

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 81674 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO SEVEN HUNDRED THOUSAND DOLLARS (\$700,000.00) IN GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION RECREATIONAL TRAILS PROGRAM FOR THE FRUITVALE AVENUE TO HIGH STREET BRIDGE – INNER HARBOR BAY TRAIL SEGMENT OF THE OAKLAND WATERFRONT TRAIL

2008 OCT 30 PM 3:27

FILED
OFFICE OF THE CITY CLERK
OAKLAND

WHEREAS, the Fruitvale Avenue to High Street Bridge – Inner Harbor Bay Trail segment of the Oakland Waterfront Trail (Project) is a priority on the City and Regional Bike Plans and listed on the 2005 San Francisco Bay Trail Gap Closure Analysis; and

WHEREAS, the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” provides funds to the State of California for Grants to federal, state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail Projects; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application 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, the Applicant will enter into a Contract with the State of California to complete the Project(s); now, therefore, be it

RESOLVED: that the Oakland City Council hereby:

1. Approves the filing of an Application for the Recreational Trails Program; and
2. Certifies that the Project is consistent with the Applicant’s general plan or the equivalent planning document; and
3. Certifies that said Applicant has or will have available prior to commencement of any work on the Project(s) included in this Application, sufficient funds to operate and maintain the Project(s); and
4. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and

5. Appoints the City Administrator, or his/her designee, as agent to conduct all negotiations, execute and submit all documents, including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the Project.
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines; and be it

FURTHER RESOLVED: That if the funding is approved, said funding will be appropriated to the California Parks and Recreation (2134); Project Delivery Capital Organization (92270), under a project number to be established for the Fruitvale Avenue to High Street Bridge – Inner Harbor Bay Trail segment of the Oakland Waterfront Trail; and that the City of Oakland has additional funds from the following source: Bond Measure DD (Fund 5320) and can finance 100 percent of the Project; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is authorized, on behalf of the City of Oakland, to negotiate, apply for, accept, submit and execute all documents, including, but not limited to, applications, permits, contracts, amendments, payment requests, and related actions for the completion of this Project; and be it

FURTHER RESOLVED: That should additional funds be received for this Project, the City Administrator, or designee, is authorized on behalf of the City of Oakland, to negotiate, apply for, accept, appropriate, submit and execute all documents, including but not limited to, grant applications, contracts, amendments, payment requests, and related actions for the completion of this Project without return to Council; and be it

FURTHER RESOLVED: That a copy of this Resolution will be transmitted to the California Department of Parks and Recreation Recreational Trails Program, and placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 18 2008, 20

PASSED BY THE FOLLOWING VOTE:

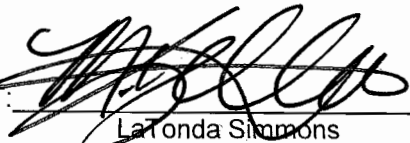
AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, ~~REID~~, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

ATTEST:



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