

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Hee

City Attorney

11 DEC -7 PM 4:51 RESOLUTION No. 83649 C.M.S.

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND APPROPRIATE A GRANT OF UP TO TEN MILLION DOLLARS (\$10,000,000.00) FROM THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY, DEPARTMENT OF WATER RESOURCES FOR IMPROVEMENTS OF THE EXISTING SHORELINE WITHIN THE BROOKLYN BASIN; AND AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE To DESIGNATE OAKLAND HARBOR PARTNERS (OHP) AS THE PRIMARY SUB-GRANTEE; AND TO AUTHORIZE THE CITY ADMINISTRATOR TO WORK WITH OAKLAND HARBOR PARTNERS TO SECURE THE GRANT, UTILIZE THE FUNDING TO MEET THE REPORTING AND CONTRACTING REQUIREMENTS OF THE STATE AND THE DEVELOPMENT AGREEMENT

WHEREAS, on June 20, 2006 and July 18, 2006, the City of Oakland and the Oakland Redevelopment Agency approved Resolution 2006-0047 C.M.S. and Ordinance 12760 C.M.S. authorizing a Development Agreement with Oakland Harbor Partners (OHP) for the Oak to Ninth Mixed Use Development Project; and

WHEREAS, on January 20, 2009, the Oakland City Council approved Resolution 2009-81769 C.M.S. approving revisions to the analysis in the Oak to Ninth Project EIR and recertified the revised EIR, and readopted the CEQA findings and Statement of overriding considerations and Mitigation Monitoring and Reporting Program as revised; and

WHEREAS, the Oak to Ninth/Brooklyn Basin Project will provide substantial benefits to the City through job generation, commercial, housing, parks, open space; and

WHEREAS, the Oak to Ninth/Brooklyn Basin Project requires substantial infrastructure for its development; and

WHEREAS, the California Natural Resources Agency, Department of Water Resources, is offering grants under its Local Levee Assistance Program that will provide a substantial advancement of the development of the shoreline in the Oak to Ninth/Brooklyn Basin Development Project area; and

WHEREAS, the City desires to designate OHP as the sub-grantee for the grant funds due to the unique eligibility requirements and qualifications of the firm; and

WHEREAS, the requirements of the California Environmental Quality Act ("CEQA"), the CEQA guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied, now, therefore, be it

RESOLVED: That the City Administrator is authorized to accept the grant funds in an amount up to \$10,000,000.00 from the California Department Natural Resources Agency, Department of Water Resources, and these funds are hereby appropriated to the Oak to Ninth/Brooklyn Basin Project; and be it

FURTHER RESOLVED: That pursuant to and subject to all of the terms and provisions of California Public Resources Code 75032 application by the City of Oakland be made to the California Department of Water Resources to obtain funding for the Oak to Ninth /Brooklyn Basin Project, that the City Administrator is hereby authorized and directed to prepare the necessary data, make investigations, sign certifications required as part of the application , and sign and file such application with the California Department of Water Resources.

FURTHER RESOLVED: That these funds will be deposited in Fund Number: 2136 (State Water Resources Board); Organization 88559 (Business Development), with a Project Number to be determined; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to negotiate terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures and take all other actions necessary to carry out the basic purposes of this resolution; and be it

FURTHER RESOLVED, that the City Administrator shall work with OHP as the sub-grantee to ensure all State and local and City contracting regulations and reporting, in place at the time that the agreement is executed, is undertaken; and be it

FURTHER RESOLVED: That all documents shall be reviewed and approved as to form and legality by the City Attorney's Office prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 6 2011, 20

PASSED BY THE FOLLOWING VOTE:

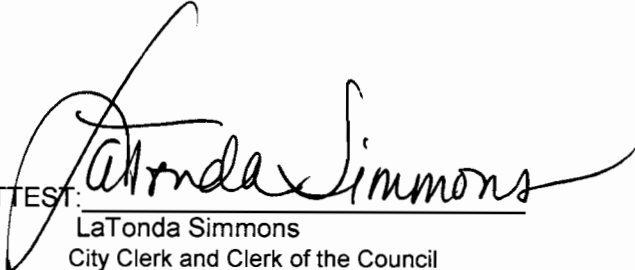
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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

DEC 6 2011