project meets the requirements established in the Second Amendment to the Redevelopment Plan for the Soledad Redevelopment Project (the "Plan") for the use of Set-Aside funds in that it will improve and provide additional housing for families of very low and low income (at 35% to 60% of the county median income); and

WHEREAS, the Plan also requires that for any use of 20% Set-Aside Funds for projects located outside of the Plan's Project Area, the City Council and the Agency must make a specific finding that the project will benefit the Redevelopment Project Area, and

WHEREAS, Agency is considering only the allocation of funds to the Benito Gardens Project as part of the Agency budgeting process, and as a condition precedent to any actual transfer or expenditure of Agency funds, Agency and the Project Proponents will be required to execute an agreement whereby the terms and conditions of the use of such funds are established.

NOW THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1 The Redevelopment Agency of the City of Soledad and the Soledad City Council jointly find that the Benito Gardens Project, which will increase and improve the City's overall supply of very low and low income housing by replacing 72 existing farm labor units in need of rehabilitation with 143 new units of housing available to low and very low income families, will provide a tangible benefit to both the Redevelopment Agency Project and the City of Soledad as a whole by "increasing, improving, and preserving" the City's existing supplies of low and moderate income housing available at affordable housing costs.

2. The Redevelopment Agency hereby authorizes and directs the Executive Director to allocate an amount not to exceed \$500,000 from the 20% Affordable Housing Set-Aside Fund in the Redevelopment Agency Fiscal Year 2005-2006 Operating Budget as a Program Improvement for the Benito Street Project. As a condition precedent to the transfer or expenditure of any funds so allocated, Agency and Project Proponents shall be required to enter into an appropriate agreement setting forth the terms and conditions associated with the use of such funds, including but not limited to 1) Confirmation that the Project Proponents have assumed all responsibility for relocation requirements associated with the Project; 2.) Project Proponents' commitment to carry out relocation efforts that meet or exceed relocation requirements imposed upon the Agency; 3) Project Proponents' agreement to indemnify and hold harmless the City and Redevelopment Agency from any and all liability associated with existing relocation requirements, 4) The requirement that any entity associated with the Benito Street Project, including the Soledad Housing Authority, fulfill any outstanding obligations to or extinguish existing debts with the Agency and/or City; and 5) In accordance with applicable federal, state and local requirements, recordation of a restriction that any unit for which agency funding is used must remain available to affordable households for a specific period of time.

3 Authorization of the aforesaid allocation shall become null and void in the event the Project does not receive required funding from other state and/or federal financing sources.

4 In taking this action, the Redevelopment Agency of the City of Soledad and the Soledad City Council jointly rescind Resolution No 2971/189 in its entirety

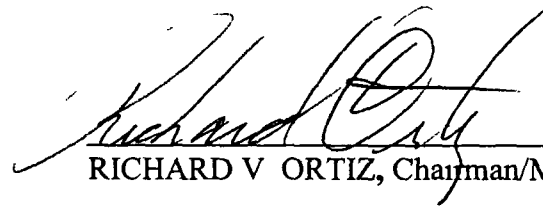
PASSED AND ADOPTED by the Soledad Redevelopment Agency and City Council this 28th day of September, 2005, by the following vote:

AYES, and in favor thereof, Agencymembers/Councilmembers Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem/Vice Chairman Juan Saavedra, Mayor/Chairman Richard Ortiz

NOES, Agencymembers/Councilmembers. None

ABSTAIN, Agencymembers/Councilmembers. None

ABSENT, Agencymembers/Councilmembers. None


RICHARD V ORTIZ, Chairman/Mayor

ATTEST


NOELIA F CHAPA, Agency/City Clerk