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OAKLAND

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AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Michele Byrd

SUBJECT: Affordable Housing NOFA Funds **DATE:** January 15, 2015

City Administrator
Approval

Date

1/28/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff requests that the City Council adopt the following resolutions:

A Resolution Appropriating \$3,800,000 From Fund Balance In The Low And Moderate Income Housing Asset Fund For Housing Development Activities

A Resolution Authorizing An Affordable Housing Development Loan In An Amount Not To Exceed \$2,000,000 To EAH, Inc., For The 3706 San Pablo Avenue Project

A Resolution Authorizing An Affordable Housing Preservation And Rehabilitation Loan In An Amount Not To Exceed \$2,000,000 To Community Housing Development Corporation And Dignity Housing West, Inc., For Harp Plaza Apartments Located At 430 28th Street, And Authorizing A Loan Extension And Change In Terms For The Previous Development Loan For The Project

A Resolution (1) Authorizing An Additional Affordable Housing Development Loan In An Amount Not To Exceed \$2,000,000 To Satellite Affordable Housing Associates For The Redwood Hill Townhomes Project Located At 430 28th Street, (2) Approving A Change In The Project From Ownership To Rental, (3) Authorizing Assumption Of The Existing Loan For The Project By Satellite Affordable Housing Associates, And (4) Authorizing Repayment Extension And Changes In Terms For The Existing Loan For The Project

A Resolution Amending Resolution No. 84857 C.M.S. To Increase The Amount Of The Affordable Housing Loan To Meta Housing Corporation For The Civic Center 14 Transit Oriented Development Rental Project Located At 632 14th Street By \$1,000,000 For A Total Loan Amount Of \$2,575,000

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A Resolution Amending Resolution No. 84860 C.M.S., Which Authorized A \$750,000 Loan To Habitat For Humanity East Bay/Silicon Valley To Acquire And Rehabilitate Foreclosed Single Family Homes, To Allow Loan Funds To Be Used To Acquire And Rehabilitate Any Vacant And Abandoned Properties

A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Grant Funds From The California Strategic Growth Council In An Amount Not To Exceed \$15 Million Under The 2014-15 Affordable Housing And Sustainable Communities Programs, And Allocate Such Funds To Eligible Projects Without Returning To Council

A Resolution Authorizing The Grant Of Federal Home Funds To Provide Operating Support And Technical Assistance To Community Housing Development Corporation, Dignity Housing West, Inc., And Satellite Affordable Housing Associates In An Aggregate Amount Not To Exceed \$150,000

A Resolution Amending Existing Loans To The Marcus Garvey Commons Affordable Housing Project At 721 A Wood Street To Extend The Loan Maturity Terms And Reduce The Interest Rate To 3%

A Resolution Amending Resolution No. 84038 C.M.S. To Extend The Loan Maturity Term For An Existing Loan To The Hismen Hin-Nu Terrace Affordable Housing Project At 2555 International Boulevard

Resolution Authorizing The Transfer Of \$600,000 To The First-Time Homebuyer Mortgage Assistance Program, \$200,000 From General Purpose Funds And \$400,000 From Affordable Housing Trust Fund

A Resolution Authorizing The City Administrator To Negotiate And Execute A Professional Services Agreement To Provide Construction Monitoring Services For Affordable Housing Projects For Up To 36 Months In An Amount Not To Exceed \$100,000 Without Returning To Council

EXECUTIVE SUMMARY

The Housing and Community Development Department (HCD) is recommending funding awards for four affordable housing development projects that applied for funds in response to the City's 2014-15 Notice of Funding Availability for Affordable Rental and Ownership Housing (the "Original NOFA") and the Notice of Funding Availability for Preservation and Rehabilitation of Existing Affordable Housing (the "Rehabilitation NOFA"). The Original NOFA targets the new construction and substantial rehabilitation of affordable housing, while the Rehabilitation NOFA targets existing affordable housing projects with urgent capital needs. A total of seven applications were received: six under the Original NOFA and one under the Rehabilitation NOFA. The total amount requested was \$13,676,000. The total amount recommended for these four projects is \$7,000,000 and an additional \$150,000 for Community

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Housing Development Organization (CHDO) operating subsidy for three of the sponsors associated with the projects. In response to the lack of applications proposing the development of ownership housing, funds not to exceed \$600,000 are recommended to fund the first-time homebuyer Mortgage Assistance Program.

Funds not to exceed \$100,000 are also recommended to pay a construction monitoring contract, which will allow staff to evaluate and monitor the physical condition of the properties in our loan portfolio.

There is funding in the total amount of \$7,850,000 available from four sources: 1) the City's federal HOME Investment Partnership Program grant, which are annual entitlement funds that come directly to the City of Oakland from the Department of Housing and Urban Development (HUD); 2) the Affordable Housing Trust Fund; 3) the Low and Moderate Income Housing Asset Funds, which are funds generated by housing assets that were transferred to the City from the former Redevelopment Agency and excess bond proceeds held by the Oakland Redevelopment Successor Agency; and 4) City General Funds appropriated in the FY 2013-15 budget for affordable housing activities.

Staff is seeking authority to apply for, accept and allocate funds under the California Strategic Growth Council's Affordable Housing and Sustainable Communities Program (Cap & Trade) to fund projects that meet the criteria for the Affordable Housing and Sustainable Communities Program.

Staff is also recommending the following modifications to existing projects:

1. Amend the resolution to allow Habitat for Humanity East Bay/Silicon Valley to include vacant and abandon properties, in addition to foreclosed properties, in their scope of targeted properties for the Oakland Home Renovation Program.
2. Extend the loans and reducing interest on older loans to be consistent with new terms for Marcus Garvey Commons and Hismen Hin-nu Terrace, existing affordable housing properties, to allow the owner to refinance, resyndicate and complete rehabilitation.

OUTCOME

The proposed funds will be used to: 1) develop 101 new affordable rental apartments in four projects; 2) bridge the affordability gap for at least eight additional low or moderate income first-time homebuyers; 3) rehabilitate 20 units of existing affordable rental housing; and 4) complete physical evaluation of properties in the affordable housing loan portfolio in order to assess the long term sustainability of the projects as necessary.

The proposed extension of the loan term and reduction of interest rate on older loans to current interest rate for Marcus Garvey Commons and Hismen Hin-nu Terrace will allow the property to leverage additional non-City funds to rehabilitate the properties.

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If awarded, additional funds from the California Strategic Council's Affordable Housing and Sustainable Communities Program will enable the City to provide loan funds to additional projects and develop additional new affordable rental apartments.

BACKGROUND/LEGISLATIVE HISTORY

HCD annually issues the NOFA to award funds for the new construction and rehabilitation of new or existing affordable housing. This year both affordable housing NOFAs were issued on September 3, 2014. The two NOFAs include their own application and threshold requirements and ranking criteria appropriate for each program.

Eligible activities under the Original NOFA include new construction and substantial rehabilitation of new ownership, rental, supportive or transitional affordable housing. Projects must meet basic standards regarding developer experience, income targeting, site control and other requirements. The Original NOFA also sets forth criteria by which projects will be scored and ranked including income targeting, developer experience, location near transit and amenities or in a higher income neighborhood, revitalization potential, targeting to households with special needs or who are homeless, energy efficiency, financing commitments, percentage of City subsidy, readiness and other criteria.

For the Rehabilitation NOFA, eligible activities include the rehabilitation of existing affordable housing. The Rehabilitation NOFA prioritizes projects that meet certain urgency of need criteria: major building or structural components in critical condition, code violations, fire, health and safety hazards or other building deficiencies that create safety threats, insufficient operating and replacement reserves, or ongoing operating deficits that threaten the long-term financial viability of the property. Applications are also evaluated based on development team experience and attributes such as the age of the property, reserves requested and outside funding leveraged.

The Mortgage Assistance Program (MAP) provides gap financing to low and moderate income first-time homebuyers in order to bridge the gap between affordable payments and the market rate sales prices. Prior to the dissolution of the Redevelopment Agency, the MAP received an annual allocation of \$2,500,000. Currently the program is funded from program income and collects over \$1,000,000 annually. Periodically the first-time homebuyer program receives grant awards from the State of California Department of Housing and Community Development, but that funding is fully expended at this time.

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ANALYSIS

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 eligible applications were then evaluated and ranked according to prepared criteria outlined in the NOFAs.

Of the seven total applications received, six were submitted under the Original NOFA and one under the Rehabilitation NOFA. All of NOFA applications were evaluated. Requests totaled \$13,676,000.

During the project underwriting review, staff determined that some projects could receive a lower amount of City funding and would likely remain feasible. These reductions resulted in the total recommended funding of \$7,000,000 for four projects.

The following is a **Project Recommendations Table**, listed in order of ranking.

