

REDEVELOPMENT AGENCY
AND THE CITY OF OAKLAND

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OFFICE OF THE CITY CLERK
OAKLAND

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AGENDA REPORT

TO: Office of the City/Agency Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: March 10, 2009

RE: **A Total of Fourteen Resolutions Regarding Affordable Housing Activities: Two Agency Resolutions Appropriating an Aggregate Amount of \$7,254,097 for the Housing Development Program; Seven City and Agency Resolutions Authorizing Development Loans in an Aggregate Amount Not to Exceed \$16,844,000 for Five Affordable Housing Projects; Three Agency and One City Resolution to Extend Funding Reservations for an Additional Year; and One Agency Resolution to Reduce the Number of Units, Reduce the Loan Amount, Change an Address, and Extend a Funding Reservation**

SUMMARY

The Community and Economic Development Agency (CEDA) is recommending funding awards for five affordable housing development projects (totaling \$16,844,000) that applied for funds in response to the City's 2008-09 Notice of Funding Availability (NOFA) for Affordable Housing Developments. Two of the five recommended projects are new applications: St. Joseph's Family Apartments and 6th and Oak Senior Homes. The other three recommended developments have previously received City or Agency funding commitments and have requested additional funds: St. Joseph's Senior, Golf Links Road Homeownership, and Sausal Creek Homes. For Sausal Creek Homes, staff is also recommending program changes, including reducing the affordability term to 45-years and allowing income targeting to increase to 120% of area median income (AMI) when the owner resells the unit. This will result in a maximum affordable sales price on resale based on an affordable monthly housing cost that is 35% of the income of a household at 110% of AMI, as defined by state redevelopment law.

A total of twelve applications were received. One rental project was deemed incomplete and one homeownership application was withdrawn, leaving ten eligible applications for review (eight rental and two homeownership) for total requests of over \$40 million. Staff is recommending funding extensions for three previously funded projects: Tassafaronga Homeownership, Harrison Street Senior, and Foothill Plaza. Staff is also recommending revisions and a time extension for the Project Pride Transitional Housing project.

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Funds are available from the U.S. Department of Housing and Urban Development (HUD) HOME funds, the Redevelopment Agency's Low and Moderate Income Housing Fund, and the Redevelopment Agency's 2000 and 2006 affordable housing bonds. Included with this report are two Agency resolutions appropriating funds.

In addition to the NOFA for new affordable housing projects addressed in this Report, a NOFA for Preservation and Rehabilitation of Existing Affordable Housing (the Rehabilitation NOFA) was also released for the first time this year. A description of the Rehabilitation NOFA and its funding recommendations are contained in a separate Report being presented concurrently.

The concept for the Preservation and Rehabilitation NOFA for Existing Affordable Housing was introduced to Council in March 2008 with last year's affordable housing funding recommendations. The Rehabilitation NOFA is focused exclusively on existing affordable housing projects with urgent capital needs. Problems experienced in the property portfolio of Oakland Community Housing, Inc. (OCHI) have especially called attention to the need for this program, which will facilitate the transfer of ownership and rehabilitation of some of those OCHI properties, as well as provide much needed rehabilitation funds for other existing affordable housing developments that are experiencing problems.

FISCAL IMPACTS

Funding for the proposed projects will come from a combination of:

1. Already budgeted funds in the HOME fund (2109), the ORA Low and Moderate Income Housing Fund (9580), and the ORA 2006 affordable housing bond fund (9584), for a total of \$11,962,676.
2. Reprogramming of a portion of the funds previously approved for the Project Pride project (\$2,850,000) and the funds previously approved for the Calaveras Townhomes/Redwood Hill project (\$1,548,500), for a total of \$4,398,500.
3. \$3,147,772 in revenues in the ORA Low and Moderate Income Housing Fund (9580) received in FY07-08 in excess of what was anticipated.
4. \$464,467 in the 2000 Housing Bond Fund (9583) due to unanticipated investment earnings in FY 2007-08;
5. \$2,564,240 in the 2006 Housing Bond Fund (9584) due to unanticipated investment earnings in FY 2007-08;
6. Advance appropriation of \$3,850,344 in FY 2009-10 HOME (2109) grant funds.

Resolutions have been prepared to appropriate the additional funds identified in items 3 through 5 above.

Advance appropriation of the HOME funds is needed to meet critical funding commitment and expenditure requirements from HUD, and would correspond to current practice for the City's CDBG grant where those funds are appropriated in May of each year, through the adoption of the Consolidated Plan, in advance of the beginning of the grant year. Advance appropriation of these funds (which will not be legally committed nor expended until the grant agreement with HUD is

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executed) will ensure that the City meets its obligations for timely commitment and expenditure of HOME funds. Failure to meet these deadlines could result in HUD recapturing grant funds from the City.

Funds are being reprogrammed for two previously funded affordable housing projects. Calaveras Townhomes/Redwood Hill was found to be infeasible and is returning Low and Moderate Income Housing Funds in the amount of \$1,548,000. Project Pride is reducing its funding commitment by \$2,850,000 (discussed in more detail later in this Report).

The funding sources (corresponding to the description of funding on the previous page) are shown below. The remaining balance shown will be allocated to projects through the Rehabilitation NOFA being presented concurrently in a separate Report. Staff proposes to allocate funds to projects as follows:

		Geographically Unrestricted				Geographically Restricted		
		City-wide				Central City East		West Oakland
		City HOME 2109 G172111 SC14	Agency Low Mod 9580 P209310 H236510	Agency 2000 Bond 9583 P151710	Agency 2006 Bond 9584 L290410	Agency Low Mod 9580 P209310 SC18	Agency 2006 Bond 9584 L290410 SC18	Agency Low Mod 9580 P209310
TOTAL SOURCES								
1. Already budgeted funds	\$11,962,676	\$3,850,344	\$3,237,498		\$610,336	\$3,110,253		\$1,154,245
2. Reprogrammed funds	\$4,398,500		\$4,398,500					
3. Low Mod excess revenue	\$3,147,773		\$3,147,773					
4. 2000 Bond excess revenue	\$464,467			\$464,467				
5. 2006 Bond excess revenue	\$2,564,240				\$2,256,531		\$307,709	
6. HOME advance appropriation	\$3,850,344	\$3,850,344						
Total Sources	\$26,388,000	\$7,700,688	\$10,783,771	\$464,467	\$2,866,867	\$3,110,253	\$307,709	\$1,154,245
USES (THIS NOFA)								
St. Joseph's Family	\$6,870,000	\$3,850,344	\$2,112,322	\$464,467	\$442,867			
6th and Oak Senior Homes	\$7,550,000	\$3,850,344	\$3,699,656					
Golf Links Road	\$584,000				\$584,000			
St. Joseph's Senior	\$850,000				\$850,000			
Sausal Creek Townhomes	\$990,000				\$990,000			
Total Commitments	\$16,844,000	\$7,700,688	\$5,811,978	\$464,467	\$2,866,867	\$0	\$0	\$0
Remaining funds for Rehabilitation NOFA	\$9,544,000	\$0	\$4,971,793	\$0	\$0	\$3,110,253	\$307,709	\$1,154,245

Key to Fund and Project Numbers:

- Fund 2109: HUD – HOME Fund
- Fund 9580: Low Mod Operations Fund
- Fund 9583: 2000 Subordinated Housing Set-Aside Revenue Projects Fund
- Fund 9584: 2006 Subordinated Housing Set-Aside Revenue Bonds Fund
- Project G172111: HOME Housing Development Program
- Project P209310: Low/Mod Housing Development Program
- Project H236510: Housing Development - HOME Match Repayments
- Project P151710: 2000 Housing Bond Funds
- Project L290410: 2006 Housing Bond Funds

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BACKGROUND

CEDA issued its annual affordable housing development Notice of Funding Availability (NOFA) on September 2, 2008. Eligible activities include new construction and substantial rehabilitation of ownership, rental, supportive, or transitional housing. Projects must meet basic standards regarding developer experience, income targeting, site control, and other requirements. The NOFA also sets forth criteria by which projects will be scored and ranked including targeting units to lower income households, exceeding minimum developer experience requirements, project location, targeting to households with special needs, energy efficiency, percentage of City/Agency subsidy, and other criteria. Applications for funds were due to the City by October 30, 2008.

KEY ISSUES AND IMPACTS

Affordable Housing Needs

According to the City's 1999-2006 Housing Element, over half of Oakland's households are considered to be very low or low income and almost 20% of residents live below the poverty line. Forty-two percent of renters and thirty-three percent of owners paid more than 30% of their income for housing. The problems faced by renters with annual incomes less than \$35,000 and large households are particularly severe. According to the Alameda County Shelter Survey of 2004 and 2005, nearly 6,300 people in Oakland experience homelessness in Oakland during the course of a year. Oakland also has a much lower homeownership rate (41.4%) than the average for Bay Area cities (57%).

Current Economic Challenges

This year, a number of affordable projects with previously committed City/Agency funds or that have completed construction are facing challenges due to the current economic, foreclosure, and credit crisis. Recently completed affordable homeownership developments are facing increasing difficulties selling units as low-cost foreclosed homes are flooding the market, making these restricted ownership units less competitive. Rental projects currently in the pipeline are facing significantly reduced tax credit equity, as the market for Low Income Housing Tax Credits has collapsed, leaving these projects to search for additional sources of funding. Bond-funded programs from the state Department of Housing and Community Development (HCD) have largely been put on hold due to the state budget crisis, and tax-exempt bond financing is unavailable due to the collapse of the bond market. It is therefore a difficult time for new affordable housing projects and for those projects currently in the pipeline.

If the recommended projects are approved for funding, the construction of approximately 128 new affordable rental units will move forward in Oakland, and the local, state, federal, and private financing already committed for the construction of 84 rental units already in the pipeline and 20 homeownership units that have completed construction will be protected. These projects, totaling 232 units, are estimated to leverage over \$90 million in outside public and private funds. They will also create jobs in the construction and professional services trades, having a positive ripple effect on Oakland's economy.

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PROJECT DESCRIPTION

Staff Review Process

Applications were reviewed first for completeness and second to determine whether the City's minimum standards for project and developer qualifications had been met. The applications were then scored according to prepared criteria outlined in the NOFA. Following is a Project Ranking Table showing submitted projects ranked by their percentage scores. Additional information about each project is contained in **Attachment A** and **B**. The total amount requested was over \$40 million, with individual project requests ranging from a low of \$584,000 to a high of \$9.66 million.

Project Ranking Table

Rec. for Funding	Score	Project Name/Developer	Project Type	Council District	Requested Amount	Cumulative Funds Requested
X	72.1%	St. Joseph's Family Apartments (BRIDGE Housing)	Rental - Family, New Construction	5	\$6,870,000	\$6,870,000
X	70.4%	6th & Oak Senior Homes (AHA)	Rental - Senior, New Construction	2	\$7,550,000	\$14,420,000
	68.5%	Lakeside Senior (Satellite Housing)	Rental - Senior, New Construction	3	\$5,500,000	\$19,920,000
	68.5%	Cathedral Gardens (EAH)	Rental - Family, New Construction	3	\$3,274,000	\$23,194,000
	65.8%	Agnes Memorial (Related Companies/CAA)	Rental - Senior, New Construction	5	\$3,226,000	\$26,420,000
X*	65.7%	Golf Links Road (Paul Wang Enterprises)	Ownership - Family, New Construction	7	\$584,000	\$27,004,000
X*	63.1%	St. Joseph's Senior (BRIDGE Housing)	Rental - Senior, Rehabilitation (returning)	5	\$850,000	\$27,854,000
	61.9%	Harrison Senior Housing (CCHNC/OHI)	Rental - Senior, New Construction (returning)	3	\$1,517,000	\$29,371,000
X*	56.4%	Sausal Creek (EBALDC)	Ownership - Family, New Construction (returning)	5	\$990,000	\$30,361,000
	55.5%	94th & International (Related Companies/Acts CDC)	Rental - Family, New Construction	7	\$9,660,000	\$40,021,000

*These projects, although they were not the highest ranking, are prioritized for funding either because they have received previous City/Agency funding commitments, have received substantial non-City funding commitments, have budget gaps due to the current economic crisis, and/or have completed construction and are at risk.

The **Project Summary Table** following on page 6 provides a brief summary and comparison of the projects. The **Project Scoring Table** following on page 7 shows the complete scoring. To provide a standard of comparison, final scores are calculated as a percentage of the total points received over the total points applicable for each individual project.

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Project Summary Table

	New Ownership Projects	Returning Ownership Projects	New Construction Rental Projects						Returning Rental Projects	
	Golf Links Rd.	Sausal Creek	Cathedral Gardens	6th & Oak Senior	Agnes Memorial Senior	94th & International	Lakeside Senior	St. Joseph's Family	St. Joseph's Senior	Harrison Street Senior
Address	8379, 8395, & 8477 Golf Links Rd.	2464-2470 26th Ave.	634 21st St.	609 Oak Street	2372 Int'l. Blvd.	9400-9500 Int'l. Blvd.	116 E. 15th St. & 1507 2nd Ave.	2647 Int'l. Blvd.	2647 Int'l. Blvd.	1633 Harrison St. & 321 17th St.
Council District	7	5	3	2	5	7	3	5	5	3
Developer	Paul Wang Enterprises	East Bay Asian Local Devt. Corp.	Ecumenical Association for Housing	Affordable Housing Associates	Related and Community Action Alliance	Related and Acts CDC	Satellite Housing	BRIDGE Housing	BRIDGE Housing	Christian Church Homes and Oakland Housing Initiatives
Tenure	Ownership	Ownership	Rental	Rental	Rental	Rental	Rental/Special Needs	Rental	Rental/Special Needs	Rental
Household Type	Family	Family	Family	Senior	Senior	Family	Senior	Family	Senior	Senior
Units (incl. manager's unit)	3	17	100	70	65	80	84	58	84	73
New Units	3	17	100	70	65	80	84	58	84	73
Bedrooms (incl. manager's unit)	12	42	200	75	65	128	112	128	85	74
Total Development Cost (Residential)	\$ 1,896,000	\$ 8,445,894	\$ 37,504,569	\$ 32,341,880	\$ 22,402,429	\$ 31,274,300	\$ 33,084,455	\$ 28,742,399	\$ 38,014,260	\$ 26,250,900
Cost per Unit	\$ 632,000	\$ 496,817	\$ 375,046	\$ 462,027	\$ 344,653	\$ 390,929	\$ 393,863	\$ 495,559	\$ 452,551	\$ 359,601
Cost per Bedroom	\$ 158,000	\$ 201,093	\$ 187,523	\$ 431,225	\$ 344,653	\$ 244,330	\$ 295,397	\$ 224,550	\$ 447,227	\$ 354,742
Total Local Funds	\$ 948,000	\$ 3,980,000	\$ 3,274,000	\$ 7,550,000	\$ 3,226,000	\$ 9,660,000	\$ 5,500,000	\$ 6,870,000	\$ 8,630,000	\$ 6,650,000
Local Funds Requested This NOFA	\$ 584,000	\$ 990,000	\$ 3,274,000	\$ 7,550,000	\$ 3,226,000	\$ 9,660,000	\$ 5,500,000	\$ 6,870,000	\$ 850,000	\$ 1,517,000
Other Local Funds	\$ 364,000	\$ 2,990,000							\$ 7,780,000	\$ 5,133,000
Local Funds per Unit	\$ 316,000	\$ 234,118	\$ 32,740	\$ 107,857	\$ 49,631	\$ 120,750	\$ 65,476	\$ 118,448	\$ 102,738	\$ 91,096
Local Funds per Bedroom	\$ 79,000	\$ 94,762	\$ 16,370	\$ 100,667	\$ 49,631	\$ 75,469	\$ 49,107	\$ 53,672	\$ 101,529	\$ 89,865
% Local Funds to Total Dev Cost	50.0%	47.1%	8.7%	23.3%	14.4%	30.9%	16.6%	23.9%	22.7%	25.3%

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Project Scoring Table

	OWNERSHIP Potential Points	New Ownership Projects	Returning Ownership Projects	RENTAL Potential Points	New Rental Projects						Returning Rental Acq/Rehab Projects	Returning Rental Projects
		Golf Links	Sausal Creek		Cathedral Gardens	6th and Oak Senior	Agnes Memorial Senior	94th & International	Lakeside Senior	St Joseph's Family	St Joseph's Senior	Harrison Senior
	% Score	65.7%	56.4%	% Score	68.5%	70.4%	65.8%	55.5%	68.5%	72.1%	63.1%	61.9%
	Ranking	6	9	Ranking	3	2	5	10	3	1	7	8
I. Financial Characteristics	15 points	7.0	5.2	15 points	8.0	13.8	14.0	10.6	8.0	15.0	11.1	10.8
A. Degree that Subsidy is below 40%	8	0.0	1.7	8	8.0	8.0	8.0	4.5	8.0	8.0	8.0	7.3
B. Commitment of Outside Funding	7	7.0	3.5	7	0.0	5.8	6.0	6.1	0.0	7.0	3.1	3.5
II. Location	18 points	4.7	11.4	18 points	10.5	13.5	7.0	11.0	10.0	10.5	10.0	13.5
A. Geographic Equity	5	0.0	5.0	6	0.0	3.0	0.0	3.0	3.0	3.0	3.0	3.0
B. Neighborhood Revitalization	6	1.2	2.4	5	3.5	3.5	2.0	3.0	2.0	2.5	2.0	3.5
C. Proximity to Public Transit	5	2.5	3.0	5	5.0	5.0	3.0	3.0	3.0	3.0	3.0	5.0
D. Proximity to Grocery or Drug Store	2	1.0	1.0	2	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
III. Target Population	21 points	21.0	7.0	30 points	21.8	18.7	20.0	6.0	26.3	23.0	22.6	18.0
A. Income Targeting	12	12.0	n/a	15	15.0	15.0	15.0	0.0	15.0	15.0	15.0	14.0
B. Unit Size	9	9.0	7.0	5	2.8	0.0	0.0	3.0	0.3	5.0	0.0	0.0
C. Special Needs Units	n/a	n/a	n/a	5	1.0	0.7	0.0	0.0	3.0	0.0	3.6	0.0
D. Homeless Units	n/a	n/a	n/a	5	0.0	0.0	0.0	0.0	5.0	0.0	0.0	0.0
E. Resident Services Plan	n/a	n/a	n/a	5	3.0	3.0	5.0	3.0	3.0	3.0	4.0	4.0
IV. Developer Experience and Capacity	30 points	27.0	24.0	32 points	32.0	28.5	32.0	31.0	28.0	30.0	30.0	24.0
A. Developer Experience Exceeds Minimum	10	10.0	6.0	10	10.0	10.0	10.0	10.0	6.0	10.0	10.0	6.0
B. Developer Capacity	8	8.0	7.0	8	8.0	6.5	8.0	8.0	8.0	8.0	8.0	6.0
C. Developer Financial Strength	6	3.0	5.0	6	6.0	4.0	6.0	6.0	6.0	4.0	4.0	4.0
D. Strength of the Development Team	6	6.0	6.0	8	8.0	8.0	8.0	7.0	8.0	8.0	8.0	8.0
V. Preserves Existing Affordable Housing	n/a	n/a	n/a	10 points	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
VI. Energy Efficiency	16 points	6.0	4.0	10 points	10.0	10.0	6.0	8.0	10.0	8.0	4.0	10.0
VII. Penalty for Nonperforming Or Previously Funded Projects	-10 points	0.0	-2.0	-10 points	0.0	0.0	0.0	0.0	0.0	0.0	-2.0	-2.0
Total Points	100.0	65.7	49.6	120.0	82.3	84.5	79.0	66.6	82.3	86.5	75.7	74.3

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Project Financing

Staff establishes the NOFA timeline to allow developers to receive City and Agency funding approvals in time to prepare applications for the next competitive funding round for Low Income Housing Tax Credits and other state funding sources. These early preliminary awards from the City and Agency make Oakland applications for these other sources more competitive.

Funding Reservations and Extensions

If approved, funding will be reserved for eighteen months for new projects, and for one year for projects returning for additional funds, to allow each developer to successfully obtain commitments for the balance of needed funding. Staff is recommending one year extensions for four projects with previous funding commitments: the Tassafaronga homeownership project, the Foothill Plaza rental project, the Harrison Street Senior project, the St. Joseph's Senior project (which requested additional funds but also requires an extension of their existing City funding commitment), and the Project Pride transitional housing project. The Project Pride transitional housing project also requires other modifications, which are detailed later in this report.

Due to the current state budget crisis, all state-issued bond-funded NOFAs have been delayed and release of state bond funds is on hold. Some housing projects that have received or are planning to apply for funding through a state-issued NOFA may therefore experience unavoidable delays to their schedules. We anticipate a ramp-up in funds from the state when the state budget is approved and the economy improves. Projects need to be ready with City funding commitments in hand as soon as state funds begin flowing again. At this time, staff is requesting administrative authority to grant extensions for projects that experience unavoidable delays caused by the temporary freeze of state bond funding. This administrative authority is included within each of the project funding Resolutions included with this Report.

Financing Terms for Rental Projects

The City/Agency standard loan terms for rental projects are a simple interest rate, to be set at the discretion of the City/Agency Administrator, and a term of up to 55 years, with annual payments deferred unless funds are available from project cash flow after paying other approved expenses, fees, reserves, and senior debt service. All City/Agency loans will be secured by a deed of trust recorded on the property and a regulatory agreement that sets the period of affordability, income and occupancy restrictions and the rent structure will also be recorded. State law requires 55-year affordability terms for Agency-funded rental projects. The City/Agency Administrator is given authority in each project funding resolution to subordinate the deed of trust or regulatory agreement if necessary to obtain other financing for the project. Current policy is to subordinate the deed of trust on a case-by-case basis, but not to subordinate the City/Agency regulatory agreement except in rare occurrences and when absolutely necessary.

Financing Terms for Homeownership Projects

The proposed loan terms for all of the recommended ownership projects are a simple interest rate to be negotiated by the Agency Administrator for a maximum term of four years. Upon completion of the project, the Agency loan converts to a grant at an amount equal to the difference between the net sales proceeds at the affordable prices and the total development cost

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of the project (in most cases, this is the entire City/Agency loan amount). To secure the Agency's affordability terms, an Affordability Agreement is recorded against the project during construction, and upon completion and the initial sale of each unit a Declaration of Resale and Occupancy Restrictions (Declaration) is executed and recorded against the property. This Declaration remains an encumbrance against the property in perpetuity. Each homebuyer (at initial sale and resale) executes an Assumption Agreement in which they agree to comply with all of the affordability requirements in the Declaration. The City/Agency Administrator is given authority in each project funding resolution to subordinate the Affordability Agreement or Declaration if necessary to obtain other financing. Current policy is not to subordinate either of these agreements, except in rare occurrences when absolutely necessary.

The Agency's typical affordability term is more restrictive than the 45-year term required by state redevelopment law. Due to the devastating downturn in the current housing market, this year staff is recommending an affordability term of 45 years, and the ability for income targeting of the units to increase to 120% of AMI when the unit is resold to the next buyer. Although a household up to 120% of AMI would be eligible to purchase a unit, the maximum affordable sales price on resale of the units will be based on the monthly affordable housing cost for a household at 110% of AMI, as defined by state redevelopment law. Staff is recommending this change to improve the marketability of the two completed homeownership projects only due to the particular economic circumstances at this time, as described in more detail below.

Funding Set-Asides for Redevelopment Areas and Project Area Committee Recommendations

Proposed projects located within a redevelopment project area with a Project Area Committee (PAC) are required to give a presentation to the relevant PAC so the PAC can provide their recommendations to Council. There are PACs for three redevelopment project areas: Central City East (CCE), West Oakland, and Broadway/MacArthur/San Pablo. In addition, the redevelopment plans for CCE and West Oakland require that affordable housing funds generated from that area must be spent only on projects within each respective project area. Housing funds generated by the other redevelopment project areas are not geographically restricted by redevelopment law or the redevelopment plan, and may be used City-wide.

No new applications located in either the West Oakland or the Broadway/MacArthur/San Pablo redevelopment project areas were received. One previously funded West Oakland development, Project Pride, presented proposed revisions to the West Oakland PAC and received their support for those changes.

One application was submitted for the CCE redevelopment project area, Lakeside Senior Housing. The PAC voted to support the Lakeside Senior project. However, the funds designated for new construction of rental housing developments in Central City East do not cover the entire requested amount for this project. There are not enough city-wide funds available to fund the remaining request, and the Lakeside Senior project has therefore not been recommended for funding.

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Allocation of Funds for Ownership Housing

Recommended Homeownership Projects

In response to this year's NOFA, three homeownership applications were received, but one was withdrawn during the review process due to concerns from the applicant about the project's feasibility. Staff is recommending that the remaining two ownership projects (both of which have completed construction) be funded. Although these projects did not rank highly in the scoring process, there is urgency to provide additional subsidies to protect these affordable homes and the City resources already invested in them, as described in more detail below.

City assistance for the Sausal Creek and Golf Links Road for-sale developments was originally approved in 2003 and 2004. Sausal Creek has previously received \$2,990,000 in City funding, and Golf Links Road has received donated City land. Three of 10 homes planned for Golf Links, and all of the 17 Sausal Creek homes, are completed and ready for sale. The homes have been on the market for from six months to over a year, with only five units at Sausal Creek selling, and none at Golf Links Road. Unfortunately, these homes came on the market just as the credit crisis and foreclosure crisis flooded the market with low-cost homes.

The Sausal Creek and Golf Links homes are subject to long-term affordability restrictions that do not apply to the surplus of foreclosed and short-sale homes now on the market. City subsidized for-sale homes restrict the buyers' incomes, the initial sales price, and the resale prices, which are currently limited for 45 years at Golf Links Road and in perpetuity for Sausal Creek. Even at restricted sales prices (which, for example, range from \$237,400 to \$265,100 at Sausal Creek), the units cannot compete against the flood of unrestricted low-cost foreclosure and short-sale homes currently on the market.

Additional funds will help prevent the 20 homes in these developments from falling into foreclosure themselves if the units can't be sold, and will prevent damage to the property from squatters and vandalism. Additional funds will allow the developer to reduce the sales prices and provide additional sales incentives such as new appliances, will help fund a more aggressive marketing program, and will help cover carrying costs incurred as the homes sit vacant, such as security, vandalism repairs, maintenance, and interest and insurance costs. Therefore, staff recommends that the City move to protect both the affordable housing units and the funds already invested by further subsidizing the prices of these homes so that they are again below the general market, and by providing funds to offset unexpected carrying costs.

The developers have indicated that the resale restrictions in particular have made these homes less appealing than competing foreclosed homes. Staff is therefore recommending program modifications for the Sausal Creek Homes project. This includes reducing the affordability term to the minimum 45 years required under state redevelopment law, and allowing the income targeting for the units to increase on resale to up to 120% of AMI (the maximum allowed by state redevelopment law) to promote the rapid sale of these units.

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Overall Allocation of Funding for Ownership Housing

The recommendation to fund both of the submitted homeownership developments means that \$1,574,000, or 9%, of NOFA funds will be committed for ownership housing. When combined with funds spent on the first time homebuyer and homeowner rehab programs, the absolute distribution between rental and ownership will be 90:10 percent this year. **Attachment C** provides more detail on the distribution of housing funds over time. Based on the applications received and approved since 1993, 36% of cumulative funding has been allocated to fund homeownership.

The City has set a goal of allocating equal portions of affordable housing funds for rental and ownership housing, but has found it difficult to meet the goal for ownership housing. Barriers to development of ownership housing stem from a variety of factors, including:

- The current downturn in the housing market has severely impacted affordable homeownership developments. Fewer qualifying households are able to get mortgages, and foreclosed homes priced below market are making affordable homeownership units (especially with resale restrictions) less competitive. Developers are hesitant to propose new homeownership projects at this time. For example, the St. Joseph Family rental project was previously planned as an affordable ownership project, but was converted to rental after the housing market collapsed. Another submitted homeownership application was withdrawn due to concerns about its feasibility.
- Because HOME funds can only be spent for housing targeted to households below 80% of area median income (AMI), these funds can rarely be used for ownership projects because most projects need to target the highest income level allowable in an attempt to cover costs.
- While Redevelopment Agency funds allow targeting to households up to 120% of AMI, Council's current policy is to limit the targeting to an average of 100% AMI per project, making it more difficult to make these projects financially feasible.
- State redevelopment law contains strict requirements regarding resale controls for new affordable ownership units developed with Low and Moderate Income Housing Funds. This includes requiring that the homes remain affordable for a minimum of 45 years, unless the redevelopment agency loan is repaid in full upon resale. However, because the subsidy needed from the City to develop new ownership housing is so high (an average of \$275,000 per unit this NOFA round), repayment of such large loan amounts is not feasible for most low-income owners.
- There has been continuing discussion about the trade offs between a low-income owner's ability to build equity through their home versus keeping ownership units affordable through long-term resale restrictions. At this time, the City has programs that address each side of that debate, a buyer-side subsidy program for low income buyers of existing homes and a program for the development of new homes which must remain permanently affordable to buyers at or below the target income level.
- There are far fewer non-local subsidy programs for ownership development than for rental housing, making it very difficult for developers to meet the City's income targeting requirements, while also meeting the City's subsidy limits. The City recently increased the maximum development loan amount for ownership projects from 40% of total

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development cost to 50% of total development cost to help make them more financially feasible.

Returning Rental Projects

Two of the rental projects with previous commitments of City and Agency funding, St. Joseph's Senior and Harrison Street Senior, requested additional funding this year. These projects have suffered budget gaps caused by the drop in anticipated tax credit equity proceeds due to the current economic crisis. The market for Low Income Housing Tax Credits has declined, and investors are offering significantly less investment per dollar of credits than was originally anticipated. Although it was not a top ranking project, staff is recommending approval of the \$850,000 in additional funding for St. Joseph's Senior to ensure that the other non-City committed sources of funds for the project are not lost. Staff is unable to recommend additional funds for Harrison Street Senior at this time until minor remaining soil contamination problems are completely resolved.

Supportive Housing

The City Council adopted the Permanent Access to Housing (PATH) plan in 2007, which proposes to increase the development of permanent supportive housing. Supportive housing is permanent housing affordable to people with extremely low incomes that includes on-site services designed to help tenants stay housed and work to meet other self-directed goals, such as improving health status or obtaining employment. The NOFA contains additional points for projects with permanent supportive housing units for homeless households or those at-risk of homelessness.

In the current lending environment, it is more difficult than ever to obtain financing for the development of supportive housing projects. It is extremely difficult to obtain the services dollars and operating support required to operate these extremely low-income developments over the long term. Traditional lenders and tax credit investors frequently consider supportive housing projects to be too risky, and funding from community-based lenders who are often willing to fund supportive housing is also now drying up due to economic conditions.

Only one new project containing permanent supportive housing units for homeless households was submitted this year, the Lakeside Senior housing development, which proposes 27 units for seniors who are homeless or at risk of homelessness. However, due to lack of available funds, the project is not recommended for funding this year.

Revisions to Project Pride Transitional Housing Project

Staff is recommending revisions to and an extension of the commitment of funds for the Project Pride transitional housing development which received an Agency funding commitment in March 2007. Since that time, the developers, Affordable Housing Associates and the East Bay Community Recovery Project, discovered that anticipated capital funding from the California Department of Corrections was no longer available, and that the project would not be eligible for

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the state's Multifamily Housing Program (MHP). The plan to construct and rehabilitate 42 units at 2577-79 San Pablo was therefore found to be infeasible. East Bay Community Recovery Project currently operates transitional housing units at a neighboring property. But the lease for that building will expire in 2010, requiring EBCRP to find new space for this program.

The developers identified a vacant and blighted property at 2545 San Pablo Avenue, at a very low price, one-half block from the originally proposed site that can accommodate 20 transitional housing units after rehabilitation. The developers submitted a request to decrease the number of units from 42 to 20, and reduce the Agency loan from \$4,450,000 to \$1,600,000 (a reduction from \$106,000 per unit to \$80,000 per unit). The developers presented this revised proposal to the West Oakland PAC and received their support for these changes. Staff is recommending the Agency funding commitment be amended to reflect these revisions.

Rehabilitation of Existing Affordable Housing

This year, CEDA issued an additional NOFA for the Preservation and Rehabilitation of Existing Affordable Rental Housing (the Rehabilitation NOFA), which was introduced to Council in last year's housing funding Report. For clarity, the funding recommendations for that Rehabilitation NOFA are presented in a separate report being presented concurrently.

The urgent need for rehabilitation of certain older existing affordable housing developments became evident in the last two years as properties owned by Oakland Community Housing Inc. (OCHI) and its affiliates continued to deteriorate : physically and financially because of lack of sufficient operating income, clearly contributing to the destabilization and eventual collapse of the nonprofit organization. Other organizations are also experiencing urgent rehabilitation needs in their older affordable housing developments when rental income (which is restricted by regulatory agreements) does not cover operating expenses, or is not sufficient to fund ongoing replacement reserves.

Staff foresees a continuing need to use City and Agency affordable housing funds to fund the rehabilitation of this existing affordable housing, including properties in the OCHI portfolio. This will help ensure these affordable housing resources are not lost, do not become a blighting influence on Oakland's neighborhoods, and continue to provide high quality affordable housing to the Oakland community. Staff anticipates the need for another Rehabilitation NOFA next year and in future years.

California Environmental Quality Act Review

Under the California Environmental Quality Act (CEQA), the City and Agency are required to review possible environmental impacts of all projects prior to a definitive commitment of funding. Those reviews were completed for the projects recommended here.

All the recommended projects are substantially complete, or are well along in predevelopment, and so have been the subject of extensive reviews by the City's Planning and Zoning Division. Those reviews have covered CEQA, as discussed below and in more detail in **Attachment D**.

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- The multiphase St. Joseph's development was determined to be in compliance with CEQA based on the CEQA Initial Study filed with the state in April 2007, and on a follow-up focused study of impacts on cultural resources. The Planning Commission adopted a Mitigated Negative Declaration/ Finding of No Significant Impact, with Conditions of Approval and a Mitigation Monitoring Plan on December 19, 2007. City or Agency funds will be released only with the developer's commitment to implement the conditions of approval and mitigations.
- 6th and Oak Senior Homes was determined to be exempt from CEQA at the January 21, 2009 Planning Commission meeting per CEQA Guidelines Section 15332, as a limited-scale urban infill project, and per Section 15183, as a project consistent with the general plan and zoning. A Notice of Exemption will be filed. Additional information is in Attachment D.
- Sausal Creek Homes and Golf Links Road are both returning for additional assistance. Both projects were determined to be exempt from CEQA at the time of the original Council actions, and Notices of Exemption were filed accordingly.
- Project Pride has returned for modifications to its original approval. Those modifications were significant enough to require a new CEQA review, which found it to still be exempt per Section 15183, as a project consistent with the general plan and zoning. A Notice of Exemption will be filed. Additional information is in Attachment D.

SUSTAINABLE OPPORTUNITIES

The housing development projects recommended for funding will address the “3 E’s” of sustainability in the following ways:

Economic: These projects will expand the affordable housing inventory in Oakland and generate construction and professional services jobs.

Environmental: Each of the recommended projects will meet or exceed the green building standards developed by StopWaste of Alameda County. Also, each of these proposals will provide housing on vacant or underutilized sites or will rehabilitate existing housing and all are near public transit. By developing in already built-up areas, these projects reduce the pressure to build on agricultural and other undeveloped land. Sites near mass transit enable residents to reduce dependency on automobiles and further reduce any adverse environmental impacts of development.

Social Equity: Affordable housing is a means of achieving greater social equity. Oakland’s neighborhood-level environment will be improved by replacing underused and sometimes blighted buildings and lots with new homes and residents. The proposed developments will provide affordable rental and ownership housing for low and very low-income senior citizens and families. Social services, such as computer centers for residents, are a component of each rental development, and further build social equity.

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DISABILITY AND SENIOR CITIZEN ACCESS

All housing development projects receiving federal funds are required to construct and set aside units to be occupied by persons with disabilities (Federal Section 504 regulation). This means that at least five percent of federally funded newly constructed units will be available to persons with physical disabilities and two percent of units to persons with auditory or visual disabilities. The State's Title 24 and the Americans with Disabilities Act require consideration of persons with disabilities in design and construction of housing. In all rental units and some ownership housing types, those requirements include accessible facilities. Furthermore, developers will be required to devise a strategy to effectively market housing units to the disabled community and present this strategy in their Affirmative Fair Housing Marketing Plan.

City funds have long supported housing development for seniors. Recommendations contained in this report provide \$8,400,000 in funds for a total of 154 units of senior housing.

RECOMMENDATION AND RATIONALE

Staff recommends that the proposed affordable housing projects receive commitments for City/Agency funding or extensions to existing funding commitments to increase the availability of affordable homeownership and rental housing in Oakland. The respective City and Agency resolutions are described below.

ACTIONS REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the following three (3) City Council Resolutions:

A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,850,344 To Bridge Housing For The **St. Joseph's Family Phase IIb** Project Located At 2647 International Boulevard And Appropriating \$3,850,344 In FY 2009-2010 HOME Investment Partnership Grant Funds

A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,850,344 To Affordable Housing Associates For The **6th and Oak Senior Homes** Project Located At 609 Oak Street

A Resolution Amending Resolution No. 80477 C.M.S. To Extend By One Year The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$3,991,000 To Bridge Housing, Inc. For The **St. Joseph's Senior Apartments** Project Located At 2647 International Boulevard

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ACTIONS REQUESTED OF THE REDEVELOPMENT AGENCY

Staff recommends that the Agency board approve the following eleven (11) Agency Resolutions:

A Resolution Appropriating \$4,225,390 From Fund Balance In Low and Moderate Income Housing Funds To The Housing Development Program

A Resolution Appropriating \$464,467 Of Investment Earnings From The 2000 Subordinated Affordable Housing Bond Issue And \$2,564,240 Of Investment Earnings From The 2006 Housing Bond Proceeds Fund For Housing Development Activities

A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,019,656 To Bridge Housing For The **St. Joseph's Family Phase IIb** Project Located At 2647 International Boulevard

A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$3,699,656 To Affordable Housing Associates For The **6th And Oak Senior Homes** Project Located At 609 Oak Street

A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$584,000 To Paul Wang Enterprises For The **Golf Links Road Homeownership** Project Located at 8379, 8395, and 8477 Golf Links Road And To Allow Resales Of Project Units To Households Up To 120% Of Area Median Income

A Resolution Amending Resolution No. 2007-0026 To (1) Increase The Amount Of An Affordable Housing Development Loan To Home Place Initiatives Corporation By \$990,000 For The **Sausal Creek Homes** Project Located At 2464-2470 26th Avenue For A Total Loan Amount of \$3,980,000, (2) Reduce The Affordability Term From Perpetuity To 45 Years, And (3) Allow Resales Of Project Units To Households Up To 120% Of Area Median Income

A Resolution Amending Resolution No. 2007-0022 C.M.S. To Increase The Amount Of An Affordable Housing Development Loan To Bridge Housing For The **St. Joseph's Senior Apartments** Project Located At 2647 International Boulevard By \$850,000 For A Total Agency Loan Amount of \$4,639,000, And To Extend For 12 Months The Time Funds Are Reserved For The Project

A Resolution Amending Resolution No. 2007-0020 C.M.S. To Allow An Extension Of Time For An Existing Commitment Of Funds, Reduce The Funding Commitment From \$4,450,000 To \$1,600,000, Reduce The Number Of Units From 42 To 20, And Change The Site Address For The **Project Pride** Development To Be Located At 2545 San Pablo Avenue

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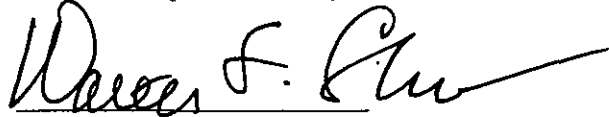
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A Resolution Amending Resolution No. 2007-0021 C.M.S. To Extend By One Year The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$5,133,000 To Oakland Housing Initiatives And Christian Church Homes Of Northern California Jointly For The **Harrison Street Senior Housing** Project Located At 1633 Harrison Street and 321 17th Street

A Resolution Amending Resolution No. 2006-0023 C.M.S. To Extend The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$1,868,000 To East Bay Habitat For Humanity For The **Tassafaronga Village Homeownership** Project Located At 949 85th Avenue

A Resolution Amending Resolution No. 2008-0019 To Extend The Time Funds Are Reserved For An Affordable Housing Development Loan In An Amount Not To Exceed \$2,910,000 To FHP Housing Associates For The **Foothill Plaza Rental** Project Located At 6311 Foothill Boulevard

Respectfully submitted,



Walter S. Cohen, Director

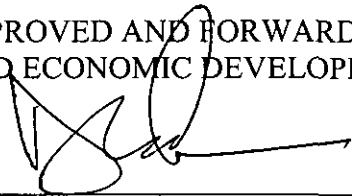
Community and Economic Development Agency

Reviewed by: Sean Rogan, Deputy Director Housing & Community Development

Prepared by: Marge L. Gladman
Manager, Housing Development

Diana Downton, Housing Development Coordinator,
and Housing Development Staff

APPROVED AND FORWARDED TO THE COMMUNITY
AND ECONOMIC DEVELOPMENT COMMITTEE:



Office of the City/Agency Administrator

Attachments

Attachment A: Project Summaries – Projects Recommended for Funding

Attachment B: Project Summaries – Projects Not Recommended

Attachment C: Distribution of Affordable Housing Funds

Attachment D: CEQA Findings

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ATTACHMENT A

PROJECT SUMMARIES

Projects Recommended for Funding

6th and Oak Senior Homes – 609 Oak Street

Golf Links Road Homeownership – 8379,8395, 8477 Golf Links Road

Sausal Creek Homes – 2464-2470 26th Avenue

St. Joseph Family Apartments, Phase IIb – 2647 International Blvd.

St. Joseph Senior Apartments – 2647 International Blvd.

6th and Oak Senior Homes Project Summary

Address/Location	609 Oak Street
Developer	Affordable Housing Associates
Type of Construction	New Construction
Number of Units/ Resident Type	70 Senior Units
Total Development Cost/Cost per Unit	\$32,341,880/ \$462,027 per unit
Previous Local Development Funding	None
Current Request for Local Funds	<i>\$7,550,000</i>
Total City/Agency Funds Requested	\$7,550,000
Total City/Agency Funds per Unit	\$107,857
Total City/Agency Funds as Percent of Total Cost	23.3%

	Affordability Level				
	≤35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom	5				
1 Bedroom	26	29			
2 Bedroom	2	7			
3 Bedroom					
4 Bedroom					

Description of Project:

The proposed 6th and Oak Senior Homes project will be a 70-unit, transit-oriented affordable senior building located in Downtown Oakland. Sixty-nine of the units will be affordable to seniors with incomes between 25 and 50 percent of area median income and one two-bedroom unit will be set aside as a manager's unit. The development will feature 5 studios, 55 one bedroom units, and 10 two bedroom units. The development will also feature a spacious community room, offices for supportive services, a large ground level landscaped open space, and an enclosed garage with 18 parking spaces. The project has been approved for fifty Oakland Housing Authority project-based Section 8 vouchers.

6th and Oak Senior Homes is located within the area targeted for investment by the recently initiated Lake Merritt BART Station Specific Plan. The project has already received a commitment of \$2,000,000 of state Infill Infrastructure funds from the recent Proposition 1C bond measure.

A full time Service Coordinator will be on staff to provide individual case management, as well as group activities. The Services Coordinator will help connect residents with services in the

community including Family Bridges, BACS, Asian Health Services, and Life Long Medical. Group activities will include educational workshops and social activities such as financial planning, exercise, group meals, and computer literacy.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$2,689,750	\$38,425	8.32%
Off-site Improvements	0.00	0.00	0.00%
Hard Costs	22,022,213	314,603	68.09%
Soft Costs	2,668,227	38,118	8.25%
Carrying Costs	2,408,434	34,406	7.45%
Developer Fee	2,000,000	28,571	6.18%
Capitalization of Reserves	362,536	5,179	1.12%
Syndication Costs	140,721	2,010	0.44%
Furnishings/Other	50,000	714	0.15%
Total Development Costs	\$32,341,881	462,027	100%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland	\$7,550,000	23%
Tax Credit Equity	11,579,913	36%
CA HCD Infill Infrastructure Grant	2,000,000	6%
CA HCD Transit Oriented Development Loan	6,859,422	21%
Wells Fargo Bank	2,239,066	7%
FHLB Affordable Housing Program	525,000	2%
HOPWA	425,000	1%
General Partner Equity	348,324	1%
Deferred Developer Fee	815,156	3%
Total	\$32,341,881	100%

Golf Links Road Infill Housing Project Summary

Address/Location	8379, 8395, and 8477 Golf Links Road
Developer	Paul Wang Enterprises, Inc.
Type of Construction	New Construction Manufactured Homes (completed)
Number of Units/ Resident Type	3 Single-Family Ownership Units
Total Development Cost/Cost per Unit	\$1,896,000 / \$632,000
Previous Local Development Funding	\$364,000 (value of donated land)
Current Request for Local Funds	\$584,000
Total City/Agency Funds Requested	\$948,000
Total City/Agency Funds per Unit	\$316,000
Total City/Agency Funds as Percent of Total Cost	50%

	Affordability Level				
	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI	≤120% AMI
0 Bedroom					
1 Bedroom					
2 Bedroom					
3 Bedroom					
4 Bedroom			1	1	1

Description of Project:

The Golf Links Road Ownership Project is located at 8379, 8395, and 8477 Golf Links Road. Paul Wang Enterprises, Inc. is requesting a \$584,000 loan from the City to assist with the sale of three completed four-bedroom single-family homes. The target population is first-time home buyers with families of at least three and incomes of 80% to 120% of area median.

Prior to completion of these homes, the lots had been vacant since 1969 when the City acquired numerous lots in the area for the later abandoned effort to widen Golf Links Road. The three current lots are sloping, resulting in unusually high foundation costs. Addressing other soils issues and the creek running behind the lots also contributed to high development costs.

Construction of the three homes was substantially completed in mid-2008; however, the collapse of the real estate market made the City-established affordable prices for these home prices no longer attractive. This was especially true given the resale restrictions attached to the homes, such as 45-year affordability requirements, income restrictions, and family size requirements.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$374,000	\$124,667	20%
Hard Costs	1,054,000	351,333	55%
Soft Costs	468,000	156,000	25%
Total Development Costs	\$1,896,000	632,000	100%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland – value of donated land	\$364,000	19%
Developer Equity	199,000	11%
City of Oakland	584,000	31%
Sales Proceeds	749,000	39%
Total	\$1,896,000	100%

Sausal Creek Homes Project Summary

Address/Location	2464-2470 26 th Avenue
Developer	Home Place Initiatives and (HPI) East Bay Asian Local Development Corp (EBALDC)
Type of Construction	New Construction (completed)
Number of Units/ Resident Type	17 Family Homeownership Units
Total Development Cost/Cost per Unit	\$8,445,894/ \$496,817 per unit
Previous Local Development Funding	\$2,990,000
Current Request for Local Funds	\$990,000
Total City/Agency Funds Requested	\$3,980,000
Total City/Agency Funds per Unit	\$234,118
Total City/Agency Funds as Percent of Total Cost	47%

	Affordability Level				
	≤35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom					
1 Bedroom					
2 Bedroom					9
3 Bedroom					8
4 Bedroom					

Description of Project:

Sausal Creek Homes includes 17 two and three bedroom townhomes in the lower San Antonio neighborhood. The City previously loaned EBALDC \$2,990,000 for the project, including additional funds awarded in 2007. EBALDC is now requesting \$990,000 in additional development financing, as well as modifications in the City's Affordable Homeownership Development Program (AHDP) for the Sausal Creek Homes development. In February 2008, EBALDC completed construction of the homes. The severe downturn in the housing market and the subsequent tightening of mortgage financing has led to unexpected delays in the sale of these homes. As of January 23, 2009 only 5 of the 17 homes had sold and only 1 other buyer was in contract to close within the week. EBALDC is requesting additional funding and program modifications to assist in their ability to aggressively market and sell these homes to qualified first time home buyers.

This additional funding will be used for post construction activities that include extending post construction holding costs such as interest, insurance, maintenance, security to prevent vandalism and funds to cover repairs; and sales incentives including adding new appliances, a reduction in the sales price, and aggressive marketing to would be home buyers.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$526,270	\$30,957	6.23%
Hard Costs	4,623,026	\$271,943	54.74%
Soft Costs	1,615,050	\$95,003	19.12%
Post Construction Costs	1,681,548	\$98,915	19.91%
Total Development Costs	\$8,445,894	\$496,817	100%

Sources of Funds

Sources	Total	% of Dev. Cost
Sales Proceeds	\$4,257,400	50%
Developer Equity	94,026	1%
City of Oakland	3,980,000	47%
Foundation Funding	213,250	2%
Total	\$8,544,676	100%

St. Joseph's Affordable Family Apartments Project Summary

Address/Location	2647 International Blvd.
Developer	BRIDGE Housing Corporation
Type of Construction	New Construction
Number of Units/ Resident Type	58 Family Units
Total Development Cost/Cost per Unit	\$28,742,399/ \$495,559 per unit
Previous Local Development Funding	None
Current Request for Local Funds	\$6,870,000
Total City/Agency Funds Requested	\$6,870,000
Total City/Agency Funds per Unit	\$118,448
Total City/Agency Funds as Percent of Total Cost	23.9%

	Affordability Level				
	<35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom					
1 Bedroom	5	2			
2 Bedroom	13	12	1		
3 Bedroom	6	15	3		
4 Bedroom					

Description of Project:

St. Joseph's Affordable Family Apartments is located at 2647 International Blvd. between 26th and 27th Avenues. The project is phase 2(b) of the larger St. Joseph project, which includes rehabilitation of an existing building for senior housing, construction of affordable homeownership units, and this family rental new construction project, which is located at the rear of the site, near E. 12th St. The proposed family rental project will consist of 58 affordable rental apartments in a new four-story building over a sub-grade parking garage. Unit sizes range from 800 square feet one bedroom units to 1,200 square feet three bedroom units. The property will offer seven 1-bedroom units, twenty six 2-bedroom units, and twenty four 3-bedroom units, plus a manager's unit. The St. Joseph project has already received a commitment of almost \$3.2 million from the state Infill Infrastructure Grant program.

This project revitalizes and builds on an historic landmark site to create much-needed affordable infill housing for low- and moderate-income households in the community. The site is ideal for infill housing as it is conveniently located right next to the Caesar Chavez Education Center that serves grades K-5 and has a community center that is open to the public. Residents will also benefit from the site's close proximity to public transportation, markets and grocery stores, pharmacies, restaurants, and a medical clinic all within one mile of the project.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$2,773,553	\$47,820	9.65%
Off-site Improvements	247,780	4,272	0.86%
Hard Costs	18,653,475	321,612	64.9%
Soft Costs	3,696,385	63,731	12.86%
Carrying Costs	1,921,615	33,131	6.69%
Developer Fee	1,036,000	17,862	3.60%
Capitalization of Reserves	132,311	2,281	0.46%
Syndication Costs	181,280	3,126	0.63%
Furnishings/Other	100,000	1,724	0.35%
Total Development Costs	\$28,742,399	\$495,559	100%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland	\$6,870,000	24%
Permanent Loan	1,985,676	7%
NCCLF Grant	50,000	0%
HCD Infill Infrastructure Grant	2,831,250	10%
Tax Credit Equity	16,998,300	59%
Deferred Developer Fee	7,173	0%
Total	\$28,742,399	100%

St. Joseph's Senior Apartments Project Summary

Address/Location	2647 International Blvd.
Developer	BRIDGE Housing Corporation
Type of Construction	Rehabilitation & Adaptive Re-use
Number of Units/ Resident Type	84 Senior Units
Total Development Cost/Cost per Unit	\$38,014,260/ \$452,551 per unit
Previous Local Development Funding	\$7,780,000
<i>Current Request for Local Funds</i>	<i>\$850,000</i>
Total City/Agency Funds Requested	\$8,630,000
Total City/Agency Funds per Unit	\$102,738
Total City/Agency Funds as Percent of Total Cost	22.7%

	Affordability Level				
	≤35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom	29	4			
1 Bedroom	47	3			
2 Bedroom					
3 Bedroom					
4 Bedroom					

Description of Project:

St. Joseph's Senior Apartments (Phase I) will consist of 84 affordable rental units for seniors and 3,200 square feet of commercial space on the ground floor, within the historic shell of the existing building. The proposed Phase I development will have 33 studios, 50 one-bedrooms and a 2-bedroom manager's unit. Units will range in size from 420 square feet for the smallest studio to 800 square feet for the largest one-bedroom unit. The project received a commitment of City and Agency funds in 2007. The developer is requesting additional funds for two reasons: the current economic crisis has caused a significant drop in the tax credit equity they will receive from their investor, and there have been unexpected costs of adapting the historic building to modern code-compliant use.

On-site amenities will include laundry rooms, a spacious community room on the ground floor facing a courtyard garden, and lobby areas with seating. The building will contain 4,000 square feet of commercial office space proposed to be leased by businesses providing services compatible to the senior tenant population (commercial development costs are not included in the budget provided below). Approximately 59 surface parking spaces will be provided for

senior tenants and an additional twelve surface parking spaces for commercial tenants and visitors.

This project revitalizes and builds on an historic landmark site and is conveniently located right next to a community center that is open to the public. Residents will also benefit from the site's close proximity to public transportation, markets and grocery stores, pharmacies, restaurants, community development centers and a medical clinic all within one mile of the project.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$6,605,144	\$78,633	17.38%
Off-site Improvements	113,864	1,356	0.30%
Hard Costs	21,520,215	256,193	56.61%
Soft Costs	4,248,471	50,577	11.18%
Carrying Costs	2,687,942	31,999	7.07%
Developer Fee	2,402,739	28,604	6.32%
Capitalization of Reserves	213,258	2,539	0.56%
Syndication Costs	122,627	1,460	0.32%
Furnishings/Other	100,000	1,190	0.26%
Total Development Costs	\$38,014,260	\$452,551	100%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland	8,630,000	23%
Perm Loan A	429,890	1%
Perm Loan B	3,847,332	10%
AHP & CalReUSE	1,414,110	4%
Foundation Grants	150,000	0%
MHP	7,088,603	19%
Tax Credit Equity	15,450,160	41%
Developer Equity	604,165	2%
Deferred Developer Fee	400,000	1%
Total	\$38,014,260	100%

ATTACHMENT B

PROJECT SUMMARIES

Projects Not Recommended for Funding

94th and International Apartments – 9400-9500 International Blvd.

Agnes Memorial Senior Homes – 2372 International Blvd.

Cathedral Gardens – 634 21st Street

Harrison Street Senior – 1633 Harrison and 321 17th Street

Lakeside Senior – 116 E. 15th St. and 1507 2nd Ave.

94th & International Apartments Project Summary

Address/Location	9400-9500 International Blvd. & 1430 94 th Avenue
Developer	The Related Companies of California, LLC and Acts Community Development Corporation
Type of Construction	New Construction
Number of Units/ Resident Type	80 Family Rental Units
Total Development Cost/Cost per Unit	\$31,274,300/ 390,929 per unit
Previous Local Development Funding	None
Current Request for Local Funds	\$9,660,000
Total City/Agency Funds Requested	\$9,660,000
Total City/Agency Funds per Unit	\$120,750
Total City/Agency Funds as Percent of Total Cost	30.9%

	Affordability Level				
	≤35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom					
1 Bedroom	6	33	16		
2 Bedroom					
3 Bedroom	2	15	7		
4 Bedroom					

Description of Project:

The 94th & International development site is comprised of approximately 54,728 square feet (1.25 acres). The site is currently improved with six existing buildings which are planned to be demolished. The development will have a retail/commercial component and a residential rental family component. The commercial component will have approximately 2,975 square feet of retail/commercial space located on the ground floor of International Blvd. The retail space has been designed for social service use, which will address the needs of the community.

The residential component will have a total of 80 units; 55 one bedroom units, 13 single story, three bedroom units, 11 2-story town homes with three bedrooms, and 1 one bedroom Manager's unit. Units will be available to families with income levels between 30% and 60% of area median income. The project will have a parking structure which will accommodate 83 parking spaces. Amenities include social services/management offices, two lounges, a fitness center and a computer room.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$2,500,000	\$31,250	7.99%
Off Site Improvements	75,000	938	0.24%
Hard Costs	20,990,427	262,380	67.12%
Soft Costs	3,315,523	41,444	10.60%
Carrying Costs	1,627,600	20,345	5.20%
Syndication Costs	226,850	2,836	0.73%
Capitalization of Reserves	363,900	4,549	1.16%
Developer Fee	2,000,000	25,000	6.40%
Furnishings/Other	175,000	2,188	0.56%
Total Development Costs	\$31,274,300	\$390,929	100.0%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland	\$9,660,000	31%
California Community Reinvestment Corp. Perm Loan	3,916,000	13%
Tax Credit Equity	16,998,300	54%
Deferred Developer Fee	700,000	2%
Total	\$31,274,300	100%

Agnes Memorial Senior Affordable Apartments Project Summary

Address/Location	2372 International Blvd.
Developer	Related Companies of California and Community Action Alliance
Type of Construction	New Construction
Number of Units/ Resident Type	65 Senior Units
Total Development Cost/Cost per Unit	\$22,402,429/ \$344,653 per unit
Previous Local Development Funding	None
Current Request for Local Funds	\$3,226,000
Total City/Agency Funds Requested	\$3,226,000
Total City/Agency Funds per Unit	\$49,631
Total City/Agency Funds as Percent of Total Cost	14.4%

	Affordability Level				
	≤35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom					
1 Bedroom	27	37			
2 Bedroom		-			
3 Bedroom					
4 Bedroom					

Description of Project:

Agnes Memorial Senior Affordable Apartments is located at 2372 International Blvd. This project involves the construction of a 65-unit, senior, low-income apartment building. The proposed project will have 32 parking stalls located on the first floor and site amenities that include a community room and a fitness room. The facility will have approximately 1,800 square feet of internal ground-floor common space that will be used for on-site social services programs for residents, including services coordination and case management, recreation/socialization, entitlement programs assistance, food distribution, health/nutrition education services and a computer lab provided by Community Action Alliance (CAA), a California non-profit corporation.

A joint venture has been established between The Related Companies of California, L.L.C. and CAA. CAA will own fee title and lease the property to the limited partnership (Related/CAA) for 57 years for \$1 a year.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$1,000,000	\$15,385	4.46%
Off-site Improvements	66,000	1,015	0.29%
Hard Costs	15,400,334	236,928	68.74%
Soft Costs	2,574,183	39,603	11.49%
Carrying Costs	1,337,114	20,571	5.97%
Developer Fee	1,400,000	21,538	6.25%
Capitalization of Reserves	328,976	5,061	1.47%
Syndication Costs	145,822	2,243	0.65%
Furnishings/Other	150,000	2,308	0.67%
Total Development Costs	\$22,402,429	344,652	100%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland	\$3,226,000	14%
California Community Reinvestment Corporation	1,385,000	6%
Tax Credit Equity	16,998,300	76%
Section 8 Permanent Loan	513,129	2%
Deferred Developer Fee	280,000	1%
Total	\$22,402,429	100%

Cathedral Gardens Project Summary

Address/Location	634 21 st Street
Developer	Ecumenical Association for Housing (EAH)
Type of Construction	New Construction & Rehabilitation
Number of Units/ Resident Type	100 Unit Family Housing
Total Development Cost/Cost per Unit	\$37,504,569 / \$375,046
Previous Local Development Funding	None
Current Request for Local Funds	\$3,274,000
Total City/Agency Funds Requested	\$3,273,877
Total City/Agency Funds per Unit	\$32,740
Total City/Agency Funds as Percent of Total Cost	8.7%

	Affordability Level				
	≤35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom	6				
1 Bedroom	19	5			
2 Bedroom	12	27			
3 Bedroom	3	22	5		
4 Bedroom					

Description of Project:

The Cathedral Gardens project site is located at 634 21st Street and is proposed as a 100-unit family housing development. EAH has an option to purchase the land, the site of the old St. Francis de Sales Cathedral, from the Roman Catholic Bishop of Oakland and the Roman Catholic Welfare Corporation of Oakland. The Oakland Housing Authority is prepared to acquire the land at its sale price of \$5,250,000 and lease it to the EAH controlled limited partnership for \$1 a year.

