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REVISED CITY COUNCIL 11/1/2016 & 11/14/2016

APPROVED AS TO FORM AND LEGALITY

Deputy City Attorney

OAKLAND CITY COUNCIL

ORDINANCE NO._____ C.M.S.

ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO ENACT THE CITY OF OAKLAND AFFORDABLE HOUSING AND INFRASTRUCTURE BOND LAW, WHICH PROVIDES FOR ISSUANCE OF GENERAL OBLIGATION BONDS TO FUND THE AFFORDABLE HOUSING PROGRAM AND OTHER PURPOSES DESCRIBED HEREIN

WHEREAS, pursuant to Resolution No. 86335 C.M.S. adopted on July 19, 2016 (the "Bond Submittal Resolution"), the City Council ("Council") of the City of Oakland (the "City") submitted to the November 8, 2016 statewide general election a proposed ordinance to authorize the issuance of $600 million in general obligation bonds to fund various City infrastructure and affordable housing projects; and

WHEREAS, pursuant to Section 9 of the Bond Submittal Resolution, if the bonds are approved by the voters, the City shall issue the bonds pursuant to the rules and procedures established by the City Affordable Housing and Infrastructure Bond Law, which Bond Law shall be established pursuant to this Ordinance; and

WHEREAS, the City is a municipal corporation and chartered city duly organized and existing under a charter pursuant to which the City has the right and power to make and enforce all laws and regulations in respect to municipal affairs and certain other matters in accordance with and as more particularly provided in Sections 3, 5 and 7 of Article XI of the Constitution of the State of California and Section 106 of the Charter of the City of Oakland (the "Charter"); and

WHEREAS, pursuant to the Charter, this Ordinance sets forth a procedure by which the City may issue general obligation bonds for certain affordable housing and infrastructure purposes and establishes a program for such affordable housing purposes as provided herein; and

WHEREAS, the Council hereby finds that this Ordinance is consistent with the Charter and other applicable law, constitutes a municipal affair and is in furtherance of the public purpose of affordable housing and infrastructure;

NOW, THEREFORE, the City Council of the City of Oakland does hereby ordain as follows:

Section 1. Recitals. All of the recitals set forth above are true and correct, and the Council hereby so finds and determines.

Section 2. Amendment to Oakland Municipal Code. The Affordable Housing and Infrastructure Bond Law is hereby added to the Oakland Municipal Code as follows and shall be codified as Chapter 4.54:

Chapter 4.54 – AFFORDABLE HOUSING AND INFRASTRUCTURE BOND LAW

Article I. - General Provisions and Definitions

4.54.010 - Title.

This chapter may be cited as the City of Oakland Affordable Housing and Infrastructure Bond Law.

4.54.020 - Purpose.

The Council hereby finds and declares that it is necessary, essential, a public purpose and a municipal affair for the City to be authorized to issue bonds for the purpose of financing the cost of affordable housing projects and infrastructure projects.

4.54.030 - Definitions.

Unless the context otherwise requires, the following definitions shall govern the construction of this chapter. Certain definitions which govern the City's Affordable Housing Program are provided in Article IV herein.

"Affordable housing project" means any acquisition, rehabilitation, preservation, or new construction of real property, determined by the City to be in furtherance of affordable housing, including but not limited to the loan or grant of the proceeds of bonds to public or private entities or persons. Affordable housing projects shall be undertaken in accordance under the City's Affordable Housing Program as provided in Article IV herein.

"Bonds" means any general obligation bonds issued by the City pursuant to this chapter. Bonds shall include the $600 million in general obligation bonds for infrastructure and affordable housing projects if approved by the voters at the November 8, 2016 election. Bonds shall include future issues of general obligation bonds for affordable housing projects and/or infrastructure projects that are identified by the City as issued pursuant to this chapter, including but not limited to any refunding bonds.

"Chapter" means this chapter 4.54 of the Oakland Municipal Code, as amended from time to time in accordance herewith.

"Charter" means the Charter of the City of Oakland, as amended from time to time.

"City" means the City of Oakland, California, a chartered city in the State existing under and exercising powers pursuant to the Charter and the Constitution of the State.

"Council" means the City Council of the City.

"Infrastructure Project" means any acquisition or improvement of real property, determined by the City to be in furtherance of a public purpose.

"Issuing instrument" means the bond ordinance of the Council adopted pursuant to this chapter and any resolution, fiscal agent agreement, indenture, trust agreement or other written instrument pursuant to which the City issues bonds.

