

RESOLUTION NO. 17-057

A RESOLUTION OF THE CITY OF CARSON MAKING CERTAIN FINDINGS AND APPROVING THE FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CARSON HOUSING AUTHORITY AND CARSON FIGUEROA AFFORDABLE HOUSING, LP RELATING TO THE DEVELOPMENT OF THE SOUTHWEST CORNER OF FIGUEROA AND CARSON STREET

WHEREAS, pursuant to Health & Safety Code Section 34176, the Carson Housing Authority (Authority) became the Housing Successor to manage the housing assets and obligations of the former Carson Redevelopment Agency (Agency); and

WHEREAS, the California Department of Finance has approved the transfer of the Low Mod Income Housing Asset Fund and other housing assets from the Agency to the Authority; and

WHEREAS, to effectuate the provisions of the Redevelopment Plan in regards to the creation of affordable housing for the Carson Consolidated Project Area, the Authority has acquired the real property located at southwest corner of Figueroa and Carson Street (Site) pursuant to a Disposition and Development Agreement (DDA) dated January 24, 2017 with Carson Figueroa Affordable Housing, LP, a California limited partnership (Developer) and which property will be transferred to Developer for the construction of a 51-unit affordable housing project as set forth in the DDA (Project); and

WHEREAS, the DDA provided that Developer was to demolish the existing structures on the Site as part of the Project and that Developer would be reimbursed for the demolition work by certain grant proceeds as part of the Project or, if the Project did not proceed due to a failure of conditions precedent, the Developer would be reimbursed by the Authority for the costs of the demolition work; and

WHEREAS, to avoid blight and protect the public health, safety, and welfare, it is necessary to perform the demolition work as soon as is practicable which is prior to the commencement of the Project; and

WHEREAS, Authority and Developer now desire to amend the DDA to provide that the Authority shall perform the demolition work on the Site (First Amendment) as soon as practicable and, if the Developer breaches the DDA, the Developer will be responsible to reimburse the Authority for the amount of the demolition work; and

WHEREAS, the First Amendment is subject to the requirements of Health & Safety Code Section 33433; and

WHEREAS, the purpose of the DDA as amended by the First Amendment is to implement the Authority's objective of improving and increasing the supply of affordable housing in the City of Carson; and

WHEREAS, Health & Safety Code Section 33433 requires that the Authority Board and the City Council of the City of Carson (City Council) approve the First Amendment, that certain findings be made and that the Summary Report and a copy of the First Amendment be made available for public inspection; and

WHEREAS, the Summary Report and the First Amendment were prepared and made available for public inspection as required by Section 33433; and

WHEREAS, on May 2, 2017, the Authority and the City Council conducted and concluded a duly noticed joint public hearing pursuant to Section 33433 to consider the First Amendment and the Summary Report; and

WHEREAS, all legal prerequisites to the adoption of this resolution have occurred.

NOW, THEREFORE, based on the evidence presented to the City Council, including the written staff report and oral testimony on this matter, and the 33433 Report, the City Council does hereby find, determine and resolve as follows:

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

Section 2. The First Amendment is consistent with the adopted Redevelopment Plan for the Carson Consolidated Project Area and the former Carson Redevelopment Agency's Implementation Plan adopted pursuant to California Health and Safety Code Section 33490.

Section 3. The facts set forth in the Summary Report prepared for the First Amendment are incorporated herein and are found to be true and correct.

Section 4. The First Amendment, a copy of which is available at the City Clerk's office, and by this reference incorporated herein, and the instruments referenced therein are hereby approved.

Section 5. The Mayor and/or City Manager and/or any other authorized officers are hereby authorized to take such actions, perform such deeds, and execute, acknowledge and deliver such instruments and documents as they deem necessary to effectuate the transactions contemplated by the DDA as modified by the First Amendment.

PASSED, APPROVED and ADOPTED this 2nd day of May, 2017.

Mayor Albert Robles

ATTEST:

City Clerk Donesia L. Gause, MMC

AS TO FORM:

City Attorney Sunny K. Soltani