

B. Phelan

2003 OCT -9 PM 2:49 RESOLUTION NO. 78151 C. M. S.

RESOLUTION APPROVING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM FUNDS FROM THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002 IN THE AMOUNT OF ONE MILLION, EIGHT HUNDRED FOUR THOUSAND AND FORTY-THREE DOLLARS (\$1,804,043) FOR THE FOLLOWING PROJECTS: **MARTIN LUTHER KING, JR. PLAZA PARK** IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000); **CASTLE CANYON TRUST RIPARIAN HABITAT PRESERVATION ACQUISITION** IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000); **GREENMAN FIELD** IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000); **CLINTON PARK TOT LOT IMPROVEMENTS** IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000); **LAKE MERRITT IMPROVEMENTS** IN THE AMOUNT OF TWO HUNDRED FIFTY-FOUR THOUSAND AND FORTY-THREE DOLLARS (\$254,043); AND **ARROYO VIEJO CREEK AT THE OAKLAND ZOO** IN THE AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000)

WHEREAS, the people of the State of California have enacted the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 which provides funds for the Roberti-Z'Berg-Harris Block Grant Program for grants to eligible Applicants; and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the Roberti-Z'berg-Harris Program and the grant projects shown above within the State, setting up necessary procedures; and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Application before submission of said Application to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California for the grant projects shown above; now, therefore, be it

RESOLVED: That the Oakland City Council approves the filing of Applications for local assistance funds from the Roberti-Z'Berg-Harris Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the following projects:

- Martin Luther King, Jr. Plaza Park - \$100,000;
- Castle Canyon Trust Riparian Habitat Preservation Acquisition - \$300,000;
- Greenman Field- \$500,000;
- Clinton Park Tot Lot Improvements - \$250,000;
- Lake Merritt Improvements - \$254,043; and
- Arroyo Viejo Creek At The Oakland Zoo - \$400,000; and, be it

FURTHER RESOLVED: That if the Application is approved, the City Manager is authorized to accept and appropriate funds consistent with the projects and funding levels above; and, be it

FURTHER RESOLVED: That the City Council of the City of Oakland authorizes the City Manager or her designee to obtain all necessary real property-related documents and services for the purchase of the Castle Canyon property for a total purchase price (including the three hundred thousand dollars (\$300,000) allocated by this resolution and the seven hundred thousand dollars (\$700,000) previously allocated from Measure K Bond Funds) of one million dollars (\$1,000,000) plus closing costs, including but not limited to appraisals, title and escrow services, in order to negotiate and execute a purchase and sales agreement to acquire the real property for the Castle Canyon Trust Riparian Habitat Preservation Acquisition; and be it

FURTHER RESOLVED: That the Oakland City Council certifies that the City has or will have sufficient funds to operate and maintain the Projects; and, be it

FURTHER RESOLVED: That the City has reviewed, understands and agrees to the General Provisions contained in the State Grant Contract shown in the State's Procedural Guide; and, be it

FURTHER RESOLVED: That the Oakland City Council certifies that the above Projects conform to the Open Space, Conservation and Recreation (OSCAR) element of the City of Oakland General Plan; and be it

FURTHER RESOLVED: That the Oakland City Council appoints the City Manager, or her appointee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, extensions, payment requests and so on, which may be necessary for the completion of the aforementioned projects 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. Should additional grant funds become available for the above-mentioned projects, the City Manager or her designee, is authorized to apply for, accept and appropriate said funds and to execute an agreement with the funding agency for expenditure of said funds in accordance with the purposes described above.

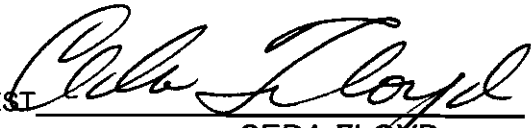
IN COUNCIL, OAKLAND, CALIFORNIA, OCT 21 2003, 20

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, WAN, QUAN AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSTENTION- 0

ATTEST 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California