

RESOLUTION NO. 2004-879

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF NOV 16 2004

BUDGET FOR SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY FOR 2005; RELATED FINDINGS, APPROVALS, DELEGATIONS, AND IMPLEMENTING AUTHORITIES; INCLUDING AUTHORITIES FOR HUD SUBMISSIONS, GRANTS AND FUND TRANSFERS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

Section 1. The proposed action does not constitute a project under the California Environmental Quality Act ("CEQA"), as provided in CEQA Guidelines Section 15378(b)(2), or a federal undertaking under the National Environmental Policy Act ("NEPA"). The budget includes the allocation of funds for activities; however, none of the activities within the budget are approved. Each such activity must have individual environmental review prior to consideration of any action in furtherance of such activity.

Section 2. The 2005 Operating Budget totaling \$173,109,944 and the 2005 Project Budget totaling \$48,982,703, all as further described in the "2005 Proposed Budget," a copy of which is on file with the Agency Clerk, are approved as the Budget of the Sacramento Housing and Redevelopment Agency ("SHRA") for the 2005 fiscal year, incorporating the budgets of the Redevelopment Agency of the City of Sacramento, the Redevelopment Agency of the County of Sacramento, the Housing Authority of the City of Sacramento and the Housing Authority of the County of Sacramento and contingent upon their respective approvals.

Section 3. A total of 325.43 SHRA positions (reflecting a decrease of 2.69 positions from the 2004 SHRA Budget), are approved subject to classification review by the Executive Director of SHRA ("Executive Director").

Section 4. The budgeted amount for any item in the SHRA Budget may be amended by majority vote of the governing body of each entity actually undertaking and funding the activity. Such an amendment to the SHRA Budget so enacted shall be deemed to have been approved by all of the entities originally establishing the budget without further action of the remaining entities.

Section 5. The Executive Director is authorized to submit the Annual Housing Operating Budgets and all supporting documents for 2005 to the United States Department of Housing and Urban Development ("HUD"), including all required amendments for utilities and other miscellaneous adjustments. Furthermore, the

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Executive Director is authorized to amend the 2005 SHRA Budget to reflect actual HUD approved expenditures and revenues for HUD funded programs and projects.

Section 6. The proposed expenditures under the 2005 Housing Operating Budgets are necessary in the efficient and economical operation of SHRA housing to serve low-income families.

Section 7. The housing financial plan set forth in the 2005 Housing Operating Budgets is reasonable in that:

- a. It indicates a source of funding adequate to cover all proposed expenditures.
- b. It does not provide for use of federal funding in excess of amounts payable under the provisions of the pertinent regulations.

Section 8. All proposed rental charges and expenditures contemplated by the 2005 Housing Operating Budgets shall be consistent with provisions of law and the Annual Contributions Contract.

Section 9. The Executive Director is authorized to submit applications to HUD for Capital Fund Plan funding. If such grants are awarded, the Executive Director is authorized to accept the grant or grants, execute all related documents and amend the budget accordingly. The Executive Director is directed to comply with all policies, procedures, and requirements prescribed by HUD as a condition of such grants. The Executive Director is authorized to submit the Comprehensive Plan or annual statement to HUD, after receiving public comments and resident review.

Section 10. The Executive Director is authorized to obtain flood insurance through the federal flood insurance program as required by HUD for SHRA properties and is authorized to purchase insurance for SHRA and enter into agreements with risk retention pools or other similar organizations, provided that insurance requirements, coverage and terms are commercially reasonable and provided that the cost does not exceed the approved budget.

Section 11. Subject to availability under the 2005 SHRA Budget of any required SHRA funds, the Executive Director is authorized to approve conversion of conventional dwelling units to non-dwelling use as long as the use is approved by HUD and consistent with adopted SHRA policy and governing board direction.

Section 12. The expenditure of tax increment funds for activities benefiting the homeless will benefit the Merged Downtown Redevelopment Project Area in that it will provide housing for a homeless population which remains in or frequents the Merged Downtown Redevelopment Project Area and is perceived as a blighting influence by business owners, property owners, workers and residents, and, as a result, impedes redevelopment of the Merged Downtown Redevelopment Project Area.

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Section 13. The Executive Director is authorized and directed to approve, submit, and implement the Comprehensive SHRA Annual Plans, future Comprehensive 5-Year Plans, attachments, and/or amendments to comply with the Quality Housing and Responsibility Act of 1998.

Section 14. The Executive Director is authorized to submit to HUD the one year action plan for Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for People With AIDS (HOPWA). If such grants are awarded, the Executive Director is authorized to accept the grant or grants, execute all related documents and amend the budget accordingly. The Executive Director is directed to comply with all policies, procedures, and requirements prescribed as a condition of such grants. The Executive Director is authorized to amend by the amount of the difference the Capital Reserve Project in the event that the actual entitlement exceeds, or is less than, that estimated in the budget.

Section 15. The Executive Director is authorized to submit grant applications for any and all activities within the jurisdiction of SHRA. If such grants are awarded, the Executive Director is authorized to accept the grant or grants (provided that the activities are fully funded by the grant or within the SHRA Budget), execute all related documents and amend the budget. The Executive Director is directed to comply with all policies, procedures, and requirements prescribed as a condition of such grants. Such budget expenditure amendments are permitted for positions, services and supplies, equipment and projects; and include but are not limited to the following:

| | |
|---|-----------------|
| HUD Brownsfield Economic Development Initiative | \$ 1,000,000.00 |
| DOL Workforce Grant | \$ 100,000.00 |
| HCD Exterior Accessibility Grants for Renters Program | \$ 500,000.00 |

Section 16. The Executive Director is authorized to enter into necessary contracts with HUD and state granting agencies for homeless programs transferred to the County but for which SHRA was the designated recipient or contracting agency. The Executive Director is authorized to accept such grants and to transfer program responsibility to the County pursuant to governing board approvals, subject to County acceptance of such transfer.