The proposed project will consist of 6 studio units, 24 one bedroom units, 39 two bedroom units, 30 three bedroom units, and one Manager's unit. The units would be located in three buildings, two of which would be newly constructed three and four story buildings, the third being the existing rectory, which would be modified to include 8 housing units. One of the newly constructed buildings would be located on a post-tension reinforced concrete parking podium. A total of 89 parking spaces will be provided on the site.

The project will include a community room equipped with computers and free wifi internet access, a common laundry room and kitchen, rooftop garden, and open landscaped court. A Service Coordinator will assist residents with referrals to various nearby providers as well as after school homework clubs for children.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$5,250,000	\$52,500	14.01%
Off Site Improvements	250,000	2,500	0.67%
Hard Costs	24,334,268	243,343	64.94%
Soft Costs	3,144,231	31,442	8.39%
Carrying Costs	2,547,070	25,121	6.70%
Syndication Costs	259,000	2,590	0.69%
Capitalization of Reserves	335,000	3,350	0.89%
Developer Fee	1,300,000	13,000	3.47%
Furnishings/Other	85,000	850	0.23%
Total Development Costs	\$37,504,569	\$375,046	100%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland	\$3,273,877	9%
Permanent Loan	3,253,476	9%
FHLB Affordable Housing Program	800,000	2%
Oakland Housing Authority	5,250,000	14%
Tax Credit LP's	24,910,000	66%
Deferred Developer Fee	17,216	
Total	\$37,504,569	100%

Harrison Street Senior Housing Project Summary

Address/Location	1633 Harrison St. & 321 17 th St.
Developer	Christian Church Homes and Oakland Housing Initiatives
Type of Construction	New Construction
Number of Units/ Resident Type	73 Senior Units
Total Development Cost/Cost per Unit	\$26,250,900/ \$359,601 per unit
Previous Local Development Funding	\$5,133,000
<i>Current Request for Local Funds</i>	<i>\$1,517,000</i>
Total City/Agency Funds Requested	\$6,650,000
Total City/Agency Funds per Unit	\$91,096
Total City/Agency Funds as Percent of Total Cost	25.3%

	Affordability Level				
	≤35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom					
1 Bedroom	29	43			
2 Bedroom					
3 Bedroom					
4 Bedroom					

Description of Project:

Harrison Senior Apartments will be a 73-unit, six-story HUD Section 202/4% tax credit affordable senior complex to be developed at the intersection of Harrison and 17th Streets. The units will consist of 72 one bedroom units and a two bedroom manager's unit. This project received a commitment of Agency funds in 2007 and has since received a very competitive commitment for HUD 202 funding. The developer is requesting additional funds due to a reduction in equity for tax credits due to the collapse of economic markets. In addition, soil conditions resulted in a more costly foundation design and the addition of green building features and revisions to the design from the planning department have also increased costs, along with general increases in the costs of construction.

The project will serve very low-income and extremely low-income elderly households with four units available to mobility impaired residents and 2 units available to hearing or vision impaired residents. The facility will include a laundry room, on-site administrator's office, on-site social services coordinator with private office, community room, common storage area, and an upper floor landscaped courtyard. The social services coordinator will provide individual

comprehensive needs assessments and care plans for each resident and will facilitate the resident's access to an array of free or no-cost supportive and social services on-site and off, including transportation, nutrition, health, mental health, in-home supportive services, chore workers, money management, insurance counseling, nutrition and meals, healthy movement, and others.

The City is unable to approve additional funds until minor remaining soil contamination problems are completely resolved.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$3,352,000	\$45,918	12.77%
Off-site Improvements	84,423	1,156	0.32%
Hard Costs	17,191,639	235,502	65.49%
Soft Costs	2,324,477	31,842	8.85%
Carrying Costs	1,338,055	18,330	5.10%
Developer Fee	1,216,000	16,658	4.63%
Capitalization of Reserves	569,549	7,802	2.17%
Syndication Costs	119,757	1,641	0.46%
Furnishings/Other	55,000	753	0.21%
Total Development Costs	\$26,250,900	\$359,601	100%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland	\$6,650,000 (\$1,517,000 current request-\$5,133,000 previously received)	25%
HUD Section 202	8,606,900	33%
Tax Credit Equity	7,917,000	30%
FHLB Affordable Housing Program	1,000,000	4%
Oakland Housing Authority	2,052,000	8%
Sponsor Equity	25,000	0%
Total	\$26,250,900	100%

Lakeside Senior Apartments Project Summary

Address/Location	1507 2 nd Ave. & 116 E. 15 th St.
Developer	Satellite Housing
Type of Construction	New Construction
Number of Units/ Resident Type	84 Senior Units
Total Development Cost/Cost per Unit	\$33,084,455/ \$393,863 per unit
Previous Local Development Funding	None
Current Request for Local Funds	\$5,500,000
Total City/Agency Funds Requested	\$5,500,000
Total City/Agency Funds per Unit	\$65,476
Total City/Agency Funds as Percent of Total Cost	16.6%

	Affordability Level				
	≤35% AMI	≤50% AMI	≤60% AMI	≤80% AMI	≤100% AMI
0 Bedroom					
1 Bedroom	40	28			
2 Bedroom	15				
3 Bedroom					
4 Bedroom					

Description of Project:

Lakeside Senior Apartments is located at 1507 2nd Avenue & 116 E. 15th Street . The site is an irregularly shaped lot on the corner of 2nd Ave. and E. 15th Streets. The proposed project will consist of 84 units of affordable senior housing with 35% of these units set aside for seniors with special needs and at risk of homelessness. Units will include 68 one-bedroom units and sixteen two-bedroom units including one apartment for an on-site property manager.

Lakeside will include five floors of residential over ground floor community, property management and supportive service space. The building will feature a parking podium with Type III construction. A large community room and additional multi-purpose room will serve as a place for Town Hall meetings, educational seminars and recreational events. Satellite's Housing's Resident Services Department will offer one-on-one case management.

Development Costs

	Total	Per Unit	% of Total
Acquisition	\$2,600,000	\$30,952	7.86%
Off-site Improvements	80,000	952	0.24%
Hard Costs	23,041,540	274,304	69.64%
Soft Costs	3,465,465	41,256	10.47%
Carrying Costs	2,240,664	26,675	6.77%
Developer Fee	1,300,000	15,476	3.93%
Capitalization of Reserves	48,205	574	0.15%
Syndication Costs	144,737	1,723	0.44%
Furnishings/Other	163,844	1,951	0.50%
Total Development Costs	\$33,084,455	\$393,863	100%

Sources of Funds

Sources	Total	% of Dev. Cost
City of Oakland	\$5,500,000	17%
Developer Equity	48,906	0%
HUD Section 202	8,198,384	25%
FHLB Affordable Housing Program	840,000	3%
Tax Credit Equity	11,367,908	34%
HCD Infill Infrastructure Grant	3,000,000	9%
HCD Multi Family Housing Program Supportive Housing	3,629,257	11%
Mental Health Services Act	500,000	2%
Total	\$33,084,455	100%

ATTACHMENT C

**ALLOCATIONS OF FUNDS FOR HOUSING DEVELOPMENT AND HOMEBUYER ASSISTANCE
(FY 1993-94 through FY 2008-09)**

	Prior Years (FY93-01)	FY 01-02	FY02-03	FY03-04	FY04-05	FY05-06	FY06-07	FY07-08	FY08-09*	Total
HOMEOWNERSHIP										
First Time Homebuyers Assistance	19,994,563	2,600,000	2,600,000	3,290,057	2,411,420	5,258,833	3,173,464	8,689,661	2,527,271	50,545,269
Homeowner Rehab (not including CDBG)	2,124,805	0	1,842,687	1,185,445	2,414,156	(1,426,310)	1,794,674	(2,975,499)	0	4,959,958
Homeownership Development	18,284,336	6,148,125	3,703,800	3,762,500	0	5,013,000	2,073,114	12,423,000	25,500	51,433,375
SUBTOTAL - Owner	40,403,704	8,748,125	8,146,487	8,238,002	4,825,576	8,845,523	7,041,252	18,137,162	2,552,771	106,938,602
RENTAL DEVELOPMENT										
Family Rental Development	24,592,567	9,511,923	4,972,893	1,039,647	9,995,500	19,539,000	0	17,430,000	16,414,000	103,495,530
Senior Rental Development	11,175,359	3,758,078	3,572,000	10,865,150	(2,018,850)	14,738,000	19,376,500	2,230,000	8,400,000	72,096,237
Special Needs Rental Development	11,795,760	(13,506)	821,600	0	0	0	4,450,000	1,952,000	(2,550,000)	16,455,854
SUBTOTAL -- Rental	47,563,686	13,256,495	9,366,493	11,904,797	7,976,650	34,277,000	23,826,500	21,612,000	22,264,000	192,047,621
GRAND TOTAL	87,967,390	22,004,620	17,512,980	20,142,799	12,802,226	43,122,523	30,867,752	39,749,162	24,816,771	298,986,223
Percent Ownership	46%	40%	47%	41%	38%	21%	23%	46%	10%	36%
Percent Rental	54%	60%	53%	59%	62%	79%	77%	54%	90%	64%

* Note: Includes funding for rehabilitation of existing rental housing allocated through the Preservation and Rehabilitation NOFA.

ATTACHMENT D

CEQA ENVIRONMENTAL DETERMINATIONS

NOFA applications include a "CEQA Preliminary Study" as an application exhibit. Unless already done as part of more advanced environmental review, the study provides staff with professional review of each project's potential impact in several critical environmental categories:

- Traffic
- Noise
- Historic Resources
- Exposure to Hazardous Materials
- Creek, wetland, and seismic issues when applicable.

The studies verify reasons for exemption from CEQA when possible, or if not, define the scope of additional work needed. The complete CEQA Preliminary Studies are available for review at the Housing and Community Development Division, 250 Ogawa Plaza, 5th floor.

CEDA Housing Development staff and Planning staff concluded that the following projects recommended for funding are exempt from CEQA:

6th and Oak Senior Homes

This project is exempt per CEQA Guidelines Sections 153332 (Infill Development) and 15183 (Consistent with Zoning and General Plan). 6th and Oak meets the relevant criteria for these exemptions in that the proposed activity:

- occurs on a site of less than five acres within city limits
- will not affect habitat for rare or threatened species
- will have no significant effect on traffic or noise, or on air or water quality
- occurs on a site adequately served by public utilities
- will be consistent with zoning and the general plan.

None of the exceptions from these exemptions, as detailed in the Guidelines, apply.

Project Pride

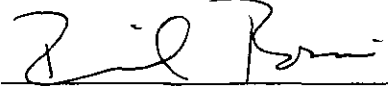
This project is exempt per CEQA Guidelines Sections 153332 (Infill Development) and 15183 (Consistent with Zoning and General Plan). Project Pride meets the relevant criteria for these exemptions for the same reasons bulleted for the proposal above.

Project Pride will involve rehabilitation of a Potentially Designated Historic Property. Project developers have committed that all work will be consistent with the Secretary of the Interior's Standards for historic rehabilitation, which ensures that any adverse change to the historic resource will be avoided. No other exception from these exemptions, as detailed in the Guidelines, applies.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 26 PM 3:04

APPROVED AS TO FORM AND LEGALITY:



Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$3,850,344 TO BRIDGE HOUSING CORPORATION FOR THE ST. JOSEPH'S FAMILY PHASE IIB PROJECT LOCATED AT 2647 INTERNATIONAL BOULEVARD AND APPROPRIATING \$3,850,344 IN FY 2009-2010 HOME INVESTMENT PARTNERSHIP GRANT FUNDS

WHEREAS, the City's Consolidated Plan for Housing and Community Development indicates that there is a need for affordable rental housing, and has identified this activity as a priority; and

WHEREAS, on September 2, 2008, the City and the Redevelopment Agency of the City of Oakland jointly issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

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

WHEREAS, Developer proposes to develop a 58-unit family rental development at 2647 International Boulevard in the City of Oakland (the "Project") known as the St. Joseph's Family Phase IIB Project; and

WHEREAS, at least 57 Project units will be rented at prices affordable to households earning no more than 60% of area median income; and

WHEREAS, Developer is also requesting additional funds from the Redevelopment Agency in the amount of \$3,019,656 to come from the 2000 Affordable Housing Set-Aside Bond, 2006 Affordable Housing Set-Aside Bond, and Low and Moderate Income Housing Fund for development of the Project; and

WHEREAS, the Project is consistent with the City's Project Development Guidelines, and Developer meets the City's Threshold Developer Criteria; and

WHEREAS, the Project will increase and improve the supply of low and moderate income housing available in the City of Oakland; and

WHEREAS, the City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied by that Mitigated Negative Declaration and a Finding of No Significant Impact adopted by the City on December 19, 2007, for the Project; and

WHEREAS, none of the circumstances necessitating additional CEQA review of the Project are present; and

WHEREAS, execution of loan documents or other documents legally committing the City to fund this Project shall be expressly conditioned on compliance with the requirements of the National Environmental Protection Act ("NEPA"), as certified by the City Administrator or his or her designee; and

WHEREAS, the City anticipates receiving an annual formula grant of HOME Investment Partnership Program funds in an amount sufficient to provide \$3,850,344 for housing development activities; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his or her designee to provide a loan in an amount not to exceed \$3,850,344 to BRIDGE Housing or to an affiliated entity approved by the City Administrator or his or her designee, to be used for development of the Project; and be it

FURTHER RESOLVED: That the City Council hereby appropriates the sum of \$3,850,344 to the HOME Investment Partnership Fund (2109); and be it

FURTHER RESOLVED: That \$3,850,344 will be allocated from the 2009-10 HUD-HOME Fund (2109), Housing Development Organization (88929), HOME Housing Development Project (G172111) for this loan after the 2009-10 fiscal year funds are available; and be it

FURTHER RESOLVED: That the loan shall be contingent on the City's receipt of HOME Investment Partnership funds from HUD for FY 2009-10 in an amount sufficient to provide this loan; and be it

FURTHER RESOLVED: That the combined total of the City and Agency loans for the Project shall not exceed \$6,870,000; and be it

FURTHER RESOLVED: That the loan shall be contingent on the availability of sufficient funds in the HOME Program Development Fund, the Low and Moderate Income Housing Fund, the 2000 Affordable Housing Set-Aside Bond, and the 2006 Affordable Housing Set-Aside Bond to cover both the City loan of \$3,850,344 and the Redevelopment Agency development loan of \$3,019,656; and be it

FURTHER RESOLVED: That the loan shall be for a maximum term of 55 years, with an interest rate to be determined by the City Administrator in his or her discretion, with repayment to the City from surplus cash flow from the Project and other available funds during the term of the loan with the balance due at the end of the term, or on such other repayment terms and schedule as the City Administrator or his or her designee determines are in the best interests of the City and the Project; and be it

FURTHER RESOLVED: That as a condition of the loan, the City will require that appropriate restrictions on Project occupancy, rents and operations be recorded against Project improvements; and be it

FURTHER RESOLVED: That the loan shall be secured by a deed of trust on the Project land and/or improvements; and be it.

