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2012 APR 17 AM 10:46

# AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Fred Blackwell

SUBJECT: Successor Agency to Administer HCD Grants

DATE: March 20, 2012

City Administrator

Date

Approval

*Deanna Santana*

4/16/12

COUNCIL DISTRICT: 1, 3, 6, 7

## RECOMMENDATION

Staff recommends that the City Council adopt the following pieces of legislation:

**A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The MacArthur BART Transit Village Project, And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Infill Infrastructure Grant Program**

**A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The MacArthur BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Infill Infrastructure Grant Program**

**A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The MacArthur BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate**

Item: \_\_\_\_\_

Community and Economic Development Committee

April 24, 2012

**Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program**

**A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The MacArthur BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Transit Oriented Development Grant Program**

**A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Uptown Project, And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Infill Infrastructure Grant Program**

**A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing And Community Development's Infill Infrastructure Grant Program For The Uptown Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Infill Infrastructure Grant Program**

**A Resolution Authorizing The City Of Oakland To Serve As Successor Agency To The Redevelopment Agency Of The City Of Oakland To Accept And Appropriate Grant Funds Under The California Department Of Housing And Community Development's Transit Oriented Development Grant Program For The Coliseum BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To The Transit Oriented Development Grant Program**

**A Resolution Authorizing The City Of Oakland To Serve As Successor To The Housing Assets, Functions And Obligations Of The Redevelopment Agency Of The City Of Oakland With Respect To Grant Funds Under The California Department Of Housing**

And Community Development's Transit Oriented Development Grant Program For The Coliseum BART Transit Village Project And Authorizing The City Administrator, Deanna Santana, To Negotiate Grant Terms, Execute, Modify, Amend And Extend Agreements, Allocate Revenue, Make Expenditures, And Take All Other Actions With Respect To Housing Assets, Functions And Obligations Under The Transit Oriented Development Grant Program

**EXECUTIVE SUMMARY**

In 2011, the Oakland Redevelopment Agency (ORA) and the California Department Housing and Community Development (HCD) executed Standard Agreements for four grants through HCD's Infill Infrastructure and Transit Oriented Development grant programs. The grants, in support of the MacArthur BART Transit Village, the Coliseum BART Transit Village and the Uptown Project (the "Projects"), are listed in the table below:

| Project                        | Grant Amount | HCD Grant Program            | Date of Standard Agreement |
|--------------------------------|--------------|------------------------------|----------------------------|
| MacArthur BART Transit Village | \$17,299,120 | Transit Oriented Development | March 9, 2011              |
| MacArthur BART Transit Village | \$17,000,000 | Infill Infrastructure        | March 9, 2011              |
| Coliseum BART Transit Village  | \$8,485,000  | Transit Oriented Development | August 17, 2011            |
| Uptown Project                 | \$9,903,000  | Infill Infrastructure        | March 1, 2011              |

Following the dissolution of the Oakland Redevelopment Agency and the City of Oakland's decision to assume various successor agency responsibilities, in order to amend these HCD grant agreements for the Projects to extend the deadline for expending grant funds and change other terms as required, HCD is requesting that the City of Oakland adopt legislation authorizing the City to serve in the successor agency capacities *specifically for HCD's Infill Infrastructure and Transit Oriented Development Grant programs related to the three specific Projects*. HCD also requests that the legislation explicitly authorize the City Administrator, Deanna Santana, or her designee, to negotiate and execute in the name of the City of Oakland, acting as successor agency to the Agency, all agreements, amendments and related documents required by HCD for participation in the two grant programs.

The Projects are supported by HCD because they align with the state's goals of promoting infill housing development and increasing housing density in proximity to public transit. Each of the three projects has a housing component, and the residential units to be created by each project were a key factor in securing Prop IC support. HCD has therefore requested that the City adopt

specific legislation for each grant authorizing the City to serve as successor to the housing assets, functions and obligations of the Agency with respect to grant funds under the Infill Infrastructure and Transit Oriented Development grant programs for the Projects, and authorizing the City Administrator, Deanna Santana, 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 housing assets, functions and obligations under the grant programs.

### OUTCOME

Approval of the proposed legislation will allow the City, acting as successor agency and successor housing agency to the Agency, to assume all rights and obligations of the Agency under the Standard Agreements executed for funding under HCD's Infill Infrastructure Grant and Transit Oriented Development Grant programs to carry out the Projects, and will authorize the City Administrator to execute all documents, including the amendments to the disbursement agreements.