Project Recommendations

Rehabilitation NOFA

Rec for Funding	Rank	Project Name/Developer	Project Type	Encl District	Requested Amount	Award Amount
X	1	Harp Plaza Apartments (<i>Community Housing Development Corporation And Dignity Housing West, Inc</i>)	Existing Affordable Rental -- Family, Rehabilitation	3	\$2,000,000	\$2,000,000

Original NOFA

Rec for Funding	Rank	Project Name/Developer	Project Type	Encl District	Requested Amount	Award Amount
X	1	Redwood Hill Townhomes (<i>SAHA</i>)	Rental -- Family, New Construction (additional funds)	4	\$2,176,000	\$2,000,000
X	2	Civic Center 14 TOD (<i>Meta Housing</i>)	Rental -- Family, New Construction (additional funds)	3	\$1,000,000	\$1,000,000
X	3	3706 San Pablo Ave (<i>EAH, Inc</i>)	Rental -- Family, New Construction	1	\$2,000,000	\$2,000,000
	4	West Grand & Brush Phase I (<i>EBALDC</i>)	Rental -- Family, New Construction	3	\$2,000,000	\$0
	5	Fruitvale Transit Village Phase II (<i>Spanish Speaking Unity Council and L&M Development Partners</i>)	Rental -- Family, New Construction	5	\$2,000,000	\$0
	6	94th & International (<i>Related & Acts CDC</i>)	Rental -- Family, New Construction (additional funds)	7	\$2,500,000	\$0

Total \$7,000,000

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Below is a brief description of the projects recommended for funding. Please see *Attachment A* to this report for detailed information on all reviewed NOFA projects and the scoring and funding breakdown for the Original NOFA projects.

Summary of NOFA Funding Recommendations

Rehabilitation NOFA:

Harp Plaza Apartments: This 20-unit existing apartment building in West Oakland is recommended for funding for rehabilitation. The scope of work includes: Unit Rehabilitation; roof replacement; installation of an electronic surveillance system; elevator updates; fire system/sprinkler upgrade; deck waterproofing; HVAC system replacement; and drainage control.

Original NOFA:

Civic Center 14 Transit Oriented Development (TOD): This 40-unit new construction project in downtown Oakland is targeted to families and to households with special needs and who are formerly homeless. The property will be located at 632 14th Street on a currently vacant parcel. It will include a small commercial space on the ground floor. The project received a previous award of funds, but has not been able to compete successfully for Low Income Housing Tax Credits. An award of additional City funds will increase the competitiveness of the project.

Redwood Hill Townhomes: This is a 28-unit new construction project. Eleven units will be targeted to families that have experienced domestic violence and four of these units will be reserved for households at-risk of homelessness. The project will be constructed on a currently vacant parcel in the Laurel District. The project previously received City funding as a homeownership site, but was later reconfigured as a rental project due to the collapse in the housing market. Additional funds are required to be competitive for tax credit financing.

3706 San Pablo Ave: This is an 87-unit new construction project targeted to families and to households with special needs. The project is located on the Oakland/Emeryville border. Approximately 38% of the property is in Oakland. The property includes 7,000 square feet of retail/commercial space on the ground floor of the Emeryville frontage of the property.

Attachment A provides more detailed information about all reviewed NOFA projects.

Summary of Other Awards

Community Housing Development Organizations (CHDO) Awards: Over the past several years, the City of Oakland has set aside five percent of its HUD HOME grant to provide operating support grants to City designated CHDOs. The City would like to use this funding to assist Oakland's CHDOs to improve their capacity to develop and manage affordable housing in the City. The HOME program guidelines require that a CHDO receiving operating support funding have either received HOME funds for an affordable housing project or expect to receive HOME funds for such purposes within 24 months of receipt of operating support funding. Community Housing Development Corporation (CHDC), Dignity Housing West, Inc. (DHW) and Satellite Affordable Housing Associates (SAHA) have been designated CHDOs by the City and are recommended to receive HOME funds through this NOFA.

First-Time Homebuyer Program: No applications were submitted that proposed producing additional units of affordable ownership housing. The City prioritizes the development of affordable ownership housing and the development of affordable rental housing equally. Since the dissolution of the Redevelopment Agency, there is no permanent source of funds for the First-Time Homebuyer program. The program has been maintained by using grant funds from the State of California Department of Housing and Community Development and program income. Grant funds from the State are fully expended and program income is insufficient to sustain the program through the end of the FY 2014-15. During FY 2013-14, the program originated 25 loans totaling \$1,488,500. During the first two quarters of FY 2014-15, the program originated 24 loans totaling \$1,438,500. The program has \$396,687 of uncommitted funds. Additional funds will enable the program to provide gap financing assistance to at least an additional eight low to moderate income first-time homebuyers through the MAP.

Application for Funding

The Strategic Growth Council has released draft guidelines for the Affordable Housing and Sustainable Communities Program. It is anticipated that the Notice of Funds Availability will be release in late January. Based on the draft guidelines and in an effort to fund additional projects, staff requests authority to apply for, accept and allocate funds to eligible projects.

Summary of NOFA Modification Recommendation

During project development and through the monitoring process, some modifications may be necessary in order to ensure the timely completion or the long term health of the project. Projects that receive funding under the prior NOFA are monitored over the term of the loan and regulatory agreement to ensure that the project is in compliance and remains safe and decent housing. As projects age it may become necessary to modify our terms, in order for the projects to remain viable, effective and access additional funding.

Habitat for Humanity Oakland Home Renovation Program was funded under the 2013-14 NOFA. Habitat proposed to purchase and rehabilitate five single family residences in the City of

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Oakland. Resolutions No. 84860 C.M.S. limits the properties to foreclosed homes. Modification of the resolution will allow for the purchase of all vacant and abandoned single family homes and increase the number of potential properties from which Habitat is able to select.

Extending the loan term between the Redevelopment Agency of the City of Oakland or City of Oakland, as applicable, and the ownership entities associated with Marcus Garvey Commons and Hismen Hin-nu Terrace enables the projects to refinance and resyndicate jointly. Together, these projects provide 114 units of affordable housing. The proceeds from the refinance and resyndication will enable the owner to replace and upgrade critical systems, modify units and ensure the longevity of the property. The owner has been awarded \$934,000 from the City to complete the rehab, but additional funding is required to address all capital improvement. Maturity dates and interest rates have to be modified to make loans terms consistent across the projects in order to facilitate the refinance and resyndication.

Professional Service Contract

In 2010, Agency Administrator was given authority to negotiate and enter into professional services agreements for construction monitoring services for City or Agency funded affordable housing projects in an aggregate amount for both agreements of \$250,000. The contract term for these agreements has expired. The City of Oakland continues to appropriate millions of dollars annually in affordable housing funds from the HUD HOME program and other sources for the new construction and rehabilitation of affordable housing projects. Periodically, staff will need support of construction monitoring services during operations of these projects to evaluate the physical condition and ensure long term sustainability. A professional services contract not to exceed \$100,000 for construction monitoring services will provide staff with access to resources that can thoroughly evaluate the projects physical condition as concerns arise.

PUBLIC OUTREACH/INTEREST

A NOFA pre-application meeting was held on September 10, 2014 to explain the NOFA application process, CEQA and NEPA requirements, as well as the City's required employment and contracting programs. Staff was available to answer any NOFA-related questions. There were 29 participants who attended the meeting.

Applicants for the Original NOFA are required to hold at least one meeting with an established neighborhood organization prior to application submission. Applicants must prepare a community outreach plan with evidence of outreach. Each applicant is required to contact neighborhood organizations in the vicinity of the proposed development prior to applying for financing. Applicants for the Rehabilitation NOFA are required to hold at least one meeting with existing tenants prior to application submission, to inform them of the potential rehabilitation work and receive input.

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COORDINATION

HCD staff consulted with Planning staff to coordinate CEQA determinations, planning and zoning conformity and to identify possible barriers to development. The Office of the City Attorney was consulted to ensure legality of funding commitment resolutions. The Budget Office was consulted to confirm funding amounts.

COST SUMMARY/IMPLICATIONS

Funding for the proposed projects will come from five sources:

- 1) FY 2014-15 HOME funds are already budgeted and available, and an advance commitment of a portion of the City's HOME grant for FY 2015-16 (Fund 2109). FY 2014-15 HOME funds include uncommitted funds from 2014-15 as well as funds that had been set aside for operating assistance to CHDOs, which has accumulated in previous years and is underspent.
- 2) Low and Moderate Income Housing Asset Fund Balance (Funds 2830). The Low and Moderate Income Housing Asset Fund is a fund required under the redevelopment dissolution law to hold funds generated from housing assets (such as land sales or loan repayments) transferred to the City from the former Redevelopment Agency when the Agency dissolved. The fund balance currently in this fund is from loan repayments received by the City from existing rental or ownership properties and from excess bond proceeds held by Oakland Redevelopment Successor Agency. A resolution is included for the City Council to appropriate available amounts from this fund balance.
- 3) General Purpose Funds (Fund 1010) set-aside for affordable housing activities in the adopted FY 2013-15 policy budget.
- 4) Affordable Housing Trust Funds (Fund 1870). Funds deposited into the Affordable Housing Trust Fund, and all interest and investment earnings thereon, shall be used to increase, improve and preserve the supply of affordable housing in the City, with priority given to housing for very low income households per Chapter 15.68.100 of the Oakland Municipal Code.

