

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO APPLY FOR, ACCEPT, AND, IF AWARDED, THE CITY COUNCIL TO APPROPRIATE FUNDS UNDER THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S TRANSIT-ORIENTED DEVELOPMENT HOUSING PROGRAM IN CONNECTION WITH LAKE PARK APARTMENTS AT 500 LAKE PARK AVENUE, IN AN AMOUNT NOT TO EXCEED \$2,635,000.

WHEREAS, the California Department of Housing and Community Development (the "Department") has issued a Notice of Funding Availability (the "NOFA") dated April 30, 2020, under the Transit-Oriented Development ("TOD") Housing Program; and

WHEREAS, a resolution from the local jurisdiction is required for each Housing Development and Infrastructure Project; and

WHEREAS, the City of Oakland (the "City") is an Eligible Applicant under the TOD Program and wishes to apply for a TOD Program Grant to develop infrastructure in support of affordable housing under the NOFA; and

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

WHEREAS, the project known as Lake Park Apartments (the "Project"), to be developed by EAH Inc., was reviewed by the City's Housing and Community Development staff and is being supported by the City to apply for a TOD Grant in an amount not to exceed \$2,635,000; now, therefore, be it

RESOLVED: That the City is hereby authorized to apply for and receive an allocation of funds for the Project in an amount not to exceed \$2,635,000 ("TOD Grant") pursuant to the NOFA; and be it

FURTHER RESOLVED: That in connection with the City’s TOD Grant, the City is authorized to enter into, execute, and deliver a State of California Standard Agreement, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above resolution, in order to evidence the TOD Grant, the City’s obligations related thereto, and the Department’s security therefore; including, but not limited to, an affordable housing covenant, a performance deed of trust, a disbursement agreement, and certain other documents required by the Department as security for, evidence of or pertaining to the TOD Grant, and all amendments thereto (collectively, the “TOD Grant Documents”); and be it

FURTHER RESOLVED: That the City Administrator, or his Designee, is hereby authorized to execute the TOD Grant Documents, and any amendment or modifications thereto, on behalf of the City; and be it

FURTHER RESOLVED: That said TOD Grant Documents shall be reviewed and approved by the City Attorney’s Office for form and legality prior to their execution by the City, and copies will be placed on file with the City Clerk; and be it

FURTHER RESOLVED: That, if awarded, the TOD Program funds shall be appropriated and deposited in the State of California Fund (2159), Housing Development Organization (89929), Project (TBD), State Grant Miscellaneous Account (46229); and be it

FURTHER RESOLVED: That this resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

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