

OAKLAND CITY COUNCIL

2003 JUN 26 PM 2: 31

RESOLUTION NO. 77945 C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_



RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A DONATION AGREEMENT WITH THE LAKE MERRITT BREAKFAST CLUB ("LMBC") TO ACCEPT A DONATION OF FUNDS AND CONSTRUCTION MATERIALS WORTH A TOTAL OF FORTY ONE THOUSAND FIFTY NINE DOLLARS (\$41,059) FOR THE LAKE MERRITT DOCK PROJECT AT 17<sup>TH</sup> STREET AND LAKESIDE DRIVE

WHEREAS, on July 10, 2001, the City Council approved a resolution authorizing the City Manager to negotiate an agreement with LMBC for the construction of the Lake Merritt Dock project at 17<sup>th</sup> Street and Lakeside Drive; and

WHEREAS, during negotiations, the City and LMBC agreed that the interests of both parties would be better served if LMBC were to donate to the City the project funds raised and materials collected and the City were to hire the construction contractor; and

WHEREAS, LMBC agreed to donate a total of funds, materials, paid expenses and fees worth up to \$41,059 towards the Lake Merritt Dock project at 17<sup>th</sup> Street and Lakeside Drive, and

WHEREAS, the City agrees to acknowledge LMBC and its project contributors for individual donations with a plaque prepared at LMBC's expense; and

WHEREAS, the City agrees to have its construction contractor install the plaque in a concrete pad next to the dock; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Manager to enter into a Donation Agreement with LMBC upon receipt of proof of deposit of the funds in an acceptable financial institution and to accept the funds and construction material donations from LMBC for the Lake Merritt Dock project at 17<sup>th</sup> Street and Lakeside Drive; and, be it

FURTHER RESOLVED: That the City Council hereby appropriates the donated funds and materials and directs the City Manager to appropriate said funds and materials to the public works improvement project for construction of the Lake Merritt Dock Project; and be it

FURTHER RESOLVED: That the Office of the City Attorney shall review and approve all documents, agreements, and amendments as to form and legality and a copy will be placed on file at the Office of the City Clerk.

JUL 15 2003  
2003

IN COUNCIL, OAKLAND, CALIFORNIA,

**PASSED BY THE FOLLOWING VOTE:**


AYES- BRUNNER, CHANG, QUAN, NADEL, REID, BROOKS, WAN, AND  
PRESIDENT DE LA FUENTE -8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST

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