### BACKGROUND/LEGISLATIVE HISTORY

The proposed legislation would allow the City to move forward with four HCD grants supporting three large housing and infrastructure projects. Application for and acceptance of funds for the four grants were authorized by Agency actions as shown in the table below:

| HCD Grant Program            | Project                        | Grant Amount | Authorizing Resolution No. | Date of Authorizing Resolution |
|------------------------------|--------------------------------|--------------|----------------------------|--------------------------------|
| Transit Oriented Development | MacArthur BART Transit Village | \$17,299,120 | 2008-0028 C.M.S.           | March 4, 2008                  |
| Transit Oriented Development | Coliseum BART Transit Village  | \$8,485,000  | 2008-0028 C.M.S.           | March 4, 2008                  |
| Infill Infrastructure        | MacArthur BART Transit Village | \$17,000,000 | 2008-0029 C.M.S.           | March 4, 2008                  |
| Infill Infrastructure        | Uptown Project                 | \$9,903,000  | 2008-0029 C.M.S.           | March 4, 2008                  |

On January 10, 2012, the City Council adopted Resolution No. 83679 C.M.S., electing to become the successor agency to the Agency upon Agency dissolution; and adopted Resolution No. 83680 C.M.S., electing to serve as successor housing agency to the Agency upon Agency dissolution. On February 1, 2012, the Agency was dissolved. The Agency's payment obligations under the Infill Infrastructure and Transit Oriented Development Grant programs for

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the Projects are included in the Enforceable Obligation Payment Schedule adopted by the Council on August 25, 2011 in Resolution No. 2011-0062 C.M.S., as amended on January 25, 2012 in Resolution No. 2012-0001.

HCD has requested that the City provide specific resolutions evidencing that it is acting as successor agency and successor housing agency to the Agency to accept and appropriate grant funds under HCD's grant programs for each of the Projects.

### ANALYSIS

The proposed legislation as described above is procedural in nature as it specifies the City, acting as both successor agency and successor housing agency to the Agency, to assume and administer all of the previously approved rights and obligations of the former Agency for the implementation of the Projects. The legislation will also satisfy an HCD requirement to authorize and name explicitly Deanna Santana to negotiate and execute all agreements, amendments and related documents required by HCD under the grant programs. The City disagrees with HCD that specific legislation is necessary for the City as successor agency to assume the grants of the former Redevelopment Agency, given that the dissolution statute clearly vests the successor agency with all of the authority, rights, powers, duties and obligations of the dissolved redevelopment agency; and the City disagrees with HCD that a particular City official must be designated by name in Council resolutions. However, HCD has maintained its position and has held up the contract amendment process pending resolution. Expedient passage of this procedural legislation is critical for the continuation of the MacArthur BART Transit Village, Uptown Project, and Coliseum BART Transit Village.

### PUBLIC OUTREACH/INTEREST

Public outreach was not required prior to passage of the proposed resolutions.

### COORDINATION

Preparation of the staff report and legislation required review by the City Attorney's Office and the Budget Office.

### COST SUMMARY/IMPLICATIONS

The proposed legislation does not have any fiscal impacts on the City, acting as successor agency to the Agency, since the City is only acting as a conduit to transfer grant funds to the project

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sponsors upon HCD approval. As reflected in the EOPS, the City, as successor agency, has assumed all rights and obligations of the former Agency with regard to HCD's Infill Infrastructure and Transit-Oriented Development Grant programs.

### **SUSTAINABLE OPPORTUNITIES**

While there are no specific sustainable opportunities related to the proposed legislation, the MacArthur BART Transit Village, Uptown Project, and Coliseum BART Transit Village provide the following:

***Economic:*** The Projects will catalyze economic development in the surrounding communities as a result of improved safety and access to transit. The recipients of the HCD grant funds must comply with the City's contracting programs, including the Local and Small Local Business Enterprise (L/SLBE) Program and Local Employment Program, and will act in accordance with State prevailing wage laws and the City's Living Wage Ordinance. The Projects will provide a total of at least 240 affordable housing units in close proximity to major transportation hubs.

***Environmental:*** The Projects are located close to transit service and will encourage residents of the projects to use transit as their primary mode of travel. In general, transit oriented developments are designed to maximize access to public transport and reduce pressures to develop housing in the suburbs. Macarthur BART Transit Village will be built on a contaminated property that will be remediated during construction. The Macarthur BART Transit Village will incorporate a sufficient number of green building attributes to secure a LEED-certified rating by the U.S. Green Building Council.

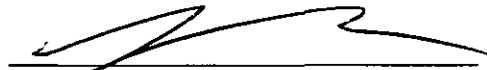
***Social Equity:*** The Projects will contribute to the physical improvement of the community, and create public spaces for recreation and social services. There will also be major improvements to the streets surrounding the Projects.

CEQA

The proposed legislation is not a project under CEQA.

For questions regarding this report, please contact Daniel Seamans, Urban Economic Analyst, at 238-3250, or Jens Hillmer, Urban Economic Coordinator, at 238-3317.

