

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, APPROVING (1) THE TRANSFER AND ACCEPTANCE OF CERTAIN HOUSING ASSETS RELATED TO REAL PROPERTY FROM THE SUCCESSOR AGENCY TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION PURSUANT TO THE PROVISIONS OF THE DISSOLUTION LAW; (2) THE AUTHORITY OF THE CITY MANAGER OF THE CITY OF PASADENA TO ADMINISTRATIVELY EXECUTE AGREEMENTS AS DETERMINED NECESSARY TO EFFECTUATE SAID DISPOSITION OF THE HOUSING ASSETS; AND (3) RELATED ACTIONS.

WHEREAS, Assembly Bill No. X1 26 (2011-2012 1st Ex. Sess.) ("**AB 26**") was signed by the Governor of California on June 28, 2011, making certain changes to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "**Redevelopment Law**") and to the California Health and Safety Code ("**H&S Code**") including adding Part 1.8 (commencing with Section 34161) ("**Part 1.8**") and Part 1.85 (commencing with Section 34170) ("**Part 1.85**") to Division 24 of the H&S Code; and

WHEREAS, pursuant to AB 26, as modified by the California Supreme Court on December 29, 2011 by its decision in California Redevelopment Association v. Matosantos, all California redevelopment agencies, including the Pasadena Community Development Commission (the "**Former PCDC**"), were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal affairs of the former redevelopment agencies; and

WHEREAS, the City Council of the City of Pasadena adopted **Resolution No. 9180 on February 6, 2012**, pursuant to Part 1.85 of AB 26, accepting for the City of Pasadena (the "**City**") the role of successor agency to the Former PCDC (the "**Successor Agency**"); and

WHEREAS, AB 26 has since been amended by various assembly and senate bills enacted by the California Legislature and signed by the Governor (AB 26 as amended is hereinafter referred to as the "**Dissolution Law**"); and

WHEREAS, the City Council of the City adopted **Resolution No. 9263 on February 11, 2013**, pursuant to the Dissolution Law, accepting for the City the role of housing successor (the "**Housing Successor**") and assuming the housing assets and functions of the Former PCDC.

WHEREAS, on **February 6, 2012**, the Board of Directors of the Successor Agency adopted **Resolution No. 1** naming itself the "Successor Agency to the Pasadena Community Development Commission", the sole name by which it will exercise its powers and fulfill its duties pursuant to Part 1.85 of the Dissolution Law and establishing itself as a separate legal entity with rules and regulations that will apply to the governance and operations of the Successor Agency; and

WHEREAS, pursuant to the Dissolution Law, each successor agency shall have an oversight board with fiduciary responsibilities to holders of enforceable obligations and to the taxing entities that benefit from distributions of property taxes and other revenues pursuant to H&S Code Section 34188 of the Dissolution Law; and

WHEREAS, the oversight board has been established for the Successor Agency (hereinafter referred to as the "**Oversight Board**") and all 7 members have been

appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties and responsibilities of the Oversight Board are primarily set forth in H&S Sections 34179 through 34181 of the Dissolution Law; and

WHEREAS, pursuant to Section 34176(a)(1) of the Dissolution Law, if a city that authorized the creation of a redevelopment agency elects to serve as a housing successor for that redevelopment agency, then all rights, powers, duties, obligations, and housing assets shall be transferred to the city as housing successor. The term housing asset is defined in Section 34176(e) of the Dissolution Law and includes, in part, loan documents that were acquired for low- and moderate-income housing purposes with any source of funds, any funds derived from rents or operation of properties acquired for low- and moderate-income housing purposes by other parties that were financed with any source of funds including proceeds from refinancing, and other payments from housing tenants or operators of low- and moderate-income housing financed with any source of funds that are used to maintain, operate, and enforce the affordability of housing or for enforceable obligations associated with low- and moderate-income housing; and

WHEREAS, the Former PCDC, as predecessor-in-interest to the Successor Agency entered into loan agreements and related documents (as amended from time to time, collectively the "**Multifamily Rental Project Loan Documents**") with owners of certain parcels of real property to assist the rehabilitation or development of affordable multifamily rental housing. The subject properties relating to the Multifamily Rental Project Loan Documents are listed on Attachment No. 1 to this Resolution, attached hereto and incorporated herein by this reference; and

