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OAKLAND

2016 MAR 31 PM 6:06

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Michele Byrd
Director, HCDD

SUBJECT: Supplemental NOFA Housing Funding

DATE: March 24, 2016

City Administrator Approval

Date:

3/31/16

RECOMMENDATION

Staff recommends that the City Council:

Accept a report and adopt resolutions on the recommendations pertaining to loans, grants and loan modifications which will include the following:

1. **A Resolution Appropriating \$2,521,517 From Fund Balance In The Low And Moderate Income Housing Asset Fund For Housing Development Activities**
2. **A Resolution Authorizing Affordable Housing Development Loans To The Fruitvale Transit Village Phase II, Redwood Hill Townhomes, Camino 23, 3706 San Pablo Avenue, Coliseum Place, And Embarc Apartments Affordable Housing Projects As Affordable Housing Funds Become Available In A Total Amount Not To Exceed \$5,013,851 Without Returning To Council**
3. **A Resolution Authorizing The Transfer Of \$71,881 In Funds For The Housing Predevelopment Revolving Loan And Grant Program**
4. **A Resolution Amending Resolution No. 85410 C.M.S. Which Authorized A \$2,000,000 Affordable Housing Preservation And Rehabilitation Loan To Community Housing Development Corporation And Dignity Housing West, Inc., For Harp Plaza Apartments Located At 430 28th Street, To Change The Source Of \$750,000 In-Project Funding From HUD Funds To The Low And Moderate-Income Housing Asset Fund**
5. **A Resolution Amending Existing Affordable Housing Loans To The Madrone Hotel Project At 477 8th Street To Extend The Loan Maturity Dates To March 1, 2071, And Reduce The Interest Rate To Three Percent**
6. **A Resolution Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development In An Amount Not To Exceed \$160 Million Under The 2015-16 Affordable Housing And**

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Sustainable Communities Program, And Authorizing The City Administrator To Allocate Such Funds To Eligible Projects Without Returning To The City Council

REASON FOR SUPPLEMENTAL OR REPLACEMENT

The Notice of Funding Availability (NOFA) Fund Recommendation report was scheduled to be heard at the March 22, 2016 Community and Economic Development Committee; however, due to a loss of quorum the item was not fully considered. At the Rules and Legislation Committee meeting on March 24, 2016, Vice Mayor Campbell-Washington asked that this item be forwarded directly to City Council on April 5, 2016 with the amended resolutions. The Housing and Community Development Department is providing this supplemental report to change the maximum amount of loan funds available to be awarded to the proposed projects that applied to the NOFA and to provide a complete copy of **Attachment B**, which was missing a page from the initial report.

ANALYSIS AND POLICY ALTERNATIVES

Staff increased the maximum amount of loan funds available to award to projects that applied to the 2015-2017 NOFA from \$4,013,851 to \$5,013,851. The resolution was also revised to indicate specific awards amount to Satellite Affordable Housing Associates in the amount of \$2,757,000 for Redwood Hill Townhomes and to the Spanish Speaking Unity Council and Eastbay Asian Local Development Corporation in the amount of \$2,250,000 for the Fruitvale Transit Village Phase II A.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council:

Accept a report and adopt resolutions on the recommendations pertaining to loans, grants and loan modifications which will include the following:


