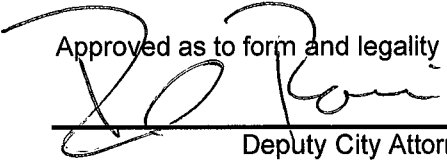


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2017 JUN -8 PM 4:44

Approved as to form and legality


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 86798 C.M.S.

RESOLUTION AUTHORIZING A ZERO INTEREST LOAN IN AN AMOUNT NOT TO EXCEED \$4,675,000 FROM HOUSING-RELATED INFRASTRUCTURE GRANT FUNDS UNDER THE 2015-16 AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM, TO COLISEUM TRANSIT VILLAGE ONE LP OR AFFILIATE FOR HOUSING-RELATED INFRASTRUCTURE AT THE COLISEUM CONNECTIONS AFFORDABLE HOUSING DEVELOPMENT AT 801-844 71ST AVENUE

WHEREAS, the City Council adopted Resolution Nos. 86218 and 86272 C.M.S. on June 7, 2016 and July 5, 2016 authorizing the application for, acceptance of and appropriation of \$14,898,316 under the 2015-16 Affordable Housing and Sustainable Communities ("AHSC") Program from the State of California Strategic Growth Council ("SGC") and the California Department of Housing and Community Development ("HCD") for the Coliseum Connections affordable housing project located at 801-844 71st Avenue; and

WHEREAS, the City was a joint applicant with Urban Core for the AHSC funding for the Coliseum Connections project; and

WHEREAS, the Coliseum Connections project was awarded an aggregate amount of \$14,844,762 in AHSC funds and

WHEREAS, the AHSC funding includes a grant in the amount of \$4,675,000 for housing-related infrastructure (the "HRI Grant") and

WHEREAS, Coliseum Transit Village One LP, a California limited partnership, is the developer of the Coliseum Connections project, with Urban Core as its managing general partner; and

WHEREAS, in order to improve the financial feasibility of the project and maximize the amount of equity to be contributed by a low-income housing tax credit investor, Urban Core has asked the City to accept the HRI Grant on behalf of the developer and to provide a loan to the developer in the amount of the HRI Grant; and

WHEREAS, the AHSC Program Guidelines authorize AHSC grant proceeds to be used to provide loans to projects that are financed with low-income housing tax credits; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his or her designee to provide a zero interest loan in an amount not to exceed \$4,675,000 to Coliseum Transit Village One LP, or to an affiliated entity approved by the City Administrator or his or her designee, from the HRI Grant portion of the AHSC funding to be used for development of housing-related infrastructure for the Coliseum Connections project; and be it

FURTHER RESOLVED: That the loan shall be for a term of 55 years and shall include such repayment terms 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 Council hereby authorizes the City Administrator or his or her designee in his or her discretion to subordinate the priority of the City's deed of trust and/or recorded restrictions to a lien or encumbrance of another private or governmental entity providing financial assistance to the project, if the City Administrator or his or her designee determines that (1) an economically feasible alternative method of financing the project on substantially comparable terms and conditions but without subordination is not reasonably available, (2) the City's investment in the project in the event of default is reasonably protected, and (3) subordination is in the best interests of the City; and be it

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

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

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 20 2017

PASSED BY THE FOLLOWING VOTE:

AYES - ~~7~~, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID - 7

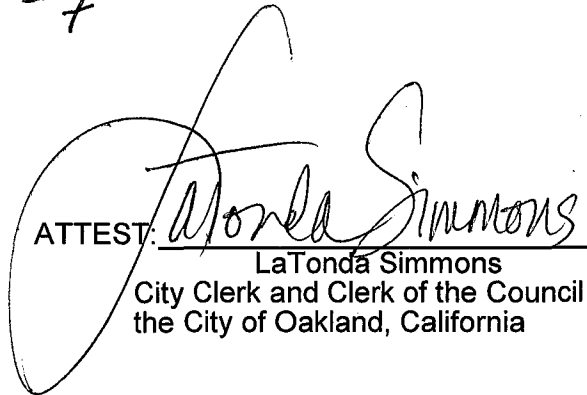
NOES - 0

ABSENT - 0

ABSTENTION - 0

Exposed - 1 - Brooks

ATTEST:



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