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City Attorney

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OAKLAND
2008 OCT 30 PM 5:28

OAKLAND CITY COUNCIL

RESOLUTION No. 81683 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO APPLY, ACCEPT AND APPROPRIATE AN ABOVEGROUND PETROLEUM STORAGE ACT (APSA) PROGRAM GRANT FROM THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY IN THE AMOUNT SIXTY-FIVE THOUSAND TWO HUNDRED AND SIXTY NINE DOLLARS AND SEVENTY NINE CENTS (\$65,269.79) FOR THE OAKLAND FIRE DEPARTMENT

WHEREAS, Aboveground Petroleum Storage Act Assembly Bill 1130 (Laird) Chaptered October 13, 2007 transfers the responsibility for the implementation, enforcement, and administration of the Aboveground Petroleum Storage Act (APSA) from the California Environmental Protection Agency / State Water Resources Control Board to the Certified Unified Program Agencies (CUPA), And the Oakland Fire Department is the local CUPA agency; and

WHEREAS, The bill authorizes the expenditure of a portion of the funds in the Environmental Protection Trust Fund (EPTF) for training CUPA personnel to carry out the requirements of APSA which includes: inspection and enforcement activities such as issuance of warnings and notices, meetings with affected parties, administrative and legal proceedings, preparation of documentation, permit activities such as application reviews, modifications and revisions, facility evaluations and in-field, meeting, seminar, workshop, course and literature review training; and

WHEREAS, City of Oakland, Fire Department/ CUPA shall use these grant funds in accord with California Health and Safety Code Section 25270.11 and the APSA grant agreement to implement the requirements of the Aboveground Petroleum Storage Tank Act; now, therefore, be it

RESOLVED: That the Council of the City of Oakland authorizes the City Administrator or designee to apply for, accept and appropriate grant funds in the amount of Sixty-Five Thousand and Two Hundred and Sixty-Nine Dollars and Seventy-Nine Cents (\$65,269.79) from the California Environmental Protection Agency / State Water Resources Control Board to Certified Unified Program Agencies (CUPA) for the City of Oakland Fire Department to carry out the above described CUPA activities; and be it

FURTHER RESOLVED: The City Council authorizes the City Administrator or designee to enter into a grant agreement for the above-described purposes and to amend or execute a new grant agreement for the purposes of accepting and appropriating additional funds that may become available in the future from the California Environmental Protection Agency / State Water Resources Control Board for the APSA program.

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: *[Signature]*
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California