1. A Resolution Appropriating \$2,521,517 From Fund Balance In The Low And Moderate Income Housing Asset Fund For Housing Development Activities
2. A Resolution Authorizing Affordable Housing Development Loans To The Fruitvale Transit Village Phase II, Redwood Hill Townhomes, Camino 23, 3706 San Pablo Avenue, Coliseum Place, And Embark Apartments Affordable Housing Projects As Affordable Housing Funds Become Available In A Total Amount Not To Exceed \$5,013,851 Without Returning To Council
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4. A Resolution Amending Resolution No. 85410 C.M.S. Which Authorized A \$2,000,000 Affordable Housing Preservation And Rehabilitation Loan To Community Housing Development Corporation And Dignity Housing West, Inc., For Harp Plaza Apartments Located At 430 28th Street, To Change The Source Of \$750,000 In Project Funding From HUD Funds To The Low And Moderate Income Housing Asset Fund
5. A Resolution Amending Existing Affordable Housing Loans To The Madrone Hotel Project At 477 8th Street To Extend The Loan Maturity Dates To March 1, 2071, And Reduce The Interest Rate To Three Percent
6. A Resolution Authorizing The Application For And Acceptance Of, And Appropriating, Grant Funds From The California Strategic Growth Council And/Or The California Department Of Housing And Community Development In An Amount Not To Exceed \$160 Million Under The 2015-16 Affordable Housing And Sustainable Communities Program, And Authorizing The City Administrator To Allocate Such Funds To Eligible Projects Without Returning To The City Council

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, Department of Housing and
Community Development

Reviewed by:
Norma Thompson, Manager of Housing
Development

Prepared by:
Christina Morales, Housing Development
Coordinator
Housing Development Services

Attachments (1):

(B) NOFA Project Summary, Scoring, and Descriptions

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**ATTACHMENT:
New Construction/Substantial Rehabilitation NOFA 2015-17
Descriptions of Submitted Projects**

COLISEUM PLACE

Developer: Resources for Community
Development (RCD)
This Request: \$4,000,000
Previous Award: \$0

Address: 905 72nd Ave.
Council District: 7

PROJECT SUMMARY:

- New construction of a four-story mixed-use 59-unit (including a manager’s unit) affordable family housing development that includes 0 square feet of retail/commercial space on the ground floor.
- Nine units would be set aside for persons who are homeless or at risk of homelessness and six units will be set aside for persons living with HIV/AIDS.
- The project site currently contains one existing warehouse building that would be demolished for construction of the new building.
- Building amenities will include: 30 parking spaces, laundry facilities, a community room, services offices, a mobile computer learning center, and outdoor area.
- Resources for Community Development will serve as the lead developer and property manager, with Acts Community Development Corporation providing supportive services to residents.
- In addition to City funds, the project financing will include 9% tax credits, Federal Home Loan Bank AHP, Alameda County HOPWA and AHSC funds.

AFFORDABILITY LEVELS: 30 to 50% AMI

UNIT SIZES:	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
		11	28	20		59

OTHER PROPOSED PERMANENT FINANCING SOURCES:

9% Low-Income Tax Credits, Federal Home Loan Bank AHP, Alameda County HOPWA and AHSC funds.

EMBARK APARTMENTS

Developer: Resources for Community
Development (RCD)
This Request: \$5,508,798

Address: 2126 Martin Luther King Jr.
Way
Council District: 3

PROJECT SUMMARY:

- New construction of a six-story 66-unit (including a manager’s unit) service enriched affordable housing development for veterans.

- 33 of the units are set aside for homeless veterans.
- The project is located across the street from the VA Clinic.
- The site is currently a vacant lot.
- Ground floor podium level will include a lobby, community room, manager's office, services office for Swords to Plowshares and the Veterans Administration and 66 parking spaces.
- Swords to Plowshares will be the lead services provider.

AFFORDABILITY LEVELS: 30 to 50% AMI

UNIT SIZES:	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
	5	60	1	0	0	66

OTHER PROPOSED PERMANENT FINANCING SOURCES:

Low Income Housing Tax Credit equity; State of California Veterans Housing and Homelessness Prevention Program (VHHP); Project pursuing Project Based VASH and/or Section 8 Vouchers. If successful, money required from the City of Oakland could be reduced.

