


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING CITY COUNCIL RESOLUTION NO. 88555 C.M.S. TO CHANGE MEMAR PROPERTIES INC.'S DESIGNATED CO-DEVELOPER FROM OAKLAND & THE WORLD ENTERPRISES, INC. TO BAY AREA COMMUNITY SERVICES, INC. OR ITS AFFILIATE FOR THE ACQUISITION AND REHABILITATION OF THE MARK TWAIN HOMES DEVELOPMENT PROJECT LOCATED AT 2426 AND 2438 35TH AVENUE AND 3525 AND 3529 LYON AVENUE, AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, Mark Twain Partners, LP, owns that certain multifamily housing development located at 2426 & 2438 35th Avenue and 3525 & 3529 Lyon Avenue consisting of 102 residential units and commonly known as Mark Twain Homes (the "Project"); and

WHEREAS, Memar Properties, Inc. ("MPI") and Oakland & the World Enterprises, Inc. ("OAW") previously received an unsecured predevelopment loan in the amount of \$50,000 for the Project; and

WHEREAS, the City Council authorized additional predevelopment loan funds for the Project in the amount of \$300,000 through the adoption of Oakland City Council Resolution No. 88039 C.M.S. on February 18, 2020; and

WHEREAS, MPI and OAW acquired the Project with a \$5,000,000 total acquisition and development loan authorized by Oakland City Council Resolution No. 88555 C.M.S. on March 16, 2021, and the Project will consist of 109 units of affordable housing for extremely low and low income households with wraparound social services provided by Bay Area Community Services, Inc. ("BACS") upon the completion of the rehabilitation of the Project; and

WHEREAS, MPI and OAW formed a limited partnership known as Mark Twain Partners, LP; and

WHEREAS, MPI has requested that BACS or its affiliate be substituted in place of OAW as co-developer of the Project; and

WHEREAS, City staff has determined that BACS's and MPI's developer qualifications exceed the City's minimum qualifications, and that BACS's experience with social services for extremely low- and low-income communities would be extraordinarily beneficial to the Project; now, therefore, be it

RESOLVED: That Oakland City Council Resolution No. 88555 C.M.S. is hereby amended to substitute BACS in place of OAW as MPI's co-developer in connection with the development funding award for the acquisition and rehabilitation of the Project; and be it

FURTHER RESOLVED: That the City Council has independently reviewed and considered the environmental determination, and the City Council finds and determines, based on the information provided in the staff report accompanying this Resolution, that the action with respect to the Project complies with CEQA because the Project is categorically exempt from CEQA pursuant to the following CEQA exemptions: Section 15332 of the State CEQA Guidelines: Infill development; Section 15183 of the State CEQA Guidelines: Projects consistent with the General Plan or Zoning; Section 15183.3 of the State CEQA Guidelines: Streamline for Urban Infill Projects; and Public Resources Code Section 21159.23: affordable low income housing.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California