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Summary of Funds Currently Available

Previous FY HOME Funds (2109)	\$ 900,000
FY 2015-16 HOME Funds (2109)	\$2,000,000
Low Mod Housing Asset Funds (2830)	\$3,800,000
General Purpose Funds (1010)	\$ 300,000
<u>Affordable Housing Trust Fund (1870)</u>	<u>\$ 850,000</u>
TOTAL	\$7,850,000

Advance award of the HOME funds is needed to meet critical funding commitment and expenditure requirements from HUD. This corresponds to a long-standing 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 awards of these funds (which will not be legally committed nor expended until the grant agreement with HUD is 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.

If approved, funding for affordable housing developments will be reserved for a maximum of 24 months for new projects to allow each developer to successfully obtain commitments for the balance of needed funding. The City's standard loan terms for rental projects are a simple interest rate, set at the discretion of the City Administrator (typically at 3%), and a term of up to 55 years. Annual payments are deferred unless funds are available from project cash flow after paying other approved expenses, fees, reserves and senior debt service. All City loans will be secured by a deed of trust, and a regulatory agreement will be recorded that sets the period of affordability (typically 55 years), income and occupancy restrictions and the rent structure.

The City Administrator is given authority in each project funding resolution to subordinate the deed of trust, if necessary, to obtain other financing for the project. The current policy is to subordinate the City deed of trust on a case-by-case basis, but not to subordinate the City regulatory agreement or affordability agreement to private financing.

If approved, loans for first-time homebuyer MAP will be originated on a first-come first-served basis to qualified applicants. MAP loans provide gap financing to qualified homebuyers up to a maximum loan amount of \$75,000. All City loans will be secured by a deed of trust. There are no monthly payments and the terms required the owner to pay the City the principal plus 3% simple interest at the time of sale or the end of the 30 year term.

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Summary of Distribution of Funding

	Total	HOME (2109)	HOME-CHDO (2109)	Low and Moderate Income Housing Asset Fund (2830)	Affordable Housing Trust Fund (1870)	General Purpose Fund (1010)
Redwood Hill Townhomes	\$2,000,000	\$ 1,700,000	\$ 300,000			
Civic Center 14 TOD	\$1,000,000			\$ 550,000	\$ 450,000	
3706 San Pablo Ave	\$2,000,000			\$ 2,000,000		
Harp Plaza Apartments	\$2,000,000	\$ 500,000	\$ 250,000	\$ 1,250,000		
Construction Monitoring Services Contract	\$100,000					\$ 100,000
Homebuyer	\$600,000				\$ 400,000	\$ 200,000
CHDO awards	\$150,000		\$ 150,000			
Total	\$7,850,000	\$2,200,000	\$700,000	\$3,800,000	\$850,000	\$ 300,000

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 generate construction, professional services and ongoing property management jobs in Oakland. Providing families with affordable housing will stabilize low-income residents and free up household disposable income to be spent on other goods and services in Oakland. These properties will create activity on underutilized parcels, stimulating demand for goods and services in Oakland.

Environmental: By developing in already built-up areas, infill projects reduce the pressure to build on agricultural and other undeveloped land. Proposed projects are near to public transit and sites near mass transit enable residents to reduce dependency on automobiles and further reduce any adverse environmental impacts of development. Projects are selected for funding partially based on their ability to achieve high scores using Leadership in Energy & Environmental Design (LEED) or Alameda County’s GreenPoint Rating system.

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 residents. Social services, such as computer centers for residents, are a component of each rental development and further build social equity.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Under the California Environmental Quality Act (CEQA), the City is required to review possible environmental impacts of all projects prior to a definitive commitment of funding, unless the project is exempt from CEQA review.

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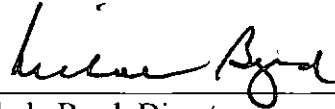
Based on preliminary environmental study conducted by AEM Consulting, 3706 San Pablo Blvd would be eligible for a Categorical Exemption pursuant CEQA Guidelines per Section 15332 (In-Fill Development Projects; Class 32). A memorandum of agreement between the City of Oakland and the City of Emeryville dated June 3, 2014, designates the City of Emeryville as the lead agency under the CEQA. It is anticipated that the project will be found in compliance with CEQA through the January 22, 2015 City of Emeryville Planning Commission meeting.

The two projects returning for additional funding, Civic Center 14 TOD and Redwood Hill Townhomes, all received CEQA determinations at the times of their original awards and those determinations still apply.

Harp Plaza Apartments is an existing building, and has therefore been determined to be exempt per Section 15301 of the CEQA Guidelines for existing facilities being repaired, altered or reconstructed.

For questions regarding this report, please contact Norma Thompson, Housing Manager, at 510-238-7137 or Christina Morales, Housing Development Coordinator, at 510-238-6984.

Respectfully submitted,



Michele Byrd, Director
Housing and Community Development Department

Reviewed by:
Norma Thompson
Manager, Housing Development

Prepared by: Christina Morales
Housing Development Coordinator
Housing Development Services

Attachment A: NOFA Project Summary, Scoring, and Descriptions

City of Oakland NOFA Applications Submitted

	New Construction/Substantial Rehabilitation NOFA							Preservation/ Rehabilitation NOFA
	Rehabilitation Ownership	New Construction Rental						Rehabilitation Rental
	None	Fruitvale Transit Village Phase II	94th and International	Civic Center 14 TOD	West Grand & Brush, Phase I	3706 San Pablo Ave.	Redwood Hill Townhomes	Harp Plaza Apartments
Address		E 12th St and 35th Ave	9400 International Blvd	632 14th St	760 22nd St & 2201 Brush St	3706 San Pablo Ave (partially located in Emeryville)	4856-68 Calaveras Avenue	430 28th Street
Council District		5	7	3	3	1	4	3
Developer		Spanish Speaking Unity Council & L&M Development Partners	Oakland International Housing Partners, L P (Related and Acts CDC)	Meta Housing Corporation	West Grand and Brush LLC -East Bay Asian Local Development Corp (EBALDC)	EAH, Inc	Satellite Affordable Housing Associates (SAHA)	Dignity Housing West, Inc
Tenure		Rental	Rental	Rental	Rental	Rental	Rental	Rental
Household Type		Family	Family/Homeless	Family/Homeless	Family/Special Needs	Family/Special Needs	Family	Family
Units (incl. manager's unit)		94	59	40	59	87	28	20
New Units		94	59	40	59	87	28	0
Bedrooms (incl. manager's unit)		194	118	72	121	196	72	49
Total Development Costs (Residential)		\$ 47,840,243	\$ 29,864,177	\$ 18,502,882	\$ 33,114,890	\$ 42,356,574	\$ 17,070,120	\$ 2,000,000
Cost per Unit		\$ 508,939	\$ 506,172	\$ 462,572	\$ 561,269	\$ 486,857	\$ 609,647	\$ 100,000.00
Cost per Bedroom		\$ 246,599	\$ 253,086	\$ 256,984	\$ 273,677	\$ 216,105	\$ 237,085	\$ 40,816
Total City Funds	\$ -	\$ 2,000,000	\$ 10,247,000	\$ 2,575,000	\$ 2,000,000	\$ 2,000,000	\$ 4,418,600	\$ 2,000,000
City Funds Requested This NOFA		\$ 2,000,000	\$ 2,500,000	\$ 1,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,176,000	\$ 2,000,000
Previous City Funds	\$ -		\$ 7,747,000	\$ 1,575,000	\$ -	\$ -	\$ 2,242,600	
City Funds per Unit		\$ 21,277	\$ 173,678	\$ 64,375	\$ 33,898	\$ 22,989	\$ 157,807	\$ 100,000
City Funds per Bedroom		\$ 10,309	\$ 86,839	\$ 35,764	\$ 16,529	\$ 10,204	\$ 61,369	\$ 40,816
% City Funds to total Dev Cost	\$ -	4.2%	34.3%	13.9%	6.0%	4.7%	25.9%	100.0%

