

5/6/2020 RB

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SUNNYVALE AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A SIXTY-FIVE (65) YEAR GROUND LEASE  
WITH MIDPEN HOUSING, OR AN AFFILIATED ENTITY,  
AT 1178 SONORA COURT IN SUNNYVALE, CALIFORNIA**

WHEREAS, on February 25, 2020, the City Council awarded MidPen Housing a \$14 million Housing Mitigation Fund Loan to construct a low-income housing development at 1178 Sonora Court in Sunnyvale, California (“the Property”); and

WHEREAS, the City Council directed staff to work with MidPen Housing to purchase the Property in lieu of the Housing Mitigation Fund Loan and work with MidPen Housing, or an affiliated entity, to enter into a long-term ground lease to construct and operate a low-income housing development at the Property; and

WHEREAS, the City and MidPen Housing, or an affiliated entity, will enter into a Purchase and Sale Agreement, Development and Disposition Agreement, and Ground Lease in order to memorialize the terms and conditions of the development at the Property.

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

1. The City Council authorizes the City Manager to enter into a long-term ground lease with MidPen Housing, or an affiliated entity, for the term of 65 years, provided that the City Manager may agree to a longer term if the Partnership demonstrates to the City's satisfaction that a longer term is necessary to address tax structuring requirements, once all conditions have been met and in a form approved by the City Attorney.
2. A notice was published in the Sunnyvale Sun on May 1, 2020, and all noticing requirements have been met pursuant to Sunnyvale Municipal Code Section 2.07.060.

[signatures on following page]

Adopted by the City Council at a regular meeting held on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  
RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney