

REVISED

Approved as to Form and Legality

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. 82174 C.M.S.

2009 JUL 24 PM 1:05

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (FEDERAL STIMULUS PACKAGE) GRANT IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY UNDER THE BROWNFIELDS GRANT PROGRAM FOR ASSESSMENT OF PETROLEUM SUBSTANCES IN SOIL AND GROUNDWATER IN WEST OAKLAND

WHEREAS, the City of Oakland (City) has solicited financial support from the United States Environmental Protection Agency (EPA) for environmental assessment work in West Oakland; and

WHEREAS, the EPA has awarded the City \$200,000 in funds from the American Recovery and Reinvestment Act of 2009 (Federal Stimulus Package) to assist in the assessment of petroleum substances (as defined by the federal Comprehensive Environmental Response, Compensation and Liability Act) in soil and groundwater at to-be-determined sites in West Oakland; and

WHEREAS, the proposed environmental assessment work supports the Mayoral and City Council goal of a Sustainable City, and will help strengthen protection of public health while facilitating the cleanup and redevelopment of blighted properties; now, therefore be it

RESOLVED: That the City Council authorizes the City Administrator or his designee to execute an agreement with the EPA for the acceptance of \$200,000 in grant funds for assessment of petroleum substances in soil and groundwater in West Oakland, provided that said agreement shall be reviewed and approved by the City Attorney's Office and shall be filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the City Council acknowledges that approximately \$7,700 in departmental and central services overhead costs will not be recovered by the General Purpose Fund; and be it

FURTHER RESOLVED: That the City Council authorizes an increase in estimated revenue and the appropriation of grant funds, to be received on a reimbursement basis and deposited into a separate fund established to account for the appropriation and expenditure of Environmental Protection Agency, Federal Stimulus Package funds upon execution of the agreement with the EPA; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to approve any subsequent amendments or extensions of said agreement, provided that such amendments or extensions shall be approved by the City Attorney's Office and shall be filed with the City Clerk's Office. Should additional grant funds be received, the City Administrator is hereby authorized to appropriate same for the purposes described above; and

FURTHER RESOLVED: That the grant agreement shall be approved as to form and legality by the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 21 2009, 20

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