3706 SAN PABLO AVENUE

Developer: EAH, Inc.
This Request: \$3,500,000

Address: 1025 W. MacArthur Blvd
Council District: 1 (located on the Emeryville/Oakland border)

Previous Award: \$2,000,000

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	87

OTHER PROPOSED PERMANENT FINANCING SOURCES:

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

OAKLAND & THE WORLD ENTERPRISES INC. PROJECT 1

Developer: Oakland & the World Enterprises, Inc. and affordable housing developer TBD Address: 7th & Campbell Streets
 This Request: \$2,600,000 (+land) Council District: 3
 Previous Award: \$0

PROJECT SUMMARY:

- New construction of a two- to six-story mixed-use 59-unit (including a manager’s unit) affordable family housing development. Commercial space includes 18,200 square feet of retail/commercial space on the ground floor, and a 10,000 square foot urban farm on the 3rd floor roof of the rear of the building (stepping down to the lower scale residential neighborhood off 7th Street.
- No specified units for special needs/homeless populations; however, OAW has expressed keen interest in working with formerly incarcerated populations.
- The project site is currently vacant after the recent demolition of a 2,000 square foot building on a small portion of the site.
- Building amenities will include: 129 parking spaces (includes spaces for the commercial components), laundry facilities, a community room/event space, fitness center, and outdoor area.
- Affordable housing developer and property manager to be identified (currently in discussions).

AFFORDABILITY LEVELS: 30 to 60% AMI

UNIT SIZES:

0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
	25	15	19		59

OTHER PROPOSED PERMANENT FINANCING SOURCES:

9% Low-Income Tax Credits, Federal Home Loan Bank AHP, Alameda County Housing Trust Fund and AHSC funds.

CAMINO 23

Developer: Satellite Affordable Housing Associates (SAHA) Address: 1233-1253 23rd Ave and 2285 International Blvd.
 This Request: \$2,700,000 Council District: 2
 Previous Award: \$0

PROJECT SUMMARY:

- New construction of two five and six story buildings, for a total of 32 units, joined by a courtyard featuring landscaping, seating areas and a children’s play area. 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 site is mix of a vacant grassy lot and a vacant warehouse.
- Five units will be designated for families living with HIV/AIDS and five units will be designated for families at risk of homelessness or currently homeless.
- The property will also include services and property management offices, a shared laundry room and multiple outdoor courtyards.

AFFORDABILITY LEVELS: 30 to 50% AMI

UNIT SIZES:

0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
0	10	7	15		32

OTHER PROPOSED PERMANENT FINANCING SOURCES:

Affordable Housing and Sustainable Communities program, County of Alameda, the Federal Home Loan Bank AHP funds, Northern California Community Loan Fund, CA Department of Housing and Community Development Infill and Infrastructure Grant and 9% Low-Income Tax Credits.

WEST Grand & Brush, Phase I

Developer: EBALDC
This Request: \$5,000,000
Previous Award: \$0

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.
- Fifteen units would be special needs/supportive housing units targeted to homeless/at-risk veterans.
- The project site currently contains surface parking for buses and other vehicles.
- Building amenities will include: 49 structured parking spaces, bicycle parking for 27 bicycles, 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. Operation Dignity will provide supportive services to the special needs units.

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 Affordable Housing and Sustainable Communities (AHSC)); private construction/permanent loan; Low Income Housing Tax Credit equity; EPA grant, CA Veterans Housing and Homeless Prevention program, YMCA fundraising for the day care space, and Affordable Housing Program (AHP).

FRUITVALE TRANSIT VILLAGE PHASE II

Developer: East Bay Asian Local Development Agency (EBALDC) and The Spanish Speaking Unity Council
 Address: E 12th St and 35th Ave
 This Request: \$5,000,000
 Previous Award: \$4,000,000
 Council District: 5

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 (SAHA)

Address: 4856-68 Calaveras Ave.

This Request: \$2,757,000

Council District: 4

Previous Award: 4,242,600

- 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
0	0	12	16	0	28

OTHER PROPOSED PERMANENT FINANCING SOURCES:

CA Housing and Community Development Infill Infrastructure Grant (IIG); Affordable Housing Program (AHP); Alameda County Boomerang; permanent loan; Low Income Housing Tax Credit equity and Tax-Exempt Bonds: NOI Tranche A & Section 8 Tranche B.

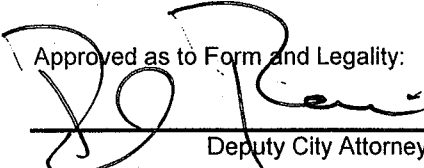
City of Oakland NOFA Applications Submitted

		New Construction NOFA							
	Ownership	New Construction Rental							
	None	Fruitvale Transit Village Phase II	Coliseum Place	Camino 23	Embarc Apartments	West Grand & Brush, Phase I	3706 San Pablo Ave.	Redwood Hill Townhomes	Oakland & the World Enterprises Inc. Project I
Address		E 12th St and 35th Ave	905 72nd Ave	1233-1253 23rd Ave and 2285 International Blvd	2126 Martin Luther King Jr. Way	760 22nd St & 2201 Brush St	3706 San Pablo Ave. (partially located in Emeryville)	4856-68 Calaveras Avenue	1664-1676 7th Street
Council District		5	7	2	3	3	1	4	3
Developer		Spanish Speaking Unity Council & EBALDC	Resources for Community Development (RCD)	Satellite Affordable Housing Associates (SAHA)	Resources for Community Development (RCD)	West Grand and Brush LLC -East Bay Asian Local Development Corp (EBALDC)	EAH, Inc.	Satellite Affordable Housing Associates (SAHA)	Oakland & the World Enterprises Inc.
Tenure		Rental	Rental	Rental	Rental	Rental	Rental	Rental	Rental
Household Type		Family	Family/Special Needs	Family/Special Needs	Special Needs	Family/Special Needs	Family/Special Needs	Family	Family
Units (incl. manager's unit)		94	59	32	67	59	87	28	59
New Units		94	59	32	67	59	87	28	59
Bedrooms (incl. manager's unit)		194	127	69	67	121	196	72	112
Total Development Costs (Residential)		\$ 52,552,589	\$ 32,257,698	\$ 20,486,589	\$ 37,801,037	\$ 34,930,860	\$ 42,356,574	\$ 17,070,120	\$ 28,904,349
Cost per Unit		\$ 559,070.10	\$ 546,740.64	\$ 640,206	\$ 564,195	\$ 592,048	\$ 486,857	\$ 609,647	\$ 489,904
Cost per Bedroom		\$ 270,889.63	\$ 253,997.62	\$ 296,907	\$ 564,195	\$ 288,685	\$ 216,105	\$ 237,085	\$ 258,075
Total City Funds	\$ -	\$ 9,000,000	\$ 4,000,000	\$ 2,700,000	\$ 5,508,798	\$ 5,000,000	\$ 5,500,000	\$ 6,999,600	\$ 2,600,000
City Funds Requested This NOFA		\$ 5,000,000	\$ 4,000,000	\$ 2,700,000	\$ 5,508,798	\$ 5,000,000	\$ 3,500,000	\$ 2,757,000	\$ 2,600,000
Previous City Funds	\$ -	\$ 4,000,000			\$ -	\$ -	\$ 2,000,000	\$ 4,242,600	\$ -
City Funds per Unit		\$ 95,745	\$ 67,797	\$ 84,375	\$ 82,221	\$ 84,746	\$ 63,218	\$ 249,986	\$ 44,068
City Funds per Bedroom		\$ 46,392	\$ 31,496	\$ 39,130	\$ 82,221	\$ 41,322	\$ 28,061	\$ 97,217	\$ 23,214
% City Funds to total Dev Cost	\$ -	17.1%	12.4%	13.2%	14.6%	14.3%	13.0%	41.0%	9.0%

