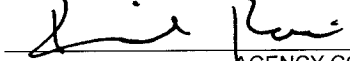


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APPROVED AS TO FORM AND LEGALITY:


AGENCY COUNSEL

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**
2008 - 0028
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 TRANSIT ORIENTED DEVELOPMENT HOUSING PROGRAM FOR THE COLISEUM BART TRANSIT VILLAGE PROJECT, THE MACARTHUR TRANSIT VILLAGE PROJECT, AND THE WEST OAKLAND TRANSIT VILLAGE PROJECT, AND AUTHORIZING ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS FROM THIS PROGRAM 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 Transit Oriented Development ("TOD") Housing Program; and

WHEREAS, the California Department of Housing and Community Development ("HCD") has issued a Notice of Funding Availability for the TOD Housing Program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to the TOD Implementation Program established by Part 13 of Division 31 of the Health and Safety Code, commencing with Section 53560. Pursuant to the statute, HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature to the TOD Housing Program, subject to the terms and conditions of the statute and the TOD Housing Program Guidelines implemented as amended by HCD on December 3, 2007; and

WHEREAS, the Agency wishes to submit an application to obtain from HCD an allocation of TOD Housing Funds in the amount of \$17 million for the West Oakland Transit Village project at the West Oakland BART Station; and

WHEREAS, the Agency wishes to submit an application, as a co-applicant with the MacArthur Transit Community Partners., LLC., to obtain from HCD an allocation of

TOD Housing Funds in the amount of \$17 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 TOD Housing Funds in the amount of \$17 million for the Coliseum BART Transit Village project at the Coliseum BART Station; now, therefore be it

RESOLVED: That the Agency shall submit to HCD an application to participate in the TOD Housing Program in response to the NOFA issued on December 11, 2007 which will request a funding allocation of \$17 million for the following activities related to the West Oakland Transit Village Project at the West Oakland BART Station:

- Gap financing for affordable housing; and
- Off Site Surrounding street improvements including new traffic control; and
- Utility Infrastructure such as water, sewer, and drainage systems; and
- Property acquisition and related costs; and
- Environmental remediation; and
- Grants to First Time Homebuyers for For-sale Units; and
- Replacement Parking Lot for BART; and
- Refurbishment of the BART Plaza; 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 TOD Housing Program in response to the NOFA issued on December 11, 2007 which will request a funding allocation of \$17 million for the construction of the following activities related to the MacArthur Transit Village Project at the MacArthur BART Station:

- Gap financing for the affordable housing units included in the project; and
- 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 TOD Housing Program in response to the NOFA issued on December 11, 2007 which will request a funding allocation of \$17 million for the following activities related to the Coliseum BART Transit Village Project at the Coliseum BART Station:

- Affordable housing financing; and
- Street and Utility Infrastructure Improvements on the Internal Project streets; and
- Off Site Surrounding street improvements including new traffic control; and

- Utility Infrastructure such as water, sewer, and drainage systems; and
- Property acquisition and related relocation costs; and
- Environmental remediation; and
- Grants to First Time Homebuyers through the BEGIN Program for For-sale Units; and
- Replacement Parking Lot for BART; and
- Refurbishment of the Coliseum BART Plaza; 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 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 as cited above. The Agency also may execute any and all other instruments necessary or required by HCD for participation in the TOD Housing Program; and be it further

RESOLVED: That if the applications for funding are approved, the 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 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 these projects 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

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

RESOLVED: That the West Oakland Transit Village, MacArthur Transit Village and the Coliseum BART Transit Village 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 Games 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.

MAR 4 2008

IN AGENCY, OAKLAND, CALIFORNIA, _____, 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