

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 MAY 28 PM 2:17

Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. 82096 C.M.S.

Introduced by Councilmember \_\_\_\_\_

---

**RESOLUTION (1) APPROVING THE ALLOCATION AND APPROPRIATION OF MEASURE DD BOND SERIES 2009B PROCEEDS, (2) APPROVING THE REALLOCATION OF MEASURE DD BOND SERIES 2003A PROCEEDS, AND (3) AUTHORIZING THE CITY ADMINISTRATOR, OR THE CITY ADMINISTRATOR'S DESIGNEE, TO MAKE FINAL ADJUSTMENTS TO THE ALLOCATIONS OF MEASURE DD SERIES 2003A BOND PROCEEDS AS THE CITY ADMINISTRATOR DEEMS NECESSARY FOR THE TIMELY COMPLETION OF MEASURE DD PROJECTS**

**WHEREAS**, on November 5, 2002 Oakland voters passed Measure DD, the Oakland Trust for Clean Water and Safe Parks, a \$198,250,000 general obligation bond authorizing the City to sell bonds to raise funds for a variety of park and water projects; and

**WHEREAS**, the City intends to issue Measure DD general obligation bonds in three issuances (Series 2003A, Series 2009B, and Series 2012C); and

**WHEREAS**, Series 2003A bonds were issued in the amount of \$70,579,000 and the proceeds appropriated in FY 2003-04 per Resolution No. 77965 C.M.S.; and

**WHEREAS**, Series 2009B bonds in the approximate amount of \$65,000,000 will be issued and appropriated in FY 2009-10 in order to continue progress on Measure DD projects; and

**WHEREAS**, changes in project cost and schedule has required reallocation of Series 2003A bond proceeds among projects within the originally appropriated amount; and

**WHEREAS**, further unforeseen changes in project schedule will require final adjustment of Series 2003A allocations in order to complete projects and spend principal funds in a timely manner; now, therefore, be it

**RESOLVED:** That the City Administrator, or his designee, is authorized to allocate and appropriate \$64,543,403 of Measure DD Series 2009B proceeds into a Fund No. to be determined after the bonds are sold in FY 09-10 as follows:

**2009  
Project Name**

**Series 2009B Allocation**

<b>LAKE MERRITT</b>	<b>\$35,264,758</b>
12th Street	\$28,406,417
Lake Merritt Water Quality (Storm drain filters, trash barriers, aeration, etc.)	\$1,818,182
Sailboat House restoration	\$339,000
Lake Merritt Systemwide Projects (landscaping, docks, restrooms, etc.)	\$1,638,592
Lake Merritt Retaining Walls	\$1,000,000
Widen and improve pedestrian and bicycle paths and lanes around Lake Merritt.	\$962,567
Snow Park / 20th / Harrison	\$1,000,000
Bellevue Avenue reconfiguration	\$100,000
<b>ESTUARY WATERFRONT ACCESS, PARKS AND CLEAN-UP (BAY TRAIL</b>	<b>\$7,247,548</b>
Estuary Park	\$100,000
Oyster Reef Restaurant Trail	\$50,000
10th Avenue Marina	\$150,000
Brooklyn Basin	\$823,529
Embarcadero Cove vicinity	\$50,000
Livingston Pier	\$143,000
Cryer Site	\$588,235
Waterfront Trails at Bridges (around 3 bridges to Alameda)	\$1,000,000
Derby Avenue to Lancaster Street	\$171,123
Fruitvale Ave. to High St. trail	\$2,438,503
Gallagher & Burk and Hanson Aggregate	\$50,000
66th Avenue Gateway	\$50,000
Environmental Remediation	\$1,583,158
ConAgra to 23rd Ave.	\$50,000
<b>LAKE MERRITT TO ESTUARY CONNECTION (LAKE MERRITT CHANNEL)</b>	<b>\$11,515,000</b>
Lake Merritt Channel at 7th St	\$500,000
Lake Merritt Channel at 10th St	\$11,000,000
Lake Merritt Channel - General	\$15,000
(Ped and bike access, wetlands restoration, and other Channel and Shoreline improvements)	
<b>YOUTH AND PUBLIC RECREATION FACILITIES</b>	<b>\$6,596,593</b>
East Oakland Sports Center	\$6,596,593
<b>CREEKS AND WATERWAYS RESTORATION</b>	<b>\$3,919,505</b>
Creek Restoration	\$2,235,294
Watershed Acquisition	\$1,684,211
<b>Total Series 2009B</b>	<b>\$64,543,403</b>