"State" means the State of California.

Article II. - Issuance of Bonds

4.54.040 - General powers.

The City is authorized and empowered:

A. To issue bonds for the purpose of financing the cost of affordable housing projects and infrastructure projects and for the purpose of refunding bonds.

B. To establish the terms and conditions for the financings undertaken pursuant to this chapter.

C. To employ or contract for such legal, consultant, underwriting, economic feasibility, or other services, as may be necessary in the judgment of the Council for the issuance and sale of bonds.

D. To establish a Public Oversight Committee to assure fair and equitable distribution of bond funds, comprised of nine members appointed by the Mayor and subject to confirmation by the City Council. Each Councilmember may recommend one Committee member to the Mayor for appointment.

E. To broadly advertise the availability of the bond programs.

F. To report semi-annually to the City Council on expenditures and programs related to the bonds.

G. In addition to all other powers specifically granted in this chapter, to do all things necessary or convenient to carry out the purposes of this chapter.

4.54.050 - Authorization of bonds.

The City may issue bonds pursuant to an ordinance of the Council for the purpose of financing the cost of affordable housing projects and infrastructure projects as authorized by this chapter. Every issue of bonds shall have such terms as described in the issuing instrument.

4.54.060 - Proceedings authorizing issuance—public or private sales.

A. The proceedings of the City authorizing the issuance of the bonds may provide all of the following for the bonds:

1. The form of the bonds, which may be issued as serial bonds or term bonds or any combination thereof.

2. The date or dates to be borne by the bonds.

3. The time or times of maturity of the bonds.

4. The interest, which may be taxable or tax-exempt, fixed or variable and which may be paid on a current interest or capital appreciation basis, to be borne by the bonds.

5. The time or times that the bonds shall be payable.

6. The denominations, form, and the registration privileges of the bonds.

7. The manner of execution of the bonds.

8. The place or places the bonds are payable.

9. The terms of redemption of the bonds.

10. Any other terms and conditions deemed necessary by the City.

B. The bonds may be sold at either a public or private sale and at a price at, above or below the par value thereof.

4.54.070 - Application of proceeds of bonds.

The proceeds of the bonds shall be applied to the cost of affordable housing projects or infrastructure projects, including all costs of issuing the bonds and the costs of any insurance or other credit enhancement authorized by section 4.54.080.

The City may apply bond proceeds designated for affordable housing projects directly to acquire, rehabilitate, preserve or construct affordable housing and/or indirectly as loans, grants, or other disbursements to qualified individuals, business entities, corporations, partnerships, associations, and government agencies for such affordable housing projects. Proceeds of the bonds may be used to pay or reimburse the City for the costs of City staff when they are performing work on or necessary and incidental to the bond projects; but, as to the affordable

housing bond funds, no more than five percent of bond proceeds may be spent on City staff costs.

4.54.080 - Insurance or credit enhancement.

The City may obtain insurance or other credit enhancement of the bonds and may enter into any credit, reimbursement agreement or other agreement with any person or entity. The agreement shall contain the terms of the credit, reimbursement, interest rate, security, and any other terms the City deems necessary or appropriate.

4.54.90 - Bonds and investments.

In connection with, or incidental to, the issuance or carrying of the bonds, the City may enter into investment agreements, forward purchase agreements and other investments relating to the investment of amounts held pursuant to an issuing instrument. These agreements and investments shall be entered into with the parties, selected by the means, and contain the payment, security, default, remedy, and other terms and conditions, determined by the City, after giving due consideration for the creditworthiness of the counter parties, where applicable, including any rating by a nationally recognized rating agency or any other criteria as may be appropriate.

4.54.100 - Personal liability.

Neither the members of the Council, officers, employees or agents of the City, nor any person executing the bonds shall be liable personally on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

4.54.110 - Refunding bonds and defeasance of bonds.

The Council may provide for the issuance of bonds any portion of which is to be used for the purpose of refunding outstanding bonds, including the payment of the principal thereof and interest and redemption premiums, if any, thereon. The proceeds of bonds issued to refund any outstanding bonds may, in the discretion of the Council, be applied to the retirement of such outstanding bonds at maturity, or the redemption (on any redemption date) or purchase of such outstanding bonds prior to maturity, upon such terms and subject to such conditions as the Council shall deem advisable.

