

INTRODUCED BY COUNCILMEMBER _____

CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C. M. S.

RESOLUTION AUTHORIZING APPLICATION, ACCEPTANCE AND APPROPRIATION OF UP TO TEN MILLION DOLLARS (\$10,000,000) IN CALIFORNIA COASTAL CONSERVANCY FUNDS FOR THE LAKE MERRITT 12TH STREET IMPROVEMENT PROJECT (\$9,000,000) AND WATER QUALITY TECHNOLOGIES AT LAKE MERRITT (\$1,000,000)

WHEREAS, on November 5, 2002, Oakland overwhelmingly passed with 80% voter approval Measure DD, the "Oakland Trust for Clean Water and Safe Parks," a \$198,250,000 general obligation bond authorizing the City to sell bonds to raise funds for a variety of parks, clean water protection and youth recreation projects; and

WHEREAS, funding from the issuance of the Series 2003A general obligation bonds in the amount of \$70,579,000 (the "Series 2003 proceeds") was made available in FY 2003-04; and

WHEREAS, \$31,600,000 of the Series 2003A proceeds, is designated for Lake Merritt Improvement Projects; and

WHEREAS, a total of \$40,000,000 from Series 2003A and 2006B is designated from Measure DD towards the implementation of the 12th Street Improvement Project; and

WHEREAS, a total of \$4,500,000 from Series 2003A, 2006B and 2010C is designated from Measure DD towards the installation of water quality improvement technologies at Lake Merritt; and

WHEREAS, funds received from the California Coastal Conservancy will be appropriated to the State of California Grants – Other Fund (Fund 2159) and as related projects to Lake Merritt 12th Street (Project C241610) and Lake Merritt Water Quality (Project C241710); and

WHEREAS, the California Coastal Conservancy provides State assistance to local governments to protect and improve wetlands, streams, and watersheds in the San Francisco Bay and other coastal landscapes; and

WHEREAS, the grant funds will enhance and improve water quality, habitat, public access and recreation activity in the 12th Street area and in Lake Merritt itself, and, if granted, would benefit the citizens of Oakland; and

WHEREAS, said procedures and criteria established by the California Coastal Conservancy require a resolution certifying the approval of application by the applicant's governing body upon award of grant funds; now, therefore be it

RESOLVED: That the City Council of the City of Oakland hereby:

1. Approves the filing of an application for California Coastal Conservancy grant funding assistance and, if successful, execution of an Agreement with the California Coastal Conservancy for grants funds in the amount of up to \$9,000,000 towards construction of Lake Merritt 12th Street Improvement project; and
2. Approves the filing of an application for California Coastal Conservancy grant funding assistance and, if successful, execution of an Agreement with the California Coastal Conservancy for grant funds in an amount of up to \$1,000,000 towards water quality improvement technologies at Lake Merritt; and
3. Certifies that the City of Oakland has matching funds from the following source: Measure DD – The Oakland Trust for Safe Parks, Clean Water and can finance 100 percent of the project, of which up to \$10 Million will be reimbursed; and
4. Complies with the California Environmental Quality Act, and that a Notice of Exemption has been filed with the Alameda County Clerk; and
5. Appoints the City Administrator as agent of the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, billing statements, and so on which may be necessary for the completion of the Lake Merritt 12th Street Improvement project elements and the installation of water quality improvement technologies at Lake Merritt funded by the California Coastal Conservancy: and be it

FURTHER RESOLVED: The Office of the City Attorney has approved this resolution as to form and legality and a copy is on file at the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20

PASSED BY THE FOLLOWING VOTE:

AYES– BRUNNER, CHANG, BROOKS, NADEL, REID, (DISTRICT 2 – VACANT), QUAN AND
PRESIDENT DE LA FUENTE

NOES–

ABSENT–

ABSTENTION–

ATTEST:

City Clerk and Clerk of the Council
of the City of Oakland, California