

  
Deputy City Attorney

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OFFICE OF THE CITY CLERK  
OAKLAND

2014 FEB 27 PM

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

## RESOLUTION APPROPRIATING \$1,078,483 FROM FUND BALANCE IN THE LOW AND MODERATE INCOME HOUSING ASSET FUND FOR HOUSING DEVELOPMENT ACTIVITIES

**WHEREAS**, in 2000 the Redevelopment Agency of the City of Oakland issued \$39.5 million in Subordinated Affordable Housing Bonds to address the housing needs of low and moderate income persons, a portion of which was loaned by the Redevelopment Agency for affordable housing development purposes; and

**WHEREAS**, in 2006 the Redevelopment Agency issued \$55 million in new Affordable Housing Bonds to further address the housing needs of low and moderate income persons, a portion of which was loaned by the Redevelopment Agency for affordable housing development purposes; and

**WHEREAS**, the Oakland City Council adopted Resolution No. 83680 C.M.S. on January 10, 2012, electing for the City to retain and assume the housing assets and functions of the Redevelopment Agency pursuant to Health & Safety Code Section 34176 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency dissolved on February 1, 2012; and

**WHEREAS**, loans made by the Redevelopment Agency for affordable housing purposes are housing assets retained and assumed by the City of Oakland; and

**WHEREAS**, funds generated from housing assets, including repayments on loan receivables transferred to the City as housing successor, must be deposited into a separate Low and Moderate Income Housing Asset Fund under Health & Safety Code Section 34176(d); and

**WHEREAS**, the Redevelopment Agency set aside a reserve of housing bond funds in the Low and Moderate Income Housing Fund in the amount of \$219,783 to cover any claims for defective construction with respect to the MLK Jr. Plaza Homes ownership project for a ten-year latent defect period; and

**WHEREAS**, the reserve for the MLK Jr. Plaza Homes ownership project is no longer needed because the ten year reserve period has expired; and

**WHEREAS**, these reserve funds are excess bond proceeds held by the Oakland Redevelopment Successor Agency, and as such will be transferred to the City under the Bond Expenditure Agreement for use by the City consistent with the original bond covenants, and will be deposited into the City's Low and Moderate Income Housing Asset Fund; and

**WHEREAS**, the City of Oakland desires to maximize the use of housing funds by using all available sources of funds as soon as they become available; and

**WHEREAS**, actual revenues in the Low and Moderate Income Housing Asset Fund (2830) exceeded the amount budgeted by \$1,078,483 due to loan repayments and expiration of the reserve agreement for the MLK Jr. Plaza project; and

**WHEREAS**, those funds were not previously appropriated; now, therefore, be it

**RESOLVED:** That the City of Oakland hereby appropriates the sum of \$1,078,483 from the fund balance in the Low and Moderate Income Housing Asset Fund (2830) to the Housing Development Project (Project tbd), Housing Development Organization (89929).

IN COUNCIL, OAKLAND, CALIFORNIA,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California