



SAN DIEGO HOUSING COMMISSION

AGENDA

AGENDA 377

SAN DIEGO HOUSING COMMISSION
AGENDA FOR THE REGULAR MEETING
FEBRUARY 3, 1997
9:00 A.M.
CITY ADMINISTRATION BUILDING
202 C STREET, 12TH FLOOR
SAN DIEGO, CALIFORNIA

ITEMS

- 10 CALL TO ORDER
(Akili, Arthur, Dick, Macias, Oxberry, Tumminia, and Nottley)

CLOSED SESSION

It is anticipated that the San Diego Housing Commission will meet at 9:00 a.m. on Monday, February 3, 1997 in Closed Session to discuss Item I(a) as indicated on the following agenda. It is further anticipated that the San Diego Housing Commission will reconvene in Closed Session following the adjournment of the Open Session on Monday, February 3, 1997 to discuss the remaining items on the Closed Session agenda.

- I. Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(a):
- a. Beal Bank, S.S.B., a Texas banking corporation vs. Palm Vista Apartments, a California limited partnership; Daniel H. Appel, general partner; and Does 1 through 100 inclusive
San Diego Superior Court Case No. 702683
 - b. Eastrich Multiple Investor Fund, L.P., a Delaware limited partnership vs. Westwood- Walsh Partnership, a California general partnership; Westwood Villas Development, a California limited partnership; John B. Walsh; Resolution Trust Corporation as Conservator or Receiver for Heartland Savings and Loan Association, a California corporation; San Diego Housing

Commission, a public agency; Thomas F. Carter; Max A. Stewart; David Arris and Janet Arris, husband and wife; Billy Ray Kreder; Robert McCabe and Pauline McCabe, husband and wife; Robert Rehm and Ethel Rehm, husband and wife; Walsh-Westwood No. 1 Ltd., a California limited partnership; Trabajadores De La Raza, Inc., a California public benefit corporation; and Does 3-30 inclusive
San Diego Superior Court Case No. 676248

c. San Diego Housing Commission; a public agency vs. Sinh Pham, an individual; Nhan Thi Nguyen, an individual; My Tan Nguyen, an individual
San Diego Superior Court Case No. 699783

d. Joe Rino v. San Diego Housing Commission
San Diego Superior Court Case No. 688881

e. San Diego Housing Commission v. 2106 K Street, Venture, a general partnership, et al.
San Diego Superior Court Case No. 707519

II. Conference with Legal Counsel - anticipated litigation. Initiation of litigation pursuant to California Government Code Section 54956.9(c):

1. One (1) matter

III. Conference with Real Property Negotiator - Pursuant to California Government Code Section 54954.5(B):

Property: 1504 Oro Vista Road
San Diego, CA 92154
A.P.N. 634-070-58

Negotiating Parties: Elizabeth Morris, and Dave Schuh for the San Diego Housing Commission; Cobalt Properties, Inc., Owner of option to acquire property.

Under Negotiation: Price and Terms

IV. Conference with Real Property Negotiator - Pursuant to California Government Code Section 54954.5(B):

Property: 1551 Saturn Boulevard
San Diego, CA 92154
A.P.N. 634-091-10 & 15

Negotiating Parties: Elizabeth Morris and Wendy DeWitt for the San Diego Housing Commission; Henry Meyer, general partner of the ownership entity Lancaster Associates, Inc.

Under Negotiation: Price and Terms

V. Conference with Real Property Negotiator - Pursuant to California Government Code Section 54954.5(B):

Property: 9054 Grammercy Drive
San Diego, CA 92123

Negotiating Parties: Elizabeth Morris, Dave Schuh and Wendy DeWitt for the San Diego Housing Commission; Frank Hameetman, Owner

Under Negotiation: Price and Terms

VI. Conference with Real Property Negotiator - Pursuant to California Government Code Section 54954.5(B):

Property: A remnant portion of 7143, 7159 and 7161 Fay Avenue, shown as Parcel 2 on the Deed in which the San Diego Housing Commission acquired title

Negotiating Parties: Elizabeth Morris, Lee Bates and Steve Mikelman for the San Diego Housing Commission; Edwin Carey III as prospective purchaser

