

OAKLAND CITY COUNCIL

RESOLUTION NO. 77988 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 JUL 10 PM 6:36



INTRODUCED BY COUNCILMEMBER

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO CO-SPONSOR WITH THE URBAN CREEKS COUNCIL A CREEK RESTORATION PROJECT ON ARROYO VIEJO CREEK AT THE HOLY REDEEMER SITE AND AUTHORIZING AN AGREEMENT WITH THE DEPARTMENT OF WATER RESOURCES AND THE URBAN CREEKS COUNCIL FOR THIS PROJECT

WHEREAS, the Department of Water Resources, Division of Planning and Local Assistance, Urban Streams Restoration Program, awarded a grant in the amount of \$125,000 to the Urban Creeks Council, as the sponsor, and the City of Oakland, as the co-sponsor, for the design of a creek restoration project on Arroyo Viejo Creek at the Holy Redeemer Retreat and Conference Site; and

WHEREAS, the State of California requires that Urban Creeks Council obtain the co-sponsorship of the City of Oakland to qualify for this grant and the City of Oakland in fact co-sponsored this project with the Urban Creeks Council; and

WHEREAS, the State of California further requires the City of Oakland, as the co-sponsor, to enter into an agreement with the Department of Water Resources and the Urban Creeks Council providing for the respective roles of each party and for the Urban Creeks Council to receive the funds for this project; and

WHEREAS, the Urban Creeks Council, as the sponsor, will be the primary agency with sole responsibility for the design, construction and financing of this project and the City of Oakland, as the co-sponsor, will play only a limited role consisting of limited assistance with permitting and CEQA review process and with community outreach and education; and

WHEREAS, the State of California, the Urban Creeks Council and the Redemptorist Society of California understand and agree, and all agreements for this project will reflect, that the City of Oakland is a mere co-sponsor and shall incur no liability or financial obligation in relation to the project; and

WHEREAS, the project will involve the Urban Creeks Council first designing this project and, upon identifying further sources of funding, ultimately restoring approximately 1000 linear feet of Arroyo Viejo Creek, which will improve water quality and enhance the riparian habitat in Oakland; and

WHEREAS, the project is environmentally beneficial and will comply with all requirements of CEQA prior to implementation of the project; and

WHEREAS, the project will help the City further the goals of its Watershed and Waterways Program, Developing a Sustainable City and Enhancing Oakland's Physical Assets; now, therefore, be it

RESOLVED: That the City Council authorizes the City to co-sponsor the Urban Creeks Council creek restoration project on Arroyo Viejo Creek at the Redemptorist Society of California Site; and be it

FURTHER RESOLVED: That the City Council authorizes the City Manager or his designee to enter into an agreement with the State of California and the Urban Creeks Council, as required by the State, so that the Urban Creeks Council may obtain the funds for this project; and be it

FURTHER RESOLVED: That the City Attorney's Office has reviewed this resolution as to form and legality and a copy of this resolution shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 29 2003, 20_____

PASSED BY THE FOLLOWING VOTE:

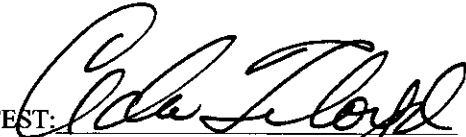
AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



CEDA FLOYD

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