; and be it

**FURTHER RESOLVED:** That the City Council hereby re-allocates \$70,579,000 of Measure DD Series 2003A proceeds (Fund 5320) as follows:

**2003  
Project Name**

**Series 2003A Allocation**

<b>LAKE MERRITT</b>	<b>\$40,702,408</b>
12th Street	\$7,700,000
Lake Merritt Water Quality (Storm drain filters, trash barriers, aeration, etc.)	\$1,830,000
Children's Fairyland	\$3,181,000
Municipal Boathouse (1520 Lakeside Drive)	\$10,900,000
Sailboat House restoration	\$80,000
Lake Merritt Systemwide Projects (landscaping, docks, restrooms; etc.)	\$4,611,408
Lake Merritt Retaining Walls	\$3,000,000
Widen and improve pedestrian and bicycle paths and lanes around Lake Merritt	\$7,400,000
EI Embarcadero reconfiguration	\$2,000,000
<b>ESTUARY WATERFRONT ACCESS, PARKS AND CLEAN-UP (BAY TRAIL)</b>	<b>\$9,565,163</b>
Estuary Park	\$267,647
10th Avenue Marina	\$50,000
Brooklyn Basin and Marine Max	\$613,793
Brooklyn Basin to Embarcadero Cove	\$4,482
Livingston Pier	\$57,000
Cryer Site	\$790,687
Union Point Park	\$4,000,000
Park Street Bridge	\$143,112
Pier 29 Restaurant	\$33,980
Lancaster to Fruitvale	\$7,005
Fruitvale Bridge	\$163,312
High Street Bridge	\$160,000
Park Street Triangle (Traffic Study)	\$44,668
Derby Avenue	\$150,191
Oakland Museum Women's Bd.	\$443,850
Alameda Ave. south of Fruitvale	\$200,000
US Audio/ NEU	\$377,117
Gallagher & Burk and Hanson Aggregate	\$68,252
66th Avenue Gateway	\$790,066
Environmental Remediation	\$1,200,000
<b>LAKE MERRITT TO ESTUARY CONNECTION (LAKE MERRITT CHANNEL)</b>	<b>\$2,408,021</b>
7th Street Flood Control Pump Station	\$1,100,000
10th Street Bridge	\$1,300,000
Pedestrian and bicycle access, wetlands restoration, and other Channel and Shoreline improvements	\$8,021
<b>YOUTH AND PUBLIC RECREATION FACILITIES</b>	<b>\$13,403,407</b>
East Oakland Sports Center	\$3,403,407
Studio One	\$10,000,000
<b>CREEKS AND WATERWAYS RESTORATION</b>	<b>\$4,500,000</b>
Creek Restoration Projects	\$2,000,000
Watershed Acquisition	\$2,500,000

**Total Series 2003A**

**\$70,579,000**

; and be it

**FURTHER RESOLVED:** That the City Administrator, or the City Administrator's designee, shall make final adjustments to the allocations of Measure DD Series 2003A bond proceeds as the City Administrator deems necessary for the timely completion of Measure DD projects, with any such adjustments reported to City Council at the next Measure DD update report; and be it

**FURTHER RESOLVED:** That up to 1-1/2% of the bond proceeds will be allocated to Public Art in accordance with Ordinance No. 11086 C.M.S. and up to 5% of the bond proceeds will be allocated to Measure DD Administration costs, and be it

**FURTHER RESOLVED:** That the City Attorney's Office has reviewed this resolution as to form and legality and a copy is kept on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 16 2009

**PASSED BY THE FOLLOWING VOTE:**

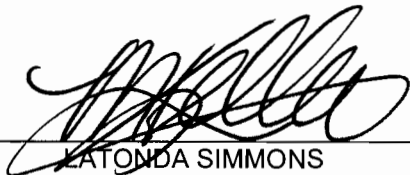
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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