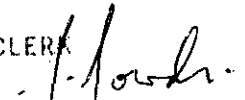


INTRODUCED BY COUNCILMEMBER _____

FILED
OFFICE OF THE CITY CLERK
OAKLAND



2005 JUN 16 PM 6: 38

CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION No. 79392 C. M. S.

RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF UP TO \$200,000 FROM THE SAN FRANCISCO BAY TRAIL PROJECT FOR THE LAKE MERRITT BICYCLE/PEDESTRIAN PATH PROJECT

WHEREAS, The San Francisco Bay Trail Project has announced the availability of grant funds to complete undeveloped segments of the 500-mile Bay Trail; and

WHEREAS, In partnership with the California Coastal Conservancy, the San Francisco Bay Trail Project is soliciting applications for trail planning and construction projects to complete gaps in the Bay Trail; and,

WHEREAS, \$3,800,000 is available from Proposition 40 to fund projects that complete Bay Trail gaps, provide strong leverage with local and in-kind matching contributions, demonstrate partnerships, encourage creative solutions and employ the California Conservation Corps; and,

WHEREAS, said adopted procedures established by the California Coastal Conservancy require the San Francisco Bay Trail Project and applicant of Proposition 40 funds appropriated to the San Francisco Bay Trail project to certify by resolution the approval of applications prior to submission of said applications to the state; and

WHEREAS, the City of Oakland has met California Environmental Quality Act (CEQA) requirements for capital development projects that will result in a shoreline Bay Trail alignment through the preparation and certification of an Addendum for the Clean Water, Safe Waterfront Parks, and Recreation Trust Fund Ballot Measure (Measure DD) in June 2002, which was based upon the previously certified Environmental Impact Reports (EIRs) for the Oakland Land Use and Transportation element (LUTE) of the General Plan; the Estuary Policy Plan, and the Coliseum Redevelopment Plan; and

WHEREAS, none of the circumstances in CEQA Guidelines Sections 15162 and 15163 apply and that further environmental review is not required; **now, therefore, be it**

RESOLVED: That the City Council has independently reviewed and considered the environmental documents for the proposed project and finds this resolution complies with CEQA for the reasons stated above and directs that a Notice of Determination be filed with the County; and be it further

RESOLVED that the City Council hereby:

1. Approves the filing of an application, and the acceptance and appropriation of funds if awarded, for San Francisco Bay Trail Program assistance for up to \$200,000 in trail access components for the Lake Merritt Bicycle/Pedestrian Path project as a connector to the Bay Trail spine trail; and
2. Appoints the City Administrator as agent of the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the grant funded under the San Francisco Bay Trail funding program, subject to the approval of the City Attorney.
3. Directs the Budget Office to appropriate grant funds received for this project to State of California - Other Grants Fund (2159).

IN COUNCIL, OAKLAND, CALIFORNIA, 20

JUL 19 2005

PASSED BY THE FOLLOWING VOTE:

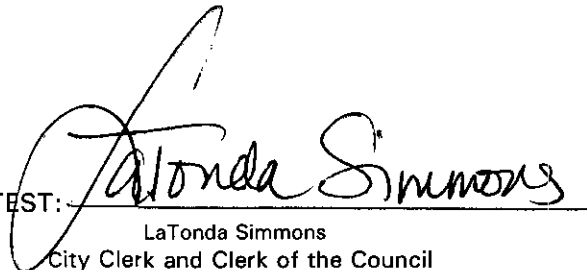
AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, KERNIGHAN, QUAN AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: _____



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