

Order 70-12/13

Given first reading on 10/5/12

Passage 6-0 (Leeman absent, Anton Recused, Coyne)

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

**ORDER AUTHORIZING FINANCIAL ASSISTANCE
IN HOME PROGRAM FUNDS TO AVESTA HOUSING
RE: RENTAL HOUSING PROJECT AT 409 CUMBERLAND AVENUE**

ORDERED, that up to \$500,000 in HOME Program Funds are hereby appropriated to Avesta Housing for development of rental housing units at 409 Cumberland Avenue;

BE IT FURTHER ORDERED, that this commitment is subject to the conditions outlined in the Memorandum attached hereto dated September 20, 2012, from the Planning and Urban Development Department, Housing & Neighborhood Services Division as follows:

As part of the Maine State Housing Authority's (MSHA) Qualified Allocation Plan (QAP) application due in October, the developer is requesting a letter of commitment of support for this project prior to the October QAP submission deadline. The letter will be conditioned on the completion of all standard commitment requirements, and the following additional recommendations:

1. The commitment will be subject to compliance with all HOME Program regulations including, but not limited to, cost allocation, designation of HOME units and compliance with the FY 2012 HOME Appropriation Law requirements imposed by the Consolidated and Further Continuing Appropriations Act of 2012 (P.L. 112-55).
2. The commitment will include the requirement that the environmental review process be satisfactorily completed. The City's agreement to provide funds will be conditioned on the determination to proceed with, modify or cancel the project based on the results of the environmental review.
3. The commitment will include the requirement that the project meet the standards of the Green Building code set forth in the City's Code of Ordinances Chapter 6 Article VII.
4. The commitment will include the requirement that the planning board review process be satisfactorily completed. The City's agreement to provide funds

will be conditioned on the determination to proceed with, modify or cancel the project based on the results of the planning board review process.

5. Commitment of funds to be stated as “an amount up to \$500,000 based on maximization of LIHTC equity raise”, to ensure that the City’s contribution is leveraged to the maximum extent possible.
6. Documentation acceptable to the City that the acquisition cost is reasonably related to market value. This is a HOME Program requirement.
7. Market Analysis and Assessment that demonstrates adequate need for the project.
8. Commitment should be subject to the projections and assumptions in the August 30, 2012 budget and the City reserves the right to reconsider and adjust their commitment if any significant alterations occur in the budget. A final commitment will be subject to a final budget.
9. Any substantial changes to the composition of the project or the financial investment required, will be brought back to the committee and the council for review and approval.