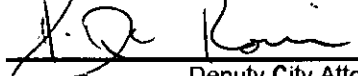


2013 SEP 26 PM 1:53

Approved as to Form and Legality


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 84660 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE FUNDS IN A TOTAL AMOUNT NOT TO EXCEED \$8 MILLION FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THE TRANSIT ORIENTED DEVELOPMENT PROGRAM FOR THE FRUITVALE TRANSIT VILLAGE PHASE II HOUSING PROJECT

WHEREAS, the California Department of Housing and Community Development (“HCD”) has issued a Notice of Funding Availability for the Transit-Oriented Development (“TOD”) Housing Program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (“Proposition 1C”); and

WHEREAS, the City wishes to submit an application, as a co-applicant with the Spanish Speaking Unity Council, to obtain from HCD a \$4 million grant and a \$4 million loan for the Fruitvale Transit Village Phase II housing project at the Fruitvale BART station; now, therefore, be it

RESOLVED: That the City Administrator is hereby authorized to submit to HCD an application for funding from the TOD program in an amount not to exceed \$8 million, consisting of a \$4 million infrastructure grant to be awarded to the City and a \$4 million loan to be awarded to the housing developers, and to accept such infrastructure grant funds for the construction of some or all of the following activities related to the Fruitvale Transit Village Phase II project at the Fruitvale BART station:

- Parking facilities
- Water, sewer and other utility improvements and relocation
- Streets and road construction improvements
- Site preparation and demolition
- Sidewalk and streetscape improvements including lighting, trees and irrigation
- Storm drains and storm water detention basins
- Facilities to support pedestrian and bicycle transit
- Other eligible activities, still to be determined; and be it

FURTHER RESOLVED: That if the application for funding is approved, the City Administrator hereby agrees to use the TOD Housing Program funds for eligible activities in the manner presented in the applications as approved by HCD and in accordance with the Program Guidelines; and be it

FURTHER RESOLVED: That the City Administrator, Deanna Santana, or her designee is authorized to negotiate and execute in the name of the City of Oakland the application, the Standard Agreement, the Disbursement Agreement, and all other documents required by HCD for participation in the TOD Housing Program for the Fruitvale Transit Village Phase II project, and to execute any amendments thereto; and be it

FURTHER RESOLVED: That said agreements shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and copies will be placed on file with the City Clerk; and be it

FURTHER RESOLVED: That any funds that are received by the City for this project under the TOD Housing Program will be appropriated into the California Housing and Community Development Fund (2144) under project numbers to be established; and be it

FURTHER RESOLVED: That the Council hereby authorizes the City 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 TOD Housing Program in accordance with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 15 2013

PASSED BY THE FOLLOWING VOTE:

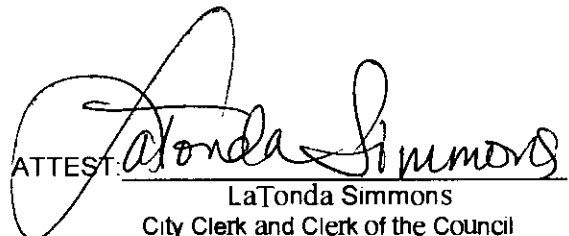
AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~WANG~~, SCHAAF and ~~PRESIDENT~~ - 6
~~REID, KERNIGHAN~~

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid, Kernighan - 2

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California