

CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

DESIGNATING CONSULTANTS AND AUTHORIZING AND  
DIRECTING ACTIONS RELATED TO THE ISSUANCE OF SPECIAL  
TAX BONDS FOR COMMUNITY FACILITIES DISTRICT NO. 13-1  
(ALAMEDA LANDING PUBLIC IMPROVEMENTS)

WHEREAS, the City Council of the City of Alameda (the "City") has formed the City of Alameda Community Facilities District No. 13-1 (Alameda Landing Public Improvements) (the "CFD") under the provisions of the City of Alameda Special Tax Financing Improvement Code, constituting Section 3-70.1 et seq. of the Alameda Municipal Code (the "Law") and pursuant to Resolution No. 14880 adopted by the City Council on January 7, 2014; and

WHEREAS, the City, for the CFD, and Catellus Alameda Development, LLC (the "Developer") have entered into an Acquisition Agreement, dated as of November 1, 2013 (as amended, the "Acquisition Agreement"), whereby the Developer agreed to construct various public capital improvements authorized to be funded by the CFD (the "Facilities"), and the City agreed to use the proceeds of special tax bonds issued by the City for the CFD to acquire the Facilities from the Developer; and

WHEREAS, in order to finance the costs of the acquisition of the Facilities, on March 17, 2016, the City, for and on behalf of the CFD, issued the City of Alameda Community Facilities District No. 13-1 (Alameda Landing Public Improvements) 2016 Special Tax Bonds (the "2016 Bonds"), the proceeds of which 2016 Bonds were used to pay costs of the Facilities pursuant to the Acquisition Agreement; and

WHEREAS, the Developer has now requested that the City issue an additional series of special tax bonds for the CFD (the "2021 Bonds") in order to provide funds to acquire additional Facilities under and pursuant to the Acquisition Agreement, and the Developer has agreed to pay costs of the City related to the issuance of the 2021 Bonds subject to reimbursement from such proceeds when and if the 2021 Bonds are issued; and

WHEREAS, the City Council, as the legislative body for the CFD, now desires to authorize the initial actions needed for the issuance of the 2021 Bonds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that:

1. City Staff are hereby requested to take all actions necessary or advisable to present to the City Council for its review and approval all proceedings necessary to issue the 2021 Bonds (the "Financing Proceedings").

2. The firm of NBS Government Finance Group ("NBS") is hereby designated as Special Tax Consultant to the City in connection with the Financing Proceedings. The

City Manager is hereby authorized and directed to execute an agreement with NBS for its services with respect to the Financing Proceedings in a form acceptable to the City Manager. It is expected that the compensation to such firm with respect to the Financing Proceedings will be paid by the Developer or from proceeds of the 2021 Bonds.

3. The firm of Integra Realty Resources (“Integra”) is hereby designated as appraiser in connection with the Financing Proceedings. The City Manager is hereby authorized and directed to execute an agreement with Integra for its services with respect to the Financing Proceedings in a form acceptable to the City Manager. It is expected that the compensation to such firm with respect to the Financing Proceedings will be paid by the Developer or from proceeds of the 2021 Bonds.

4. It is hereby acknowledged that the firm of Quint & Thimmig LLP will serve as Bond Counsel and Disclosure Counsel to the City for the Financing Proceedings pursuant to the Agreement for Legal Services, dated as of April 7, 2015 between the City and said firm for its services in connection with certain modifications to the CFD and the issuance of special tax bonds for the CFD. It is further acknowledged that the agreement with said firm provides that all compensation to such firm for its services with respect to the Financing Proceedings and the 2021 Bonds is payable solely from the proceeds of the 2021 Bonds when and if they are issued.

5. The firm of Stifel, Nicolaus & Company, Incorporated is hereby designated as underwriter for the 2021 Bonds, when and if they are issued.

6. The Finance Director is hereby authorized and directed to request payment from the Developer for any costs incurred by the City in connection with the Financing Proceedings in the event that the 2021 Bonds are for any reason not issued by the City for the CFD as currently expected.

7. The adoption of this Resolution shall not obligate the City to issue the 2021 Bonds. The issuance of the 2021 Bonds shall occur only following the approval by the City Council of the issuance of the 2021 Bonds at a subsequent City Council meeting.

8. This Resolution shall take effect upon its adoption.

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 15<sup>th</sup> day of June 2021, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 16<sup>th</sup> day of June 2021.

---

Lara Weisiger, City Clerk  
City of Alameda

APPROVED AS TO FORM:

---

Yibin Shen, City Attorney  
City of Alameda