**New Construction/Substantial Rehabilitation NOFA 2014-15
Project Scoring Table**

	RENTAL Potential Points	Rental New Construction - Returning			Rental New Construction		
		94th & Int'l	Redwood Hill	Civic Center 14 TOD	Fruitvale Transit Village Phase	3706 San Pablo Ave.	West Grand & Brush Phase 1
		67.6%	81.2%	79.8%	68.8%	72.2%	69.8%
		6	1	2	5	3	4
I. Financial Characteristics	22	13.0	17.0	22.0	22.0	22.0	18.0
A Leveraging	12	3.0	7.00	12.0	12.00	12.00	12.00
B. Funding Commitments	10	10.0	10.00	10.0	10.00	10.00	6.00
II. Location	25	12.0	19.00	12.0	23.00	12.0	12.0
A Geographic Equity	8	0.0	8.00	0.0	8.00	0.00	0.00
B Educational Quality	2	0.0	2.00	0.0	0.00	0.00	0.00
C Neighborhood Revitalization	8	8.0	6.00	5.0	8.00	8.00	8.00
D. Proximity to Public Transit	5	2.0	2.00	5.0	5.00	2.00	2.00
E Proximity to Grocery or Drug Store	2	2.0	1.00	2.0	2.00	2.00	2.00
III. Target Population	30	23.8	28.00	30.0	5.00	22.5	21.8
A Income Targeting	15	15.0	15.00	15.0	1.00	15.00	15.00
B Unit Size	5	4.0	5.00	5.0	4.00	4.75	4.75
C Units for People with Special Needs	5	5.00	5.00	5.0	0.00	2.75	2.00
D Homeless - Permanent Supportive Housing Units	5	4.8	3.00	5.0	0.00	0.00	0.00
IV. Developer Experience and Capacity	27	26.8	26.50	26.8	27.00	26.8	26.5
A Developer Experience Exceeds Minimum	10	10.0	10.00	10.0	10.00	10.00	10.00
B Developer Capacity	8	8.0	8.00	8.0	8.00	8.00	8.00
C Developer Financial Strength	6	5.75	5.50	5.75	6.00	5.75	5.50
D. Strength of the Development Team	3	3.0	3.00	3.0	3.00	3.00	3.00
V. Readiness - Planning Approvals	7	7.0	7.0	7.0	7.0	3.0	7.0
VI. Preserves and Improves Existing Affordable Housing	10	0.0	0.0	0.0	0.0	0.0	0.0
VII. Sustainability	4	2.0	4.0	4.0	2.0	4.0	2.0
VIII. Penalty for Nonperforming Projects	-10	0.0	0.0	-2.0	0.0	0.0	0.0
Total Points	125.0	84.5	101.5	99.75	86.0	90.25	87.25

ATTACHMENT:

New Construction/Substantial Rehabilitation NOFA 2014-15

Descriptions of Submitted Projects

94TH & INTERNATIONAL BLVD. APARTMENTS

Developer: Related Companies and Acts CDC Address: 9400-9500 International Blvd.

This Request: \$2,500,000

Council District: 7

Recommended Amount: Recommend for
Affordable Housing and Sustainable
Communities NOFA

Previous Award: \$7,747,000

Total City/Agency Funds:

PROJECT SUMMARY:

- New construction of a four-story mixed-use 59-unit (including a manager’s unit) affordable family housing development that includes 3,500 square feet of retail/commercial space on the ground floor.
- Fourteen units would be set aside for persons who are homeless or at risk of homelessness.
- The project site currently contains six existing buildings which would be demolished for construction of the new building.
- Building amenities will include: 59 on-grade parking spaces, laundry facilities, a community room with kitchen, a computer learning center, and outdoor play area.
- Related California will serve as the lead developer and property manager, with Acts Community Development Corporation providing supportive services to residents.
- The project received a previous award of Redevelopment Agency funds and has applied for Low Income Housing Tax Credits, but has not been competitive. An award of additional City funds would increase the competitiveness of the project for tax credits.
- If this project does not move forward and its existing funding award is cancelled, the redevelopment dissolution law may prevent \$2,469,700 of non-bond funds currently committed to the project to be awarded to another housing project, since these are funds held by the Oakland Redevelopment Successor Agency and excess non-bond funds held by a successor agency are subject to possible remittance to the taxing entities. However, committed housing bond funds in the amount of \$3,107,300 could be kept and re-committed to another affordable housing project, since the redevelopment dissolution law permits a successor agency to use bond proceeds for any bond-eligible uses.

AFFORDABILITY LEVELS: 30 to 50% AMI

UNIT SIZES:

0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
	18	23	18		59

OTHER PROPOSED PERMANENT FINANCING SOURCES:

Low Income Housing Tax Credit equity; permanent loan; and Section 8 rental subsidies.

3706 SAN PABLO AVENUE

Developer: EAH, Inc.
This Request: \$2,000,000
Recommended Amount: \$2,000,000
Previous Award: \$0
Total City/Agency Funds: \$2,000,000

Address: 3706 San Pablo Avenue
Council District: 1 (located on the
Emeryville/Oakland border)

PROJECT SUMMARY:

- Located on the Emeryville/Oakland border, approximately 38% of the property is in Oakland. The project site is a vacant lot owned by the City of Emeryville. EAH was selected by the City of Emeryville through an RFP to develop the site.
- New construction of a four-story mixed-use 87-unit (including a manager's unit) affordable family housing development. Thirty-three of the units are anticipated to be located in Oakland.
- The property includes 7,000 square feet of retail/commercial space on the ground floor on the Emeryville frontage of the property.
- Four units are set aside for persons with developmental disabilities and six units for people with HIV/AIDS. Services will be provided to residents.
- The property will include a community room with computer lab, free Wi-Fi Internet access, exercise room and homework study room, landscaped courtyard, and 116 parking spaces (some assigned to the commercial portion of the project).

AFFORDABILITY LEVELS: 30 to 60% AMI

UNIT SIZES:	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
	4	8	45	26	4	7

OTHER PROPOSED PERMANENT FINANCING SOURCES:

City of Emeryville land donation; Low Income Housing Tax Credit equity; permanent loan; CA Housing and Community Development Infill Infrastructure Grant (IIG), Alameda County HOME and CDBG, Alameda County Boomerang funds, Housing Opportunities for Persons with AIDS (HOPWA); Affordable Housing Program (AHP); and Section 8 rental subsidies.

CIVIC CENTER 14 TOD

Developer: Meta Housing
This Request: \$1,000,000
Previous Award: \$1,575,000
Total City/Agency Funds: \$2,575,000

Address: 632 14th St.
Council District: 3

PROJECT SUMMARY:

- New construction of an eight-story 40-unit (including a manager's unit) affordable family housing development that includes 600 square feet of retail/commercial space on the ground floor.
- The property is currently a vacant lot.

- Ten units will be set aside for households who are formerly homeless and have special needs.
- The property will include a computer lab, community room, 42 parking spaces, and discounted transit passes for all residents.

AFFORDABILITY LEVELS: 30 to 60% AMI

UNIT SIZES:	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
	12	12	0	16		40

OTHER PROPOSED PERMANENT FINANCING SOURCES:

CA Housing and Community Development Infill Infrastructure Grant (IIG) and Transit Oriented Development (TOD); permanent loan; Low Income Housing Tax Credit equity; and Affordable Housing Program (AHP).

WEST Grand & Brush, Phase I

Developer: EBALDC
 This Request: \$2,000,000
 Recommended Amount: Evaluate for Affordable Housing and Sustainable Communities NOFA
 Previous Award: \$0
 Total City/Agency Funds:

Address: 760 22nd St & 2201 Brush St
 Council District: 3

PROJECT SUMMARY:

- New construction of a six (on 22nd Street) to eight (facing W. Grand) -story mixed-use 59-unit (including a manager’s unit) affordable family housing development that includes over 10,500 square feet of retail/commercial space on the first and second floors for a day care center operated by the YMCA of the East Bay.
- Six units would be set aside for persons who living with HIV/AIDS through the County’s HOPWA program
- The project site currently contains surface parking for buses and other vehicles.
- Building amenities will include: 50 structured parking spaces, laundry facilities on each residential floor, a small computer learning center and free wireless internet service throughout the building, and roof deck and community room on the eighth floor. In addition, a second floor children’s play area will be available for resident use when the YMCA day care program is not in session.
- EBALDC will serve as the lead developer and property manager, as well as providing supportive services to residents.

AFFORDABILITY LEVELS: 30% to 60% AMI

UNIT SIZES:	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
		17	22	20		59

OTHER PROPOSED PERMANENT FINANCING SOURCES: CA Housing and Community Development Infill Infrastructure Grant (IIG) and Transit Oriented Development (TOD); private construction/permanent loan; Low Income Housing Tax Credit equity; EPA grant, County HOPWA funds, YMCA fundraising for the day care space, and Affordable Housing Program (AHP).

FRUITVALE TRANSIT VILLAGE PHASE II

Developer: The Spanish Speaking Unity Council and L+M Development Partners, Inc. (L+M) Address: E 12th St and 35th Ave
 This Request: \$2,000,000 Council District: 5
 Recommended Amount: Recommend for Affordable Housing and Sustainable Communities NOFA
 Previous Award: predevelopment loan and site donation by the City of Oakland
 Total City/Agency Funds:

PROJECT SUMMARY:

- New construction of a four-story mixed-income 94unit (including two managers' unit) affordable and market rate family housing development.
- Applicant may apply for Veterans' Affairs Supportive Housing Assistance (VASH) for 15 units, but is not committing at this time to providing specials needs/homeless units.
- The project site currently contains a parking lot.
- Building amenities will include: 94 structured parking spaces, laundry facilities, and a community room with kitchen area.
- L+M will serve as the lead developer and property manager, with the Unity Council providing supportive services to residents.
- The project has entered into an Exclusive Negotiating Agreement with the City's Project Implementation division, and was also awarded a \$350,000 predevelopment loan from non-affordable housing funds recently. Developers anticipate City donation of the development site.

AFFORDABILITY LEVELS: 80 units affordable to households earning between 30% to 60% AMI, and 12 market rate units

UNIT SIZES:

0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
	22	44	28		94

OTHER PROPOSED PERMANENT FINANCING SOURCES: CA Housing and Community Development Infill Infrastructure Grant (IIG) and Transit Oriented Development (TOD); private construction/permanent loan; and Low Income Housing Tax Credit equity

REDWOOD HILL TOWNHOMES

Developer: Satellite Affordable Housing
Associates

Address: 4856-68 Calaveras Ave.