Bonds may be defeased by depositing cash and/or treasury securities in an escrow fund in an amount necessary to pay such bonds on and prior to redemption or maturity.

4.54.120 - Repayment of bonds.

The principal and any premium of, and interest on, the bonds shall be payable from ad valorem taxes levied to pay such bonds. For the purposes of paying the principal and interest on the bonds, the City shall, annually levy and collect a tax sufficient to pay the annual interest on such bonds as it becomes due and such part of the principal that will become due before the proceeds of the next general tax levy is available for the payment of such principal. The City shall establish and separately maintain such collected tax revenues in a separate fund until the

bonds and the interest thereon are fully paid, or until a sum is set apart to pay all amounts that will be due to cover the principal and interest on the bonds in the Treasury of the City of Oakland or held on behalf of the City.

Article III - Miscellaneous Bond Provisions

4.54.130 - Liberal construction.

This chapter, being necessary for the health, welfare and safety of the City and its residents, shall be liberally construed to affect its purposes. Furthermore, the Council hereby declares that this chapter is an exercise of the power granted to the City by the City Charter and the Constitution of the State and is an exercise by the City of its powers as to municipal affairs and its police powers, and this chapter shall be liberally construed to uphold its validity under the laws of the State.

4.54.140 - Provisions of this chapter are complete, additional and alternative.

This chapter shall be deemed to provide a complete, additional and alternative method for doing the things authorized hereby, and shall be regarded as supplemental and additional to the powers conferred by other laws. The issuance of bonds and the entering into of any other agreement under the provisions of this chapter need not comply with the requirements of any other law applicable to the issuance of bonds. The purposes authorized hereby may be effectuated and bonds are authorized to be issued for any such purposes under this chapter notwithstanding that any other law may provide for such purposes or for the issuance of bonds for like purposes and without regard to the requirements, restrictions, limitations or other provisions contained in any other law.

4.54.150 - Validity of bonds and purposes.

The validity of any bonds shall not be dependent on or affected in any way by any proceedings taken by the City for the completion of projects and purposes for which the bonds are to be issued. The bonds shall be valid and incontestable and shall by their issuance and delivery conclusively establish the due performance of all conditions precedent to their issue.

4.54.160 - Amendment of chapter.

This chapter shall not be amended so as to have a material adverse effect upon the rights of the owners of any outstanding bonds theretofore issued hereunder, without the written consent of such bond owners; provided, however, that this chapter may be amended at any time (a) to make such provisions for the purpose of curing any ambiguity, or of curing, correcting or supplementing any defective provision herein contained, as the City may deem necessary or desirable; or (b) if such amendment does not materially impair or adversely affect the interests of any such bond owner or City; or (c) if such amendments apply solely to bonds not theretofore issued. Notwithstanding the foregoing, the description of the City's Affordable Housing Program in Article IV of this chapter may be amended from time to time as the Council deems necessary or desirable.

4.54.170 - Chapter controlling.

To the extent that the provisions of this chapter are inconsistent with the provisions of any general statute or special act or parts thereof, the provisions of this chapter shall be deemed controlling.

4.54.190 – Validation action.

Any action by the City to determine, or any action by an interested person challenging, the validity of the bonds shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the California Code of Civil Procedure.

Article IV – Anti-Displacement and Affordable Housing Bond Law Program

4.54.200 – Purpose and background of program; definitions.

This Article IV provides for an Affordable Housing Program, consisting of projects, programs and financing mechanisms to expend the designated $100 million of affordable housing bond funds included as part of a measure authorizing a City general obligation bond on the November 2016 ballot (Bond Measure KK) (the "affordable housing bond funds").

This Affordable Housing Program prioritizes strategies, programs and projects to help long-term Oakland residents and their families avoid displacement. It helps preserve Oakland's diverse communities and addresses the destabilizing displacement effects resulting from substantial rent increases, family incomes not keeping pace with housing costs, and housing supply not meeting current and projected demand. Additionally, it prioritizes strategies that increase the supply of affordable housing for those households most vulnerable to displacement, including extremely low income renters, and limited income seniors, veterans, and people with disabilities.

Alameda County voters will consider a $580 million general obligation bond measure for housing (Alameda County Affordable Housing Bond, Bond Measure A1) on the November 2016 ballot (the "County housing bond" or the "County bond"). If passed, the County bond will provide an estimated $89 million for construction of new affordable housing and other eligible uses in Oakland. Oakland's affordable housing bond authorization has been designed to complement the County's housing bond by prioritizing resources for protecting vulnerable Oaklanders from being displaced from their current homes, while the County bond authorization focuses on financing new affordable housing construction.