Under Negotiation: Price and Terms

VII. Conference with Real Property Negotiator - Pursuant to California Government Code Section 54954.5(B):IV.

Property: A remnant portion of 7143, 7159, 7161 Fay Avenue, shown as Parcel 3 on the Deed in which the San Diego Housing Commission acquired title

Negotiating Parties: Elizabeth Morris, Lee Bates and Steve Mikelman for the San Diego Housing Commission; Barbara Brandon as prospective purchaser

Under Negotiation: Price and Terms

20 PUBLIC COMMENT

At this time individual(s) may address the Commission on any subject in its area of responsibility on any matter not presently pending before the Commission. Communications are limited to three minutes. Pursuant to the Brown Act, no action can be taken by the Commission. Please fill out a SPEAKER REQUEST FORM and submit it to the secretary prior to the meeting.

30 COMMISSIONER COMMENTS

40 REPORT BY THE EXECUTIVE DIRECTOR

50 APPROVAL OF THE MINUTES

Approval of Minutes of January 13, 1997 meeting.

ADOPTION AGENDA - CONSENT

Members of the public may cause an item to be pulled from the Consent Agenda by submitting a Speaker Request Form prior to the meeting. The item will then be discussed separately and public testimony taken.

100 HCR97-022- Subordination of Loan to City Heights Community Development Corporation for the Acquisition and Rehabilitation of 3429 43rd Street (Council District 3)

Recommendation: The Housing Commission 1) approve the subordination of a previously approved loan to City Heights Community Development Corporation (City Heights CDC) so that City Heights CDC can accept an Affordable Housing Program subsidy of \$24,000; and 2) authorize the Executive Director to execute subordination documents as approved by General Counsel reflecting terms and conditions outlined in this report.

Fiscal Impact: None with this action.

101 HCR97-020 - Palm Vista Apartments (District 8)

Note: this matter is also scheduled for closed session under pending litigation.

Recommendation: That the Housing Commission take either of the following options in order to protect the Housing Commission's second position loan:

Option 1: Loan up to \$100,000 to the existing owner of Palm Vista to bring the first trust deed holder current, and obtain an option to acquire a majority interest in the property through formation of a limited partnership between the existing owner and the Housing Commission with the Housing Commission as the controlling General Partner; and, if Option 1 is unsuccessful,

Option 2: Have the Housing Commission pay up to \$230,000 to bring the first trust deed current AND proceed with the Housing Commission's second position foreclosure action against the existing owner, including the appointment of a receiver, subject to confirmation by the Chair.

It is further recommended that the Housing Commission's budget be amended to transfer up to \$130,000 of HOME funds currently budgeted under the Housing Development Site Acquisition line item to the Loans and Grants line item to complement the \$100,000 already available if Option 2 is exercised.

Fiscal Impact: The amount to cure the first trust deed default is approximately \$230,000. The funds necessary for the delinquency cure are from two sources: (1) up to \$100,000 from the Housing Commission; and, (2) approximately \$130,000 from Mr. Daniel Appel, current owner of the apartment complex; OR the entire amount from the Housing Commission should the above option number 2 be exercised.

102 HCR97-017 - Selection of Development Team for Skyline Drive and Woodman Street Site (Council District 4)

Recommendation: That the Housing Commission authorize the Executive Director, with General Counsel's guidance, to enter into an Exclusive Negotiating Agreement with the Skyline Village Partnership (SVP) and negotiate a Development & Disposition Agreement (DDA) with SVP for the development of a for-sale single-family residential development at the southwest corner of Skyline Drive and Woodman Street in the city of San Diego. DDA would be subject to future Commission consideration.

Fiscal Impact: None with this action. On March 22, 1994, the Housing Authority approved the commitment of approximately \$370,000 of HOME Program funds for the acquisition and development of the subject property. Future fiscal impact will be based on the agreement negotiated.

103 HCR97-019 - FY98 Budget Issues

Recommendation: That the Housing Commission review issues and alternatives detailed in Attachments to this report and provide direction to staff on development of the Fiscal Year 1998 budget.

Fiscal Impact: None with this action.

ADJOURNMENT

Attachment "A"

INFORMATION REPORTS ISSUED

<u>REPORT NO</u>	<u>REPORT NAME</u>	<u>DATE ISSUED</u>
HCR97-021	Commission Approvals	1-30-97
HCR97-023	Change in Funding Source for Acquisition Loan for Chicano Federation	1-30-97