

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO: 1) NEGOTIATE AND EXECUTE LOAN DOCUMENTS BETWEEN THE CITY OF HAYWARD AND ALLIED HOUSING, INC., IN AN AMOUNT NOT TO EXCEED ONE MILLION SIX HUNDRED TEN THOUSAND DOLLARS (\$1,610,000); AND 2) COMMIT UP TO EIGHTEEN MILLION THREE HUNDRED THOUSAND DOLLARS (\$18,300,000) OF THE BASE CITY ALLOCATION FOR THE 2595 DEPOT ROAD PROJECT LOCATED AT 2595 DEPOT ROAD TO BUILD APPROXIMATELY 126 UNITS OF AFFORDABLE HOUSING

WHEREAS, In November 2016, Alameda County voters passed a \$580 million Countywide Housing Bond (Measure A1) which will fund countywide housing development programs, and

WHEREAS, \$425 million of the total Housing Bond is allocated to the Rental Housing Development Fund to assist in the creation and preservation of affordable rental housing for vulnerable populations and of that \$225 million is allocated as “Base City Allocation” funding to Alameda County jurisdictions based on a geographical allocation formula, which for the City of Hayward’s Base Allocation is approximately \$18.3 million, and

WHEREAS, Approximately \$18,300,000 of the Base City Allocation remains available to be committed to future affordable rental projects, and

WHEREAS, The Developer is seeking approximately \$18,300,000 of the Base City Allocation, and

WHEREAS, Alameda County requires that all projects that receive funds under the Countywide housing bond receive local match funds and approval from the local jurisdiction, and

WHEREAS, On April 30, 2018, the City of Hayward issued a Notice of Funding Availability (“NOFA”) soliciting applications for funding for new construction of affordable housing development projects, and

WHEREAS, On June 29, 2018 Allied Housing, Inc. (the “Developer”) submitted a proposal in response to the NOFA, and

WHEREAS, The Developer proposed to develop a 126-unit affordable rental housing project at 2595 Depot Road in the City of Hayward known as the 2595 Depot Road Project (the "Project"), and

WHEREAS, The Project is consistent with the City's project development guidelines as described in the NOFA, and

WHEREAS, The Developer has requested a commitment of \$5,810,000 from the City and Housing Authority of the City of Hayward as match funds to leverage Base City Allocation funds to help support the construction of 126 new affordable housing units, and

WHEREAS, \$1,610,000 are available in the City's Inclusionary Housing Trust Fund to provide match funds to the project to make the project eligible for the City Base Allocation, and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines that the Recitals above are true and correct and by this reference makes them a part hereof.

BE IT FURTHER RESOLVED, that the City Council hereby approves a loan of up to One Million Six Hundred Ten Thousand dollars (\$1,610,000) to the Developer, or an affiliate entity approved by the City Manager, from Inclusionary Housing Trust Funds, and

BE IT FURTHER RESOLVED, that the City Council authorizes the commitment of up to Eighteen Million Three Hundred Thousand dollars (\$18,300,000) of the Base City Allocation to the Project, and

BE IT FURTHER RESOLVED, the City Loan shall be subject to and specifically conditioned upon the completion of all environmental reviews and preparation and certification of all appropriate documents related thereto under the City's adopted procedures for the California Environment Quality Act ("CEQA"), and

BE IT FURTHER RESOLVED, that the loan shall be for a maximum term of 55 years, with an interest rate to be determined by the City Manager, 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 Manager or his or her designee determine are in the best interest of the City and the Project, and

BE IT FURTHER RESOLVED, that the loan funds shall be reserved for a period of no more than 24 months from the date of this Resolution and shall be subject to re-programming at the end of this period unless the Developer has secured commitments for full Project funding or provide other assurances of adequate Project funding that the City Manager deems sufficient within his or her discretion, within the reservation period; and

BE IT FURTHER RESOLVED, that the City hereby authorizes the City Manager to conduct, negotiate, execute documents, and administer the loan, extend or modify the repayment terms and take any other action with respect to the loan and the Project consistent with this Resolution and its basic purpose.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2018

ADOPTED BY THE FOLLOWING VOTE:

AYES:           COUNCIL MEMBERS:  
                  MAYOR:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
                  City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward