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OFFICE OF THE CITY CLERK  
OAKLAND  
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**REVISED**  
11-18-08

Approved as to Form and Legality

*D. Lewis*  
City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 81717 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**A RESOLUTION AUTHORIZING A LOAN OF  
ENHANCED ENTERPRISE COMMUNITY LOAN  
FUNDS IN AN AMOUNT NOT TO EXCEED \$249,500  
TO REVOLUTION FOODS, INC. TO ASSIST THE  
COMPANY'S RELOCATION AND EXPANSION**

**WHEREAS**, the City of Oakland is committed to attracting and retaining small businesses that create jobs for Oakland residents; and

**WHEREAS**, Revolution Foods, Inc. recently relocated to Oakland and has applied to the City for \$249,500 Enhanced Enterprise Community ("EEC") HUD Section 108 loan to purchase kitchen equipment and make tenant improvements at its new relocated site located at 8383 Capwell Drive, Oakland, CA; and

**WHEREAS**, Revolution Foods Inc. plans to create at least 10 new, permanent jobs for low-and moderate income Oakland residents within the next two years; and

**WHEREAS**, the principals of Revolution Foods, Inc. are capable and experienced business owners who have committed to provide substantial equity to assure the completion of this business expansion; and

**WHEREAS**, Enhanced Enterprise Community HUD Section 108 Loan Funds are available to fund the proposed loan in the amount of \$249,500 from Commercial Lending Loan Expenditures Fund No. 2107 (Coliseum: Operations), Org. One Stop Small Business aka Commercial Lending (Organization No. 88579), Account No. 58312 (Loan Expenditures) Project No. G02951 (EEC); and

**WHEREAS**, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now, therefore be it

**RESOLVED:** That the City hereby authorizes an allocation for an Enhanced Enterprise Community Loan of City funds in an amount not exceed \$249,500, to Revolution Foods, Inc; and be it

**FURTHER RESOLVED:** That the Loan will be funded with Enhanced Enterprise Community HUD Section 108 Loan Funds from Commercial Lending Loan Expenditures (Fund No. 2107) Org. One Stop Small Business aka Commercial Lending (Organization No. 88579), Account No. 58312 (Loan Expenditures) Project No. G02951; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to negotiate and execute, modify, amend or extend loan and other associated agreements with Revolution Foods, Inc., consistent with this resolution; and be it

**FURTHER RESOLVED:** That the terms of the Loan Agreement(s) shall include, but not be limited to the following:

1. The Loan shall be subject to a \$ 5% interest rate, and 10-year term, amortized over one hundred twenty months with equal monthly principal and interest payments, plus a City of Oakland servicing fee of 1% of monthly payment,
2. The Loan shall be secured by business assets such that collateral coverage is 1:1.
- 3 The Loan funds will be used for leasehold improvements and equipment, and be it

**FURTHER RESOLVED:** That a NEPA review shall be undertaken and all requirements of NEPA shall be met before any funds may be disbursed to Revolution Foods Inc. by the City, pursuant to this Resolution; and be it

**FURTHER RESOLVED:** That within 2 years after the first disbursement of loan funds to them, Revolution Foods Inc. shall create at least 10 new, permanent jobs for low and moderate income Oakland residents, of which at least 7 of the new jobs shall be filled by residents of Oakland's Enhanced Enterprise Community Designated areas; and be it

**FURTHER RESOLVED:** That the City Council has independently reviewed and considered this environmental determination and the City Council 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 City is exempt from CEQA pursuant to Section 15301(a) (existing facilities) and Section 15183 (projects consistent with a community plan, general plan or zoning) of the CEQA guidelines; and be it

**FURTHER RESOLVED:** That the City Administrator, or his designee, shall cause to be filed with the County of Alameda a Notice of Exemption and an Environmental Declaration (California Fish and Game Code Section 711.4) for this action: and be it

**FURTHER RESOLVED:** That all agreements shall be approved as to form and legality by the City Attorney and shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 9 2008, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**


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

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

  
\_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California