Respectfully submitted,



Fred Blackwell, Assistant City Administrator


Reviewed by:  
Gregory D. Hunter, Neighborhood Investment Officer

Prepared by:  
Daniel Seamans, Urban Economic Analyst  
Office of Neighborhood Investment

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 APR 17 AM 10:46

APPROVED AS TO FORM AND LEGALITY:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

---

A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND TO ACCEPT AND APPROPRIATE GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S INFILL INFRASTRUCTURE GRANT PROGRAM FOR THE MACARTHUR BART TRANSIT VILLAGE PROJECT AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, 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 INFILL INFRASTRUCTURE GRANT PROGRAM

**WHEREAS**, on February 28, 2008, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Infill Infrastructure Grant ("IIG") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to Chapter 2 of Part 12 of Division 31 of the Health & Safety Code, Sections 53545.12 and 53545.13; and

**WHEREAS**, on March 4, 2012, the Redevelopment Agency of the City of Oakland ("Agency") adopted Agency Resolution No. 2008-0029 C.M.S., authorizing the submittal of an application for funding under the IIG program for the MacArthur BART Transit Village, and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with IIG program guidelines; and

**WHEREAS**, Agency Resolution No. 2008-0029 C.M.S. authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the IIG program and any amendments thereto; and

**WHEREAS**, the Agency submitted an application to HCD as a co-applicant together with the MacArthur Transit Community Partners, LLC and Bridge Housing



Corporation, to obtain an allocation of IIG program funds in the amount of \$17.3 million for the MacArthur Transit Village at the MacArthur BART Station; and

**WHEREAS**, on March 9, 2011, the Agency, MacArthur Transit Community Partners, LLC, Bridge Housing Corporation and HCD executed a Standard Agreement for IIG program funding for the MacArthur BART Transit Village in an amount not to exceed \$17,299,120; and

**WHEREAS**, the City Council adopted Resolution No. 83679 C.M.S. on January 10, 2012, electing to become the successor agency to the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Sections 34171(j) and 34173 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

**WHEREAS**, HCD requires that the City as successor agency to the Agency adopt a specific resolution authorizing the City of Oakland to serve as successor agency to the Agency to accept and appropriate grant funds under HCD's IIG program for the MacArthur BART Transit Village; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, acting as successor agency to the Agency, the application, the Standard Agreement, and all other documents required by HCD for participation in the IIG program, and to execute any amendments thereto; and

**WHEREAS**, the City acting as successor agency to the Agency has listed IIG program grant funds as an enforceable obligation on its Enforceable Obligation Payment Schedule; and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied since the proposed legislation is not a project under CEQA; now, therefore, be it

**RESOLVED**: That the City of Oakland will serve as successor agency to the Agency to accept and appropriate grant funds under HCD's IIG program for the MacArthur BART Transit Village; and be it further

**RESOLVED**: That the City acting as successor agency to the Agency authorizes the City Administrator, Deanna Santana or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the IIG program required by HCD for participation in the IIG program in accordance with this resolution and its basic purposes; and be it further

**RESOLVED:** That the actions taken under this Resolution are taken by the City acting as successor agency to the Redevelopment Agency of the City of Oakland; and be it further

**RESOLVED:** That all documents shall be reviewed and approved by the City Attorney prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, DE LA FUENTE, KERNIGHAN, NADEL, REID, SCHAAF AND  
CHAIRPERSON REID

NOES-

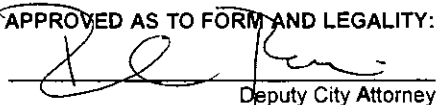
ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LATONDA SIMMONS  
City Clerk and Clerk of the Council, City of Oakland

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2012 APR 17 AM 10:46

APPROVED AS TO FORM AND LEGALITY:  
  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

---

A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR TO THE HOUSING ASSETS, FUNCTION AND OBLIGATIONS OF THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND WITH RESPECT TO GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S INFILL INFRASTRUCTURE GRANT PROGRAM FOR THE MACARTHUR BART TRANSIT VILLAGE AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, 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 HOUSING ASSETS, FUNCTIONS AND OBLIGATIONS UNDER THE INFILL INFRASTRUCTURE GRANT PROGRAM

**WHEREAS**, on February 28, 2008, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Infill Infrastructure Grant ("IIG") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition IC) pursuant to Chapter 2 of Part 12 of Division 31 of the Health & Safety Code, Sections 53545.12 and 53545.13; and

**WHEREAS**, on March 4, 2008, the Redevelopment Agency of the City of Oakland ("Agency") adopted Agency Resolution No. 2008-0029 C.M.S., authorizing the submittal of an application for funding under the IIG program for the MacArthur BART Transit Village, and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with IIG program guidelines; and

**WHEREAS**, Agency Resolution No. 2008-0029 C.M.S authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the IIG program and any amendments thereto; and

**WHEREAS**, the Agency submitted an application to HCD as a co-applicant together with MacArthur Transit Community Partners, LLC and Bridge Housing Corporation, to obtain an allocation of IIG program funds in the amount of \$17.3 million for the MacArthur Transit Village project at the MacArthur BART Station; and

