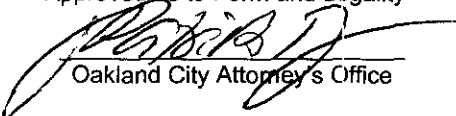


2005 NOV 28 PM 2:50

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 79649 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE EXPENDITURE OF PREVIOUSLY APPROPRIATED AND ALLOCATED FUNDS IN THE AMOUNT OF \$1,000,000 FOR PHASE II OF THE IMPLEMENTATION PLANS FOR THE OAKLAND TRUST FOR CLEAN WATER AND SAFE PARKS, MEASURE DD, CREEK RESTORATION, WATERSHED PRESERVATION AND ACQUISITION, AND LAKE MERRITT WATER QUALITY PROGRAMS

WHEREAS, the Oakland Trust for Clean Water and Safe Parks, (Measure DD) was passed in November 2002 with 80% voter approval; and

WHEREAS, Measure DD provides \$5.5 million for Creek Restoration, \$4.5 million for Watershed Preservation and Acquisition, and \$4.5 million for Lake Merritt Water Quality Programs; and

WHEREAS, the Measure DD, Series 2003A Bond sale in August 2003 provided \$1.7 million for the Creek Restoration Program, \$3 million for the Watershed Preservation and Acquisition Program, and \$1 million for the Lake Merritt Water Quality Program, which have already been appropriated and allocated by City Council; and

WHEREAS, Council previously approved the Phase I Implementation Plans for the Creek Restoration Program, the Watershed Preservation and Acquisition Program, and the Lake Merritt Water Quality Program; and

WHEREAS, prioritized lists of properties for both the Creek Restoration and Watershed Preservation and Acquisition Programs have been developed based on the previously approved prioritization criteria and prioritization process; and

WHEREAS, the Lake Merritt Water Quality Technical Committee, comprised of staff from the City of Oakland, City of Piedmont, Alameda County, the Coastal Conservancy, and the Lake Merritt Institute, was formed in December of 2000 to develop a plan to research and identify technical alternatives to address the excess trash and nutrient enrichment/low dissolved oxygen levels in Lake Merritt; and

WHEREAS, the Creek Restoration Program Phase II Implementation Plan calls for the adoption of the Prioritized Creek Restoration Project List Creek and the expenditure of \$630,000 from Project: C244810, previously appropriated and allocated by City Council, to

be dedicated for design development of up to six projects and immediate implementation of one restoration project; and

WHEREAS, the Watershed Preservation and Acquisition Program Phase II Implementation Plan calls for the adoption of the Prioritized Watershed Preservation and Acquisition Project List and the expenditure of \$190,000 from Project: C244910, previously appropriated and allocated by City Council, to be dedicated to completing due diligence for top priority sites; and

WHEREAS, the Lake Merritt Water Quality Program Phase II Implementation Plan calls for the expenditure of \$180,000 from Project: C241710, previously appropriated and allocated by City Council, to be dedicated to a pilot Restorer project, a pilot tide-flap project, and "Please Don't Feed the Birds" signage at Lake Merritt; and

WHEREAS, staff will return to the City Council for the approval of the remaining Measure DD, 2003 Series A funds for the Creek Restoration, Watershed Preservation and Acquisition, and Lake Merritt Water Quality Programs; and

WHEREAS, the Phase II Implementation Plans for the Measure DD Creek Restoration, Watershed Preservation and Acquisition, and Lake Merritt Water Quality Programs will further advance Mayor/City Council goals and objectives: #1 (Develop a Sustainable City) and #2 (Build Community and Foster Livable Neighborhoods); now, therefore be it

RESOLVED: that the City Council approves the Phase II Implementation Plans for the Measure DD Creek Restoration, Watershed Preservation and Acquisition, and Lake Merritt Water Quality Programs;

DEC 20 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES - *brunner - 1*

ABSENT - *Ø*

ABSTENTION - *Ø*

ATTEST:

Latonda Simmons
LATONDA SIMMONS

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