This Request: \$2,176,000

Council District: 4

Previous Award: 2,242,600

Recommended Amount: \$2,000,000

Total City/Agency Funds: \$4,418,600

- New construction of a 28-unit (including a manager's unit) affordable family housing development in three residential buildings of three or four stories, oriented around a large interior courtyard. The westernmost building will include 28 parking spaces in a ground-floor podium garage.
- The project site is just north of the intersection with MacArthur Blvd., and is currently a vacant lot.
- Eleven units will be set-aside for individuals and families that have experienced domestic violence. Four of these units will be reserved for households at-risk of homelessness.
- Site amenities will include a community building housing an on-site property management office, a laundry room, and a computer lab. There will also be a small maintenance workshop located towards the rear of the site.
- The project previously received City funding as a homeownership site, but was later reconfigured as a rental project due to the collapse in the housing market. Additional funds are required to be competitive for tax credit financing.

AFFORDABILITY LEVELS: 30% to 50% AMI

UNIT SIZES:	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
			12	16		28

OTHER PROPOSED PERMANENT FINANCING SOURCES:

CA Housing and Community Development Infill Infrastructure Grant (IIG); Affordable Housing Program (AHP); permanent loan; Low Income Housing Tax Credit equity and New Solar Homes Partnership (Solar Rebate).

Preservation and Rehabilitation NOFA 2014-15 Descriptions of Submitted Projects

HARP PLAZA APARTMENTS (REHAB)

Developer: Dignity Housing West, Inc. & Co- Address: 430 28th Street

Developer: Community Housing
Development Corporation

This Request: \$2,000,000

Council District: 3

ATTACHMENT: NOFA Project Summary, Scoring, and Descriptions

Recommended Amount: \$2,000,000
Previous Award: 0
Total City/Agency Funds: \$2,000,000

PROJECT SUMMARY:

- Rehabilitation of an existing 20 unit affordable family rental property in West Oakland developed in 1995.
- The scope of work includes: Unit Rehabilitation; roof replacement; installation of an electronic surveillance system; elevator updates; fire system/sprinkler upgrade; deck waterproofing; HVAC system replacement; and drainage control.

AFFORDABILITY LEVELS: 30 to 50% AMI

UNIT SIZES:

0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
		11	9		

OTHER PROPOSED PERMANENT FINANCING SOURCES:

2015 JAN 29 PM 1:17

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION APPROPRIATING \$3,800,000 FROM FUND BALANCE IN THE LOW AND MODERATE INCOME HOUSING ASSET FUND FOR HOUSING DEVELOPMENT ACTIVITIES

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

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

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

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

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

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

WHEREAS, there is an unappropriated fund balance of \$225,000 in the 2000 Affordable Housing Bond Fund (9783); and

WHEREAS, the Redevelopment Agency appropriated \$5,600,000 to the Wood Street Development from the 2006 Affordable Housing Bond Fund (9784) under Redevelopment Agency Resolution 2007-0083 C.M.S. to originate mortgage assistance loans and interest rate buy down loans to low and moderate income first-time homebuyers;

and

WHEREAS, \$875,000 of the funds appropriated to the Wood Street Development were unspent due to the dissolution of the Redevelopment Agency; and

WHEREAS, there is an additional unappropriated fund balance of \$250,000 in the 2006 Affordable Housing Bond Fund (9784); and

WHEREAS, there is a total of \$1,350,000 of excess bond proceeds held by the Oakland Redevelopment Successor Agency, and as such will be transferred to the City under the Bond Expenditure Agreement for use by the City consistent with the original bond covenants, and will be deposited into the City's Low and Moderate Income Housing Asset Fund (2830); and

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

WHEREAS, actual revenues in the Low and Moderate Income Housing Asset Fund (2830) exceed the amount budgeted by \$3,800,000 due to loan repayments and the transfer of excess bond proceeds held by the Oakland Redevelopment Successor Agency; and

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

RESOLVED: That the City Council hereby appropriates the sum of \$3,800,000 from the fund balance in the Low and Moderate Income Housing Asset Fund (2830) to the Housing Development Project (P473610), Housing Development Organization (89929) for housing development activities.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON
MCELHANEY

NOES-

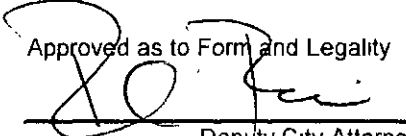
ABSENT-

ABSTENTION-

ATTEST _____

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

2015 JAN 29 PM 1:18

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 \$2,000,000 TO EAH, INC., FOR THE 3706 SAN PABLO AVENUE PROJECT

WHEREAS, on September 3, 2014, the City of Oakland issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, EAH, Inc. (the "Developer") submitted a proposal in response to the NOFA; and

WHEREAS, the Developer proposes to develop a 87-unit rental housing project located in the City of Oakland (the "City") and the City of Emeryville known as 3706 San Pablo Avenue (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, at least 33 Project units will be located in the City of Oakland, and 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 City's Project Development Guidelines, and the Developer meets the City's Threshold Developer Criteria; and

WHEREAS, a memorandum of agreement between the City of Oakland and the City of Emeryville dated June 3, 2014, designates the City of Emeryville as the lead agency under the California Environmental Quality Act ("CEQA"); and

WHEREAS, funds are available from the Low and Moderate Income Housing

Asset Fund (1870) to assist the Project; now, therefore, be it

RESOLVED: That the City hereby authorizes the City Administrator or his or her designee to provide a loan in an amount not to exceed \$2,000,000 to EAH, Inc., or to an affiliated entity approved by the City Administrator or his or her designee, to be used for development of those portions of the Project located in the City of Oakland, and be it

FURTHER RESOLVED: That the total funding of \$2,000,000 will be allocated from the Low and Moderate Income Housing Asset Fund (2830), Housing Development Organization (89929), Housing Development Program Project (P473610); and be it

FURTHER RESOLVED. That the loan shall be contingent on the availability of sufficient funds in the Low and Moderate Income Housing Asset Fund to cover the City loan of \$2,000,000; 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 24 months from the date of this Resolution and shall be subject to reprogramming at the end of this period unless the Developer has secured commitments for full Project funding or provided other assurances of adequate Project funding that the City Administrator or his or her designee deems sufficient within his or her discretion, within the 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 City Administrator or his or her designee may establish; and be it

FURTHER RESOLVED: That the City 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 the City has independently reviewed and considered this environmental determination, and based on the January 22, 2015 City of Emeryville Planning Commission finding, has found and determined that the Project meets criteria for exemption under Section 15332 (infill projects) of the CEQA Guidelines; 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 be it

FURTHER RESOLVED: That the City hereby authorizes the City Administrator or his or her designee 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, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -


ABSENT -

ABSTENTION -

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

2015 JAN 29 PM 1:18

APPROVED AS TO FORM AND LEGALITY


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING PRESERVATION AND REHABILITATION LOAN IN AN AMOUNT NOT TO EXCEED \$2,000,000 TO COMMUNITY HOUSING DEVELOPMENT CORPORATION AND DIGNITY HOUSING WEST, INC., FOR HARP PLAZA APARTMENTS LOCATED AT 430 28th STREET, AND AUTHORIZING A LOAN EXTENSION AND CHANGE IN TERMS FOR THE PREVIOUS DEVELOPMENT LOAN FOR THE PROJECT

WHEREAS, on September 3, 2014, the City issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, Community Housing Development Corporation ("CHDC") and Dignity Housing West, Inc. ("DHW") (jointly, "Developer"), a developer of affordable housing, submitted a proposal in response to the NOFA to rehabilitate the Harp Plaza Apartments affordable rental project at 430 28th Street in the City of Oakland (the "Property") to continue to provide 20 rental units of affordable housing to serve families and individuals (the "Project"); and

WHEREAS, all units at the Property are rented at prices affordable to households earning no more than 60% of area median income; and

WHEREAS, the City of Oakland's Consolidated Plan for Housing and Community Development indicates that there is a need for creating, preserving and maintaining decent, safe and habitable 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 City is the Lead Agency for this Project for purposes of environmental review under the California Environmental Quality Act of 1970 ("CEQA"), and

WHEREAS, per the CEQA Guidelines, this Project is exempt from environmental review; and

WHEREAS, funds will be available from the HUD HOME Investment Partnership Program in fiscal year 2015-16 and the Low and Moderate Income Housing Asset Fund to assist the Project; and

WHEREAS, Redevelopment Agency Resolution No 92-09 C.M.S., passed on March 17, 1992, and amended by Redevelopment Agency Resolution No. 92-67 C.M.S. on November 10, 1992, and Redevelopment Agency Resolution No. 94-11 C.M.S. on March 1, 1994, authorized an affordable housing development loan of \$950,000 to Dignity Housing West II Associates for the development of Harp Plaza Apartments; and

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

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

WHEREAS, the Redevelopment Agency loan to the Project is a housing asset retained and assumed by the City; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his or her designee to provide a preservation and rehabilitation loan in an amount not to exceed \$2,000,000 to Community Housing Development Corporation and Dignity Housing West, Inc., or to an affiliated entity approved by the City Administrator or his or her designee, to be used for the Project; and be it