WHEREAS, the Former PCDC, as predecessor-in-interest to the Successor Agency also entered into loan agreements and related documents (as amended from time to time, collectively the "**Homebuyer Assistance Loan Documents**") with owners of certain parcels of real property to assist the purchase of single-family residences for homeownership. The subject properties relating to the Homebuyer Assistance Loan Documents are listed on Attachment No. 2 to this Resolution, attached hereto and incorporated herein by this reference; and

WHEREAS, the Former PCDC, as predecessor-in-interest to the Successor Agency also entered into loans agreements and related documents, including loan documents obtained and assumed through bankruptcy proceedings on Pasadena Neighborhood Housing Services, Inc. loans (as amended from time to time, collectively, the "**Homeowner Rehabilitation Loan Documents**") with owners of certain parcels of real property to assist the rehabilitation of owner-occupied single-family residences. The subject properties relating to the Homeowner Rehabilitation Loan Documents are listed on Attachment No. 3 to this Resolution, attached hereto and incorporated herein by this reference; and

WHEREAS, the Multifamily Rental Project Loan Documents, the Homebuyer Assistance Loan Documents, and the Homeowner Rehabilitation Loan Documents (collectively, the "**Housing Assets**") qualify as housing assets under Section 34176(e) of the Dissolution Law; and

WHEREAS the Successor Agency desires to transfer the Successor Agency's interest under the Housing Assets for no monetary compensation to the Housing Successor

through appropriate transfer documents to be executed administratively as determined necessary by the City Manager; and

WHEREAS, the activity proposed for approval by this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq., hereafter the “Guidelines”), and the City’s environmental evaluation procedures. The activity proposed for approval by this Resolution is not a “project” for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines; and

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

NOW, THEREFORE, the City Council of the City of Pasadena, DOES HEREBY RESOLVE as follows:

SECTION 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The City Council has received and heard all oral and written objections to the Housing Successor’s proposed acceptance of the Housing Assets from the Successor Agency for no monetary compensation, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

SECTION 3. The City Council hereby approves the transfer and acceptance of the Housing Assets from the Successor Agency to the Housing Successor for no monetary compensation, pursuant to the Dissolution Law.

SECTION 4. The City Council hereby authorizes and directs the City Manager or designee to prepare and to execute administratively documents necessary to effectuate the Successor Agency's disposition of the Housing Assets to the Housing Successor.

SECTION 5. The City Council hereby authorizes and directs the City Manager or designee, (i) to take all actions to prepare and to execute any and all documents, instruments, and agreements necessary or desirable on behalf of the Housing Successor, as approved by the City Manager and the City Attorney, including, without limitation, any necessary ratifications of past repayments received by or deposits made by the Housing Successor related to the Housing Assets, in order to implement and effectuate the transfer and acceptance of the Housing Assets from the Successor Agency to the Housing Successor, and to effectuate all other actions approved by this Resolution, including, without limitation, preparing and approving changes, implementations, or revisions to documents, instruments, and agreements as determined necessary by the City Manager, or designee; and (ii) to administer the Housing Successor's obligations, responsibilities, and duties to be performed pursuant to this Resolution and all documents, instruments, and agreements required by and for the transfer and acceptance of the Housing Assets from the Successor Agency.

SECTION 6. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Housing Successor declares that the City Council would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 7. The adoption of this Resolution is not intended to and shall not constitute a waiver by the Housing Successor of any constitutional, legal or equitable rights that the Housing Successor may have to challenge, through any administrative or judicial proceedings, the effectiveness and/or legality of all or any portion of the Dissolution Law, any determinations rendered or actions or omissions to act by any public agency or government entity or division in the implementation of the Dissolution Law, and any and all related legal and factual issues, and the Housing Successor expressly reserves any and all rights, privileges, and defenses available under law and equity.

SECTION 8. The Housing Successor hereby determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity approved by this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines.

SECTION 9. This Resolution shall take effect upon the date of its adoption.

