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OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2005 MAR 31 PM 6:10
C. M. S.

RESOLUTION NO. 79169

RESOLUTION AUTHORIZING THE APPLICATION FOR, ACCEPTANCE, AND APPROPRIATION OF UP TO \$200,000 FROM THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION LAND AND WATER CONSERVATION FUND PROGRAM FOR THE LAKE MERRITT BICYCLE/PEDESTRIAN PROJECT AND UP TO \$200,000 FOR THE DERBY STREET SEGEMENT OF THE OAKLAND WATERFRONT TRAIL

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-In-Aid Program, *providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes; and*

WHEREAS, the State Department of Parks and Recreation is responsible for administration of the program in the state, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the state; and

WHEREAS, the project must be compatible with the land use plans of those jurisdictions immediately surrounding the project;

NOW, THEREFORE, BE IT

RESOLVED that the City Council hereby:

1. Approves the filing of an application, and the acceptance and appropriation of funds if awarded, for Land and Water Conservation Fund assistance for 1) trail and public access components of the Derby Street Park project as a part of the Oakland Waterfront Trail project 2) the Lake Merritt Bicycle and Pedestrian pathway project; and
2. Certifies that the City of Oakland has matching funds from the following source(s): Measure DD - Fund 5320, Project C242310 – Lake Merritt Bicycle and Pedestrian Pathway and Project C243510 – Oakland Waterfront, Derby Street, and can finance 100 percent of the project, half of which will be reimbursed; and
3. Certifies that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project; and

4. 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, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the grant funded under the Land and Water Conservation Fund program, subject to the approval of the City Attorney as to form and legality.
5. Directs the Budget Office to appropriate grant funds received for this project to Fund 2134 (State of California Department of Parks and Recreation).

APR 19 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20

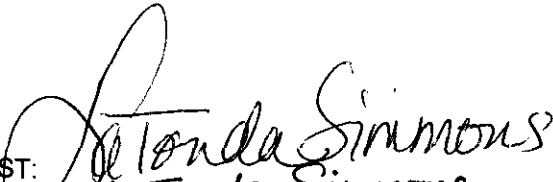
PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, ~~DISTRICT TWO VACANT~~, QUAN AND
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

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