FURTHER RESOLVED: That the loan funds shall be reserved for a period of no more than eighteen months from the date of this Resolution, and the making of the loan shall be contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the City Administrator or his or her designee deems sufficient within his or her discretion, within this reservation period; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays of state financing that are out of the control of the Developer, the City Administrator or his or her designee may extend the reservation period for Project funding within his or her discretion; and be it

FURTHER RESOLVED: That the making of the loan shall be contingent on and subject to such other appropriate terms and conditions as the City Administrator or his or her designee may establish; and be it

FURTHER RESOLVED: That execution of loan documents or other documents legally committing the City to fund this Project are expressly conditioned on compliance with the requirements of NEPA, as certified by the City Administrator or his or her designee; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or his or her designee in his or her discretion to subordinate the priority of any of the City's recorded interests in the Project property to a lien or encumbrance of another private or governmental entity providing financial assistance to the Project, if the City Administrator or his or her designee determines that (1) an economically feasible alternative method of financing the Project on substantially comparable terms and

conditions but without subordination is not reasonably available, (2) the City's investment in the Project in the event of default is reasonably protected, and (3) subordination is in the best interests of the City; and be it

FURTHER RESOLVED: That all loan documents shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and copies will be placed on file with the City Clerk; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator and his or her designee as agent of the City to conduct negotiations, execute documents, administer the loan, extend or modify the repayment terms, and take any other action with respect to the loan and the Project consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:



Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$3,850,344 TO AFFORDABLE HOUSING ASSOCIATES FOR THE 6TH AND OAK SENIOR HOMES PROJECT LOCATED AT 609 OAK STREET

WHEREAS, on September 2, 2008, the City and the Redevelopment Agency of the City of Oakland jointly issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, Affordable Housing Associates ("Developer"), a nonprofit organization devoted to the provision of affordable housing, submitted a proposal in response to the NOFA; and

WHEREAS, Developer proposes to develop a 70-unit rental development at 609 Oak Street in the City of Oakland (the "Project") known as the 6th and Oak Senior Homes Project; and

WHEREAS, at least 69 Project units will be rented at prices affordable to households earning no more than 60% of area median income; and

WHEREAS, Developer is also requesting additional funds from the Redevelopment Agency in the amount of \$3,699,656 to come from the Low and Moderate Income Housing Fund for development of the Project; and

WHEREAS, the City's Consolidated Plan for Housing and Community Development indicates that there is a need for affordable rental housing, and has identified this activity as a priority; and

WHEREAS, the Project is consistent with the City's Project Development Guidelines, and Developer meets the City's Threshold Developer Criteria; and

WHEREAS, the Project will increase and improve the supply of low and moderate income housing available in the City of Oakland; and

WHEREAS, the City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

WHEREAS, execution of loan documents or other documents legally committing the City to fund this Project shall be expressly conditioned on compliance with the requirements of the National Environmental Protection Act ("NEPA"), as certified by the City Administrator or his or her designee; and

WHEREAS, funds will be available from the HOME Investment Partnership Program in fiscal year 2008-09 to assist the Project; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his or her designee to provide a loan in an amount not to exceed \$3,850,344 to Affordable Housing Associates or to an affiliated entity approved by the City Administrator or his or her designee, to be used for development of the Project; and be it

FURTHER RESOLVED: That the City Administrator or his designee is authorized to conduct negotiations, execute documents, administer the loan, extend or modify the 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 \$3,850,344 will be allocated from the 2008-09 HUD-HOME Fund (2109), Housing Development Organization (88929), HOME Housing Development Project (G172111) for this loan after the 2008-09 fiscal year funds are available; and be it

FURTHER RESOLVED: That the combined total of the City and Agency loans for the Project shall not exceed \$7,550,000; and be it

FURTHER RESOLVED: That the loan shall be contingent on the availability of sufficient funds in the HOME Program Development Fund and the Low and Moderate Income Housing Fund to cover both the City loan of \$3,850,344 and the Redevelopment Agency development loan of \$3,699,656; and be it

FURTHER RESOLVED: That the loan shall be for a maximum term of 55 years, with an interest rate to be determined by the City Administrator in his or her discretion, with repayment to the City from surplus cash flow from the Project and other available funds during the term of the loan with the balance due at the end of the term, or on such other repayment terms and schedule as the City Administrator or his or her designee determines are in the best interests of the City and the Project; and be it

FURTHER RESOLVED: That the City has independently reviewed and considered this environmental determination, and the City finds and determines, based on the information provided in the staff report accompanying this Resolution, that this action complies with CEQA because the Project is exempt from CEQA pursuant to CEQA Guidelines Sections 15332 (Infill Development) and 15183 (Projects Consistent with Zoning and General Plan) and meets the relevant criteria for these exemptions; and be it

FURTHER RESOLVED: That the City Administrator shall cause to be filed with the County of Alameda a Notice of Exemption and an Environmental Declaration under the California Fish and Game Code (section 711.4); and be it

FURTHER RESOLVED: That as a condition of the loan, the City will require that appropriate restrictions on Project occupancy, rents and operations be recorded against Project improvements; and be it

FURTHER RESOLVED: That the loan shall be secured by a deed of trust on the Project land and/or improvements; and be it

FURTHER RESOLVED: That the loan funds shall be reserved for a period of no more than eighteen months from the date of this Resolution, and the making of the loan shall be contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the City Administrator or his or her designee deems sufficient within his or her discretion, within this reservation period; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays in state financing that are out of the control of the Developer, the City Administrator or his or her designee may extend the reservation period for Project funding at his or her discretion; and be it

FURTHER RESOLVED: That the making of the loan shall be contingent on and subject to such other appropriate terms and conditions as the City Administrator or his or her designee may establish; and be it

FURTHER RESOLVED: That execution of loan documents or other documents legally committing the City to fund this Project are expressly conditioned on compliance with the requirements of NEPA, as certified by the City Administrator or his or her designee; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or his or her designee in his or her discretion to subordinate the priority of any of the City's recorded interests in the Project property to a lien or encumbrance of *another private or governmental entity providing financial assistance to the Project*, if the City Administrator or his or her designee determines that (1) an economically feasible alternative method of financing the Project on substantially comparable terms and

conditions but without subordination is not reasonably available, (2) the City's investment in the Project in the event of default is reasonably protected, and (3) subordination is in the best interests of the City; and be it

FURTHER RESOLVED: That all loan documents shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

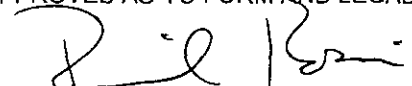
ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 80477 C.M.S. TO EXTEND BY ONE YEAR THE TIME FUNDS ARE RESERVED FOR AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$3,991,000 TO BRIDGE HOUSING CORPORATION FOR THE ST. JOSEPH'S SENIOR APARTMENTS PROJECT LOCATED AT 2647 INTERNATIONAL BOULEVARD

WHEREAS, Resolution No. 80477 C.M.S. dated March 20, 2007 (the "Resolution") authorized an affordable housing development loan in an amount not to exceed \$3,991,000 to BRIDGE Housing Corporation (the "Developer"), a nonprofit organization devoted to the provision of affordable housing, for the St. Joseph's Senior Apartments project (the "Project"), an 84-unit housing project located at 2647 International Boulevard in the City of Oakland; and

WHEREAS, the Resolution states that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the City Administrator or his or her designee deems sufficient, within eighteen months from the date of the Resolution; and

WHEREAS, the Developer has substantially completed design, planning, and entitlement work and has received a commitment for funding from the California Multifamily Housing Program, but full funding has been delayed by worsening financial markets; and

WHEREAS, Developer has submitted a request to extend the City's funding reservation for an additional 12 months; and

WHEREAS, the Project previously received a reservation of funds of Agency loan funds in the amount of \$3,789,000 per Agency Resolution 2007-0022, and Developer concurrently is seeking an extension request on that reservation, as well as additional Agency loan funds of \$850,000; and

WHEREAS, previously reserved loan funds of \$3,991,000 are available in the HUD-HOME Fund (2109), Housing Development Organization (88929), HOME Housing Development project (G172111); now, therefore, be it

RESOLVED: That the City Council hereby amends Resolution No. 80477 C.M.S. to provide that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the City Administrator or his or her designee deems sufficient, by March 17, 2010; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays of state financing that are out of control of the Developer, the City Administrator or his or her designee may establish an extension of Project funding within his or her discretion.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California


AGENCY COUNSEL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 26 PM 3:05
**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY AGENCY MEMBER _____

**RESOLUTION APPROPRIATING \$4,225,390 FROM FUND BALANCE IN
LOW AND MODERATE INCOME HOUSING FUNDS TO THE HOUSING
DEVELOPMENT PROGRAM**

WHEREAS, the Redevelopment Agency has established the Low and Moderate Income Housing Fund to address the housing needs of low and moderate income persons; and

WHEREAS, the Redevelopment Agency desires to maximize the use of the Low and Moderate Income Housing Fund by using all available sources of funds as soon as they become available; and

WHEREAS, actual revenues in the Low and Moderate Income Housing Fund for Fiscal Year 2007-2008 exceeded the amount budgeted by \$4,225,390; and

WHEREAS, as of June 30, 2008 the available fund balance in the Low and Moderate Income Housing Fund was \$4,225,390; and

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

RESOLVED: That the Redevelopment Agency hereby appropriates the sum of \$4,225,390 from the fund balance in the Low Mod Operations Fund (9580) to the Housing Development Project (P209310), Housing Development Organization (88929).

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
Secretary of the Redevelopment Agency of
the City of Oakland


AGENCY COUNSEL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 26 PM 3:05
**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY AGENCY MEMBER _____

RESOLUTION APPROPRIATING \$464,467 OF INVESTMENT EARNINGS FROM THE 2000 SUBORDINATED AFFORDABLE HOUSING BOND ISSUE AND \$2,564,240 OF INVESTMENT EARNINGS FROM THE 2006 HOUSING BOND PROCEEDS FUND FOR HOUSING DEVELOPMENT ACTIVITIES

WHEREAS, in 2000 the Redevelopment Agency issued \$39.5 million in Subordinated Affordable Housing Bonds to address the housing needs of low and moderate income persons; 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; and

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

WHEREAS, as of June 30, 2008 the available fund balance in the 2000 Subordinated Housing Set-Aside Revenue Projects Fund (9583) was \$464,467; and

WHEREAS, as of June 30, 2008 the available fund balance in the 2006 Housing Bond Proceeds Fund (9584) was \$2,564,240; and

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

RESOLVED: That the Redevelopment Agency hereby appropriates the sum of \$464,467 from the fund balance in the 2000 Subordinated Housing Set-Aside Revenue Projects Fund (9583) to the Housing Bond Project 2000 (P151710), Housing Development Organization (88929); and be it

FURTHER RESOLVED: That the Redevelopment Agency hereby appropriates the sum of \$2,564,240 from the fund balance in the 2006 Housing Bond Proceeds Fund (9584) to the 2006 Housing Bond Project Funds project (L290410), Housing Development Organization (88929).

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

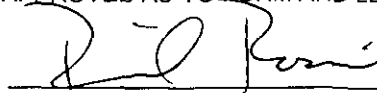
ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
Secretary of the Redevelopment Agency of
the City of Oakland

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$3,019,656 TO BRIDGE HOUSING CORPORATION FOR THE ST. JOSEPH'S FAMILY PHASE IIB PROJECT LOCATED AT 2647 INTERNATIONAL BOULEVARD

WHEREAS, the City of Oakland's Consolidated Plan for Housing and Community Development indicates that there is a need for affordable rental housing, and has identified this activity as a priority; and

WHEREAS, on September 2, 2008, the Redevelopment Agency and the City of Oakland jointly issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

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

WHEREAS, Developer proposes to develop a 58 unit family rental development at 2647 International Boulevard in the City of Oakland (the "Project") known as the St. Joseph's Family Phase Iib Project; and

WHEREAS, the Project is located in the Coliseum Redevelopment Project Area; and

WHEREAS, at least 57 Project units will be rented at prices affordable to households earning no more than 60% of area median income; and

WHEREAS, the Project is consistent with the Agency's Project Development Guidelines, and the Developer meets the Agency's Threshold Developer Criteria; and

WHEREAS, the Project will increase and improve the supply of low and moderate income housing available in the City of Oakland, is an eligible use of the Agency's Low and Moderate Income Housing Fund under California Health and Safety Code Sections 33334.2 and 33334.3, and will benefit the redevelopment project areas in the City of Oakland by providing affordable housing opportunities within the community that will enhance the economic viability and redevelopment potential of the project areas; and

WHEREAS, no other reasonable means of private or commercial financing of the Project at the same level of affordability and quantity are reasonably available to Developer other than the Low and Moderate Income Housing Fund; and

WHEREAS, the Agency is the Responsible Agency and the City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied by that Mitigated Negative Declaration and a Finding of No Significant Impact adopted by the City on December 19, 2007, for the Project; and

WHEREAS, none of the circumstances necessitating additional CEQA review of the Project are present; and

WHEREAS, funds are available from the Agency's Low and Moderate Income Housing Fund to assist the Project; now, therefore, be it

RESOLVED: That the Redevelopment Agency hereby authorizes the Agency Administrator or his or her designee to provide a loan in an amount not to exceed \$3,019,656 to BRIDGE Housing, or to an affiliated entity approved by the Agency Administrator or his or her designee, to be used for development of the Project; and be it

FURTHER RESOLVED: That \$2,112,322 shall be allocated from the Low Mod Operations Fund (9580), Housing Development Organization (88929), Housing Development Program project (P209310) for this loan; and be it

FURTHER RESOLVED: That \$464,467 shall be allocated from the 2000 Affordable Housing Set-Aside Bond Fund (9583), Housing Development Organization (88929), Housing Development Program project (P151710) for this loan; and be it

FURTHER RESOLVED: That \$442,867 shall be allocated from the 2006 Affordable Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), Housing Development Program project (L290410) for this loan; and be it

FURTHER RESOLVED: That the loan shall be contingent on the availability of sufficient funds in the Agency's Low and Moderate Income Housing Fund to cover the Agency loan of \$3,019,656 and in the HOME Program Development Fund to cover the City loan of \$3,850,344; and be it

FURTHER RESOLVED: That the loan shall be for a maximum term of 55 years, with an interest rate to be determined by the Agency Administrator in his or her discretion, with repayment to the Agency from surplus cash flow from the Project and other available funds during the term of the loan with the balance due at the end of the term, or on such other repayment terms and schedule as the Agency Administrator or his or her designee determines are in the best interests of the Agency and the Project; and be it

