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OFFICE OF THE CITY CLERK
OAKLAND

2012 APR 17 AM 10:46

APPROVED AS TO FORM AND LEGALITY:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 83811 C.M.S.

A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND TO ACCEPT AND APPROPRIATE GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM FOR THE MACARTHUR BART TRANSIT VILLAGE AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, TO NEGOTIATE GRANT TERMS, EXECUTE, MODIFY, AMEND AND EXTEND AGREEMENTS, ALLOCATE REVENUE, MAKE EXPENDITURES, AND TAKE ALL OTHER ACTIONS WITH RESPECT TO THE TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM

WHEREAS, on December 11, 2007, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Transportation Oriented Development ("TOD") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to Part 13 of Division 31 of the Health & Safety Code, Section 53560; and

WHEREAS, on March 4, 2008, the Redevelopment Agency of the City of Oakland ("Agency") adopted Resolution No. 2008-0028 C.M.S. authorizing the submittal of an application for funding under the TOD program for the MacArthur BART Transit Village, and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with TOD program guidelines; and

WHEREAS, Agency Resolution No. 2008-0028 C.M.S authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD Program and any amendments thereto; and

WHEREAS, the Agency submitted an application to HCD to obtain an allocation of TOD grant funds in the amount of \$17 million for the MacArthur BART Transit Village at the MacArthur BART Station; and

WHEREAS, on March 9, 2011, the Agency and HCD executed a Standard Agreement for TOD program funding for the MacArthur BART Transit Village in an amount not to exceed \$17 million; and

WHEREAS, on January 10, 2012, the City Council adopted Resolution No. 83679 C.M.S. electing to become the successor agency to the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Sections 34171(j) and 34173 upon Redevelopment Agency dissolution; and

WHEREAS, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

WHEREAS, HCD requires that the City as successor agency to the Agency adopt a specific resolution authorizing City of Oakland to serve as successor agency to the Agency to accept and appropriate grant funds under HCD's TOD program for the MacArthur BART Transit Village; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, acting as successor agency to the Agency, the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD program, and to execute any amendments thereto; and

WHEREAS, the City acting as successor agency to the Agency has listed the TOD program grant as an enforceable obligation on its Enforceable Obligation Payment Schedule; 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 since the proposed legislation is not a project under CEQA; now, therefore, be it

RESOLVED: That the City of Oakland will serve as successor agency to the Agency to accept and appropriate grant funds under HCD's TOD program for the MacArthur BART Transit Village; and be it further

RESOLVED: That the City acting as successor agency to the Agency hereby authorizes the City Administrator, Deanna Santana, or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the TOD program required by HCD for participation in the TOD program in accordance with this resolution and its basic purposes; and be it further

RESOLVED: That the actions taken under this Resolution are taken by the City acting as successor agency to the Redevelopment Agency of the City of Oakland; and be it further

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

APR 30 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

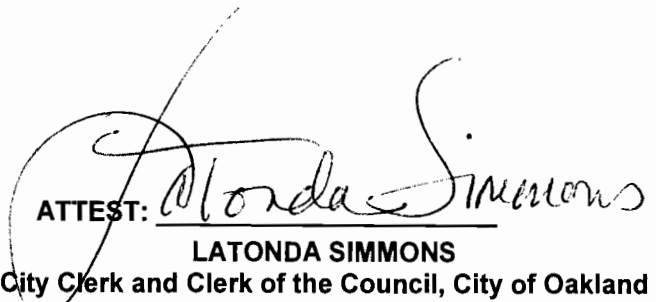
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, , SCHAAF AND
PRESIDENT REID - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council, City of Oakland