FURTHER RESOLVED: That \$500,000 will be allocated from the 2015-16 HUD-HOME Fund (2109), Housing Development Organization (89929), HOME Housing Development Program project (G172111) for this loan after the 2015-16 fiscal year funds are available, and \$250,000 will be allocated from Housing and Community Development Organization (89919), CHDO Operating project (G172121) for this loan; and be it

FURTHER RESOLVED: That \$1,250,000 will be allocated from the Low and Moderate Income Housing Asset Fund (2830), Housing Development Organization (89929), Housing Development Program Project (P473610) for this loan; 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 Asset Fund to cover the City loan of \$2,000,000; 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 Section

15301 (Existing Facilities) and 15183 (Projects Consistent with Zoning and General Plan) of the CEQA Guidelines; and be it

FURTHER RESOLVED: That the City Administrator or his or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for the Project; 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 City Administrator is authorized to extend the term of the previous City development loan on the Property up to 55 years, consolidate the previous loan with the new rehabilitation loan authorized by this Resolution, modify other terms and conditions of the previous City loan to be consistent with the terms and conditions of the new funding for the Project, and negotiate and execute loan documents with respect to the previous City loan; and be it

FURTHER RESOLVED: That the rehabilitation loan funds shall be reserved for a period of no more than 24 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 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 all loan documents shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution; 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, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and
PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST _____

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

APPROVED AS TO FORM AND LEGALITY


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION (1) AUTHORIZING AN ADDITIONAL AFFORDABLE HOUSING DEVELOPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$2,000,000 TO SATELLITE AFFORDABLE HOUSING ASSOCIATES FOR THE REDWOOD HILL TOWNHOMES PROJECT LOCATED AT 430 28th STREET, (2) APPROVING A CHANGE IN THE PROJECT FROM OWNERSHIP TO RENTAL, (3) AUTHORIZING ASSUMPTION OF THE EXISTING LOAN FOR THE PROJECT BY SATELLITE AFFORDABLE HOUSING ASSOCIATES, AND (4) AUTHORIZING REPAYMENT EXTENSION AND CHANGES IN TERMS FOR THE EXISTING LOAN FOR THE PROJECT

WHEREAS, Redevelopment Agency Resolution No. 2004-08 C.M.S., passed on February 17, 2004, and amended by Redevelopment Agency Resolution No. 2005-0013 C.M.S. on February 15, 2005, and Redevelopment Agency Resolution No. 2006-0009 C.M.S. on February 7, 2006, authorized an affordable housing development loan of \$3,858,424 to Community Asset, Inc. for the development of Redwood Hill Townhomes (the "Project"), a 28 unit affordable housing development to be located at 4856-4868 Calaveras Avenue in Oakland; and

WHEREAS, the Project was originally planned as a homeownership project;
and

WHEREAS, the City as successor to the housing assets and functions of the former Redevelopment Agency under California Health and Safety Code Section 34176 has succeeded to the loan authorized by the Redevelopment Agency under Resolution No. 2004-08 C.M.S., passed on February 17, 2004, and amended by Redevelopment Agency Resolution No. 2005-0013 C.M.S. on February 15, 2005, and Redevelopment Agency Resolution No. 2006-0009 C.M.S. on February 7, 2006 C.M.S.; and

WHEREAS, in 2008, before construction commenced, the Project was suspended due to the rapidly falling home values in the area; and

WHEREAS, the City has disbursed a total of \$2,242,600 from loan proceeds for Project uses including site acquisition, architectural work, engineering work, and permit fees; and

WHEREAS, Satellite Affordable Housing Associates (the "Developer") now proposes to assume the existing City loan and to complete the Project as a rental development serving families at or below 60% of the area median income; and

WHEREAS, on September 3, 2014, the City issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, the Developer submitted a proposal in response to the NOFA for additional funds; and

WHEREAS, additional funds are available from the HOME Program Development Fund (2109) to assist the Project; and

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("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 now, therefore, be it

RESOLVED: That the City Council hereby authorizes an additional loan in an amount not to exceed \$2,000,000, for a total loan in an amount not to exceed \$4,242,600, to Satellite Affordable Housing Associates, or to an affiliated entity approved by the City Administrator or his or her designee, to be used for the Project; and be it

FURTHER RESOLVED: That the following will be allocated from the HUD-HOME Fund (2109) for this loan: \$1,500,000 from Housing Development Organization (89929), HOME Housing Development Program project (G172111) after the 2015-16 fiscal year HOME funds are available, \$200,000 from Housing Development Organization (89929), HOME Housing Development Program project (G172111); and \$300,000 from Housing and Community Development Organization (89919), CHDO Operating project (G172121); and be it

FURTHER RESOLVED: That the additional loan shall be contingent on the availability of sufficient funds in the HOME Program Development Fund to cover the loan amount of \$2,000,000; and be it

FURTHER RESOLVED: That loan funds shall be reserved for a period of no more than 24 months from the date of this Resolution and shall be subject to reprogramming at the end of this period unless the Developer has secured commitments for full Project funding or provided other assurances of adequate Project funding that the City Administrator or his or her designee deems sufficient within his or her discretion, within the 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 City Administrator or his or her designee may establish; and be it

FURTHER RESOLVED: That the City Council hereby approves the conversion of the Project from affordable homeownership to affordable rental housing; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the assumption of the existing loan on the Project by Satellite Affordable Housing Associates or its affiliate; and be it

FURTHER RESOLVED: That the City Administrator is authorized to extend the repayment term of the existing City loan for the Project by up to 55 years, consolidate the existing loan with the new loan authorized by this Resolution, modify other terms and conditions of the existing City loan to be consistent with the terms and conditions of the new funding for the Project, and negotiate and execute loan documents with respect to the existing City loan; 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 be it

FURTHER RESOLVED: That the City has independently reviewed and considered this environmental determination, and determines that this actions complies with CEQA because it is exempt from CEQA pursuant sections 15280 (lower-income housing projects) and under Section 15332 (infill projects) of the CEQA Guidelines; and be it

FURTHER RESOLVED: That the City Administrator or her designee shall file a Notice of Exemption and an Environmental Declaration under the California Fish and Game Code (Section 711.4) with the County of Alameda; 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 appoints the City Administrator and his or her designee as agent of the City to conduct negotiations, execute documents, administer the loans, extend or modify the repayment terms, and take any other action with respect to the loans and the Project consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and
PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

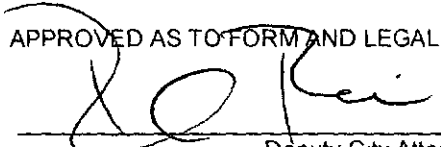
ATTEST _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2015 JAN 29 PM 1:18

APPROVED AS TO FORM AND LEGALITY


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 84857 C.M.S. TO INCREASE THE AMOUNT OF THE AFFORDABLE HOUSING LOAN TO META HOUSING CORPORATION FOR THE CIVIC CENTER 14 TRANSIT ORIENTED DEVELOPMENT RENTAL PROJECT LOCATED AT 632 14TH STREET BY \$1,000,000 FOR A TOTAL LOAN AMOUNT OF \$2,575,000

WHEREAS, Council Resolution No. 84857 C.M.S., passed on March 4, 2014, authorized an affordable housing development loan of \$1,575,000 to Meta Housing Corporation (the "Developer") for the development of the Civic Center 14 Transit Oriented Development Rental Project (the "Project"), a 40 unit rental housing development to be located at 632 14th Street in Oakland; and

WHEREAS, the Developer has substantially completed design and planning work for the Project, but did not receive an award of Low Income Housing Tax Credits due to the highly competitive nature of the funding, and requires additional gap funding to be financially feasible; and

WHEREAS, on September 3, 2014, the City issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, the Developer submitted a proposal in response to the NOFA for additional funds; and

WHEREAS, previously reserved loan funds of \$1,085,509 are available in the Affordable Housing Trust Fund (1870) Housing Development Organization (89929), Housing Trust Fund Housing Development Project (P435210) to assist the Project; and

WHEREAS, previously reserved loan funds of \$489,491 are available from General Purpose Fund (1010) Housing Development Organization (89919), Contract Contingencies-Affordable Housing Program Project (A468540) to assist the Project; and

WHEREAS, additional funds are available from the Affordable Housing Trust Fund(1870) and Low and Moderate Income Housing Asset Fund (2830) to assist the Project; now, therefore, be it

RESOLVED: That Resolution No. 84857 C.M.S. is hereby amended to increase the loan amount by \$1,000,000, for a total loan in an amount not to exceed \$2,575,000, to META Housing Corporation, or to an affiliated entity approved by the City Administrator or his or her designee, to be used for the Project; and be it

FURTHER RESOLVED: That additional funding of \$450,000 will be allocated from the Affordable Housing Trust Fund (1870), Housing Development Organization (89929), Housing Trust Fund Housing Development Project (P435210); and be it

FURTHER RESOLVED: That additional funding of \$550,000 will be allocated from the Low and Moderate Income Housing Asset Fund (2830), Housing Development Organization (89929), Housing Development Program Project (P473610); and be it