**WHEREAS**, on March 9, 2011, the Agency, MacArthur Transit Community Partners, LLC, Bridge Housing Corporation and HCD executed a Standard Agreement for IIG program funding for the MacArthur BART Transit Village in an amount not to exceed \$17,299,120; and

**WHEREAS**, the Standard Agreement for IIG program funding of the MacArthur BART Transit Village requires that the housing project supported by the grant includes at least 394 new affordable and market-rate residential units; and

**WHEREAS**, on July 7, 2009, the Agency, pursuant to Resolution No. 2009-0073 C.M.S., authorized an allocation of up to \$16.4 million from the Low to Moderate Income Housing Fund to MacArthur Transit Community, LLC for the development of up to 90 affordable housing units at the MacArthur BART Transit Village; and

**WHEREAS**, on January 10, 2012, the City Council adopted Resolution No. 83680 C.M.S., electing to retain and assume the housing assets, functions and obligations of the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Sections 34176 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

**WHEREAS**, the City acting as successor to the housing assets, functions and obligations of the Agency has listed an allocation of up to \$16.4 million from the Low to Moderate Income Housing Fund as an enforceable obligation on the successor agency's Enforceable Obligation Payment Schedule; and

**WHEREAS**, HCD requires that the City as successor agency to the Agency adopt a specific resolution authorizing the City of Oakland to serve as successor to the housing assets, functions and obligations under HCD's IIG program for the MacArthur BART Transit Village; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, acting as successor to these housing assets, functions and obligations, the application, the Standard Agreement, and all other documents required by HCD for participation in the IIG program, and to execute any amendments thereto; and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied since the proposed legislation is not a project under CEQA; now, therefore, be it

**RESOLVED:** That the City of Oakland has elected to retain and assume the housing assets, functions and obligations of the Agency with respect to HCD's IIG program for the MacArthur BART Transit Village; and be it further

**RESOLVED:** That the City as successor to the housing assets, functions and obligations of the Agency authorizes the City Administrator, Deanna Santana or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the IIG program required by HCD for participation in the IIG program in accordance with this resolution and its basic purposes; and be it further

**RESOLVED:** That the actions taken under this Resolution are taken by the City acting as successor to the housing assets, functions and obligations of the Redevelopment Agency of the City of Oakland; and be it further

**RESOLVED:** That all documents shall be reviewed and approved by the City Attorney prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, DE LA FUENTE, KERNIGHAN, NADEL, REID, SCHAAF AND  
CHAIRPERSON REID

NOES-

ABSENT-

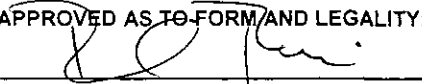
ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council, City of Oakland

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 APR 17 AM 10:46

APPROVED AS TO FORM AND LEGALITY:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND TO ACCEPT AND APPROPRIATE GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM FOR THE MACARTHUR BART TRANSIT VILLAGE AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, TO NEGOTIATE GRANT TERMS, EXECUTE, MODIFY, AMEND AND EXTEND AGREEMENTS, ALLOCATE REVENUE, MAKE EXPENDITURES, AND TAKE ALL OTHER ACTIONS WITH RESPECT TO THE TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM

**WHEREAS**, on December 11, 2007, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Transportation Oriented Development ("TOD") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to Part 13 of Division 31 of the Health & Safety Code, Section 53560; and

**WHEREAS**, on March 4, 2008, the Redevelopment Agency of the City of Oakland ("Agency") adopted Resolution No. 2008-0028 C.M.S. authorizing the submittal of an application for funding under the TOD program for the MacArthur BART Transit Village, and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with TOD program guidelines; and

**WHEREAS**, Agency Resolution No. 2008-0028 C.M.S. authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD Program and any amendments thereto; and

**WHEREAS**, the Agency submitted an application to HCD to obtain an allocation of TOD grant funds in the amount of \$17 million for the MacArthur BART Transit Village at the MacArthur BART Station; and

**WHEREAS**, on March 9, 2011, the Agency and HCD executed a Standard Agreement for TOD program funding for the MacArthur BART Transit Village in an amount not to exceed \$17 million; and

**WHEREAS**, on January 10, 2012, the City Council adopted Resolution No. 83679 C.M.S. electing to become the successor agency to the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Sections 34171(j) and 34173 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

**WHEREAS**, HCD requires that the City as successor agency to the Agency adopt a specific resolution authorizing City of Oakland to serve as successor agency to the Agency to accept and appropriate grant funds under HCD's TOD program for the MacArthur BART Transit Village; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, acting as successor agency to the Agency, the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD program, and to execute any amendments thereto; and

**WHEREAS**, the City acting as successor agency to the Agency has listed the TOD program grant as an enforceable obligation on its Enforceable Obligation Payment Schedule; and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied since the proposed legislation is not a project under CEQA; now, therefore, be it