Unless the context otherwise requires, the following definitions shall govern the construction of the City's Affordable Housing Program as provided in Article IV herein.

"Affordable housing" means housing that is provided at an affordable rent or affordable housing cost to certain income groups as described in this Program. The terms "affordable rent" and "affordable housing cost" shall be as defined in California Health and Safety Code Sections 50053 and 50052.5 and their implementing regulations.

"Extremely low income household" shall be as defined in California Health and Safety Code Section 50106 and its implementing regulations.

"Lower income household" shall be as defined in California Health and Safety Code Section 50079.5 and its implementing regulations.

"Moderate income household" means persons and families of low or moderate income as defined in California Health and Safety Code Section 50093 and its implementing regulations.

"Very low income household" shall be as defined in California Health and Safety Code Section 50105 and its implementing regulations.

4.54.210 – Prioritization of program funding.

The top priority for the City's affordable housing bond funds will be helping those who are homeless and protecting vulnerable Oaklanders from being displaced from their homes.

If both the County housing bond measure and the City bond measure pass in November, 2016, the County bond's approximately $89 million in Oakland proceeds will be used for new construction of affordable housing projects and other eligible expenditures, while the City's affordable housing bond funds will be used only for acquisition, preservation, and/or rehabilitation projects that protect existing affordable housing and bring other existing housing stock under affordability protection. These restrictions on the use of the City's affordable housing bond funds will apply for the first three years from the date of bond measure passage. Notwithstanding the above, the City's affordable housing bond funds may be used to match County bond funds on new construction affordable housing projects irrespective of the three-year restriction.

If the County housing bond does not pass in November 2016, the Council shall determine the most appropriate mix of eligible expenditures to address anti-displacement and long-term affordability goals. Additionally, if, after three years from the date of County bond passage, market conditions or the availability of properties causes rehabilitation and preservation efforts to slow, the Council shall determine the appropriate mix of eligible expenditures to address anti-displacement and long-term affordability goals at that time.

The order of priority in spending the City's affordable housing bond funds shall be as follows:

(a) The first priority shall be the acquisition, preservation and/or rehabilitation of affordable housing.

(b) If the County housing bond measure does not pass, the next priority shall be the development and construction of new affordable housing projects.

(c) If the County housing bond measure passes, the City's affordable housing bond funds shall be used only for acquisition, preservation, and/or rehabilitation of affordable housing projects, or for new construction of affordable housing only as a match for County bond funds, for the first three years from the date of bond measure passage. Thereafter, the City's affordable

housing bond funds may be used for development and construction of new affordable housing projects whether or not the City is matching County bond funds, but the first priority shall continue to be the acquisition, preservation and/or rehabilitation of affordable housing.

4.54.220 – Eligible expenditures.

The City's affordable housing bond funds may be spent on the acquisition, preservation, rehabilitation, and/or new construction of affordable housing as set forth in this chapter. The California Constitution provides that general obligation bonds may only be used to finance the acquisition or improvement of real property. Financing equipment, supplies, routine maintenance, or ongoing operations is not permitted.

The City may use the affordable housing bond funds designated for affordable housing projects directly to acquire, rehabilitate, preserve or construct affordable housing, or indirectly as loans, grants, or other disbursements to qualified individuals, business entities, or government agencies for such affordable housing projects. The City shall adopt policies that prohibit discrimination against households with Section 8 assistance, and that reduce barriers for formerly incarcerated people and people who are undocumented in order to improve the housing stock to habitability and health and safety standards.

The following activities shall be eligible uses of the City's affordable housing bond funds:

1. <u>Protect existing homes (rental)</u>
   - Purchase and/or rehabilitate rental properties that are currently affordable to lower income households because of their age, declining condition, or location, and establish long-term affordability requirements.

   - Acquire and/or rehabilitate rental properties that have expiring subsidy contracts or regulatory agreements making them high-risk for conversion to market rents, and extend or establish long-term affordability requirements.

2. <u>Protect existing homes (home ownership)</u>
   - Acquire and/or rehabilitate unrestricted for-sale housing and ensure long-term affordability through shared equity models such as deed restrictions and community land trusts.