**New Construction NOFA 2015-17
Project Scoring Table**

	RENTAL Potential Points	Fruitvale Transit Village Phase 2	Redwood Hill	Camino 23	3706 San Pablo Ave.	Coliseum Place	West Grand & Brush Phase 1	Embarc Apartments
Percentage of Points		92.2%	87.0%	86.8%	84.3%	79.5%	75.0%	66.7%
Rank		1	2	3	4	5	6	7
I. Financial Characteristics	22	17.0	16.0	17.0	19.0	17.0	15.0	11.0
A. Leveraging	8	4.00	2.00	3.00	5.00	4.00	4.00	4.00
B. Funding Commitments	14	13.00	14.00	14.00	14.00	13.00	11.00	7.00
II. Location	25	20.00	14.50	15.00	15.00	8.50	15.00	15.00
A. Geographic Equity	5	5.00	5.00	0.00	0.00	0.00	0.00	0.00
B. Educational Quality	5	0.00	0.00	0.00	0.00	0.00	0.00	0.00
C. Neighborhood Revitalization	5	5.00	4.50	5.00	5.00	3.50	5.00	5.00
D. Proximity to Public Transit	5	5.00	5.00	5.00	5.00	5.00	5.00	5.00
E. Proximity to Grocery or Drug Store	5	5.00	0.00	5.00	5.00	0.00	5.00	5.00
III. Target Population	25	25.00	25.00	23.25	17.75	20.00	24.75	20.00
A. Income Targeting	10	10.00	10.00	10.00	10.00	10.00	10.00	10.00
B. Unit Size	5	5.00	5.00	5.00	5.00	5.00	4.75	0.00
C. Units for People with Special Needs	5	5.00	5.00	5.00	2.75	2.00	5.00	5.00
D. Homeless - Permanent Supportive Housing Units	5	5.00	5.00	3.25	0.00	3.00	5.00	5.00
IV. Developer Experience and Capacity	27	27.00	26.75	26.75	27.00	27.00	27.00	27.00
A. Developer Experience Exceeds Minimum	10	10.00	10.00	10.00	10.00	10.00	10.00	10.00
B. Developer Capacity	8	8.00	8.00	8.00	8.00	8.00	8.00	8.00
C. Developer Financial Strength	6	6.00	5.75	5.75	6.00	6.00	6.00	6.00
D. Strength of the Development Team	3	3.00	3.00	3.00	3.00	3.00	3.00	3.00
V. Readiness - Planning Approvals	20	20.00	20.00	20.00	20.00	20.00	5.00	3.00
VII. Sustainability	10	10.00	10.00	10.00	10.00	10.00	10.00	10.00
VIII. Penalty for Nonperforming Projects	-10	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Points	129.0	119.00	112.25	112.00	108.75	102.50	96.75	86.00

2016 MAR 31 PM 6:06

Approved as to Form and Legality:

Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AFFORDABLE HOUSING DEVELOPMENT LOANS TO THE FRUITVALE TRANSIT VILLAGE PHASE II, REDWOOD HILL TOWNHOMES, CAMINO 23, 3706 SAN PABLO AVENUE, COLISEUM PLACE, AND EMBARK APARTMENTS AFFORDABLE HOUSING PROJECTS AS AFFORDABLE HOUSING FUNDS BECOME AVAILABLE IN A TOTAL AMOUNT NOT TO EXCEED \$5,013,851 WITHOUT RETURNING TO COUNCIL

WHEREAS, on September 1, 2015, the City of Oakland issued a Notice of Funding Availability ("NOFA") soliciting applications for funding for affordable housing development projects; and

WHEREAS, the six projects listed in Attachment A to this Resolution submitted proposals in response to the NOFA and were the top ranked projects in staff's evaluation of project proposals; and

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

WHEREAS, the projects are consistent with the City's Project Development Guidelines, and each developer meets the City's Threshold Developer Criteria; and

WHEREAS, establishing a pipeline of authorized projects and delegating authority to the City Administrator to fund projects in the pipeline from available funds will enable the City to maximize its resources by enabling projects to secure additional funding, providing only the amount of City assistance needed to make the project feasible, avoiding the cost of reapplication during the subsequent fiscal year, and expediting funding awards once funds are determined to be available; and