**RESOLVED**: That the City of Oakland will serve as successor agency to the Agency to accept and appropriate grant funds under HCD's TOD program for the MacArthur BART Transit Village; and be it further

**RESOLVED**: That the City acting as successor agency to the Agency hereby authorizes the City Administrator, Deanna Santana, or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the TOD program required by HCD for participation in the TOD program in accordance with this resolution and its basic purposes; and be it further

**RESOLVED**: That the actions taken under this Resolution are taken by the City acting as successor agency to the Redevelopment Agency of the City of Oakland; and be it further

**RESOLVED:** That all documents shall be reviewed and approved by the City Attorney prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, , SCHAAF AND  
PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

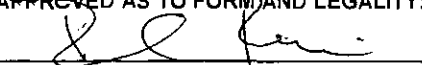
LATONDA SIMMONS  
City Clerk and Clerk of the Council, City of Oakland



FILED  
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OAKLAND

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APPROVED AS TO FORM AND LEGALITY:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR TO THE HOUSING ASSETS, FUNCTIONS AND OBLIGATIONS OF REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND WITH RESPECT TO GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM FOR THE MACARTHUR BART TRANSIT VILLAGE, AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, TO NEGOTIATE GRANT TERMS, EXECUTE, MODIFY, AMEND AND EXTEND AGREEMENTS, ALLOCATE REVENUE, MAKE EXPENDITURES, AND TAKE ALL OTHER ACTIONS WITH RESPECT TO HOUSING ASSETS, FUNCTIONS AND OBLIGATIONS UNDER THE TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM

**WHEREAS**, on December 11, 2007, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Transportation Oriented Development ("TOD") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to Part 13 of Division 31 of the Health & Safety Code, Section 53560; and

**WHEREAS**, on March 4, 2008, the Redevelopment Agency of the City of Oakland ("Agency") adopted Agency Resolution No. 2008-0028 C.M.S. authorizing the submittal of an application for funding under the TOD program for the MacArthur BART Transit Village, and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with TOD program guidelines; and

**WHEREAS**, Agency Resolution No. 2008-0028 C.M.S authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD Program and any amendments thereto; and

**WHEREAS**, the Agency submitted an application to HCD to obtain an allocation of TOD funds in the amount of \$17 million for the MacArthur Transit Village at the MacArthur BART Station; and

**WHEREAS**, the Standard Agreement for TOD funding of the MacArthur BART Transit Village requires that the housing project supported by the grant includes at least 448 new affordable and market-rate residential units; and

**WHEREAS**, on March 9, 2011, the Agency and HCD executed a Standard Agreement for TOD program funding for the MacArthur BART Transit Village in an amount not to exceed \$17 million; and

**WHEREAS**, the Standard Agreement for TOD program funding of the MacArthur BART Transit Village requires that the housing project supported by the grant includes at least 448 new affordable and market-rate residential units; and

**WHEREAS**, on July 7, 2009, the Agency, pursuant to Resolution No. 2009-0073 C.M.S., authorized an allocation of up to \$16.4 million from the Low to Moderate Income Housing Fund to MacArthur Transit Community, LLC for the development of up to 90 affordable housing units at the MacArthur BART Transit Village; and

**WHEREAS**, on January 10, 2012, the City Council adopted Resolution No. 83680 C.M.S, electing to retain and assume the housing assets, functions, and obligations of the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Section 34176 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

**WHEREAS**, the City acting as successor to the housing assets, functions and obligations of the Agency has listed the allocation of up to \$16.4 million from the Low to Moderate Income Housing Fund as an enforceable obligation on the successor agency's Enforceable Obligation Payment Schedule; now, therefore, be it

**WHEREAS**, HCD requires that the City adopt a specific resolution authorizing the City of Oakland to serve as successor to the housing assets, functions and obligations of the Agency with respect to HCD's TOD Program for the MacArthur BART Transit Village; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, as successor to these housing assets, functions and obligations the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD program, and to execute any amendments thereto; and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied since the proposed legislation is not a project under CEQA; now, therefore, be it

**RESOLVED:** That the City of Oakland has elected to retain and assume the housing assets, functions and obligations of the Agency with respect to HCD's TOD Program and the MacArthur BART Transit Village; and be it further

**RESOLVED:** That the City as successor to the housing assets, functions and obligations of the Agency hereby authorizes the City Administrator, Deanna Santana, or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the TOD Program required by HCD for participation in the TOD Program in accordance with this resolution and its basic purposes; and be it further

**RESOLVED:** That the actions taken under this Resolution are taken by the City acting as successor to the housing assets, functions and obligations of the Redevelopment Agency of the City of Oakland; and be it further

**RESOLVED:** That all documents shall be reviewed and approved by the City Attorney prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND  
PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

