

OAKLAND CITY COUNCIL

RESOLUTION NO. 79485 C. M2895 SEP - 1 PM 1:53

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND, CALIFORNIA  
*[Signature]*

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE GRANT FUNDS UNDER THE HABITAT CONSERVATION FUND PROGRAM OF THE CALIFORNIA WILDLIFE PROTECTION ACT OF 1990 FOR THE COLISEUM GARDEN PROJECT AT LION CREEK UP TO THE AMOUNT OF \$200,000.00

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire and/or develop facilities for public recreational and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of a portion of the program within the State, setting up necessary procedures governing application by local agencies under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, said application(s) contain assurances that the applicant must comply with; and

WHEREAS, the applicant will enter into an agreement with the State of California for acquisition or development of the project(s); now, therefore, be it

RESOLVED that City Council of the City of Oakland hereby:

1. Approves the filing of an application for the Habitat Conservation Fund Grant Program under the California Wildlife Protection Act of 1990 State grant assistance for the Coliseum Garden Project at Lion Creek in an amount up to two hundred thousand dollars (\$200,000.00); and
2. Certifies that said applicant understands the assurances and certification in the application form; and
3. Certifies that said applicant has or will have available prior to commencement of any work on the project included in this application, the required match; and will have sufficient funds to operate and maintain the project(s); and
4. Appoints the City Administrator, or her authorized representative, as agent to conduct all negotiations, execute and submit all documents including, but not limited to,

Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project provided that such agreements shall be reviewed and approved by the Office of the City Attorney and shall be filed with the Office of the City Clerk.; and be it

FURTHER RESOLVED: That if the Application is approved, the City Administrator is authorized to accept and appropriate funds consistent with the projects and funding levels above.

SEP 20 2005

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES-  $\emptyset$

Absent - President De La Fuente - 1

ABSTENTION-  $\emptyset$

ATTEST



La Tonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California