Section 17. During 2004, tax increment funds from the Merged Downtown Redevelopment Project Area have contributed to programs and activities of other areas and departments which benefit the Downtown Project Area. Subject to the limitations of the funding sources, the Executive Director is authorized to reimburse the Merged Downtown Project Area for funds advanced to other programs as monies become available from the close of the 2004 fiscal year.

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Section 18. On an annual basis, HUD requires SHRA to conduct a physical inventory, analyze receivables for collectability and accordingly, reconcile and adjust related financial records; the Executive Director is authorized to amend the budget and financial records as needed for such adjustments.

Section 19. The Executive Director is authorized to make transfers of fund balances to accommodate reserve requirements. The Executive Director may allocate and transfer any available fund balances to accounts held for future projects or reduce budget shortfalls in any other fund balances, provided monies so used are not otherwise restricted by law or regulations related to the funding source.

Section 20. The SHRA Budget is controlled at the fund group level. Except as provided in this resolution, no expenditure will exceed the approved budget.

Section 21. The Executive Director is authorized to amend the SHRA Budget to appropriate for expenditure all revenues received in SHRA revolving funds.

Section 22. The Executive Director is authorized to increase or decrease operating budget appropriations up to \$100,000. Operating budget appropriation increases and decreases in excess of \$100,000 must be approved by the appropriate governing board.

Section 23. The Executive Director is authorized to transfer appropriations up to \$100,000 per transaction in operating budgets and contingency reserves.

Section 24. All project appropriations in existence as of December 31, 2004 will be carried over and continued in 2005.

Section 25. All multi-year operating grant budgets in existence as of December 31, 2004 shall be continued in 2005.

Section 26. The Executive Director is authorized to increase or decrease project budget appropriations by not more than \$100,000 for each project or activity.

Section 27. The Executive Director is authorized to transfer project appropriations among fund groups (such as among funds within a redevelopment project area).

Section 28. All encumbrances for valid purchase orders and contracts in effect as of December 31, 2004 may remain in effect in 2005. The Executive Director is authorized to increase the SHRA Budget for valid encumbrances as of December 31, 2004, but only to the extent that the applicable division's 2004 operating budget appropriations exceeded 2004 expenditures.

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Section 29. The Executive Director is authorized to amend the SHRA Budget to reflect all required debt service payments, loan repayments, and other existing obligations based on actual higher tax increment revenues.

Section 30. The Executive Director is authorized to transfer funding of approved capital projects within the respective project area funds in compliance with approvals, bond covenants, tax laws and applicable redevelopment laws and regulations.

Section 31. The Executive Director is authorized to execute internal administrative loans and reconcile available revenues as needed for redevelopment purposes to assure receipt of anticipated redevelopment area tax increment revenues.

Section 32. The proposed planning and administrative expenses for the redevelopment low and moderate income funds are necessary for the production, improvement and/or preservation of low and moderate income housing during the 2005 SHRA Budget year.

Section 33. The Executive Director is authorized to implement internal loans between SHRA managed funds as reflected in the SHRA Budget and as consistent with bond covenants, tax laws and applicable redevelopment laws and regulations.

Section 34. The Executive Director is authorized to exercise default remedies and take other actions to protect SHRA assets under contracts, loans, disposition and development agreements, owner participation agreements, and other SHRA agreements and to appropriate the associated revenues in the SHRA Budget. The Executive Director is authorized to enter into "loan work outs", to the extent reasonably necessary to protect SHRA assets, and in entering such "work outs", the Executive Director is authorized to rewrite the terms of the loan as if the loan were made according to current loan program underwriting criteria (including forgiveness of principal as necessary to reflect underwriting the loan at current fair market value of the subject property).

Section 35. The Executive Director is authorized to delegate authority to the County Department of Human Assistance to administer Emergency Shelter Grants (ESG) and Housing Opportunities for Persons With AIDS (HOPWA) programs and expend funds and to execute contracts with the appropriate entities to carry out the activities contained within the terms of the Action Plan utilizing ESG and HOPWA funds, strictly in accordance with the terms of the Action Plan and funding source requirements.

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Section 36. The Executive Director is authorized to incorporate the changes listed on Exhibit A as part of the 2005 Budget.

Section 37. If any entity requires a separate resolution for any action approved within this resolution other than resolutions for approval or amendment of projects, programs or the SHRA Budget, the Sacramento Housing and Redevelopment Commission is delegated the authority to approve and deliver such resolution.

Section 38. This resolution shall take effect immediately.

SANDY SHEEDY

VICE-MAYOR

ATTEST:

SHIRLEY CONCOLINO

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SUMMARY OF CHANGES TO SACRAMENTO HOUSING
AND REDEVELOPMENT AGENCY PROPOSED 2005 BUDGET

| | |
|--|------------------|
| Proposed 2005 Total Operating Budget | \$173,109,944.00 |
| Revised Proposed 2005 Total Operating Budget | \$0 |
| Proposed 2005 New Projects | \$ 48,982,703.00 |
| Revised Proposed 2005 New Projects | \$0 |
| TOTAL SHRA BUDGET | \$222,092,647.00 |

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