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D. Lewis

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REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

2010 - 0044

RESOLUTION No. _____ C.M.S.

**A RESOLUTION AMENDING RESOLUTION NO. 2008-16
C.M.S. TO APPROVE THE ASSIGNMENT OF AN EXISTING
LOAN IN THE AMOUNT OF \$1,753,000 BY NEW ALTENHEIM
PARTNERS, LP TO EDEN HOUSING OR ITS AFFILIATE FOR
THE ALTENHEIM PHASE II SENIOR HOUSING
DEVELOPMENT LOCATED AT 1720 MACARTHUR
BOULEVARD**

WHEREAS, on September 4, 2009, the City and the Redevelopment Agency of the City of Oakland (the "Agency") jointly issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, Eden Housing and Citizens Housing Corporation ("Developer"), both nonprofit organizations devoted to the provision of affordable housing, submitted a proposal in response to the NOFA; and

WHEREAS, an Agency loan in the amount of \$1,753,000—authorized by Agency Resolutions No. 2006-21 C.M.S. dated March 7, 2006, No. 2007-32 C.M.S. dated March 20, 2007 and No. 2008-16 C.M.S. dated March 4, 2008—was executed on October 31, 2008 by New Altenheim Partners, LP, an affiliate of Citizens Housing Corporation with the purpose of constructing the Altenheim Phase II Senior Housing Project, an 81 unit affordable housing development for seniors (the "Project"); and

WHEREAS, a City HOME loan in the amount of \$5,815,000—authorized by City Resolutions No. 79782 C.M.S. dated March 7, 2006, No. 80874 C.M.S. dated March 20, 2007, No. 81110 C.M.S. dated March 4, 2008—was executed on July 25, 2008 and amended on October 31, 2008 by New Altenheim Partners, LP with the purpose of constructing the Project; and

WHEREAS, Citizens Housing Corporation has encountered organizational financial difficulties and is working to dissolve as an organization and transfer its properties and loan interests, including the Project, to Eden Housing; and

WHEREAS, the construction of the Project is substantially underway, but has encountered cost overruns and delays; and

WHEREAS, the Developer submitted a request under the current NOFA for additional loan funding of \$625,000 to cover most of the project cost increases and to assign the loans to Eden Housing or its affiliate; and

WHEREAS, those additional funds are available from the City's HOME Investment Partnership Program in fiscal year 2010-11 to assist the Project and the Agency loan will remain at the current \$1,753,000 amount; and

WHEREAS, the requirements of CEQA, the CEQA guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now, therefore, be it

RESOLVED: That the existing Agency loan may be assigned by Citizens Housing Corporation affiliate New Altheim Partners, LP to Eden Housing or its affiliate on the same terms as the existing loan, and Resolution No. 2008-16 is hereby amended to reflect such assignment; and be it

FURTHER RESOLVED: That the Agency Administrator is hereby authorized to conduct negotiations, execute documents, extend or modify repayment terms and take any other action with respect to the loan and the Project consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the Agency has independently reviewed and considered this environmental determination, and has relied on the determination of the City Council, which previously found and determined, based on the information provided in the staff report accompanying Resolution No. 79782, that this action complies with CEQA because, based on a Mitigated Negative Declaration and a Finding of No Significant Impact that were certified by the City on January 5, 2005, the Project as mitigated will not have a significant adverse impact on the environment; and the Agency Administrator or his designee filed with the County of Alameda a Notice of Determination for the Project; and be it

FURTHER RESOLVED: That all loan documents shall be reviewed and approved by the Agency Counsel as to form and legality and copies shall be placed on file with the City Clerk.

IN AGENCY, OAKLAND, CALIFORNIA, MAR 16 2010, 2010

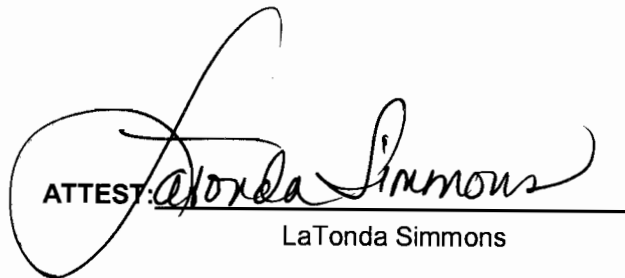
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
CHAIRPERSON BRUNNER - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LaTonda Simmons

**Secretary of the Redevelopment Agency
of the City of Oakland, California**