WHEREAS, funds for affordable housing development in the amount of

\$5,013,851 are available from the Affordable Housing Trust Fund (1870) and the Low and Moderate Income Housing Asset Fund (2830), and funds will be available from the HUD HOME Investment Partnership Program (2109) in fiscal year 2016-17 to assist the projects; and

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

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

WHEREAS, for those projects receiving federal funds, execution of loan documents or other documents legally committing the City to fund the projects shall be expressly conditioned on compliance with the requirements of the National Environmental Protection Act ("NEPA"), as certified by the City Administrator or his or her designee; now, therefore, be it

RESOLVED: That the City Council hereby authorizes a loan in an amount not to exceed \$2,757,000 (in addition to loans previously authorized for this project for a total loan in an amount not to exceed \$6,999,600) 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 Redwood Hill Townhomes; and be it

FURTHER RESOLVED: That the City Council hereby authorizes a loan in an amount not to exceed \$2,250,000, to The Spanish Speaking Unity Council of Alameda County and East Bay Asian Local Development Corporation, or to an affiliated entity approved by the City Administrator or his or her designee, to be used for the Fruitvale Transit Village Phase IIA project; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or his or her designee to provide loans as affordable housing funds become available, without returning to Council, in a total amount not to exceed \$5,013,851 to the developers, or to affiliated entities of those developers approved by the City Administrator or his or her designee, to be used for development of those projects listed on Attachment A to this Resolution; and be it

FURTHER RESOLVED: That the funding shall be allocated from the Low and Moderate Income Housing Asset Fund (2830), the Affordable Housing Trust Fund(1870), and/or the HUD HOME Investment Partnership Program (2109) in fiscal years 2015-16 and 2016-17; and be it

FURTHER RESOLVED: That each loan shall be contingent on the availability of sufficient funds in the Affordable Housing Trust Fund, the Low and Moderate Income Housing Asset Fund and/or the HUD HOME Investment Partnership Program in fiscal years

2015-16 and 2016-17; and be it

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

FURTHER RESOLVED: That loan funds shall be reserved for a period of no more than 24 months from the date of the commitment letter 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 each 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 each 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 Council has independently reviewed and considered the environmental determinations, 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 each project complies with CEQA because either the project is exempt from CEQA, or, based on an initial study and the mitigation measures identified therein, the project as mitigated will not have a significant adverse impact on the environment, as the CEQA determination is further set forth in Attachment A to this Resolution; 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 or Notice of Determination for each project as appropriated; and be it

FURTHER RESOLVED: That execution of loan documents or other documents legally committing the City to fund a project with federal funds will be 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 hereby authorizes the City Administrator or his or her designee to determine funding allocations, 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 projects 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

Attachment A
NOFA 2015-17 Pipeline

Project/Developer	NOFA Ranking	Total Score	Funding Requested	CEQA Status
Fruitvale Transit Village Phase II A (Spanish Speaking Unity Council & EBALDC)	1	119.00	\$5,000,000	Filed Notice of Determination June 11, 2015 Sections 15162-15163
Redwood Hill Townhomes (SAHA)	2	112.25	\$2,757,000	Filed Notice of Exemption February 17, 2011 Section 15280- lower-income housing projects Section 15332- infill projects
Camino 23 (SAHA)	3	112.00	\$2,700,000	Filed Notice of Exemption October 17, 2014 Section 15183- projects consistent with a community plan, general plan or zoning Section 15332- infill projects
3706 San Pablo Ave. (EAH, Inc.)	4	108.75	\$3,500,000	Emeryville Planning Commission Determination of Exemption January 22, 2015 Section 15332- infill projects
Coliseum Place (RCD)	5	102.50	\$4,000,000	Filed Notice of Exemption October 22, 2015 Section 15183- projects consistent with a community plan, general plan or zoning Section 15332- infill projects
Embark Apartments (RCD)	7	86.00	\$5,508,798	Determination of Exemption Section 15332- infill projects

*Project ranked number six was omitted because CEQA determination is pending.