

RESOLUTION NO. 21-____

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Commit To A Permanent Financing Development Loan In The Amount Of \$16,747,486 Between The City Of Emeryville And Resources For Community Development, A California Nonprofit Public Benefit Corporation, For The Development Of Affordable Housing At 3600, 3610 And 3620 San Pablo Avenue, Emeryville, California (CEQA Determination: Exempt Pursuant To California Government Code Section 8698.4(a)(4) And State CEQA Guidelines Sections 15268(a), 15269(c), 15332, And 15061(b)(3))

WHEREAS, on November 5, 2019, the City Council of the City of Emeryville ("City") adopted Resolution No. 19-150 authorizing the City Manager to execute a \$2,000,000 Predevelopment Loan Agreement with Resources for Community Development ("Developer") to acquire 3600, 3610 and 3620 San Pablo Avenue (collectively herein referred to as the "Site") and on November 22, 2019 the Developer entered into a Predevelopment Loan Agreement with the City to acquire the site for affordable housing; and

WHEREAS, per Section 2.7(c) of the Predevelopment Loan Agreement, when construction or permanent financing is awarded by the City for the development of affordable housing at the Site through a Notice of Funding Availability or other process, the City Manager shall have the option to convert the Predevelopment Loan to construction or permanent financing; and

WHEREAS, the Developer requested that the zoning approvals be processed under Senate Bill ("SB") 35 and Assembly Bill ("AB") 1763, and on October 20, 2020 the Community Development Director approved the Developer's application for a seven-story building with 89 affordable residential units and one resident manager's unit, with ground floor commercial space at the Site (the "Project"); and

WHEREAS, the Developer has submitted a request to the City for \$14,747,486 to assist in the development of the Project, with \$1,500,000 of this amount to be available for predevelopment funding; and

WHEREAS, on December 2, 2020 the Housing Committee recommended that the City Council authorize the commitment of an additional \$14,747,486 to support the Project; and

WHEREAS, on December 15, 2020 during a Study Session, the City Council was presented with an Affordable Housing Expenditure and Administration Plan, which outlined the fund request needed for the Project; now, therefore, be it

RESOLVED, that the City Council of the City of Emeryville hereby authorizes the City Manager to execute a commitment letter in the total amount of \$16,747,486 to be used for the development of the Project, in the form attached hereto as Exhibit A, together with such further revisions as may be agreed to by the City Manager and City Attorney which do not materially increase the obligations of the City thereunder; and be it further

RESOLVED, that the funding commitment shall be memorialized in the form of a permanent loan with a maximum term of 55 years, unless required by other funders to be 75 years, with an interest rate of 3%, with repayment to the City from surplus cash flow from the Project during the term of the loan, with the balance due at the end of the term.

ADOPTED by the City Council of the City of Emeryville at a special meeting held Tuesday, January 19, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR

ATTEST:

APPROVED AS TO FORM:



CITY CLERK

CITY ATTORNEY