FURTHER RESOLVED: That the loan shall be contingent on the availability of sufficient funds in the Low and Moderate Income Housing Asset Fund, Affordable Housing Trust Fund and the General Purpose Fund to cover the City loan of \$2,575,000; and be it

FURTHER RESOLVED: That the initial and additional loan funds shall be reserved for a period of no more than 24 months from the date of this Resolution and shall be subject to reprogramming at the end of this period unless the Developer has secured commitments for full Project funding or provided other assurances of adequate Project funding that the City Administrator or his or her designee deems sufficient within his or her discretion, within the reservation period

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and
PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

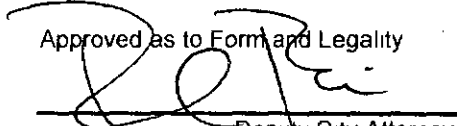
ABSTENTION-

ATTEST: _____

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

2015 JAN 29 PM 1:19

Approved as to Form and Legality


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AMENDING RESOLUTION NO. 84860 C.M.S., WHICH AUTHORIZED A \$750,000 LOAN TO HABITAT FOR HUMANITY EAST BAY/SILICON VALLEY TO ACQUIRE AND REHABILITATE FORECLOSED SINGLE FAMILY HOMES, TO ALLOW LOAN FUNDS TO BE USED TO ACQUIRE AND REHABILITATE ANY VACANT AND ABANDONED PROPERTIES

WHEREAS, the City Council adopted Resolution No. 84860 C.M.S. on March 4, 2014, which authorized a loan not to exceed \$750,000 to Habitat for Humanity East Bay/Silicon Valley ("Habitat") to acquire and rehabilitate five foreclosed single family homes located at scattered sites in the City of Oakland; and

WHEREAS, Habitat desires to target vacant and abandoned properties for acquisition and rehabilitation whether or not they are foreclosed properties; and

WHEREAS, the City recognizes that expanding the scope of targeted properties will ensure the success of the program and increase the opportunities for low-income first-time homebuyers to purchase a home in Oakland; now, therefore, be it

RESOLVED: That the City Council hereby amends Resolution No. 84860 C.M.S. to allow loan funds to be used to acquire and rehabilitate any vacant and abandoned single family properties in Oakland whether or not they are foreclosed properties; and be it

FURTHER RESOLVED: That the City hereby authorizes the City Administrator or his or her designee 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, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

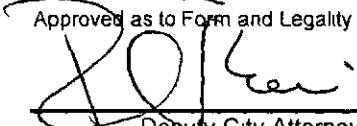
ABSTENTION -

ATTEST _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2015 JAN 29 PM 1:19

Approved as to Form and Legality

Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE GRANT FUNDS FROM THE CALIFORNIA STRATEGIC GROWTH COUNCIL IN AN AMOUNT NOT TO EXCEED \$15 MILLION UNDER THE 2014-15 AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAMS, AND ALLOCATE SUCH FUNDS TO ELIGIBLE PROJECTS WITHOUT RETURNING TO COUNCIL

WHEREAS, the California Strategic Growth Council ("SGC") announced a notice of funding availability ("NOFA") for the Affordable Housing and Sustainable Communities Program established under Division 44, Part 1 of the Public Resources Code (PRC) (commencing with Section 75200) (the "statute"); and

WHEREAS, pursuant to the statute and pursuant to direction of the SGC, the California Department of Housing and Community Development ("HCD") is authorized to approve funding allocations utilizing monies made available by the State Legislature to the Affordable Housing and Sustainable Communities Program, subject to the terms and conditions of the statute and the Affordable Housing and Sustainable Communities Guidelines to be adopted by SGC in January 2015; and

WHEREAS, the City of Oakland wishes to submit an application to obtain an allocation of Affordable Housing and Sustainable Communities grant funds from HCD for the amount not to exceed \$15 million for the development of affordable housing; and

WHEREAS, there is substantial need for additional funds for the development of affordable housing; and

WHEREAS, on September 3, 2014, the City issued a Notice of Funding Availability soliciting applications for funding for affordable housing developments; and

WHEREAS, seven developers submitted proposals in response to the Notice of Funding Availability but only four were funded; and

WHEREAS, no matching funds are required for the Affordable Housing and Sustainable Communities program; and

WHEREAS, the City Council wishes to delegate authority to the City Administrator or his or her designee to allocate funds to projects that meet the criteria for the

Affordable Housing and Sustainable Communities Program and to negotiate and enter into an agreement or agreements with the selected developers without returning to Council; now, therefore, be it

RESOLVED: That the City Administrator, or his or her designee, is authorized to submit an application to the 2014-15 California Strategic Growth Council Affordable Housing and Sustainable Communities Program for up to \$15 million in grant funds; and be it

FURTHER RESOLVED: That the City Administrator or his or her designee is authorized to accept the California Strategic Growth Council Affordable Housing and Sustainable Communities Program funds, if awarded, deposit said funds in the Affordable Housing Trust fund (Fund 1870), Housing Development Organization (89929), Project (TBD), appropriate said funds in an amount not to exceed \$15 million, and allocate funds to projects that meet the program criteria without returning to Council; and be it

FURTHER RESOLVED: That the City Administrator is authorized to negotiate and execute the Standard Agreements and any amendments thereto between the City and the California Department Housing and Community Development for this program; and be it

FURTHER RESOLVED: That said agreements 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 if the application for funding is approved, the City hereby agrees to use the Affordable Housing and Sustainable Community Program funds for eligible activities in the manner presented in the application as approved by California Strategic Growth Council and in accordance with the regulations of the program; 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 required by HCD, and take any other action, including negotiating amount, terms, and conditions of the loans to the developers, with respect to the California Strategic Growth Council Affordable Housing and Sustainable Community Program consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and
PRESIDENT GIBSON MCELHANEY

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

Approved as to Form and Legality


Deputy City Attorney

2015 JAN 29 PM 1:19

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE GRANT OF FEDERAL HOME FUNDS TO PROVIDE OPERATING SUPPORT AND TECHNICAL ASSISTANCE TO COMMUNITY HOUSING DEVELOPMENT CORPORATION, DIGNITY HOUSING WEST, INC., AND SATELLITE AFFORDABLE HOUSING ASSOCIATES IN AN AGGREGATE AMOUNT NOT TO EXCEED \$150,000

WHEREAS, for the past several years, the City of Oakland has set aside five percent of its HUD HOME grant to provide operating support grants to City Designated Community Housing Development Organizations (CHDOs), and

WHEREAS, the City would like to use this funding to assist Oakland's CHDOs to improve their capacity to develop and manage affordable housing in the City; and

WHEREAS, the HOME program guidelines require that a CHDO receiving operating support funding have either received HOME funds for an affordable housing project or expect to receive HOME funds for such purposes within 24 months of receipt of operating support funding; and

WHEREAS, Community Housing Development Corporation (CHDC), Dignity Housing West, Inc. (DHW), and Satellite Affordable Housing Associates (SAHA) have been designated CHDOs by the City; and

WHEREAS, CHDC and DHW are currently substantially rehabilitating a HOME-funded affordable housing project at 430 28th Street; and

WHEREAS, SAHA is currently developing a HOME-funded affordable housing project at 4856-4868 Calaveras Avenue; and

WHEREAS, funds are available in HUD-HOME Fund (2109), Housing and Community Development Organization (89919), CHDO Operating Project (G172121); now, therefore, be it

RESOLVED: That the City Council authorizes the grant of HOME funds to CHDC, DHW, and SAHA in an aggregate amount not to exceed \$150,000 to assist them in completing work on their HOME-funded projects in Oakland, as well as pursuing other

affordable housing projects and improving their management of projects located in Oakland;
and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator and/or his or her designee as agent of the City to conduct negotiations, execute grant documents, administer the grants and modify grant documents with CHDC, DHW and SAHA, and take any other action with respect to the grants consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That prior to execution, any agreements shall be reviewed and approved as to form and legality by the City Attorney, and copies filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON
MCELHANEY

NOES-

ABSENT-

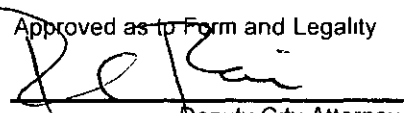
ABSTENTION-

ATTEST.

