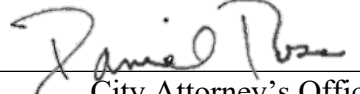


Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING THE AFFORDABILITY RESTRICTIONS AT ANCORA PLACE, AN AFFORDABLE HOUSING PROJECT LOCATED AT 2227-2257 INTERNATIONAL BOULEVARD PROPOSED BY SATELLITE AFFORDABLE HOUSING ASSOCIATES

WHEREAS, pursuant to Resolution Nos. 86774 and 86814 C.M.S., the City of Oakland (“City”) entered into a loan agreement on November 13, 2018 to provide \$3,500,000 in Measure KK bond funds to Satellite Affordable Housing Associates (“SAHA”) to acquire a site located at 2227-2257 International Boulevard in Oakland (the “Property”), and recorded a Regulatory Agreement against the Property in connection with the loan; and

WHEREAS, in connection with the City’s 2019-2020 Notice of Funding Availability for New Construction of Multifamily Affordable Housing (“NOFA”) issued on January 21, 2020, the City adopted Resolution No. 87994 C.M.S. committing an additional \$4,841,000 to SAHA to assist with the construction of an affordable housing development at the Property consisting of no fewer than 76 affordable units, to be commonly referred to as Ancora Place (the “Project”); and

WHEREAS, additional state and federal funds are needed in order to facilitate the construction of the Project; and

WHEREAS, the Project subsequently applied for and on June 26, 2020 was awarded an allocation of \$11,740,653 through the Multifamily Housing Program (“MHP”) of the California Department of Housing and Community Development (“CA-HCD”); and

WHEREAS, in order to be competitive for the MHP program, SAHA submitted to CA-HCD a proposed affordability mix that varied from that set forth in the City Regulatory Agreement and NOFA Project description by increasing the maximum household Area Median Income (“AMI”) of ten (10) units from sixty percent (60%) of AMI to seventy percent (70%) of AMI, and deepening the affordability of other units; and

WHEREAS, the average affordability across all units of the Project will deepen slightly as a result of these modifications; and

WHEREAS, the proposed modifications do not affect the Project’s final score and eligibility for funds awarded through the City’s Measure KK Bond Program and the NOFA; and

WHEREAS, the City’s Regulatory Agreement and commitment of NOFA funds must now be modified to correspond with the affordability as submitted to CA-HCD in order for the Project to receive the allocation of MHP funds; and

WHEREAS, the City’s competitive funding programs highlight readiness to proceed with construction as a key priority for the allocation of affordable housing funds; and

WHEREAS, if the Project is able to receive the committed MHP funds, it is expected to commence construction in the first quarter of 2021, whereas if the Project is unable to modify its affordability and receive the MHP funds, construction may be delayed by three to five years or longer; now, therefore, be it

RESOLVED: That the City Administrator is hereby authorized to negotiate and execute amendments and modifications to the Regulatory Agreement and NOFA commitment, including modifications to the affordability restrictions, and any other terms of the Project loan documents as may be necessary for the Project to receive MHP funds; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to take whatever other action that is necessary with respect to the Project consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the City Council hereby finds that because the modification of the Project affordability will not have a significant effect on the environment, this action is not subject to the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061(b)(3).

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