3. <u>Protect existing homes (rental or ownership)</u>
   - Finance the acquisition and/or rehabilitation of vacant or blighted properties to address health and safety concerns, correct code violations, and return uninhabitable properties to the City's housing stock as long-term affordable housing.

   - Support the purchase of tax-defaulted properties from Alameda County for use as long-term affordable housing.

4. Homeowner assistance
   - Assist lower income, senior, and/or disabled homeowners living in hazardous housing conditions and/or at risk of losing their homes due to deferred maintenance with improvements to their units.

5. New construction (rental or ownership)
   - Finance the site acquisition, predevelopment, development and construction of new affordable rental or homeownership housing (subject to restrictions and priorities set forth elsewhere in this chapter).

4.54.230 – Income targeting.

Not more than 15 percent of expended City affordable housing bond funds may be used for housing affordable to persons and families of moderate income as defined in California Health and Safety Code Section 50093(b).

In allocating affordable housing bond funds to projects, the City shall give preference to housing affordable to extremely low income households. The City shall spend a minimum of 20 percent of affordable housing bond funds for housing for extremely low income households. This requirement must be satisfied for and will be applied against the entire authorized affordable housing bond amount, but, in order to allow the expeditious awarding of funds, does not necessarily have to be achieved for any single project or program. This 20 percent requirement may be waived by the City Administrator by returning to Council if, after five years from the issuance of the first bond, the City Administrator determines that there is a reasonable chance that the 20 percent set aside for extremely low income housing may not be spent. The City Administrator shall report annually to the City Council on progress in meeting this requirement.

4.54.240 - Program details.

The following is a summary of programs that could be funded from affordable housing bond funds. The summary is illustrative only, and is not intended to be an exclusive list of programs or uses eligible for bond funding. The City Council or the City Administrator may authorize the use of affordable housing bond funds for programs and projects in addition to the programs listed below, subject to conformance with the provisions of this chapter that set forth eligible expenditures, funding priorities, and income targeting.

Acquisition, Rehabilitation, and Preservation Program

Description:
Council Resolution No. 86125 C.M.S., passed on April 19, 2016, created the Affordable Housing Acquisition, Rehabilitation and Preservation Program. The program funds (1) loans to developers or owners of affordable housing to assist in the acquisition and/or rehabilitation of existing multifamily housing properties for use as affordable housing, (2) loans to developers of affordable housing to assist in the acquisition of land or nonresidential properties for development as affordable housing, and/or (3) loans to developers or owners of affordable housing to acquire and/or preserve restricted affordable housing or acquire affordability covenants on unrestricted housing that is otherwise affordable and in imminent risk of loss. The goal of the program is to preserve,

increase, and improve the supply of affordable housing available in the City in part by assisting nonprofit and for-profit developers to remove properties from the market, renovate them, and restrict their rents or sales prices for long-term affordability. These funds can be used for property acquisition and holding costs, rehabilitation costs, and all soft costs associated with these processes, including without limitation environmental assessments, appraisals, legal costs, architectural and engineering expenses, and developer fees. Acquisition/rehabilitation funds can target a range of property types including small rental properties, small-to-medium properties, larger buildings, and single room occupancy buildings. Private property owners could participate in the program and obtain rehabilitation funds if they accept the 55-year or more affordability requirements.

Length of Affordability:
Affordability restrictions for the program would be set to the maximum amount allowed by law, but in no case less than 55 years. The City may require that participating owners grant the City a first right of refusal to purchase the property if the property is sold during the affordability period.

Income Target:
Projects receiving affordable housing bond funds under the program are required to target certain income levels within each project. At acquisition, all tenants will be able to stay in their homes regardless of income (tenant incomes are expected to range from very low income to moderate income). As existing tenants choose to leave and new tenants move in, property owners will be required to fill vacancies with lower income households at or below 60 percent of area median income for the Oakland area ("AMI"). Rents will be adjusted to be affordable to households who are at or below 60 percent of AMI until an average of 80 percent of AMI for the project is achieved. For homeownership, eligible buyers must be moderate income households or below. Projects with deeper affordability levels shall be prioritized. The City will establish a scoring mechanism in the application process that requires applicants to meet a certain threshold point level to qualify for funding. That point system will include significant weight for providing a viable plan for targeting extremely low income households within a reasonable period of time.

Loan/Subsidy Amount:
A loan of up to $150,000 per unit on average is projected; however, the per unit loan/subsidy amount for the program shall be periodically reviewed and revised accordingly to ensure feasible subsidy amounts that reflect current market conditions.

