

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 MAY 31 AM 11:43

# OAKLAND CITY COUNCIL

RESOLUTION No. 83916 C.M.S.

Approved as to Form and Legality

  
City Attorney

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ACCEPT AND APPROPRIATE TWO HUNDRED AND EIGHTY THOUSAND DOLLARS (\$280,000.00) ANNUALLY FROM THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (DISTRICT) AND TO ENTER INTO AN AGREEMENT WITH THE DISTRICT TO IMPLEMENT THE COLLABORATIVE CREEK IMPROVEMENT AND CLEAN CREEKS PROGRAMS (PROGRAMS) FOR THE PERIOD JULY 1, 2012 THROUGH JUNE 30, 2017**

**WHEREAS**, pursuant to the state of California District Act, Zone 12 of the Alameda County Flood Control and Water Conservation District (District) was created in 1964 as a State Special District to maintain open creek flow ways and provide limited debris removal for creeks in the cities of Oakland and Emeryville; and

**WHEREAS**, the District seeks to work with the City of Oakland (City) for collaborative creek improvement and clean creeks and further seeks to grant the City two hundred eighty thousand dollars (\$280,000.00) in funds for these programs for the period July 1, 2012 through June 30, 2017; and

**WHEREAS**, the City is authorized by acts governing the City to engage in the proposed activities and is qualified to perform the services funded by the District; and

**WHEREAS**, procedures established by the City require the City to certify by resolution the approval to enter into an Agreement with the District; and

**WHEREAS**, the City's Watershed and Stormwater Management Program relies on funding from the District to help meet storm drainage and waterways protection and regulatory compliance goals; now, therefore, be it

**RESOLVED:** That the City Council approves the acceptance of funds from the District in the amount of two hundred eighty thousand dollars (\$280,000.00) to be appropriated as follows:

\$210,000.00 to Public Works Grants Fund (2990); Watershed and Stormwater Organization (30245); Watershed & Stormwater Program (NB34), Collaborative Creeks Project A445810 and, Accounts 56611 and 52919 for the Collaborative Creek Improvement Program.

\$70,000.000 to Public Works Grants Fund (2990); Environmental Remediation Organization (30683); Sustainable Communities Program (SC26), Clean Creeks Project H57810 and, Accounts 56611 and 52919 for the Clean Creeks Program; and be it

**FURTHER RESOLVED:** That should additional funds become available for these Programs, the City Administrator or Her Designee is hereby authorized to accept and appropriate these funds for the purposes described above through June 30, 2017; and be it

**FURTHER RESOLVED:** That the City Administrator, or Her Designee, is authorized to negotiate with the District and execute all necessary applications, contracts, agreements, amendments and extensions of the same for the Collaborative Creek Improvement and Clean Creeks Program activities, subject to the review and approval of the City Attorney's Office; 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, JUN 19 2012, 2012

**PASSED BY THE FOLLOWING VOTE:**

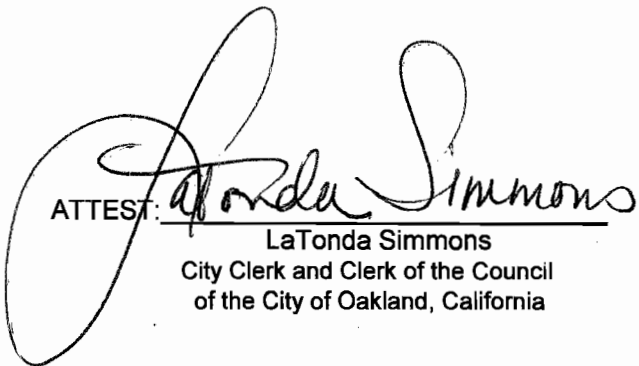
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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