

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE RELOCATION PLAN FOR THE TAYOR OAKS APARTMENTS

WHEREAS, May 17, 2011, the Council of the City of San José (“City”) approved a funding commitment to For the Future Housing, Inc. (“FFH”) for up to \$5,250,000 for an acquisition, rehabilitation and permanent loan funded from the Neighborhood Stabilization Program 2 (“NSP2”) funds for the Taylor Oaks Apartments located at 2727-2738 Kollmar Avenue (“Project”); and

WHEREAS, the NSP2 funds will assist in the acquisition of the Property by FFH, provide rehabilitation funding, tenant relocation costs, and permanent financing for the existing 59-unit Taylor Oaks Apartments; and

WHEREAS, Sections 6012 and 6038 of Title 25 of the California Code of Regulations require the City Council to approve a relocation plan for the Project because current residents of the Project will be displaced by the Project; and

WHEREAS, FFH has engaged Overland, Pacific & Cutler, Inc. (“OPC”), professional relocation consultants, to develop the project relocation plan submitted for approval (“Plan”) and to oversee the tenant relocation consistent with state and federal relocation laws; and

WHEREAS, FFH and OPC have represented that the Plan and the citizen participation procedures provided therein comply with Section 6012 of Title 25 of the California Code of Regulations; and

WHEREAS, FFH and OPC have represented that the Plan contains the elements required by Section 6038(b) of Title 25 of the California Code of Regulations and complies with City's housing element; and

WHEREAS, FFH and OPC have represented to the City that a general notice of the availability of the Plan has been issued not less than 30 days before the date of City Council approval and that all written and oral comments on the Plan and FFH's responses have been provided to the City Council for review; and

WHEREAS, based on OPC's preliminary analysis, there are four currently vacant units, 19 tenants who are ineligible to remain in the Project and the remaining 37 eligible tenants will be temporarily displaced through on-site relocation; and

WHEREAS, the Plan estimates that comparable replacement housing within the monetary limits of California Government Code Sections 7263 and 7264 will not be available for some of the ineligible tenants, and provides for payments for replacement housing of last resort consistent with federal regulations and Section 6139 of Title 25 of the California Code of Regulations; and

WHEREAS, the Plan includes a written determination that the necessary resources will be available as required; and

WHEREAS, the City desires to approve the Plan for the Project prepared by OPC dated May 16, 2011;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Relocation Plan for the Taylor Oaks Apartments located at 2727-2738 Kollmar Avenue, prepared by Overland, Pacific & Cutler, dated May 16, 2011, as more specifically set forth in the Director of Housing's report dated May 31, 2011, is hereby approved.

ADOPTED this _____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk