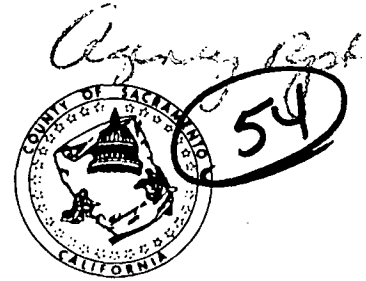




**SACRAMENTO  
HOUSING AND REDEVELOPMENT  
AGENCY**



Date June 27, 1989

Housing Authority of the  
City of Sacramento  
Sacramento, California



Honorable Members in Session:

**SUBJECT:** Amendment No. 35 to the Annual Contributions  
Contract (ACC) No. SF 391, Projects No.  
CA30-P005-027 in the amount of \$2,968,320.00.

**SUMMARY**

Attached is a resolution (1) authorizing the execution of Amendment No. 35 to the Annual Contributions Contract No. SF 391 pertaining to the Site Acquisition and Development of forty-eight (48) new public housing units in the City of Sacramento, and (2) amending the 1989 Sacramento Housing and Redevelopment Agency budget to include \$2,968,360.00 of Department of Housing and Urban Development funds, to be distributed within the 1989/1990 budget.

**BACKGROUND**

On April 7, 1987, in response to a Department of Housing and Urban Development (DHUD) Notice of Funding Availability (NOFA), the Housing Authority of the City of Sacramento approved the submittal of an application for forty-eight (48) new construction, family, public housing units. The application proposed small complexes on scattered sites and specified that these units would be outside areas of minority concentration and in areas that contain little or no federally subsidized housing and consistent with the City of Sacramento Housing Element and Fair Share Housing Allocation Plan.

On September 16, 1987, DHUD in response to the application issued a program reservation (CA30-P005-027), which consisted of a total of forty-eight (48) family units in the City (thirty-eight row units and ten walk-up units).

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All Districts



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On November 24, 1987, per Resolution 87-027 the Housing Authority accepted the reservation, authorized the Executive Director to submit the necessary materials to complete the application, directed the Executive Director to seek sites in accord with the Fair Share Plan, authorized the Executive Director to prepare an application to HUD for an advance against future Community Development Block Grant (CDBG) funds which, along with an allocation of Tax Increment Funds is of sufficient size to fund the anticipated local share of construction of these units and authorized the Executive Director to submit a loan application to HUD for funding preliminary planning activities.

In November you authorized execution of an Architectural Contract and Architectural Services for these new units with Niiya Architects/Cynthia Easton Architect, a Joint Venture.

Subsequently, Amendment No. 35 to Annual Contributions Contract No. SF-391 was received from DHUD on November 28, 1988 for Reservations CA30-005-027 and is ready for execution.

Funding received from the execution of this amendment will be combined with the approved local contribution to construct the following tentative new housing sites:

- 10 Units, 425 West Silver Eagle Road
- 24 Units, Fairgrounds Drive
- 14 Units, Connie Drive

**FINANCIAL DATA**

The estimated total development cost is expected to be approximately \$3,680,472. Of this, \$2,968,320 will be funded by DHUD. The remaining \$712,152 has been approved from a Section 108 (CDBG) loan.

The forty-eight (48) units will generate approximately \$29,500 in annual operating subsidies to the Housing Authority. Residents will be very low income, large families who will pay no more than 30% of their adjusted gross income for rent.

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Architectural fees are 5.24% of the total budget which is within DHUD established allowances and schedules. Amendment No. 35 to the Annual Contribution Contract No. SF-391 provides a Development Cost of \$2,968,360 (\$61,840 per unit).

## ENVIRONMENTAL IMPACT

Full environmental review was conducted on all projects under both NEPA and CEQA regulations during site acquisition. Subsequent actions to implement the projects are covered by this analysis unless significant new information or change in project design requires further review.

NEPA: Finding of No Significant Impact (FONSI), published 12/27/88.

CEQA: Negative Declaration, Control #88-SHA-0714, supported by Environmental Assessments (FONSI). The negative declaration will be noticed and reviewed by the City Council at such time as a specific project is approved.

## POLICY IMPLICATIONS

The actions proposed in this staff report are consistent with previously approved policy and there are no policy changes being recommended.

## VOTE AND RECOMMENDATION OF COMMISSION

At its regular meeting of June 19, 1989. The Sacramento Housing and Redevelopment Commission adopted a motion recommending adoption of the attached resolution. The votes were as follows:

AYE: Moose, Simon, Simpson, Strong, Wooley, Yew, Wiggins

NOES: None

NOT PRESENT TO VOTE: Sheldon

ABSENT: Amundson, Pernel

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# SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

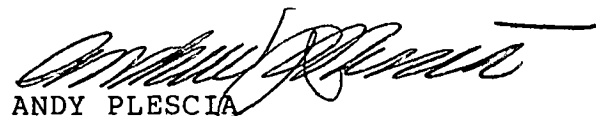
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## RECOMMENDATION

The staff recommends that you adopt the attached resolution which (1) authorizes the execution of Amendment No. 35 to the Annual Contributions Contract No. SF-391 pertaining to the Site Development of forty-eight (48) new public housing units in the City of Sacramento, Program Reservation Nos. CA30-P005-027, and (2) amends the 1989 Agency budget to include \$2,968,360 of DHUD funds for the project identified as CA 30-P005-027. The aforementioned funds are to be distributed within the 1989/1990 budget.

Respectfully submitted,



ANDY PLESCIA  
Acting Executive Director

TRANSMITTAL TO COUNCIL:



WALTER J. SLUPE  
City Manager

Contact Person: Kevin Odell 440-1380

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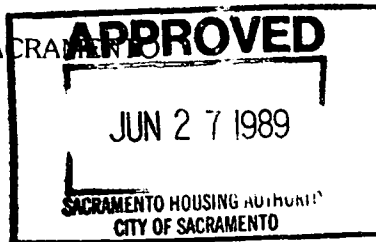
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# RESOLUTION NO. 89-022

ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO



ON DATE OF \_\_\_\_\_

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 35  
 TO ANNUAL CONTRIBUTIONS CONTRACT NO. SF-391; PROVIDING  
 FOR THE DEPOSIT OF MONIES UNDER A GENERAL DEPOSITORY AGREEMENT,  
 AND THE ISSUANCE OF PROJECT LOAN NOTES AND PERMANENT NOTES

WHEREAS the Housing Authority of the City of Sacramento (herein called the "Local Authority") proposes (1) to enter into an amendment to the existing Annual Contributions Contract (herein called the "Amendment") with the United States of America (herein called the "Government"), (2) to provide for the deposit of monies pursuant to the General DEPOSITORY Agreement, and (3) to authorize the issuance of its notes as evidence of advances to be made to the Local Authority pursuant to the Contract, as amended; all with respect to any "Project" as defined in the Contract, as amended, and which at any time now or hereafter is incorporated under the terms of such Contract, as amended, now, therefore

BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO:

Section 1: The Amendment to the Annual Contributions Contract is hereby approved and accepted and the Chair and Vice Chair is hereby authorized and directed to execute three counterparts of the Amendment on behalf of the Local Authority, and the Secretary is hereby authorized to impress and attest the official seal of the Local Authority on each such counterpart and to forward such executed counterparts, or any of them, to the Government together with such other documents evidencing the approval and authorizing the execution thereof as may be required by the Government.

Section 2: The first Interstate Bank and the Local Authority have previously entered into a General DEPOSITORY agreement, from HUD-51999A dated June 23, 1983, which provides for the deposit of specified monies of "...one or more additional low-rent housing projects...". The Local authority hereby determines that pursuant to the terms of the Agreement of the aforementioned Bank shall be the DEPOSITORY for the project established under this Amendment.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Section 3: The Secretary is hereby authorized to file with the Government from time to time, as monies are required, requisitions together with the necessary supporting documents, requesting advances to be made on account of the loan provided in the Contract, as amended, and the proper officers of the Local Authority shall prepare, execute and deliver to the Government Notes hereinafter authorized and shall accept payment therefor from the Government in cash and/or exchange for other Notes of the Local Authority, and such persons are authorized to do and perform all other things and acts required to be one or performed in order to obtain such advances. Cash proceeds from the sale of all Notes shall be deposited and disbursed only in accordance with the provisions of the Contract, as amended.

