

**RESOLUTION NO. SA-2014-\_\_\_\_\_**

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE  
DESERT HOT SPRINGS REDEVELOPMENT AGENCY  
APPROVING THE AMENDED AND RESTATED  
AGREEMENT AND COVENANTS, CONDITIONS AND  
RESTRICTIONS AFFECTING REAL PROPERTY FOR  
NEIGHBORHOOD RENEWAL PROGRAM**

**WHEREAS**, the City of Desert Hot Springs agreed to serve as the successor agency to the Redevelopment Agency of the City of Desert Hot Springs ("Successor Agency") commencing upon the dissolution of the former Redevelopment Agency of the City of Desert Hot Springs ("Former RDA") on February 1, 2012, pursuant to Assembly Billx1 26 as amended by Assembly Bill 1484; and

**WHEREAS**, the Former RDA and Margaret Ann Block, owner of property at 66146 6<sup>th</sup> Street, City of Desert Hot Springs ("Property"), entered into an Agreement and Covenants, Conditions and Restrictions Affecting Real Property dated October 21, 2010 ("Covenant"), through which the Former RDA agreed to provide Ms. Block with a grant to improve her residence for purposes which included the painting of the exterior of her house conditioned upon Ms. Block and her successors in interest satisfying certain obligations, which included making the home that is situated upon the Property her primary residence for five (5) years and requiring maintenance of the home; and

**WHEREAS**, due to poor workmanship, the paint peeled off the house that is situated upon the Property; and

**WHEREAS**, on July 9, 2014, the Successor Agency Oversight Board approved a contract with Nicol Home Improvement for the repainting of the exterior of Ms. Block's home, for \$6,550.00, and the Successor Agency Board approved the same on June 17, 2014; and

**WHEREAS**, the expenditure of this amount was approved by the California Department of Finance ("DOF") on the Successor Agency ROPS 2014-15A as a line item for property maintenance, and evidence of both such approvals were forwarded to DOF.

**NOW, THEREFORE, BE IT RESOLVED DETERMINED, AND ORDERED BY THE CITY COUNCIL, ACTING ON BEHALF OF THE SUCCESSOR AGENCY, AS FOLLOWS:**

**Section 1.     Recitals**

That all of the above recitals are true and correct.

**Section 2.     Approval of Amended and Restated Agreement and Covenants**

That the City Council, acting for the Successor Agency, hereby approve the Amended and Restated Agreement and Covenants, Conditions and Restrictions Affecting Real Property with Margaret Ann Block for Neighborhood Renewal Program, a copy of which is attached hereto and made part hereof as Exhibit "A," and authorize the City Manager, acting on behalf of the Successor Agency, to execute the same.

### **Section 3. Other Acts**

That the officers and agents of the City, acting on behalf of the Successor Agency, are hereby authorized and directed to execute and deliver any and all documents and instruments and to do such things which may be necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken by such officers are hereby ratified, approved and confirmed.

### **Section 4. Severability**

That if any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, such invalidity shall not affect other provisions or applications of this Resolution which can give effect without the invalid provision or application, and to this end the provisions of this Resolution are severable and the Successor Agency Board hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion hereof.

### **Section 5. Repeal of Conflicting Provisions**

That the City Council, acting on behalf of the Successor Agency, hereby repeals any prior resolutions which may conflict with this Resolution.

### **Section 6. Effective Date**

That this Resolution shall take effect immediately upon its adoption.

### **Section 7. Certification**

That the City Clerk, acting on behalf of the Successor Agency, shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

**[SIGNATURES FOLLOW ON THE NEXT PAGE]**

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs, acting on behalf of the Successor Agency, at a regular meeting held on this 5th day of August, 2014 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ATTEST:**

**APPROVED:**

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Jerryl Soriano, City Clerk  
acting for Successor Agency

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Adam Sanchez, Mayor  
acting for Successor Agency

**APPROVED AS TO FORM:**

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Steve Quintanilla, City Attorney  
acting for Successor Agency

**EXHIBIT “A”**

**AMENDED AND RESTATED AGREEMENT AND COVENANTS, CONDITIONS AND  
RESTRICTIONS AFFECTING REAL PROPERTY**

**SEE ATTACHED**

### **CERTIFICATE OF CLERK**

I, Jerryl Soriano, City Clerk of the City of Desert Hot Springs acting on behalf of the Successor Agency, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of the Successor Agency to the Desert Hot Springs Redevelopment Agency, duly and regularly held at the regular meeting place thereof on August 5th, 2014, of which meeting all of the members of said Board had due notice, and at said meeting said resolution was adopted by the following vote:

AYES:

NAYES:

ABSENT:

I do hereby further certify that an agenda of said meeting was posted at least 72 hours before said meeting at 65950 Pierson Boulevard, Desert Hot Springs, CA 92240, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I do hereby further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: August 5, 2014

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City Clerk of the City of Desert Hot Springs acting for the  
Successor Agency

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