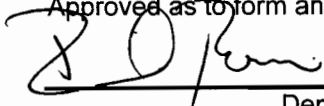


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2010 APR 29 PM 7:48

Approved as to form and legality:  
  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 82764 C.M.S.

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**RESOLUTION AUTHORIZING THE CITY TO APPLY FOR, ACCEPT, AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$328,300 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ECONOMIC DEVELOPMENT INITIATIVE – SPECIAL PROJECTS GRANT PROGRAM FOR THE UNITY COUNCIL’S FRUITVALE TRANSIT VILLAGE PHASE 2 RESIDENTIAL PROJECT AT THE BLOCKS BOUNDED BY 35<sup>TH</sup> AND 37<sup>TH</sup> AVENUES, EAST 12<sup>TH</sup> STREET AND THE BART TRACKS**

**WHEREAS**, the City of Oakland wishes to receive \$328,300 in U.S. Department of Housing and Urban Development (HUD) Economic Development Initiative (EDI) grant funds as a catalyst for the Fruitvale Transit Village Phase 2 Project located in the Fruitvale Village, a transit oriented development centered around the Fruitvale BART Station in Oakland, California; and

**WHEREAS**, funding from this \$328,300 HUD EDI grant will be focused on the initial expenditures of the Project: the closing costs for the BART site acquisition, the City of Oakland transfer tax, the acquisition of 61 parking spaces, the construction of parking facility improvements such as fencing, gates and lights and various professional legal, architectural and engineering professional services; and

**WHEREAS**, the Fruitvale Transit Village Phase 2 Project supports a 275-unit four story residential complex consisting of three buildings ranging from approximately 101,000 to 115,000 square feet, and a five-story parking garage with 277 spaces that is approximately 111,100 square feet; and

**WHEREAS**, in the Consolidated Appropriations Act, 2008 (P.L. 110-161), the U.S. Congress set aside a \$328,300 Economic Development Initiative-Special Project (EDI-SP) grant for the City of Oakland for the Fruitvale Transit Village Phase 2 Project; and

**WHEREAS**, the City in partnership with the Unity Council wishes to apply for \$328,300 in EDI-Special Projects grant funds from HUD for the Fruitvale Transit Village Phase 2 Project; and

**WHEREAS**, the HUD EDI-Special Projects grant application requires a resolution from the public agency’s governing board authorizing the application submittal, acceptance, appropriation, and identification of the individual authorized to submit and carry out the Project; and

**WHEREAS**, the application for and securing of HUD EDI-Special Projects grant funds would significantly assist the Unity Council in providing proper funding for the planned Fruitvale Transit Village Phase 2 Project; now, therefore, be it

**RESOLVED**: That the City Council hereby authorizes the City Administrator or his designee to apply for, accept, and appropriate a grant from the HUD EDI-Special Projects Program in an amount not to exceed \$328,300 for the Fruitvale Transit Village Phase 2 Project; and be it;

**FURTHER RESOLVED**: That the grant funds in the amount of \$328,300 will be deposited and appropriated in the federal United States Department of Housing and Urban Development (U.S. HUD) Economic Development Initiative (EDI) grant fund (2105), Coliseum Organization (88659), in a project to be established; and be it;

**FURTHER RESOLVED**: That the City Council hereby designates the City Administrator or his designee as the individual authorized to submit the grant application and carry out the Project; and be it;

**FURTHER RESOLVED**: That the City Administrator or his designee is hereby authorized to apply for and if received negotiate and execute documents, administer the grant, modify, amend, or extend agreement terms from the HUD EDI-Special Projects Program, negotiate and enter into a grant contract with the Unity Council, and take whatever other action is necessary and appropriate with respect to the Project and the HUD EDI grant consistent with this Resolution and its basic purpose; and be it;

**FURTHER RESOLVED**: That a copy of this resolution will be transmitted to the U.S. Department of Housing and Urban Development and placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,           MAY 18 2010          , 2010

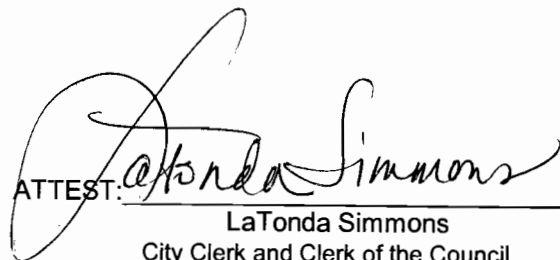
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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