FURTHER RESOLVED: That as a condition of the loan, the Agency will require that appropriate restrictions on Project occupancy, rents and operations be recorded against Project improvements; and be it

FURTHER RESOLVED: That the loan shall be secured by a deed of trust on the Project land and/or improvements; and be it

FURTHER RESOLVED: That the loan funds shall be reserved for a period of no more than eighteen months from the date of this Resolution, and the making of the loan shall be contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient within his or her discretion, within this reservation period; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays in state financing that are out of the control of the Developer, the Agency Administrator or his or her designee may extend the reservation period for Project funding within his or her discretion; and be it

FURTHER RESOLVED: That the making of the loan shall be contingent on and subject to such other appropriate terms and conditions as the Agency Administrator or his or her designee may establish; and be it

FURTHER RESOLVED: That the Agency hereby authorizes the Agency Administrator or his or her designee in his or her discretion to subordinate the priority of any of the Agency's recorded interests in the Project property to a lien or encumbrance of another private or governmental entity providing financial assistance to the Project, if the Agency Administrator or his or her designee determines that (1) an economically feasible alternative method of financing the Project on substantially comparable terms and conditions but without subordination is not reasonably available, (2) the Agency's investment in the Project in the event of default is reasonably protected, and (3) subordination is in the best interests of the Agency; and be it

FURTHER RESOLVED: That all loan documents shall be reviewed and approved by Agency Counsel for form and legality prior to execution, and copies will be placed on file with the Agency Secretary; and be it

FURTHER RESOLVED: That the Agency hereby appoints the Agency Administrator and his or her designee as agent of the Agency to conduct negotiations, execute documents, administer the loan, extend or modify the repayment terms, and take any other action with respect to the loan and the Project consistent with this Resolution and its basic purpose.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
Secretary of the Redevelopment Agency
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$3,699,656 TO AFFORDABLE HOUSING ASSOCIATES FOR THE 6TH AND OAK SENIOR HOMES PROJECT LOCATED AT 609 OAK STREET

WHEREAS, the City of Oakland's Consolidated Plan for Housing and Community Development indicates that there is a need for affordable rental housing, and has identified this activity as a priority; and

WHEREAS, on September 2, 2008, the Redevelopment Agency and the City of Oakland jointly issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, Affordable Housing Associates ("Developer"), a nonprofit organization devoted to the provision of affordable housing, submitted a proposal in response to the NOFA; and

WHEREAS, Developer proposes to develop a 70 unit senior rental development at 609 Oak Street in the City of Oakland (the "Project") known as the 6th and Oak Senior Homes Project; and

WHEREAS, the Project is located in the Central District Redevelopment Project Area; and

WHEREAS, at least 69 Project units will be rented at prices affordable to households earning no more than 60% of area median income; and

WHEREAS, Developer is also requesting additional funds from the City of Oakland in the amount of \$3,850,344 to come from the HOME Investment Partnership Program; and

WHEREAS, the Project is consistent with the Agency's Project Development Guidelines, and the Developer meets the Agency's Threshold Developer Criteria; and

WHEREAS, the Project will increase and improve the supply of low and moderate income housing available in the City of Oakland, is an eligible use of the Agency's Low and Moderate Income Housing Fund under California Health and Safety Code Sections 33334.2 and 33334.3, and will benefit the redevelopment project area in the City of Oakland by providing affordable housing opportunities within the community that will enhance the economic viability and redevelopment potential of the project area; and

WHEREAS, no other reasonable means of private or commercial financing of the Project at the same level of affordability and quantity are reasonably available to Developer other than the Low and Moderate Income Housing Fund; and

WHEREAS, the Agency is the Responsible Agency and the City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

WHEREAS, funds are available from the Agency's Low and Moderate Income Housing Fund to assist the Project; now, therefore, be it

RESOLVED: That the Redevelopment Agency hereby authorizes the Agency Administrator or her designee to provide a loan in an amount not to exceed \$3,699,656 to Affordable Housing Associates, or to an affiliated entity approved by the Agency Administrator or his or her designee, to be used for development of the Project; and be it

FURTHER RESOLVED: That \$3,391,079 shall be allocated from the Low Mod Operations Fund (9580), Housing Development Organization (88929), Housing Development Program project (P209310) for this loan; and be it

FURTHER RESOLVED: That \$308,577 shall be allocated from the Low Mod Operations Fund (9580), Housing Development Organization (88929), Housing Development Program HOME Match project (H236510) for this loan; and be it

FURTHER RESOLVED: That the combined total of the City and Agency loans for the Project shall not exceed \$7,550,000; and be it

FURTHER RESOLVED: That the loan shall be contingent on the availability of sufficient funds in the Agency's Low and Moderate Income Housing Fund to cover the Agency loan of \$3,699,656 and in the HOME Program Development Fund to cover the City loan of \$3,850,344; and be it

FURTHER RESOLVED: That the loan shall be for a maximum term of 55 years, with an interest rate to be determined by the Agency Administrator in his or her

discretion, with repayment to the Agency from surplus cash flow from the Project and other available funds during the term of the loan, with the balance due at the end of the term, or on such other repayment terms and schedule as the Agency Administrator or his or her designee determines are in the best interests of the Agency and the Project; and be it

FURTHER RESOLVED: That the Agency concurs with the City, which, as Lead Agency, has independently reviewed and considered this environmental determination, and finds and determines that this action complies with CEQA because the Project is exempt from CEQA pursuant to CEQA Guidelines Sections 15332 (Infill Development) and 15183 (Projects Consistent with Zoning and General Plan) and meets the relevant criteria for these exemptions; and be it

FURTHER RESOLVED: That the Agency Administrator shall file a Notice of Exemption and an Environmental Declaration under California Fish and Game Code (section 711.4), with the County of Alameda; and be it

FURTHER RESOLVED: That as a condition of the loan, the City will require that appropriate restrictions on Project occupancy, rents and operations be recorded against Project improvements; and be it

FURTHER RESOLVED: That the loan shall be secured by a deed of trust on the Project land and/or improvements; and be it

FURTHER RESOLVED: That the loan funds shall be reserved for a period of no more than eighteen months from the date of this Resolution, and the making of the loan shall be contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient within his or her discretion, within this reservation period; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays of State financing that are out of control of the Developer, the City Administrator or his or her designee may approve an extension of time to secure Project funding, at his or her discretion; and be it

FURTHER RESOLVED: That the making of the loan shall be contingent on and subject to such other appropriate terms and conditions as the Agency Administrator or his or her designee may establish; and be it

FURTHER RESOLVED: That the Agency hereby authorizes the Agency Administrator or his or her designee in his or her discretion to subordinate the priority of any of the Agency's recorded interests in the Project property to a lien or encumbrance of another private or governmental entity providing financial assistance to the Project, if the Agency Administrator or his or her designee determines that (1) an economically feasible *alternative method of financing the Project on substantially comparable terms and conditions* but without subordination is not reasonably available, (2) the Agency's investment in the Project in the event of default is reasonably protected, and (3) subordination is in the best interests of the Agency; and be it

FURTHER RESOLVED: That the Agency hereby appoints the Agency Administrator and his or her designee as agent of the Agency to conduct negotiations, execute documents, administer the loan, extend or modify the 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 all loan documents shall be reviewed and approved by Agency Counsel for form and legality prior to execution, and copies will be placed on file with the Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
Secretary of the Redevelopment Agency
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$584,000 TO PAUL WANG ENTERPRISES, FOR THE GOLF LINKS ROAD HOMEOWNERSHIP PROJECT LOCATED AT 8379, 8395, AND 8477 GOLF LINKS ROAD AND TO ALLOW REALES OF PROJECT UNITS TO HOUSEHOLDS UP TO 120% OF AREA MEDIAN INCOME

WHEREAS, the City of Oakland's Consolidated Plan for Housing and Community Development indicates that there is a need for affordable ownership housing, and has identified this activity as a priority; and

WHEREAS, on September 2, 2008, the Redevelopment Agency and the City of Oakland jointly issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, Paul Wang Enterprises ("Developer") submitted a proposal in response to the NOFA; and

WHEREAS, the Agency executed Resolution 2003-67 C.M.S. dated July 29, 2003, authorizing the execution of a Disposition and Development Agreement for the sale of the land for the Project at no cost to the Developer; and

WHEREAS, Developer has constructed three affordable homeownership units at 8379, 8395, and 8477 Golf Links Road in the City of Oakland (the "Project") known as the Golf Links Road Homeownership Project; and

WHEREAS, the Project units will achieve an average income targeting of 100% of area median income; and

WHEREAS, the requirement in Resolution 2003-67 C.M.S. that Project units be re-sold based on income targeting of 100% of area median income and below is making marketing of the units more difficult, and redevelopment law only requires that units remain affordable to households at or below 120% of area median income; and

WHEREAS, the Project is consistent with the Agency's Project Development Guidelines, and Developer meets the Agency's Threshold Developer Criteria; and

WHEREAS, the Project will increase and improve the supply of low and moderate income housing available in the City of Oakland, is an eligible use of the Agency's Low and Moderate Income Housing Fund under California Health and Safety Code Sections 33334.2 and 33334.3, and will benefit the redevelopment project areas in the City of Oakland by providing affordable housing opportunities within the community that will enhance the economic viability and redevelopment potential of the project areas; and

WHEREAS, no other reasonable means of private or commercial financing of the Project at the same level of affordability and quantity are reasonably available to Developer other than the Low and Moderate Income Housing Fund; and

WHEREAS, the Agency is the Responsible Agency and the City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

WHEREAS, none of the circumstances necessitating additional CEQA review of the Project are present; and

WHEREAS, funds are available from the Agency's Low and Moderate Income Housing Fund to assist the Project; now, therefore, be it

RESOLVED: That the Redevelopment Agency hereby authorizes the Agency Administrator or his designee to provide a loan in an amount not to exceed \$584,000 to Paul Wang Enterprises, or to an affiliated entity approved by the Agency Administrator or his or her designee, to be used for development of the Project; and be it

FURTHER RESOLVED: That Resolution No. 2003-67 C.M.S. is amended to allow resale of all units to households up to 120% of area median income; and be it

FURTHER RESOLVED: That \$584,000 shall be allocated from the 2006 Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), 2006 Housing Bond project (L290410) for this loan; and be it

FURTHER RESOLVED: That the loan shall be contingent on the availability of sufficient funds in the Agency's 2006 Housing Set-Aside Bond Fund to cover the Agency loan of \$584,000; and be it

FURTHER RESOLVED: That the loan shall be for a maximum term of four years, with an interest rate to be determined by the Agency Administrator in his discretion, with repayment to the Agency upon the initial sale of Project units to eligible homebuyers, or on such other repayment terms and schedule as the Agency Administrator or his or her designee determines are in the best interest of the Agency and the Project; and be it

FURTHER RESOLVED: That, in the event the Project's development cost exceeds its total net sales proceeds, the Agency Administrator is authorized, upon the initial sale of Project units, to convert a portion of the loan, represented by the difference between the development cost of the Project units and the total net sales proceeds from Project units, into a grant; and be it

FURTHER RESOLVED: That as a condition of the loan, the Agency will require that appropriate restrictions on the sale and resale of Project units be recorded against Project improvements; and be it

FURTHER RESOLVED: That the loan shall be secured by a deed of trust on the Project land and/or improvements; and be it

FURTHER RESOLVED: That the loan funds shall be reserved for a period of no more than eighteen months from the date of this Resolution, and the making of the loan shall be contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient within his or her discretion, within this reservation period; and be it

FURTHER RESOLVED: That the making of the loan shall be contingent on and subject to such other appropriate terms and conditions as the Agency Administrator or his or her designee may establish; and be it

FURTHER RESOLVED: That the Agency hereby authorizes the Agency Administrator or his or her designee in his or her discretion to subordinate the priority of any of the Agency's recorded interests in the Project property to a lien or encumbrance of another private or governmental entity providing financial assistance to the Project, if the Agency Administrator or his or her designee determines that (1) an economically feasible alternative method of financing the Project on substantially comparable terms and conditions but without subordination is not reasonably available, (2) the Agency's investment in the Project in the event of default is reasonably protected, and (3) subordination is in the best interests of the Agency; and be it

FURTHER RESOLVED: That the Agency, in concurrence with the Lead Agency which has independently reviewed and considered this environmental determination, finds and determines, based on the information provided in the staff report accompanying this Resolution, that this action complies with CEQA because the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15303 (new construction, small structures), Section 15312 (surplus government property), and Section 15332 (infill housing), and the November 26, 2003 filing of a CEQA exemption to that effect; and be it

FURTHER RESOLVED: That the Agency Administrator and his designee are authorized to conduct negotiations, execute documents, administer the loan, extend or modify the 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 all loan documents shall be reviewed and approved by Agency Counsel for form and legality prior to execution, and copies will be placed on file with the Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

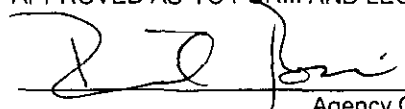
ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
Secretary of the Redevelopment Agency
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 2007-0026 C.M.S. TO (1) INCREASE THE AMOUNT OF AN AFFORDABLE HOUSING DEVELOPMENT LOAN TO HOME PLACE INITIATIVES CORPORATION BY \$990,000 FOR THE SAUSAL CREEK HOMES PROJECT LOCATED AT 2464-2470 26TH AVENUE FOR A TOTAL LOAN AMOUNT OF \$3,980,000, (2) REDUCE THE AFFORDABILITY TERM FROM PERPETUITY TO 45 YEARS, AND (3) ALLOW REALES OF PROJECT UNITS TO HOUSEHOLDS UP TO 120% OF AREA MEDIAN INCOME

WHEREAS, Resolution No. 2007-0026, dated March 20, 2007 authorized an affordable housing development loan of up to \$2,990,000 to Home Place Initiatives Corporation, a nonprofit organization devoted to the provision of affordable housing, (the "Developer") for Sausal Creek Homes (the "Project"), a 17-unit homeownership project located at 2464-2470 26th Avenue in the City of Oakland; and

WHEREAS, on September 2, 2008, the Redevelopment Agency and the City of Oakland jointly issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, the Developer has completed construction and has experienced problems selling the units due to the housing foreclosure and credit crisis resulting in unexpected carrying and marketing costs and requiring additional sales incentives; and

WHEREAS, the requirement in Resolution No. 2007-0026 that Project units be kept affordable in perpetuity and re-sold based on income targeting of 100% of area median income and below is making marketing of the units more difficult, and redevelopment law only requires that units be kept affordable for at least 45 years and remain affordable to households at or below 120% of area median income; and

WHEREAS, no other reasonable means of private or commercial financing of the Project at the same level of affordability and quantity are reasonably available to the Developer other than the Low and Moderate Income Housing Fund; and

WHEREAS, the Agency is the Responsible Agency and the City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

WHEREAS, funds are available from the Low and Moderate Income Housing Fund; now, therefore, be it