APPROVED AND ADOPTED, this ____ day of _____, 2018.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

APPROVED AS TO FORM:

Mark Jomsky, City Clerk



Brad L. Fuller, Assistant City Attorney

Attachment No. 1
List of real properties (7 total) relating to **Multifamily Rental Project Loan Documents**

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ATTACHMENT NO. 1 - MULTIFAMILY RENTAL PROJECT LOANS

Loan Number	Property Address	Assessors Parcel Number	Housing Fund
2000000008	1525 N.El Sereno Ave.	5728-014-006	HOME
2000000005	505 N. Marengo Ave.	5725-015-025	HOME
3000000008	1141 N. Fair Oaks Ave.	5728-023-026	HOME
2000000018	1516 N. Navarro St.	5728-014-024	HOME
2000000021	1888 N. Fair Oaks Ave.	5836-028-021	HOME
2000000004	131 E. Washington Blvd.	5729-006-020	HOME
2000000019	2089 E. Villa St.	5745-006-020	HOME
7 LOANS			

Attachment No. 2
List of real properties (34 total) relating to **Homebuyer Assistance Loan Documents**

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ATTACHMENT NO. 2 - HOMEBUYER ASSISTANCE LOANS

Loan Number	Property Address	Assessors Parcel Number	Housing Fund
100000036	522 Summit Ave, #2	5725-015-041	Redevelopment
100000043	153 Backus Ave	5755-005-013	HOME
100000068	1777 N Garfield Ave	5837-022-020	HOME
100000073	519 Toolen Pl	5825-009-040	HOME
100000102	609 E Mountain St	5730-010-023	HOME
100000130	1197 N El Molino Ave	5730-005-015	HOME
100000151	1523 El Sereno Ave	5728-014-007	HOME
100000153	1661 N Raymond Ave	5836-025-023	HOME
100000154	141 N Parkwood Ave, #3	5746-017-080	HOME
100000165	1167 Lincoln Ave	5727-005-010	HOME
100000169	1052 Seco St, #105	5711-001-052	HOME
100000175	1657 N Navarro Ave	5836-007-014	HOME
100000176	360 S Euclid Ave, #129	5722-033-085	HOME
100000183	760 Elmira St, #3	5731-010-042	HOME
100000190	1883 Belmont Ave	5825-012-007	HOME
100000198	1802 Lincoln Ave / 388 Idaho St	5825-015-700	HOME
100000199	1808 N Lincoln Ave	5825-015-043	HOME
100000208	64 N Mar Vista Ave, #211	5738-013-119	Inclusionary
100000209	64 N Mar Vista Ave, #121	5738-013-088	Inclusionary
100000214	1115 Cordova St, #102	5735-015-028	Inclusionary
100000217	64 N Mar Vista Ave, #138	5738-013-104	Inclusionary
100000218	64 N Mar Vista Ave, #101	5738-013-070	Inclusionary
100000220	64 N Mar Vista Ave, #110	5738-013-079	Inclusionary
100000224	260 Bella Vista Ave	5750-032-005	Inclusionary
100000226	302 E Montana St	5837-020-021	Fund 238
100000227	385 Cliff Dr, #6	5757-020-106	HOME
100000228	385 Cliff Dr, #6	5757-020-106	Fund 238
100000231	2396 Mohawk St, #4	5747-002-145	Inclusionary
100000232	1701 N Fair Oaks Ave, #101	5836-023-027	HOME
100000235	65 N Allen Ave, #121	5737-013-086	Inclusionary
100000236	651 N Chester Ave	5739-011-004	HOME
100000238	30 E Peoria St	5725-005-044	HOME
100000273	1028 Elm Ln	5728-004-054	Redevelopment
100000274	1020 Elm Ln	5728-004-055	Redevelopment
34 LOANS			

Attachment No. 3

List of real properties (6 total) relating to **Homeowner Rehabilitation Loan Documents**

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ATTACHMENT NO. 3 - HOMEOWNER REHABILITATION LOANS

Loan Number	Property Address	Assessors Parcel Number	Housing Fund
EG-10801000009675	930 N El Molino Ave, 91103	5730-023-018	HOME
EG-10801000009661	1654 Forest Ave, 91103	5702-009-029	HOME
EG-10801000009634	1771 Sierra Bonita Ave	5850-004-015	HOME
4000000001	1196 N Catalina Ave, 91104	5740-010-003	HOME
4000000003	1921 Navarro Ave, 91103	5836-004-004	HOME
4000000004	1241 Sunset Ave, 91103	5728-017-055	HOME
6 LOANS			