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APPROVED AS TO FORM AND LEGALITY:


AGENCY COUNSEL

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**
2008 - 0029
RESOLUTION NO. _____ C.M.S.

AN AGENCY RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATIONS TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE INFILL HOUSING PROGRAM FOR THE MACARTHUR TRANSIT VILLAGE PROJECT, THE UPTOWN PROJECT, THE WEST OAKLAND TRANSIT VILLAGE PROJECT, AND THE HILL-ELMHURST PLAZA PROJECT AND AUTHORIZING ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS FROM THIS PROGRAMS AND THE EXECUTION OF STANDARD AGREEMENTS AND ANY RELATED DOCUMENTS NECESSARY, IF SELECTED FOR FUNDING

WHEREAS, the City of Oakland Redevelopment Agency, a community redevelopment agency organized and existing under the California Community Redevelopment Law (the "Agency"), wishes to apply for and receive an allocation of funds through the Infill Housing Program; and

WHEREAS, HCD plans to issue a Notice of Funding Availability ("NOFA") for the Infill Housing Program, established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C), in February 2008; and

WHEREAS, the Agency wishes to submit an application, as a co-applicant to the MacArthur Transit Community Partners., LLC., to obtain from HCD an allocation of Infill Housing Funds in the amount of amount of \$30 million for the MacArthur Transit Village Project at the MacArthur BART Station; and

WHEREAS, the Agency wishes to submit an application to obtain from HCD an allocation of Infill Housing Funds in the amount of \$30 million for the West Oakland Transit Village project at the West Oakland BART Station; and

WHEREAS, the Agency wishes to submit an application to obtain from HCD an allocation of Infill Housing Funds in the amount of \$15 million for the Hill-Elmhurst Plaza Project on International Boulevard; and

WHEREAS, the Agency wishes to submit an application to obtain from HCD an allocation of Infill Housing Funds in the amount of \$20 million for the Uptown Project adjacent to the 19th Street BART Station; and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now, therefore, be it

RESOLVED: That the Agency shall submit to HCD an application to participate in the Infill Housing Program in response to the NOFA which will be issued in February 2008, which will request a funding allocation of up to \$30 million for the following activities related to the MacArthur Transit Village Project at the MacArthur BART Station:

- Replacement Parking Garage for BART; and
- Internal streets on the project site; and
- Refurbishment of the BART Entry Plaza; and
- Surrounding street improvements, including new traffic signals; and
- Water, sewer, and drainage systems; and
- Property acquisition and related relocation costs; and
- Environmental remediation; and
- Other eligible activities, still to be determined;

and be it further

RESOLVED: That the Agency shall submit to HCD an application to participate in the Infill Housing Program in response to the NOFA which will be issued in February 2008 which will request a funding allocation of up to \$15 million for the following activities related to the Hill-Elmhurst Plaza Project:

- Site demolition and preparation; and
- Water, sewer, and other utility improvements; and
- Pedestrian plazas; and
- Streets, curbs, and gutters and related pedestrian and bicycle facilities; and
- Other eligible activities, still to be determined;

and be it further

RESOLVED: That the Agency shall submit to HCD an application to participate in the Infill Housing Program in response to the NOFA which will be issued in February 2008 which will request a funding allocation of up to \$20 million for the following activities related to the Uptown Project:

- Streets, curbs, and gutters and related pedestrian and bicycle facilities; and
- Public park and pedestrian plaza improvements; and
- Enhancement to the BART entrance on Telegraph Avenue; and
- The Fox Theater; and
- Other eligible activities, still to be determined;

and be it further

RESOLVED: That the Agency shall submit to HCD an application to participate in the Infill Housing Program in response to the NOFA which will be issued in February 2008 which will request a funding allocation of \$30 million for the following activities related to the West Oakland Transit Village Project at the West Oakland BART Station:

- Replacement Parking Garage for BART; and
- Internal streets on the project site; and
- Refurbishment of the BART Entry Plaza; and
- Surrounding street improvements, including new traffic signals; and
- Water, sewer, and drainage systems; and
- Property acquisition and related relocation costs; and
- Environmental remediation; and
- Other eligible activities, still to be determined;

and be it further

RESOLVED: That if the applications for funding are approved, the Agency hereby agrees to use the Infill Housing Program funds for eligible activities in the manner presented in the applications as approved by HCD and in accordance with the program Guidelines. The Agency also may execute any and all other instruments necessary or required by HCD for participation in the Infill Housing Program; and be it further

RESOLVED: That if the applications for funding are approved, the project developers will seek the required matching public funds for the project from the Agency as a part of the negotiated Disposition and Development Agreements or Owner Participation Agreements for each project; and be it further

RESOLVED: The Agency authorizes the Agency Administrator or her designee to negotiate and execute in the name of the Redevelopment Agency of the City of Oakland the application, the Standard Agreement, and all other documents required by HCD for participation in the Infill Housing Program, and to execute any amendments thereto; and be it further

RESOLVED: That the Agency hereby appropriates any funds that are received directly by the Agency for these projects under the Infill Housing Program into the California Housing and Community Development Grant Fund (2144) under project numbers to be established; and be it further

RESOLVED: That should additional funds be received for these projects, the Agency Administrator, or her designee, is hereby authorized to accept and allocate the same for the purposes described above; and be it further

RESOLVED: That the Agency hereby authorizes the Agency Administrator or her designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the Infill

Housing Program in accordance with this resolution and its basic purposes; and be it further

RESOLVED: That the MacArthur Transit Village, the Uptown, West Oakland Transit Village, and the Hill-Elmhurst Plaza projects and related infrastructure are being independently reviewed under CEQA; and be it further

RESOLVED: That the Agency has independently reviewed and considered this environmental determination, and the Agency finds and determines, based on the information in the staff report accompanying this Resolution, that this action complies with CEQA because this action on the part of the Agency is exempt from CEQA pursuant to Section 15262 (feasibility and planning studies) of the CEQA guidelines; and be it further

RESOLVED: That the Agency Administrator or her designee shall cause to be filed with the County of Alameda a Notice of Exemption and an Environmental Declaration (CA Fish and Game Code Sec. 711.4) for these projects; and be it further

RESOLVED: That all documents shall be reviewed and approved by Agency Counsel prior to execution, and copies will be placed on file with the City Clerk.

IN AGENCY, OAKLAND, CALIFORNIA, MAR 4 2008, 2008

PASSED BY THE FOLLOWING VOTE:

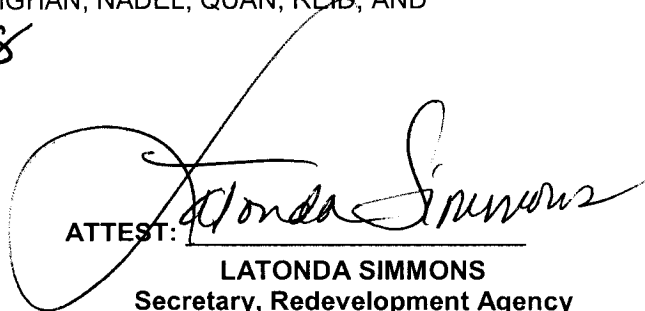
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
CHAIRPERSON DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



LATONDA SIMMONS
Secretary, Redevelopment Agency
of the City of Oakland