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FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

Lesly Castro

City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 89925 C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:
(1) ACCEPT AND APPROPRIATE AN AMOUNT NOT TO EXCEED \$40,769,344 FROM THE STATE OF CALIFORNIA'S INFILL INFRASTRUCTURE GRANT CATALYTIC PROGRAM TO PAY FOR INFRASTRUCTURE FOR AFFORDABLE HOUSING, AND (2) EXECUTE A STANDARD AGREEMENT AND ANY AMENDMENTS THERETO IN CONNECTION WITH THE STATE OF CALIFORNIA'S INFILL INFRASTRUCTURE GRANT CATALYTIC PROGRAM; AND (3) ENTER INTO AGREEMENTS WITH THE PARTICIPATING HOUSING DEVELOPERS AND DISTRIBUTE THE INFILL INFRASTRUCTURE GRANT CATALYTIC GRANT FUNDS THROUGH LOANS AND/OR GRANTS WITHOUT RETURNING TO COUNCIL

WHEREAS, the California Department of Housing and Community Development ("Department"), issued a Request for Concept Proposals for the Infill Infrastructure Grant – Catalytic Qualifying Infill Area Program ("IIGC") dated November 30, 2022, and issued an Infill Infrastructure Grant – Catalytic Qualifying Infill Area Program Guidelines and Notice of Funding Availability, Phase II Application Solicitation on March 15, 2023, and amended March 22, 2023 (collectively, the "NOFA"), so as to implement Assembly Bill 157 (Chapter 570, Statutes of 2022) which amended the Infill Infrastructure Grant Program of 2019 established by Health and Safety Code section 53559, et seq. The Program provides grant assistance available as gap funding for Capital Improvement Projects, which are an integral part of, or necessary to facilitate the development of, a Catalytic Qualifying Infill Area (CQIA); and

WHEREAS, The City of Oakland, a municipal corporation ("Public Entity"), submitted an application to the Department in response to the NOFA (the "Application") and based on the Application the Department made an award of Program funds (the "Program Award") pursuant to that certain conditional award letter, dated August 23, 2023;

WHEREAS, there is a substantial need for additional funds to assist in making capital improvements for affordable housing developments serving lower and very low income residents of the City of Oakland;

WHEREAS, the IIGC grant funds will be used to fund capital improvements related to affordable housing developments serving lower and very low income residents; now, therefore, be it

RESOLVED That the City Administrator is hereby authorized and directed to accept and incur an obligation for the Program Award in an amount not to exceed \$40,769,344 and to enter into, execute, and deliver an STD 213, Standard Agreement (the “Standard Agreement”), and any and all other documents require: or deemed necessary or appropriate to secure the Program Award from the Department and to participate in the Program, including, but not limited to, an affordable housing covenant, a performance deed of trust, a disbursement agreement, and all amendments thereto (collectively, the “Program Award Documents”), and be it

FURTHER RESOLVED: That the City Administrator is authorized to deposit the IIGC grant funds in an amount not to exceed \$40,769,344 to a Grant Fund to be determined, Project to be determined, and appropriate said funds for capital improvement activities to be used specifically to assist residential housing developments serving in part or in whole lower and very low income residents of the City of Oakland; and

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate, enter into, execute and deliver the Program Award Documents and all amendments thereto on behalf of the Public Entity, and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to provide loans and/or grants in a total amount not to exceed \$40,769,344 and in conformance with all requirements of the IIGC Program to the developers of the seven affordable housing development projects contained in the Application without returning to Council, and be it

FURTHER RESOLVED: That the City Administrator is authorized to make specific allocations of the IIGC Program funds among the seven affordable housing development projects contained in the Application without returning to Council; and be it

FURTHER RESOLVED: That the City Administrator is authorized to determine funding allocations, issue commitment letters, conduct negotiations, execute documents, administer the loans and/or grants, extend or modify the repayment terms, and take any other action with respect to the loans and/or grants, the funding allocations, and the projects consistent with this Resolution and its basic purpose.

FURTHER RESOLVED: That prior to execution, all agreements shall be reviewed and approved as to form and legality by the City Attorney's Office and executed copies of each agreement shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **OCT 03 2023**

AYES - FIFE, ~~GAFFO~~, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS - 7

NOES -

ABSENT -

ABSTENTION -

1 Excused - Gallo

ATTEST:



ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

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