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Approved as to Form and Legality

  
Celso Ortiz (Jul 7, 2022 18:33 PDT)

City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 89330 C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE FUNDS FROM A FUTURE STATE COASTAL CONSERVANCY GRANT CYCLES FOR CONSTRUCTION OF A RESILIENT LIVING SHORELINE FOR AN AMOUNT UP TO THREE MILLION DOLLARS (\$3,000,000.00) (CONSTRUCTION GRANT) FOR THE ESTUARY PARK PROJECT (NO. 1000858).**

**WHEREAS**, the renovation and expansion of Estuary Park is a critical part of Oakland's mission to restore and enhance the ecological health of and improve public access to its shoreline, and the existing site requires careful planning and design to develop a vision for shoreline improvements that accommodate future sea level rise; and

**WHEREAS**, additional design and construction funds are needed to further develop the resilient shoreline approach and create a living shoreline that supports intertidal and subtidal habitats, while also encouraging public access to the waterfront; and

**WHEREAS**, State Coastal Conservancy Proposition 68 San Francisco Bay Area Conservancy Program Climate Adaptation Funds future grant round (Construction Grant) will award competitive grants for projects that plan, develop, and implement climate adaption and resiliency projects, and after review of a preproposal application the grant representatives have encouraged the City to apply for a grant for Estuary Park shoreline design; and

**WHEREAS**, the State Coastal Conservancy has approximately \$11.5 million of Proposition 68 San Francisco Bay Climate Funds- \$5.7 million is available now, with the remainder available in the coming three years, and if awarded, the Design Grant would provide the City an opportunity to design a resilient living shoreline for Estuary Park and be positioned to apply for a future round of the grant for construction funding; and

**WHEREAS**, the additional funds requested through the Construction Grant would benefit the project by expanding the resources available to further develop the resilient shoreline approach and create a living shoreline that supports intertidal and subtidal habitats; and

**WHEREAS**, the proposed resilient living shoreline at Estuary Park has potential to serve as a model for other San Francisco Bay shoreline renovation projects, as it would serve as an on-the-ground demonstration of dynamic adaptation pathways that respond to sea level rise over time;

**WHEREAS**, by restoring and enhancing the ecological health, addressing known contaminants in adjacent areas, designing for future sea level rise, improving public access to its shoreline and expanding recreational opportunities, this project will advance two Citywide priorities: (1) holistic community safety; and (2) vibrant, sustainable infrastructure; and

**WHEREAS**, the Planning Department has determined that the Estuary Park Master Plan must prepare an Addendum to the 2009 Oak to Ninth Project Environmental Impact Report (EIR) as necessitated by the California Environmental Quality Act (CEQA), in which additional study is underway; now therefore be it

**RESOLVED:** That the City Administrator is hereby authorized to apply for, accept, and appropriate funds from future State Coastal Conservancy grant cycles for construction of a resilient living shoreline for an amount up to three million dollars (\$3,000,000.00) (Construction Grant) for the Estuary Park Project (No. 1000858); and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in the total dollar amount of the agreement; and be it

**FURTHER RESOLVED:** That upon completion of the Addendum to the 2009 Oak to Ninth Project Environmental Impact Report (EIR) as necessitated by the California Environmental Quality Act (CEQA), the findings and any recommended mitigation measures will be brought to Council for approval at the time of construction contract award; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to delegate the grant application submission authorization to either the Director of Public Works or Assistant Director of Public Works-Bureau of Design and Construction; and be it

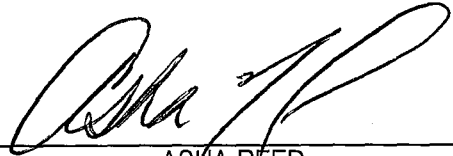
**FURTHER RESOLVED:** That a copy of the agreements will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 19 2022

PASSED BY THE FOLLOWING VOTE:

AYES - ~~W~~ GALLO, KALB, ~~W~~ REID, TAYLOR, THAO AND PRESIDENT FORTUNATO BAS - 6  
NOES - 0  
ABSENT - 0  
ABSTENTION - 0

2 Excused - File of Kaplan

ATTEST:   
ASHA REED  
City Clerk and Clerk of the Council of the City  
of Oakland, California