

**RESOLUTION NO. 4145 and RDA-270**

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AND THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS, CALIFORNIA, APPROVING THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE AGENCY AND PERRIS HOUSING INVESTORS, LLP**

**WHEREAS**, the Redevelopment Agency of the City of Perris ("Agency") is a public body, corporate and politic, organized and existing under the California Community Redevelopment Law (Health & Safety Code § 33000, et seq.) ("CRL"); and

**WHEREAS**, by previous action of the Agency and the City Council of the City of Hesperia (the "City Council" or "City" as appropriate) the Redevelopment Plan for the Agency's Central/North Redevelopment Project Area was established by Ordinance No. 580 of the City Council on May 31, 1983, and has been amended from time to time; and

**WHEREAS**, to effectuate the Redevelopment Plan, over the past several months, the Agency has negotiated a Disposition and Development Agreement (the "DDA") with Perris Housing Investors, LLP ("Developer"); and

**WHEREAS**, the DDA provides for the Developer's construction of a mixed use residential and commercial project ("Project") on approximately 1.33 acres of land at 4 through 40 South "D" Street ("Site"). The Project will consist of a three-story structure with two stories of residential apartments over one story of commercial space and parking facilities at street level. All of the residential units within the Project, other than the manager's unit, will be rental units covenanted for occupancy by low-income Senior Citizens, and shall be available to Extremely Low, Very Low and Low Income Households; and

**WHEREAS**, the transaction contemplated by the DDA includes the disposition of the Site from the Agency to the Developer; and

**WHEREAS**, Section 33433 of the CRL requires that the Agency Board and the City Council approve the disposition of the Site by the Agency; that certain findings be made, and that a "Summary Report" and a copy of the DDA be made available for public inspection; and

**WHEREAS**, the Agency has prepared the required Summary Report and notice of a joint public hearing of the Agency and City Council concerning the proposed DDA has been given in accordance with applicable law; and

**WHEREAS**, on August 26, 2008, the Agency and City Council conducted and concluded a duly noticed joint public hearing pursuant to Section 33433 of the CRL to consider the DDA.

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

**NOW, THEREFORE**, based on the evidence presented to the Agency Board and City Council, including the written staff report and oral testimony on this matter, and the DDA and Summary Report, the Agency Board of Directors and the City Council do hereby find, determine and resolve as follows:

**Section 1.** The above recitals are all true and correct and are hereby adopted as findings.

**Section 2.** The DDA is consistent with the Agency's adopted Implementation Plan for the Central/North Project Area.

**Section 3.** The consideration to be paid by the Developer for the Site is not less than the fair market value at the highest and best use in accordance with the Redevelopment Plan.

**Section 4.** The development of the Site will assist in the elimination of blight in the Project Area.

**Section 5.** The Agency Board of Directors and the City Council hereby approve, the DDA, and the instruments referenced therein, a copy of which is on file in the office of the City Clerk.

**Section 6.** The Agency Chair and Executive Director, and Mayor and City Manager, are authorized and directed to take such actions and execute such documents as may be necessary to implement and effect this Resolution and the DDA on behalf of the Agency and City.

**Section 7.** The Agency Secretary and City Clerk shall certify to the passage and adoption hereof.

**ADOPTED, SIGNED and APPROVED this 26th day of August, 2008**

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Daryl R. Busch, Mayor

Attest:

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Judy L. Haughney, City Clerk

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Daryl R. Busch, Agency Chair

Attest:

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Judy L. Haughney, Agency Secretary

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PERRIS )

I, Judy L. Haughney, City Clerk of the City of Perris, do hereby certify that the foregoing Resolution Number 4145 was duly adopted by the City Council of the City of Perris at a regular meeting of said City Council on the 26th day of August, 2008, and that it was so adopted by the following vote:

AYES: Rogers, Yarbrough, Landers, Busch  
NOES:  
ABSENT: Motte  
ABSTAIN:

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Judy L. Haughney  
City Clerk  
City of Perris

(SEAL)

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PERRIS )

I, Judy L. Haughney, Agency Secretary of the Redevelopment Agency of the City of Perris, do hereby certify that the foregoing Resolution Number RDA-270 was duly adopted by the Board of Directors at a regular meeting of said Agency on the 26th day of August, 2008, and that it was so adopted by the following vote:

AYES: Rogers, Yarbrough, Landers, Busch  
NOES:  
ABSENT: Motte  
ABSTAIN:

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Judy L. Haughney  
Agency Secretary  
Redevelopment Agency of the City of Perris

(SEAL)