**LATONDA SIMMONS**  
City Clerk and  
Clerk of the Council, City of Oakland

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 APR 17 AM 10:46

APPROVED AS TO FORM AND LEGALITY:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

---

A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND TO ACCEPT AND APPROPRIATE GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S INFILL INFRASTRUCTURE GRANT PROGRAM FOR THE UPTOWN PROJECT AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, 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 INFILL INFRASTRUCTURE GRANT PROGRAM

**WHEREAS**, on February 28, 2008, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Infill Infrastructure Grant ("IIG") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to Chapter 2 of Part 12 of Division 31 of the Health & Safety Code, Sections 53545.12 and 53545.13; and

**WHEREAS**, on March 4, 2008, the Redevelopment Agency of the City of Oakland ("Agency") adopted Agency Resolution No. 2008-0029 C.M.S., authorizing the submittal of an application for funding under the IIG program for the the Uptown Project and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with IIG program guidelines; and

**WHEREAS**, Agency Resolution No. 2008-0029 C.M.S. authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the IIG program and any amendments thereto; and

**WHEREAS**, the Agency submitted an application to HCD, to obtain an allocation of IIG program funds in the amount of \$9.903 million for the Uptown Project; and

**WHEREAS**, on March 1, 2011, the Agency and HCD executed a Standard Agreement for IIG program funding for the Uptown Project in an amount not to exceed \$9,903,000; and

**WHEREAS**, on January 10, 2012, the City Council adopted Resolution No. 83679 C.M.S., electing to become the successor agency to the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Sections 34171(j) and 34173 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

**WHEREAS**, the City acting as successor agency to the Agency has listed IIG program grant funds as an enforceable obligation on its Enforceable Obligation Payment Schedule; and

**WHEREAS**, HCD requires that the City as successor agency to the Agency adopt a specific resolution authorizing the City of Oakland to serve as successor agency to the Agency to accept and appropriate grant funds under HCD's IIG program for the Uptown Project; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, acting as successor agency to the Agency, the application, the Standard Agreement, and all other documents required by HCD for participation in the IIG program, and to execute any amendments thereto; and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied since the proposed legislation is not a project under CEQA; now, therefore, be it

**RESOLVED:** That the City of Oakland will serve as successor agency to the Agency to accept and appropriate grant funds under HCD's IIG program for the Uptown Project; and be it further

**RESOLVED:** That the City acting as successor agency to the Agency authorizes the City Administrator, Deanna Santana or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the IIG program required by HCD for participation in the IIG program in accordance with this resolution and its basic purposes; and be it further

**RESOLVED:** That the actions taken under this Resolution are taken by the City acting as successor agency to the Redevelopment Agency of the City of Oakland; and be it further

**RESOLVED:** That all documents shall be reviewed and approved by the City Attorney prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, DE LA FUENTE, KERNIGHAN, NADEL, REID, SCHAAF AND  
CHAIRPERSON REID

NOES-

ABSENT-

ABSTENTION-

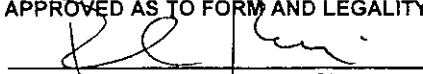
ATTEST: \_\_\_\_\_

LATONDA SIMMONS  
City Clerk and Clerk of the Council, City of Oakland

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 APR 17 AM 10:46

APPROVED AS TO FORM AND LEGALITY:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

---

**A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR TO THE HOUSING ASSETS, FUNCTION AND OBLIGATIONS OF THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND WITH RESPECT TO GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S INFILL INFRASTRUCTURE GRANT PROGRAM FOR THE UPTOWN PROJECT AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, 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 HOUSING ASSETS, FUNCTIONS AND OBLIGATIONS UNDER THE INFILL INFRASTRUCTURE GRANT PROGRAM**

**WHEREAS**, on February 28, 2008, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Infill Infrastructure Grant ("IIG") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to Chapter 2 of Part 12 of Division 31 of the Health & Safety Code, Sections 53545.12 and 53545.13; and

**WHEREAS**, on March 4, 2008, the Redevelopment Agency of the City of Oakland ("Agency") adopted Agency Resolution No. 2008-0029 C.M.S., authorizing the submittal of an application for funding under the IIG program for the Uptown Project, and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with IIG program guidelines; and

**WHEREAS**, Agency Resolution No. 2008-0029 C.M.S authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the IIG program and any amendments thereto; and

**WHEREAS**, the Agency submitted an application to HCD to obtain an allocation of IIG program funds in the amount of \$9.903 million for the Uptown Project; and

**WHEREAS**, on March 1, 2011, the Agency and HCD executed a Standard Agreement for IIG program funding for the Uptown Project in an amount not to exceed \$9,903,000; and

**WHEREAS**, the Standard Agreement for IIG program funding of the Uptown Project requires that the housing project supported by the grant includes at least 298 new affordable and market-rate residential units; and

