

SAN DIEGO HOUSING COMMISSION

RESOLUTION NO. HC - 1964

DATE OF FINAL PASSAGE October 13, 2022

A RESOLUTION APPROVING A RESIDUAL RECEIPTS LOAN IN AN AMOUNT NOT TO EXCEED \$8,000,000 TO 13TH & BROADWAY CIC, LP TO FACILITATE THE NEW CONSTRUCTION OF 13<sup>TH</sup> & BROADWAY, AN AFFORDABLE RENTAL HOUSING DEVELOPMENT AT 1320 BROADWAY FOR INDIVIDUALS EXPERIENCING LITERAL AND CHRONIC HOMELESSNESS, VETERANS EXPERIENCING HOMELESSNESS AND INDIVIDUALS WITH INCOME OF 25 PERCENT TO 50 PERCENT OF SAN DIEGO'S AREA MEDIAN INCOME; AND RELATED ACTIONS.

WHEREAS, 13<sup>th</sup> and Broadway is a proposed new construction affordable rental housing development at 1320 Broadway in the East Village neighborhood of Downtown San Diego that will provide 270 affordable rental housing units that will remain affordable for 55 years for households with income up to 50 percent of San Diego's Area Median Income and three unrestricted managers' units. Of the 270 units, 65 will be set aside for individuals experiencing literal and chronic homelessness, 10 will be set aside for veterans experiencing homelessness, and 40 will be set aside for individuals with low income, who are not experiencing homelessness.

WHEREAS, on October 13, 2022, the Board of Commissioners of the San Diego Housing Commission (Housing Commission) heard and recommended that the Housing Commission make a loan of up to \$8,000,000 to 13<sup>th</sup> & Broadway CIC, LP, a California limited partnership., as more particularly described in the Housing Commission Report HCR22-100;

NOW THEREFORE,

BE IT RESOLVED, by the Housing Commission that it is hereby authorized to make and fund a residual receipts loan of up to \$8,000,000 to facilitate the new construction of 13<sup>th</sup> & Broadway on the terms and conditions more particularly described in Housing Commission Report HCR22-100.

BE IT FURTHER RESOLVED that the President and Chief Executive Officer of the Housing Commission, or designee, is authorized to:

1. Execute all necessary documents and instruments to effectuate the transaction and implement the project, in a form approved by General Counsel, and to take such actions as are necessary, convenient and/or appropriate to implement the approvals upon advice of General Counsel, provided that a copy of the documents, signed as to form by General Counsel, is submitted to each Housing Commissioner;
2. Adjust financing terms/conditions as necessary for consistency with requirements of other funding sources or to accommodate market changes that may occur, provided that the proposed \$8,000,000 maximum Housing Commission loan amount not increase; and
3. Substitute approved funding sources with any other available funds as deemed appropriate, contingent upon budget availability, and further authorize the President & CEO, or designee, to take such actions as necessary, convenient and/or appropriate to implement this approval and delegation of authority by the Housing Commission upon advice of General Counsel.

BE IT FURTHER RESOLVED that the proposed development activities set forth in Housing Commission Report HCR22-100 are covered under the following:

California Environmental Quality Act.

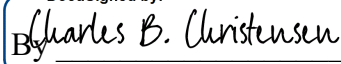
The Downtown FEIR and the CAP FEIR are “Program EIRs” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The aforementioned

environmental documents are the most recent and comprehensive environmental documents pertaining to the proposed Project. The Downtown FEIR is available for review at the offices of the Civic San Diego (“CivicSD”) located at 401 B Street, Suite 400, San Diego, CA 92101 or at the CivicSD website at <http://civicsd.com/departments/planning/environmental-documents>. The CAP FEIR is available at the offices of the City of San Diego Planning Department located at 1010 Second Avenue, Suite 1200, San Diego, CA 92101 or on the City of San Diego website. The proposed activity is adequately addressed in the environmental documents noted above and there is no change in circumstance, substantial additional information, or substantial Project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity, this activity is not a separate project for purposes of review under CEQA pursuant to CEQA Guidelines Sections 15060(c)(3), 15180, and 15378(c).

National Environmental Policy Act.

Federal funds constitute a portion of this project’s funding. A final reservation of federal funds shall occur only upon satisfactory completion of the environmental review and receipt by the City of San Diego of a release of funds from HUD under 24 CFR Part 58 of the National Environmental Policy Act (NEPA). The parties agree that the provision of any federal funds to the project is conditioned upon the City of San Diego’s determination to proceed with, modify, or cancel the project based upon the results of a subsequent environmental review under NEPA. HUD authorized use of grant funds for this project on June 12, 2020, and July 8, 2020.

Approved as to Form  
Christensen & Spath

DocuSigned by:  
  
By \_\_\_\_\_  
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Charles B. Christensen  
General Counsel  
San Diego Housing Commission

I certify that the foregoing actions in this Resolution were approved by the San Diego Housing Commission Board of Commissioners at its meeting on October 13, 2022.

DocuSigned by:  
By Scott Marshall  
Scott Marshall  
Vice President, Communications &  
Government Relations

Approved: Jeff Davis  
Jeff Davis  
Interim President & Chief Executive Officer  
San Diego Housing Commission

Passed and adopted by the San Diego Housing Commission on October 13, 2022, and finalized on October 20, 2022, pursuant to the provisions of San Diego Municipal Code Section 98.0301(e)(1), by the following vote:

	<b>Yeas</b>	<b>Nays</b>	<b>Excused</b>	<b>Not Present</b>
Stefanie Benvenuto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ryan Clumpner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Melinda K. Vásquez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Johanna Hester	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kellee Hubbard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Eugene “Mitch” Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**AUTHENTICATED BY:**

**Jeff Davis**

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Interim President & Chief Executive Officer of the  
San Diego Housing Commission [seal]

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 1964 passed and adopted by the San Diego Housing Commission on October 13, 2022, and finalized on October 20, 2022.

By: DocuSigned by:  
*Scott Marshall*  
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**Scott Marshall**  
Secretary of the San Diego Housing Commission