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality


Deputy City Attorney

2015 JAN 29 PM 1:19
OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AMENDING EXISTING LOANS TO THE MARCUS GARVEY COMMONS AFFORDABLE HOUSING PROJECT AT 721 A WOOD STREET TO EXTEND THE LOAN MATURITY TERMS AND REDUCE THE INTEREST RATE TO 3%

WHEREAS, in 1990, the Redevelopment Agency of the City of Oakland loaned \$334,500 to a joint venture between East Bay Asian Local Development Corporation ("EBALDC"), and Jubilee West, for the development of the 22 unit Marcus Garvey Commons affordable housing project at 721 A Wood Street, at an interest rate of six percent, per Redevelopment Agency Resolution No. 89-108 C.M.S., which will come due on August 13, 2020; and

WHEREAS, in 1991, the Redevelopment Agency of the City of Oakland loaned \$380,500 to Gosswood Housing Associates, L.P., for the Marcus Garvey Commons affordable housing project, at an interest rate of six percent per Redevelopment Agency Resolution No. 90-92 C.M.S., which will come due on April 30, 2021; and

WHEREAS, in 2011, the Redevelopment Agency of the City of Oakland loaned \$352,000 to Gosswood Housing Associates, L.P., for the Marcus Garvey Commons affordable housing project at an interest rate of three percent, per Redevelopment Agency Resolution No. 2011-0017C.M.S., which will come due on March 3, 2066; and

WHEREAS, in 2013, the City of Oakland loaned \$382,000 to Gosswood Housing Associates, L.P., for the Marcus Garvey Commons affordable housing project, at an interest rate of three percent, per Oakland City Council Resolution No. 83921 C.M.S., which will come due on August 22, 2068; and

WHEREAS, in 2014, the City of Oakland loaned \$200,000 to Gosswood Housing Associates, L.P., for the Marcus Garvey Commons affordable housing project, at an interest rate of three percent, per Oakland City Council Resolution No. 84856 C.M.S., which will come due on August 12, 2069; and

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

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

WHEREAS, the Redevelopment Agency loans to the Marcus Garvey Commons affordable housing project are housing assets retained and assumed by the City; and

WHEREAS, EBALDC is pursuing a refinance and resyndication opportunity for the Marcus Garvey Commons affordable housing project in order to receive tax credit equity that will be used towards project rehabilitation, and has requested that the City extend the loan maturity dates and reduce the interest rates on the existing City loans on the project; and

WHEREAS, the City recognizes that extending the loan maturity dates and reducing the interest rates will ensure the long term financial health and preservation of Marcus Garvey Commons; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the amendment of the existing affordable housing loans to the Marcus Garvey Commons affordable housing project in connection with the resyndication and refinancing for the preservation and rehabilitation of the project to reduce the interest rate to three percent simple interest and to extend the loan maturity dates to December 31, 2071; and be it

FURTHER RESOLVED: That the City Council authorizes the existing loans on the project to be assigned to and assumed by Hin-Nu Garvey LP, an affiliate of the original borrower, or its affiliate; and be it

FURTHER RESOLVED: That the City Administrator and/or his or her designee is authorized to negotiate and enter into amendments to the loan documents and to take any other actions with respect to the existing loans to the Marcus Garvey Commons affordable housing project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON
MCELHANEY

NOES-

ABSENT-

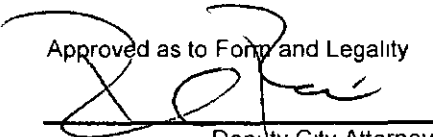
ABSTENTION-

ATTEST

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality


Deputy City Attorney

2015 JAN 29 PM 1:28
OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

**RESOLUTION AMENDING RESOLUTION NO. 84038 C.M.S. TO EXTEND
THE LOAN MATURITY TERM FOR AN EXISTING LOAN TO THE HISMEN
HIN-NU TERRACE AFFORDABLE HOUSING PROJECT AT 2555
INTERNATIONAL BOULEVARD**

WHEREAS, the Redevelopment Agency of the City of Oakland adopted Resolution No. 89-19 C.M.S. in 1989 authorizing a \$1,517,000 loan to East 14th Street Housing Associates, L.P., for the development of the Hismen Hin-nu Terrace affordable housing project located at 2555 International Boulevard, and

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

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

WHEREAS, the Redevelopment Agency loan to the Hismen Hin-nu Terrace affordable housing project is a housing asset retained and assumed by the City; and

WHEREAS, the Oakland City Council adopted Resolution No. 84038 C.M.S. on August 30, 2012, authorizing an amendment to the \$1,517,000 loan to extend the time for repayment until June 7, 2043; and

WHEREAS, the project owner is pursuing a refinance and resyndication opportunity for the Hismen Hin-nu Terrace affordable housing project in order to receive tax credit equity that will be used towards project rehabilitation, and has requested that the City further extend the loan maturity date on the existing City loan on the project; and

WHEREAS, the City recognizes that extending the loan maturity date will ensure the long term financial health and preservation of Hismen Hin-nu; now, therefore, be it

RESOLVED: That the City Council hereby amends Resolution No. 84038 C.M.S. to authorize the amendment of the existing affordable housing loan to the Hismen Hin-nu Terrace affordable housing project in connection with the resyndication and refinancing for

the preservation and rehabilitation of the project to extend the loan maturity date to December 31, 2071; and be it

FURTHER RESOLVED: That the City Administrator and/or his or her designee is authorized to negotiate and enter into amendments to the loan documents and to take any other actions with respect to the existing loan to the Hismen Hin-nu affordable housing project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON
MCELHANEY

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

Approved as to Form and Legality


Deputy City Attorney

2015 JAN 29 PM 1:20
OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

**RESOLUTION AUTHORIZING THE TRANSFER OF \$600,000 TO THE
FIRST-TIME HOMEBUYER MORTGAGE ASSISTANCE PROGRAM,
\$200,000 FROM GENERAL PURPOSE FUNDS AND \$400,000 FROM
AFFORDABLE HOUSING TRUST FUND**

WHEREAS, on September 3, 2014, the City of Oakland issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing developments; and

WHEREAS, there were no applications to provide affordable homeownership opportunities; and

WHEREAS, the Mortgage Assistance Program ("MAP") for first-time homebuyers assists low and moderate income homebuyers at or below 100% of the median income to purchase market rate housing in Oakland by providing deferred loans that bridge the affordability gap and provide homeownership opportunities; and

WHEREAS, the MAP has no permanent source of funding since the dissolution of the Redevelopment Agency on February 1, 2012, and utilizes program income in order to originate loans; and

WHEREAS, there is greater demand for the program than funding available, and current funds for the MAP will likely be fully expended before the end of the fiscal year; and

WHEREAS, additional funds will provide assistance to a minimum of eight new low and moderate income homebuyers; now, therefore, be it

RESOLVED: That the City Council authorizes the transfer of \$600,000 to the Mortgage Assistance Program (2185), Homeownership Programs Organization (89989), Loan Expenditure: Non-grant Account (58312) First Time Homebuyer Program (41700) from General Purpose Fund (1010), Housing and Community Development Organization (89919), Contract Contingencies (54011) Affordable Housing Program Project (A468540) in the amount not to exceed \$200,000 and the Affordable Housing Trust Fund (1870), Housing

Development Organization (89929), Housing Trust Fund Housing Development Project (P435210) In the amount not to exceed \$400,000; 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 take any actions necessary to execute documents, administer the Mortgage Assistance Program and take any other necessary actions consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON
MCELHANEY

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

Approved as to Form and Legality


Deputy City Attorney

2015 JAN 29 PM 1:20

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT TO PROVIDE CONSTRUCTION MONITORING SERVICES FOR AFFORDABLE HOUSING PROJECTS FOR UP TO 36 MONTHS IN AN AMOUNT NOT TO EXCEED \$100,000 WITHOUT RETURNING TO COUNCIL

WHEREAS, on March 16, 2010, Redevelopment Agency Resolution No. 2010-0024 C.M.S. authorized the Agency Administrator and/or his designee to negotiate and enter into professional services agreements with Advanced Resources In Construction Services, LTD and The Alley Group Construction Managers to provide construction monitoring services for City or Agency funded affordable housing projects in an aggregate amount for both agreements of \$250,000; and

WHEREAS, two professional services contracts with Advanced Resources In Construction Services, LTD., and The Alley Group Construction Managers were executed in March 2010, which expired as of March 31, 2014; and

WHEREAS, contract terms for Advanced Resources In Construction Services, LTD., and The Alley Group Construction Managers were not extended; and

WHEREAS, the City of Oakland as housing successor to the Redevelopment Agency continues to appropriate millions of dollars in affordable housing funds from the HUD HOME program and other sources for the new construction and rehabilitation of affordable housing projects over the next three years; and

WHEREAS, the City will need construction monitoring services during operations of these projects; and

WHEREAS, funds in the amount of \$100,000 are available from the General Purpose Fund (1010), Housing and Community Development Organization (89919), Contract Contingencies (54011), Affordable Housing Program Project (A468540) for such services; and

WHEREAS, the City finds that these services are of a professional, scientific

or technical nature and are temporary in nature; and

WHEREAS, the City finds that these agreements shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the City Council wishes to delegate authority to the City Administrator or his or her designee to select a contractor or contractors to provide such services based on a competitive process, and to negotiate and enter into an agreement or agreements with the selected contractor(s) without returning to Council; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator and/or his or her designee to select a contractor or contractors to provide construction monitoring services for affordable housing projects based on a competitive process, and to negotiate and execute a professional services agreement or agreements for such services with the selected contractor(s) for three years, in an amount not to exceed \$100,000, without returning to Council; and be it

FURTHER RESOLVED: That prior to execution, any agreements shall be reviewed and approved as to form and legality by the City Attorney, and copies filed with the City Clerk; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator and/or his designee to conduct negotiations, execute documents, and take any action with respect to the services and the agreements consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON
MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST _____

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