

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 JUL -2 PM 7:13

Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. 82214 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO  
1) EXECUTE AN AGREEMENT FOR THE COOPERATIVE  
SOLICITATION OF PRIVATE AND PUBLIC FUNDING TO BE USED  
FOR CAPITAL IMPROVEMENTS FOR OFFICE OF PARKS AND  
RECREATION PROJECTS, PROGRAMS AND SERVICES  
THROUGHOUT THE CITY OF OAKLAND, AND FOR THE  
IMPROVEMENT OF CITY OWNED PARK GROUNDS AND  
FACILITIES, BETWEEN THE CITY OF OAKLAND AND FRIENDS  
OF OAKLAND PARKS AND RECREATION, FOR A THREE YEAR  
TERM, WITH TWO CONSECUTIVE THREE YEAR OPTIONS TO  
RENEW, AND TO PROVIDE FRIENDS OF OAKLAND PARKS AND  
RECREATION NON-EXCLUSIVE USE OF THE LAKESIDE PARK  
MARSHA J. CORPREW MEMORIAL GARDEN CENTER LOCATED  
AT 666 BELLEVUE AVENUE; AND 2) TO WAIVE THE  
COMPETITIVE BIDDING PROCESS FOR THIS AGREEMENT**

**WHEREAS**, Friends of Oakland Parks and Recreations (FOPR) is a 501(c)(3), City of Oakland L/SLBE certified not-for-profit corporation, dedicated to improving parks and recreational opportunities in Oakland and improving the quality of life for all Oakland residents and others who utilize these facilities; and

**WHEREAS**, FOPR is dedicated to working cooperatively with the City of Oakland and its agencies to create sustainable public/private partnerships, including but not limited to, the Office of Parks and Recreation (OPR), the Public Works Agency (PWA), and the Community and Economic Development Agency (CEDA); as well as non-city organizations; and

**WHEREAS**, FOPR is committed to working cooperatively with private entities, endowments, foundations, various public agencies and other such entities to foster public/private partnerships essential to realizing the vision of Oakland as a model city and ensuring accessibility to parks and recreational opportunities for all; and

**WHEREAS**, FOPR has a proven track record of actively soliciting funds for parks and recreation capital improvement projects within the City from public and private sources; and

**WHEREAS**, FOPR has access to private funding sources and other entities to which the City may not have access; and

**WHEREAS**, it is beneficial for the City and FOPR to work collaboratively and in their respective areas of expertise to improve and enhance Oakland's parks and recreation facilities and recreational programs throughout Oakland; and

**WHEREAS**, FOPR shall seek funds from the private, public, and other sources for projects that are consistent with the City's adopted policies and priorities for capital improvement, including Council Resolution No. 78747 C.M.S. (Prioritization Criteria Policy) and Resolution No. 80510 C.M.S. (Maintenance Considerations for Park Projects funded by the Landscape, Lighting and Assessment District); and

**WHEREAS**, FOPR shall obtain written approval of the concept plan for new projects from OPR, CEDA, PWA, Parks Maintenance Division and the Office of the City Administrator's ADA Programs Division before seeking private funding for such projects; and

**WHEREAS**, FOPR will provide OPR with monthly reports on FOPR's funding solicitation efforts on behalf of the City and provide OPR with an annual report, which shall be included with OPR's annual report to the Oakland City Council, setting forth all contracts and funds received for the prior year; and

**WHEREAS**, the City agrees that on projects for which FOPR has raised private funding or had a part in securing State or Federal funding, on City approved applications, City agrees to pay FOPR a fee from grant funds received, as defined in the Agreement, for City approved work performed by FOPR in either the writing of the grant or for work performed after grant funds are received; and

**WHEREAS**, the City and FOPR, in this Agreement, wish to document their long standing relationship, which supports and funds park improvement projects and the services and activities of OPR, so that FOPR may continue to act as a fiscal sponsor for the benefit of the City and to receive and expend grant funds and donations for OPR's programs, facilities, and services; now, therefore, be it

**RESOLVED:** The City Administrator or his/her designee is authorized to execute this Agreement, on behalf of the City of Oakland; and be it

**FURTHER RESOLVED:** That the competitive bidding process for this Agreement is hereby waived; and be it

**FURTHER RESOLVED:** That the Office of the City Attorney has approved this resolution as to form and legality, and a copy will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 21 2009

**PASSED BY THE FOLLOWING VOTE:**

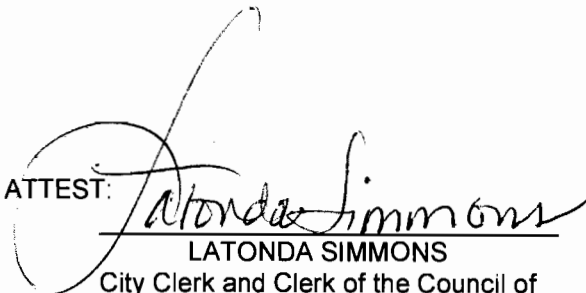
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND  
~~PRESIDENT BRUNNER~~ - 7

NOES - 0

ABSENT - 0

ABSTENTION - Brunner - 1

ATTEST:

  
LATONDA SIMMONS

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