**WHEREAS**, on March 20, 2007, the Agency, pursuant to Resolution No. 2007-0021 C.M.S., authorized an allocation of up to \$5,133,000 from the Low to Moderate Income Housing Fund to Oakland Housing Initiatives and Christian Church Homes of Northern California jointly for the development of up to 73 affordable housing units at the Harrison Street Senior Housing Project; and

**WHEREAS**, on January 10, 2012, the City Council adopted Resolution No. 83680 C.M.S., electing to retain and assume the housing assets, functions and obligations of the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Sections 34176 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

**WHEREAS**, the City acting as successor to the housing assets, functions and obligations of the Agency has listed an allocation of up to \$5.133 million from the Low to Moderate Income Housing Fund as an enforceable obligation on the successor agency's Enforceable Obligation Payment Schedule; and

**WHEREAS**, HCD requires that the City as successor agency to the Agency adopt a specific resolution authorizing the City of Oakland to serve as successor to the housing assets, functions and obligations under HCD's IIG program for the Uptown Project; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, acting as successor to these housing assets, functions and obligations, the application, the Standard Agreement, and all other documents required by HCD for participation in the IIG program, and to execute any amendments thereto; and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied since the proposed legislation is not a project under CEQA; now, therefore, be it



**RESOLVED:** That the City of Oakland has elected to retain and assume the housing assets, functions and obligations of the Agency with respect to HCD's IIG program for the Uptown Project; and be it further

**RESOLVED:** That the City as successor to the housing assets, functions and obligations of the Agency authorizes the City Administrator, Deanna Santana or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the IIG program required by HCD for participation in the IIG program in accordance with this resolution and its basic purposes; and be it further

**RESOLVED:** That the actions taken under this Resolution are taken by the City acting as successor to the housing assets, functions and obligations of the Redevelopment Agency of the City of Oakland; and be it further

**RESOLVED:** That all documents shall be reviewed and approved by the City Attorney prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

**PASSED BY THE FOLLOWING VOTE:**

**AYES-** BROOKS, BRUNNER, DE LA FUENTE, KERNIGHAN, NADEL, REID, SCHAAF AND  
CHAIRPERSON REID

**NOES-**

**ABSENT-**

**ABSTENTION-**

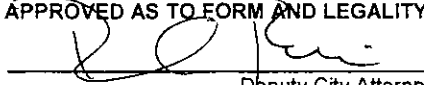
**ATTEST:** \_\_\_\_\_

**LATONDA SIMMONS**  
City Clerk and Clerk of the Council, City of Oakland

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 APR 17 AM 10:46

APPROVED AS TO FORM AND LEGALITY:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

---

**A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND TO ACCEPT AND APPROPRIATE GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM FOR THE COLISEUM BART STATION TRANSIT VILLAGE PROJECT AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, TO NEGOTIATE GRANT TERMS, EXECUTE, MODIFY, AMEND AND EXTEND AGREEMENTS, ALLOCATE REVENUE, MAKE EXPENDITURES, AND TAKE ALL OTHER ACTIONS WITH RESPECT TO THE TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM**

**WHEREAS**, on December 11, 2007, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Transportation Oriented Development ("TOD") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to Part 13 of Division 31 of the Health & Safety Code, Section 53560; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland ("Agency") adopted Agency Resolution No. 2008-0028 C.M.S. dated March 4, 2008, authorizing the submittal of an application for funding under the TOD program for the Coliseum BART Transit Village, and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with TOD program guidelines; and

**WHEREAS**, Agency Resolution No. 2008-0028 C.M.S. authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD Program and any amendments thereto; and

**WHEREAS**, the Agency submitted an application to HCD to obtain an allocation of TOD grant funds in the amount of \$8,485,000 for the Coliseum Transit Village Project at the Coliseum BART Station; and

**WHEREAS**, on August 17, 2011, the Agency and HCD executed a Standard Agreement for TOD program funding for the Coliseum BART Transit Village in an amount not to exceed \$8,485,000; and

**WHEREAS**, the City Council adopted Resolution No. 83679 C.M.S. on January 10, 2012, electing to become the successor agency to the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Sections 34171(j) and 34173 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

**WHEREAS**, HCD requires that the City as successor agency to the Agency adopt a specific resolution authorizing City of Oakland to serve as successor agency to the Agency to accept and appropriate grant funds under HCD's TOD Program for the Coliseum BART Transit Village; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, acting as successor agency to the Agency, the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD program, and to execute any amendments thereto; and

**WHEREAS**, the City acting as successor agency to the Agency has listed the TOD grant as an enforceable obligation on its Enforceable Obligation Payment Schedule; and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied since the proposed legislation is not a project under CEQA; now, therefore, be it

**RESOLVED:** That the City of Oakland will serve as successor agency to the Agency to accept and appropriate grant funds under HCD's TOD Program for the Coliseum BART Transit Village; and be it further

