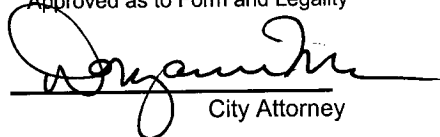


# OAKLAND CITY COUNCIL

  
City Attorney

OFFICE OF THE CITY CLERK  
1115

2007 AUG 29 AM 11: 22 RESOLUTION NO. 80822 C.M.S.

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

**RESOLUTION OF THE OAKLAND CITY COUNCIL  
AUTHORIZING THE CITY ADMINISTRATOR, OR HER  
DESIGNEE, TO APPLY FOR, ACCEPT AND APPROPRIATE  
GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF  
PARKS AND RECREATION RECREATIONAL TRAILS PROGRAM  
FOR THE CRYER SITE GAP CLOSURE SEGMENT OF THE  
OAKLAND WATERFRONT TRAIL UP TO THE AMOUNT OF SIX  
HUNDRED THOUSAND DOLLARS (\$600,000.00)**

**WHEREAS**, the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” provides funds to the State of California for Grants to federal, state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail Projects; and

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application under the program; and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of Application(s) before submission of said Application(s) to the State; and

**WHEREAS**, the Applicant will enter into a Contract with the State of California to complete the Project(s); now, therefore, be it

**RESOLVED:** that the Oakland City Council hereby:

1. Approves the filing of an Application for the Recreational Trails Program; and
2. Certifies that the Project is consistent with the Applicant’s general plan or the equivalent planning document; and
3. Certifies that said Applicant has or will have available prior to commencement of any work on the Project(s) included in this Application, sufficient funds to operate and maintain the Project(s); and
4. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and

- 5. Appoints the City Administrator, or her designee, as agent to conduct all negotiations, execute and submit all documents, including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the Project.
- 6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

**FURTHER RESOLVED:** That said funding will be appropriated to the Recreational Trails Fund (2134), Project Delivery Organization (92270) under project numbers to be established and that the City of Oakland has additional funds from the following source: Bond Measure DD (Fund 5320) and can finance 100 percent of the Project; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is authorized, on behalf of the City of Oakland, to negotiate, apply for, accept, submit and execute all documents, including, but not limited to, applications, contracts, amendments, payment requests, and related actions for the completion of these projects; and be it

**FURTHER RESOLVED:** That should additional funds be received for these projects, the City Administrator, or her designee, is hereby authorized to accept and appropriate the same for the purposes described above; and be it

**FURTHER RESOLVED:** That a copy of this Resolution will be transmitted to the California Department of Parks and Recreation Recreational Trails Program, and placed on file with the City Clerk.

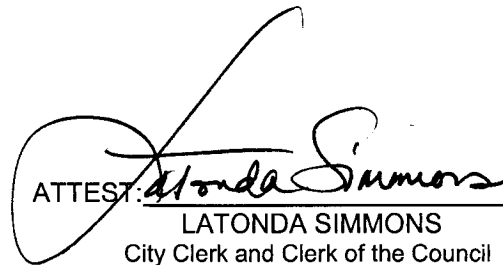
IN COUNCIL, OAKLAND, CALIFORNIA, SEP 18 2007, 2007

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, ~~KERNIGHAN~~ NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE, - 7

NOES- 0  
 ABSENT- Kernighan - 1

ABSTENTION- 0

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