RESOLVED: That Resolution No. 2007-0026 C.M.S. is hereby amended to increase the amount of the loan by \$990,000 to a total loan not to exceed \$3,980,000 for development of the Project; and be it

FURTHER RESOLVED: That Resolution No. 2007-0026 C.M.S. is further amended to reduce the affordability term for the units from in perpetuity to 45 years, and to allow resale of all units to households up to 120% of area median income; and be it

FURTHER RESOLVED: That \$990,000 is allocated from the 2006 Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), 2006 Housing Bond project (L290410) for this increased loan amount; and be it

FURTHER RESOLVED: That the loan as increased shall be subject to the same terms and conditions as those set forth in the original authorizing resolution as amended.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

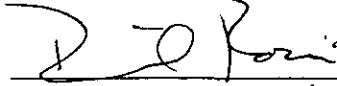
NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 2007-0022 C.M.S. TO INCREASE THE AMOUNT OF AN AFFORDABLE HOUSING DEVELOPMENT LOAN TO BRIDGE HOUSING CORPORATION FOR THE ST. JOSEPH'S SENIOR APARTMENTS PROJECT LOCATED AT 2647 INTERNATIONAL BOULEVARD BY \$850,000 FOR A TOTAL AGENCY LOAN AMOUNT OF \$4,639,000, AND TO EXTEND FOR 12 MONTHS THE TIME FUNDS ARE RESERVED FOR THE PROJECT

WHEREAS, Resolution No. 2007-0022 C.M.S. dated March 20, 2007 (the "Resolution") authorized an affordable housing development loan in an amount not to exceed \$3,789,000 to BRIDGE Housing Corporation (the "Developer"), a nonprofit organization devoted to the provision of affordable housing, for the St. Joseph's Senior Apartments project (the "Project"), an 84-unit housing project located at 2647 International Boulevard in the City of Oakland; and

WHEREAS, the Resolution states that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient, within eighteen months from the date of the Resolution; and

WHEREAS, the Developer has substantially completed design, planning, and entitlement work and has received a commitment for funding from the California Multifamily Housing Program, but full funding has been delayed by worsening financial markets; and

WHEREAS, Developer also received a City loan commitment of \$3,991,000 from the HOME Investment Partnership Program; and

WHEREAS, on September 2, 2008, the City and the Redevelopment Agency jointly issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, the Developer submitted a request under the current NOFA for additional loan funding of \$850,000 to cover the Project's financing gap and to extend the Agency's existing funding reservation of \$3,789,000 and the City's existing funding reservation of \$3,991,000 for another 12 months, for a total combined City and Agency loan of \$8,630,000; and

WHEREAS, no other reasonable means of private or commercial financing of the Project at the same level of affordability and quantity are reasonably available to the Developer other than the Low and Moderate Income Housing Fund; and

WHEREAS, the Agency is the Responsible Agency and the City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied by that Mitigated Negative Declaration and a Finding of No Significant Impact adopted by the City on December 19, 2007 for the Project; and

WHEREAS, none of the circumstances necessitating additional CEQA review of the Project are present; and

WHEREAS, funds will be available from the 2006 Affordable Housing Set-Aside Bond to assist the Project; and

WHEREAS, previously reserved loan funds of \$723,536 are available in the Low Mod Operations Fund (9580), Housing Development Organization (88929), Housing Development Program (HOME Match) project (H236510); and

WHEREAS, previously reserved loan funds of \$3,065,464 are available in the 2006T Affordable Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), 2006 Housing Bond project (L290410); now, therefore, be it

RESOLVED: That Resolution No. 2007-0022 C.M.S. is hereby amended to increase the amount of the Agency loan by \$850,000 to a total loan amount not to exceed \$4,639,000; and be it

FURTHER RESOLVED: That \$850,000 will be allocated from 2006 Affordable Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), 2006 Housing Bond Project (L290410) for this loan; and be it

FURTHER RESOLVED: That the loan shall be contingent on the availability of sufficient funds in the Agency's Low and Moderate Income Housing Fund, the 2006 Affordable Housing Set-Aside Bond Fund, and the HOME Program Development Fund to cover the Agency loan of \$4,639,000 and the City loan of \$3,991,000; and be it

FURTHER RESOLVED: That the combined total of the City and Agency loans for the Project shall not exceed \$8,630,000; and be it

FURTHER RESOLVED: That the loan as increased shall be subject to the same terms and conditions as those set forth in the original authorizing resolution as amended; and be it

FURTHER RESOLVED: That the Agency hereby amends Resolution No. 2007-0022 C.M.S., to provide that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient, by March 17, 2010; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays of state financing that are out of control of the Developer, the Agency Administrator or his or her designee may establish an extension of Project funding within his or her discretion.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
Secretary of the Redevelopment Agency
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:

D. Lewis

Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 2007-0020 C.M.S. TO ALLOW AN EXTENSION OF TIME FOR AN EXISTING COMMITMENT OF FUNDS, REDUCE THE FUNDING COMMITMENT FROM \$4,450,000 TO \$1,600,000, REDUCE THE NUMBER OF UNITS FROM 42 TO 20, AND CHANGE THE ADDRESS FOR THE PROJECT PRIDE DEVELOPMENT TO BE LOCATED AT 2545 SAN PABLO AVENUE

WHEREAS, on March 20, 2007, the Redevelopment Agency adopted Resolution No. 2007-0020 C.M.S. authorizing an affordable housing development loan in an amount not to exceed \$4,450,000 to Affordable Housing Associates and the East Bay Community Recovery Project (together, the "Developers") for the Project Pride Development, (the "Project"); and

WHEREAS, the original proposal included the construction and rehabilitation of 42 transitional housing units at 2577-79 San Pablo Avenue; and

WHEREAS, the financing sources originally anticipated for the 42-unit proposal have been found not to be feasible; and

WHEREAS, the total number of transitional housing units will need to be reduced from 42 to 20 to accommodate the revised plan; and

WHEREAS, the originally proposed location at 2577-79 San Pablo Avenue is no longer financially feasible, but a nearby building proposed to be rehabilitated at 2545 San Pablo Avenue is financially feasible for 20 transitional housing units; and

WHEREAS, by agreement with the City, the Agency is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"); and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; and

WHEREAS, Development loan funds in the amount of \$3,992,301 were previously allocated from the Low Mod Operations Fund (9580), Housing Development Organization (88929), Housing Development Program project (P209310), and in the amount of \$457,699 from the 2006 Affordable Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), 2006 Housing Bond project (L290410) for this loan; and

WHEREAS, the Project is no longer eligible for and no longer needs the entire \$4,450,000 Agency loan originally committed, and the Developers are requesting the Agency loan be reduced to \$1,600,000; and

WHEREAS, the Developer is in the process of obtaining funding to cover the remaining financing gap for the Project; now, therefore be it

RESOLVED: That the Agency hereby amends Resolution No. 2007-0020 C.M.S. to allow an extension of time for its loan commitment to the Developers until March 17, 2010; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays in state financing that are out of the control of the Developer, the Agency Administrator or his designee may extend the reservation period for Project funding at his or her discretion; and be it

FURTHER RESOLVED: That the Agency hereby amends Resolution No. 2007-0020 C.M.S. to reduce the number of units in the Project from 42 to 20 units and to change the address of the Project to 2545 San Pablo Avenue; and be it

FURTHER RESOLVED: That the Agency hereby amends Resolution No. 2007-0020 C.M.S. to reduce the allocation from the Low Mod Operations Fund from \$4,450,000 to \$1,600,000; and be it

FURTHER RESOLVED: That \$1,142,301 of the loan shall remain budgeted in the Low Mod Operations Fund (9580), Housing Development Organization (88929), Project Pride project (L327710), and \$2,850,000 shall be re-allocated to the Low Mod Operations Fund (9580), Housing Development Organization (88929), Housing Development Program project (P209310); and be it

FURTHER RESOLVED: That \$457,699 of the loan shall remain budgeted in the 2006 Subordinated Affordable Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), Project Pride project (L290490), for a total Agency loan of \$1,600,000; and be it

FURTHER RESOLVED: That the Agency, as Lead Agency, has independently reviewed and considered this environmental determination, and the City finds and determines, based on the information provided in the staff report accompanying this Resolution, that this action complies with CEQA because the Project is exempt from CEQA pursuant to CEQA Guidelines Sections 15332 (Infill Development) and meets the relevant criteria for this exemption; and be it

FURTHER RESOLVED: That the Agency Administrator or his designee shall file a Notice of Exemption and an Environmental Declaration under California Fish and Game Code (section 711.4), with the County of Alameda; and be it

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

FURTHER RESOLVED: That prior to execution, all loan documents will be reviewed as to form and legality by Agency Counsel and copies shall be placed on file with the Agency Secretary; and be it

FURTHER RESOLVED: That except for the terms provided in this Resolution, all other terms of the loan shall remain the same as in the original resolution.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons,
Secretary of the Redevelopment
Agency of the City of Oakland

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:

D. Lewis

Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 2007-0021 C.M.S. TO EXTEND BY ONE YEAR THE TIME FUNDS ARE RESERVED FOR AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$5,133,000 TO OAKLAND HOUSING INITIATIVES AND CHRISTIAN CHURCH HOMES OF NORTHERN CALIFORNIA JOINTLY FOR THE HARRISON STREET SENIOR HOUSING PROJECT LOCATED AT 1633 HARRISON STREET AND 321 17TH STREET

WHEREAS, Resolution No. 2007-0021 C.M.S. dated March 20, 2007 (the "Resolution") authorized an affordable housing development loan in an amount not to exceed \$5,133,000 to Oakland Housing Initiatives and Christian Church Homes of Northern California (jointly the "Developer"), nonprofit organizations devoted to the provision of affordable housing, for the Harrison Street Senior Housing project (the "Project"), a 73-unit housing project located at 1633 Harrison Street and 321 17th Street in the City of Oakland; and

WHEREAS, the Resolution states that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient, within eighteen months from the date of the Resolution; and

WHEREAS, the Developer has moved forward with predevelopment planning and design, and has received HUD Section 202 funding but remaining funding has been delayed by worsening financial markets and increasing development costs; and

WHEREAS, Developer has submitted a request to the Agency to extend the Agency's funding reservation until March 17, 2010; and

WHEREAS, previously reserved loan funds of \$5,133,000 are available in the 2006T Affordable Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), 2006 Housing Bond project (L290410); and

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

RESOLVED: That the Agency hereby amends Resolution No. 2007-0021 C.M.S., to provide that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient, by March 17, 2010; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays of state financing that are out of control of the Developer; the Agency Administrator or his designee may extend the reservation period for Project funding at his or her discretion; and be it

FURTHER RESOLVED: That the Agency has independently reviewed and considered this environmental determination and has found, based on the City's previous determination on August 8, 2008, when it issued land use approval, that this Project is exempt from CEQA pursuant to CEQA Guidelines Section 15183 (projects consistent with a community plan, general plan or zoning).

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
Secretary of the Redevelopment Agency of
the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 26 PM 3:05

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 2006-0023 C.M.S. TO EXTEND THE TIME FUNDS ARE RESERVED FOR AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$1,868,000 TO EAST BAY HABITAT FOR HUMANITY FOR THE TASSAFARONGA VILLAGE HOMEOWNERSHIP PROJECT LOCATED AT 949 85TH AVENUE

WHEREAS, Resolution No. 2006-0023 C.M.S. dated March 7, 2006 (the "Resolution") authorized an affordable housing development loan in an amount not to exceed \$1,868,000 to East Bay Habitat for Humanity (the "Developer"), a nonprofit organization devoted to the provision of affordable housing, for the Tassafaronga Village Ownership project (the "Project"), a twenty-two unit development located at 949 85th Avenue in the City of Oakland; and

WHEREAS, the Resolution states that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient, within twelve months from the date of the Resolution; and

WHEREAS, Resolution No. 2008-0026 C.M.S. extended this time to March 20, 2009; and

WHEREAS, development of the Project is tied to development of the Oakland Housing Authority's Tassafaronga Village, which has begun construction but was delayed, further extending the Project's timeline; and

WHEREAS, the Developer has committed \$430,000 in Developer funds toward development costs, and

WHEREAS, the Developer submitted a request to the Agency to extend the Agency's funding reservation for the loan until March 17, 2010, and

WHEREAS, the previously-reserved loan funds of \$1,868,000 are available in the Agency's 2006 Subordinated Housing Set-Aside Revenue Bonds Fund (9584), Housing Development Org (88929), Tassafaronga Village Homeownership Project (L290450); now, therefore, be it

RESOLVED: That the Agency hereby amends Resolution No. 2006-0023 C.M.S. to provide that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient, by March 17, 2010; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays of state financing that are out of control of the Developer, the City Administrator or his or her designee may establish an extension of Project funding within his or her discretion.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

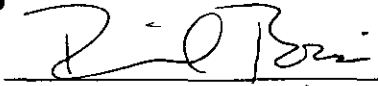
ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
Secretary of the Redevelopment Agency
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB 26 PM 3:05 APPROVED AS TO FORM AND LEGALITY:


Agency Counsel

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

RESOLUTION No. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 2008-0019 C.M.S. TO EXTEND THE TIME FUNDS ARE RESERVED FOR AN AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$2,910,000 TO FHP HOUSING ASSOCIATES FOR THE FOOTHILL PLAZA RENTAL PROJECT LOCATED AT 6311 FOOTHILL BOULEVARD

WHEREAS, Resolution No. 2008-0019 C.M.S. dated March 4, 2008 (the "Resolution") authorized an affordable housing development loan in an amount not to exceed \$2,910,000 to FHP Housing Associates (the "Developer") for the Foothill Plaza Rental Project (the "Project"), a 54-unit housing project located at 6311 Foothill Boulevard in the City of Oakland; and

WHEREAS, the Resolution states that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient, by March 20, 2009; and

WHEREAS, the Project has been delayed by the collapse of the general partner, Oakland Community Housing, Inc., and by the inability of the Project to compete for state funding; and

WHEREAS, staff recommends that the Agency extend the Agency's funding reservation until March 17, 2010, to allow for more time to transfer the Project to another developer and obtain the necessary financing commitments; and

WHEREAS, previously reserved loan funds of \$2,910,000 are available in the 2000 Affordable Housing Set-Aside Bond (9583) fund balance, and will be allocated to the Housing Development Organization (88929), 2000 Housing Bond Project (P151710), and previously reserved loan funds are available in the 2006T Affordable Housing Set-Aside Bond Fund (9584), Housing Development Organization (88929), 2006 Housing Bond project (L290410); now, therefore, be it

RESOLVED: That the Agency hereby amends Resolution No. 2008-0019 C.M.S., to provide that the loan is contingent on Developer's success in securing commitments for full Project funding, or other assurances of adequate Project funding the Agency Administrator or his or her designee deems sufficient, by March 17, 2010; and be it

FURTHER RESOLVED: That if the Project is unable to secure commitments for full Project funding due to delays of state financing that are out of control of the Developer, the Agency Administrator or his or her designee may establish an extension of Project funding within his or her discretion.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
Secretary of the Redevelopment Agency
of the City of Oakland, California