**RESOLVED:** That the City acting as successor agency to the Agency hereby authorizes the City Administrator, Deanna Santana, or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the TOD Program required by HCD for participation in the TOD Program in accordance with this resolution and its basic purposes; and be it further

**RESOLVED:** That the actions taken under this Resolution are taken by the City acting as successor agency to the Redevelopment Agency of the City of Oakland; and be it further

**RESOLVED:** That all documents shall be reviewed and approved by the City Attorney prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND  
PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

**LATONDA SIMMONS**  
City Clerk and Clerk of the Council, City of Oakland

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 APR 17 AM 10:47

APPROVED AS TO FORM AND LEGALITY:

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

---

A RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO SERVE AS SUCCESSOR TO THE HOUSING ASSETS, FUNCTIONS AND OBLIGATIONS OF REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND WITH RESPECT TO GRANT FUNDS UNDER THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM FOR THE COLISEUM BART TRANSIT VILLAGE PROJECT, AND AUTHORIZING THE CITY ADMINISTRATOR, DEANNA SANTANA, TO NEGOTIATE GRANT TERMS, EXECUTE, MODIFY, AMEND AND EXTEND AGREEMENTS, ALLOCATE REVENUE, MAKE EXPENDITURES, AND TAKE ALL OTHER ACTIONS WITH RESPECT TO HOUSING ASSETS, FUNCTIONS AND OBLIGATIONS UNDER THE TRANSIT ORIENTED DEVELOPMENT GRANT PROGRAM

**WHEREAS**, on December 11, 2007, the California State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Transportation Oriented Development ("TOD") program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition IC) pursuant to Part 13 of Division 31 of the Health & Safety Code, Section 53560; and ; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland ("Agency") adopted Agency Resolution No. 2008-0028 C.M.S. dated March 4, 2008, authorizing the submittal of an application for funding under the TOD program for the Coliseum BART Transit Village, and authorizing acceptance and appropriation of grant funds from this program for eligible activities in the manner presented in the application as approved by HCD and in accordance with TOD program guidelines; and

**WHEREAS**, Agency Resolution No. 2008-0028 C.M.S authorized the Agency Administrator to execute in the name of the Agency the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD Program and any amendments thereto; and

**WHEREAS**, the Agency submitted an application to HCD to obtain an allocation of TOD grant funds in the amount of \$8,485,000 for the Coliseum Transit Village Project

at the Coliseum BART Station; and

**WHEREAS**, on August 17, 2011, the Agency and HCD executed a Standard Agreement for TOD program funding for the Coliseum BART Transit Village in an amount not to exceed \$8,485,000; and

**WHEREAS**, the Standard Agreement for TOD funding of the Coliseum BART Transit Village requires that the housing project supported by the grant includes at least 200 new residential units; and

**WHEREAS**, the City Council adopted Resolution No. 83680 C.M.S. on January 10, 2012, electing to retain and assume the housing assets, functions, and obligations of the Redevelopment Agency of the City of Oakland pursuant to Health & Safety Code Section 34176 upon Redevelopment Agency dissolution; and

**WHEREAS**, the Redevelopment Agency of the City of Oakland dissolved on February 1, 2012; and

**WHEREAS**, HCD requires that the City adopt a specific resolution authorizing the City of Oakland to serve as successor to the housing assets, functions and obligations of the Agency under HCD's TOD Program for the Coliseum BART Transit Village; and explicitly authorizing the City Administrator, Deanna Santana, by name, or her designee to negotiate and execute in the name of the City of Oakland, as successor to these housing assets, functions and obligations, the application, the Standard Agreement, and all other documents required by HCD for participation in the TOD program; and to execute any amendments thereto; and

**WHEREAS**, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied since the proposed legislation is not a project under CEQA; now, therefore, be it

**RESOLVED**: That the City of Oakland has elected to retain and assume the housing assets, functions and obligations of the Agency with respect to HCD's TOD Program and the Coliseum BART Transit Village; and be it further

**RESOLVED**: That the City as successor to the housing assets, functions and obligations of the Agency hereby authorizes the City Administrator, Deanna Santana, or her designee to negotiate grant terms, execute, modify, amend and extend the Standard Agreement and all other related documents, allocate revenue, make expenditures, and take all other actions with respect to the TOD Program required by HCD for participation in the TOD Program in accordance with this resolution and its basic purposes; and be it further

**RESOLVED:** That all documents shall be reviewed and approved by the City Attorney prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

**PASSED BY THE FOLLOWING VOTE:**

**AYES-** BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND  
PRESIDENT REID

**NOES-**

**ABSENT-**

**ABSTENTION-**

**ATTEST:** \_\_\_\_\_

**LATONDA SIMMONS**  
**City Clerk and**  
**Clerk of the Council, City of Oakland**