



## Legislation Text

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**File #:** 19-695, **Version:** 1

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Resolution approving Second Modification to Regulatory Agreement and Declaration of Restrictive Covenants, and Second Modification of Deed of Trust and Assignment of Rents for the 1999 Willow Gardens Neighborhood Rehabilitation Project; and authorizing the City Manager to execute said documents.

WHEREAS, in January 1999, the former Redevelopment Agency of the City of South San Francisco ("former RDA") provided financing and entered into a loan agreement with Willow Gardens Housing Associates, a California limited partnership affiliated with Mid-Peninsula Housing Coalition (the "Developer") in the amount of \$3.5 million ("RDA Loan") to acquire and rehabilitate affordable housing units in the Willow Gardens Neighborhood (the "Project"); and

WHEREAS, the City and Developer also applied for County (HOME Investment Partnerships Program) and federal (Community Development Block Grant (CDBG)/Section 108) funding to offset the costs of the Project; and

WHEREAS, between 1999 and 2005, the Developer acquired nine (9) properties, seven (7) solely with the RDA Loan funds and an additional bridge loan provided by the RDA and two (2) were acquired with developers' in-lieu housing contributions; and

WHEREAS, with the approval of these proposed modifications, the language of the agreements will reflect that all of the properties are restricted as intended and ensure that their use is restricted to low-income housing by way of the applicable RDA regulatory agreement; and

WHEREAS, City staff and the Developer intend to update the applicable financial documents to reflect the existing loan encumbrances and affordability restrictions on all nine (9) properties and to fully secure all funding against the properties; and

WHEREAS, after the proposed modifications, the RDA regulatory agreement and the Deed of Trust will include seven (7) of the nine (9) properties, the remaining two (2) properties are already fully restricted pursuant to a separate RDA regulatory agreement and Deed of Trust; and

WHEREAS, in an effort to update and ensure consistency in the agreements and to reflect current conditions, City staff has worked with the Developer to update the relevant documents where appropriate.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of South San Francisco that the City Council hereby approve the following documents:

1. Second Modification to the RDA Regulatory Agreement, attached hereto as Exhibit A, to include sites 383 Susie Way (APN 011-270-170-1) and 364 Susie Way (APN 011-270-300), as identified on the

Willow Gardens Site Map, attached hereto as Exhibit C.

2. Second Modification to the RDA Deed of Trust, attached hereto as Exhibit B, to include sites 383 Susie Way (APN 011-270-170-1) and 364 Susie Way (APN 011-270-300), as identified on the Willow Gardens Site Map, attached hereto as Exhibit C.

BE IT FURTHER RESOLVED, by the City Council of the City of South San Francisco that the City Council hereby authorizes the City Manager or his designee to execute the documents attached hereto, subject as to approval as to form by the City Attorney, and to take such other actions reasonably necessary to carry out the intent of this Resolution

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