Section 4: (A) In order to provide monies to finance the Development Cost of each Project and to refund, renew, extend or substitute for any Project Loan Notes (in the Contract called "Advance Notes") or Permanent Notes by this Resolution authorized to be issued (or any such Notes by any other resolution authorized to be issued and which are outstanding, or on deposit for delivery pending payment therefor, as of the date this Resolution becomes effective, or for any Project Notes (in the Contract called "Temporary Notes") issued by the Local Authority in anticipation of the delivery of Project Loan or Permanent Notes, there are hereby authorized to be issued, from time to time, Project Loan and Permanent Notes of the Local Authority in an aggregate principal amount outstanding at any one time (whether authorized by this Resolution or any other resolution authorizing the issuance of Project Loan or Permanent Notes) equal to the Maximum Development Cost (or the Actual development Cost if such amount has been determined) of each Project, less the sum of (1) the principal amount of Bonds issued to finance such Development Cost, and (2) the principal amount of Project Loan, Permanent, or Project Notes issued to finance such Development Cost and which has then been retired from funds other than the proceeds of any loan obtained by the Local Authority.

(B) Each such Note shall bear interest an be payable in the form and manner prescribed by the Contract and this Resolution; shall be signed in the name of the Local Authority by the Chair or Acting Chair; shall have the official seal of the Local Authority impressed thereon and attested by the Secretary. Each Project Loan Note shall be in substantially the form of Form No. HUD-9204 and each Permanent Note shall be in substantially the form of Form No. HUD-52250, each of which form is incorporated herein by reference and made a part hereof. Project Loan Notes and Permanent Notes shall be issued to finance the Development Cost of Non-Permanently Financed Projects and Permanently Financed Projects, respectively.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

(C) Each Note issued with respect to any Project shall be a direct and general obligation of the Local Authority, the full faith and credit of which is hereby pledged for the punctual payment of the principal of and interest on such Notes, and together with all other Notes issued pursuant to this Resolution, shall be additionally secured by (1) a first pledge of the annual contributions payable to the Local Authority and authorized to be pledged to such payment pursuant to the Contract, and (2) by a pledge of an lien on the Residual Receipts of such Project after providing for the payment of Bonds issued in respect to such Project.

(D) As additional security for the equal and rateable payment of the principal or and interest on each Note issued with respect to any Project, together with each other Note issued with respect to such Project, the Local Authority, to the fullest extent permitted by the Laws of the state, hereby pledges, mortgages, conveys and grants unto the Government all property described in the Contract constituting such Project including that certain real property relating to each such Project and more particularly described in the trust instrument or any amendment thereto as executed and recorded by the Local Authority pursuant to the Contract; Provided, that in respect to Permanently Financed Projects the lien of such pledge and mortgage and rights granted and conveyed pursuant to this paragraph shall (1) be junior to the Bonds and junior to the pledge of Residual Receipts securing the Bonds, and (2) not be foreclosable until all Bonds shall have been paid and discharged in the manner provided in the bond Resolutions. If the preceding sentence shall be adjudged by a court of competent jurisdiction to be invalid or ineffective it is the intention of the Local Authority to be fully obligated under the other provisions of this Resolution and that such judgment shall not impair or invalidate the obligation of the Local authority to pay the principal of and interest on each Note from other funds of the Local Authority as herein provided.

Section 5: Whenever the following terms, or any of them are used in this Resolution, the same, unless the context shall indicate another or different meaning or intent, shall be construed, and are intended to have meanings as follows:

- (1) The term "Resolution" shall mean this Resolution.
- (2) All other terms used in this Resolution and which are defined in the Contract shall have the respective ascribed thereto in the Contract.

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Section 6: All resolutions or parts of resolutions heretofore adopted by the Local Authority which authorize the issuance and/or delivery of Advance, Project Loan or Permanent Notes pursuant to the Contract are hereby repealed; Provided, however, that such repeal shall in no way affect the validity of Advance, Project Loan or Permanent Notes issued pursuant to said resolutions which are outstanding or on deposit for delivery pending payment therefore on the date this Resolution becomes effective; Provided further, that the Project Loan Notes authorized by this Resolution shall be exchanged for any Advance Notes heretofore issued pursuant to any previous resolution.

Section 7: This Resolution shall take effect immediately.

Section 8: The Sacramento Housing and Redevelopment Agency Budget is hereby amended to include \$2,968,320.00 of HUD-Approved funding under the Program Reservation Nos. CA30-P005-027 (48 units of Public Housing in the City of Sacramento).

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
ASSISTANT SECRETARY

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

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