Rental Rehabilitation Program

Description:
The goal of the Rental Rehabilitation Program is to facilitate the physical improvement of rental housing in the City to ensure housing habitability for lower income households. This program seeks to expand and improve the existing federal, state and local programs by providing financial assistance in exchange for affordability restrictions on the rehabilitated units.

Length of Affordability:
Affordability restrictions for the program would be set to the maximum amount allowed by law, but in no case less than 55 years.

Income Target:
As existing tenants choose to leave and new tenants move in, property owners will be required to fill vacancies with lower income households at or below 60 percent of AMI. Rents will be adjusted to be affordable to households who are at or below 60 percent of AMI until an average of 80 percent of AMI for the project is achieved. The City will establish a scoring mechanism in the application process that requires applicants to meet a certain threshold point level to qualify for funding. That point system will include significant weight for providing a viable plan for targeting extremely low income households within a reasonable period of time.

Loan Amount:
A loan amount of $50,000 per unit on average for the building is projected; however, the per-unit loan amount shall be periodically reviewed and revised accordingly to ensure feasible subsidy amounts that reflect current market conditions.

Homeowner Rehabilitation Program

Description:
This program will assist lower income and senior homeowners living in substandard housing conditions and/or at risk of losing their homes due to deferred maintenance. Homeowner rehabilitation loans would be eligible uses for bond funds only if they fund improvements to real property. Further, appropriate policies would need to be developed to ensure long-term affordability with respect to the property.

New Construction Program

Description:
The purpose of new construction is to support the creation of new affordable rental properties, helping to create long-term affordability in a neighborhood.

Length of Affordability:
Affordability shall be maintained for at least 55 years based upon the industry standard or the requirements of leveraged financing sources.

Income Target:
Projects that are new construction generally shall serve lower income households at or below 60 percent of AMI.

Loan/Subsidy Amount:
A subsidy amount of $165,000 per unit is projected; however, the per-unit loan/subsidy amount shall be periodically reviewed and revised accordingly to ensure feasible subsidy amounts that reflect current market conditions.

4.54.250 – Administrative regulations.

The City Administrator is hereby authorized to adopt rules and regulations consistent with this chapter as needed to implement this chapter, subject to the review and approval of the Office of the City Attorney, and to develop all related forms and/or other materials and take other steps as needed to implement this chapter, and make such interpretations of this chapter as he or she may consider necessary to achieve the purposes of this chapter.

Section 3. CEQA. The City Council finds and determines that the adoption of this Ordinance is (1) not a Project under the California Environmental Quality Act ("CEQA") and is therefore exempt pursuant to CEQA Guidelines Section 15378 (b)(4); (2) not intended to apply to specific affordable housing projects and as such it is speculative to evaluate such future projects now and, moreover, they will be subject to appropriate environmental review at such time as approvals for those affordable housing projects are considered; and/or (3) not intended to, nor does it, provide CEQA clearance for future development-related projects by mere creation of funding programs. Each of the foregoing provides a separate and independent basis for CEQA compliance and when viewed collectively provides an overall basis for CEQA compliance.

Section 4. Severability. If any section, paragraph, sentence, clause or phrase of this Ordinance shall for any reason be held illegal or unenforceable, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted this Ordinance and each and every other section, paragraph, sentence, clause or phrase hereof and authorized the proceedings authorized to be taken pursuant thereto irrespective of the fact that any one or more sections, paragraphs, sentences, clauses, or phrases of this Ordinance may be held illegal, invalid or unenforceable.

Section 5. Effective Date. This Ordinance shall be effective immediately, if passed by the affirmative vote of at least six City Council members; if this Ordinance is passed by the affirmative vote of five City Council members, it will be effective seven days after final passage.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2016

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

ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO ENACT THE CITY OF OAKLAND AFFORDABLE HOUSING AND INFRASTRUCTURE BOND LAW, WHICH PROVIDES FOR ISSUANCE OF GENERAL OBLIGATION BONDS TO FUND THE AFFORDABLE HOUSING PROGRAM AND OTHER PURPOSES DESCRIBED HEREIN

NOTICE AND DIGEST

This Ordinance amends the Oakland Municipal Code to enact an Affordable Housing and Infrastructure Bond Law for the City that sets forth a procedure by which the City may issue general obligation bonds for certain affordable housing and infrastructure purposes, and establishes a program for such affordable housing purposes as provided in the Law.