

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 APR 26 PM 12:08

## OAKLAND CITY COUNCIL

RESOLUTION No. 83841 C.M.S.

Approved as to Form and Legality

  
City Attorney

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO 1) ACCEPT AND APPROPRIATE UP TO FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) OF GRANT FUNDS AND 2) ENTER INTO AN AGREEMENT WITH THE BAY AREA STORMWATER MANAGEMENT AGENCIES ASSOCIATION (BASMAA) TO USE THESE GRANT FUNDS TO IMPLEMENT STORMWATER TREATMENT PROJECTS TO CAPTURE AND TREAT POLY CHLORINATED BIPHENYLS**

**WHEREAS**, the City of Oakland seeks to enter into an agreement with the Bay Area Stormwater Management Agencies Association; and

**WHEREAS**, Bay Area Stormwater Management Agencies Association has received a grant from the United States Environmental Protection Agency to conduct the Clean Watersheds for a Clean Bay Project, a region-wide effort to identify, reduce and treat Poly Chlorinated Biphenyls (PCBs); and

**WHEREAS**, the Bay Area Stormwater Management Agencies Association has currently allocated up to five hundred thousand dollars (\$500,000.00) in funding to the City of Oakland to implement PCB treatment projects; and

**WHEREAS**, the City of Oakland has no available funds to conduct PCB reduction activities; and

**WHEREAS**, the Bay Area Stormwater Management Agencies Association funds will cover all costs for the PCB treatment activities; and

**WHEREAS**, the elements in this agreement will help the City of Oakland meet regulatory State of California and Regional Water Quality Control Board requirements to implement a PCB reduction effort in San Francisco Bay; and

**WHEREAS**, the activities in this agreement will help meet Council goals to develop a sustainable city and to foster livable neighborhoods; now, therefore, be it

**RESOLVED:** That the City Council hereby approves the application and acceptance of up to

\$500,000.00 from the Bay Area Stormwater Management Agencies Association to reimburse the City for PCB treatment activities and approves the appropriation of this money to the Bay Area Stormwater Management Agency Association Fund (2159), Watershed and Stormwater Organization (30245), Watershed & Stormwater Program (NB34), in Project G444210, and Account 92245; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator or Her Designee to enter into an agreement to accept the funds and that said agreement shall be reviewed and approved for form and legality by the City Attorney's Office and shall be filed with the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the City Administrator, or Her Designee, is authorized to negotiate, execute and amend an agreement with the Bay Area Stormwater Management Agencies Association and any amendments or change orders thereto.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 15 2012, 2012

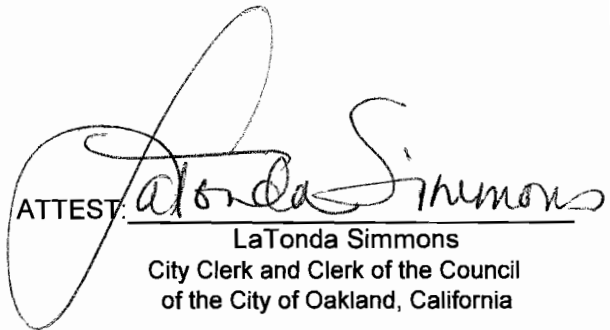
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California