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OAKLAND
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APPROVED AS TO FORM AND LEGALITY:

AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION No. 2009-0041 C.M.S.

**AN AGENCY RESOLUTION AUTHORIZING THE SUBMITTAL
OF APPLICATIONS TO THE CALIFORNIA DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR
FUNDING UNDER THE TRANSIT ORIENTED DEVELOPMENT
HOUSING (TOD) PROGRAM FOR THE MANDELA TRANSIT
VILLAGE PROJECT IN AN AMOUNT NOT TO EXCEED \$17
MILLION AND THE FRUITVALE TRANSIT VILLAGE PHASE II
IN AN AMOUNT NOT TO EXCEED \$15 MILLION FOR EACH
PROJECT AND AUTHORIZING ACCEPTANCE AND
APPROPRIATION OF GRANT FUNDS AND THE EXECUTION
OF STANDARD AGREEMENTS WITH HCD IF SELECTED FOR
SUCH FUNDING**

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 Agency wishes to submit an application, as a co-applicant with the Capital Stone Group LLC to obtain from HCD an allocation of TOD Housing Program Funds in the amount of \$17 million for the Mandela Transit Village Project at the West Oakland BART Station; and

WHEREAS, the Agency wishes to submit an application, as a co-applicant with the development team comprised of the Spanish Speaking Unity Council and Signature Properties to obtain from HCD an allocation in the amount of \$15 million of TOD Housing Funds for the Fruitvale Transit Village Phase II Project at the Fruitvale BART Station; now, therefore, be it

RESOLVED: That the Agency is hereby authorized to submit to HCD an application for funding from the TOD Housing Program in an amount not to exceed \$17 million and to accept such funds, should they be granted, for the construction of the following activities related to the Mandela Transit Village Project at the West Oakland BART Station:

- Gap financing for the affordable housing units
- Replacement Parking Garage for BART
- Surrounding street improvements
- Environmental remediation
- Other eligible activities, still to be determined; and be it further

RESOLVED: That the Agency is hereby authorized to submit to HCD an application for funding from the TOD Housing Program in an amount not to exceed \$ 15 million and to accept such funds, should they be granted, for the construction of the following activities related to the Fruitvale Transit Village Phase II Project at the Fruitvale BART Station:

- Water, sewer and other utility improvements and relocation
- Streets and road construction improvements
- Residential parking spaces
- Transit linkages and facilities
- Facilities to support pedestrian and bicycle transit
- Traffic mitigation devices
- Site preparation and demolition,
- Sidewalk and streetscape improvements
- Storm drains, storm water detention basin,
- Required environmental remediation
- Site acquisition costs
- Other eligible activities, still to be determined; and be it further

RESOLVED: That if the application for funding is approved, the Agency shall 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: If the application for funding is approved, the developers will seek the required matching public funds for the project from the Agency, as a part of the negotiated agreements for each project; and be it further

RESOLVED: That the Agency hereby authorizes the Agency Administrator or his or her designee to negotiate and execute in the name of the Redevelopment Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD 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 this project under the TOD Housing Program into the California Housing and Community Development Grant Fund (2144) under project numbers to be established; and be it further

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RESOLVED: That should additional funds be received for this project, the Agency Administrator, or his 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 his 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; 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 Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA,

MAR 31 2009

PASSED BY THE FOLLOWING VOTE:

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland, California