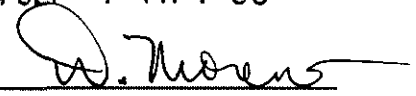


OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. 78865 - C.M.S. 04 SEP - 1 PM 1:53



A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE A CONTRIBUTION OF \$300,000 FROM THE PORT OF OAKLAND FOR THE DEVELOPMENT OF THE UNION POINT PARK PROJECT (C196810); AND TO AMEND THE PROJECT MANAGEMENT CONTRACT WITH SPANISH SPEAKING UNITY COUNCIL TO REFLECT THE INCREASED TOTAL PROJECT BUDGET FROM \$8,674,000 TO \$8,974,000.

WHEREAS, Union Point Park is a new nine-acre park development site located along Embarcadero of the City of Oakland water front, bounded on the north by Dennison Street, the Union Point Basin Marina and the Oakland Estuary to the West, and Con Agra concrete at the south; and

WHEREAS, the development of the first phase involves Parcel 1 consisting of approximately six-acres to the south of the site; and

WHEREAS, the City contracted Spanish Speaking Unity Council (Unity Council) to develop the said park; and

WHEREAS, the Port of Oakland wishes to donate funding, as a part of the mitigation measure in conjunction with the repair and modernization of Port Berth 32 and 33, and to provide public access improvements; and

WHEREAS, Unity Council has received grants from California State Coastal Conservancy (\$1,555,000 and \$710,000) and San Francisco Bay Trails Program (\$500,000) totaling \$2,765,000; and

WHEREAS, the City has funding from the Proposition 12 State of California Department of Parks and Recreation Murray Hayden Urban Parks and Youth Services Program (\$1,419,000), Measure K - Series 2000D Acquisition Fund (\$490,000), and Oakland Trust for Clean Water and Safe Parks - Measure DD (\$4,000,000) totaling \$5,909,000; and the above funding constitute a total of \$8,674,000 available for the project; and

WHEREAS, the City and Unity Council is in construction for the said project development; and

WHEREAS, the development of the Union Point Park project would benefit the City and the Oakland community at large; and

WHEREAS, the City wishes to accept the donation of funds from the Port of Oakland to complete the project; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services and that the services are of a professional and temporary in nature; now therefore, be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to accept a contribution of three hundred thousand (\$300,000) from the Port of Oakland towards the development and implementation of the Union Point Park project, and to amend the project management services contract to oversee the design, development and implementation of said Park project with Unity Council to increase the total project budget from eight million six hundred seventy-four thousand dollars (\$8,674,000) to eight million nine hundred seventy-four thousand dollars; (\$ 8,974,000) and, be it

FURTHER RESOLVED: That the City Administrator, or her designated representative, is hereby authorized to approve any subsequent amendments, modifications, or extensions of said agreement, excepting those related to increasing the amount of the contract above the amounts authorized under this Resolution; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 19 2004, 2004


PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT OF THE COUNCIL 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