

City Attorney

 FILED  
 OFFICE OF THE CITY CLERK  
 OAKLAND

**OAKLAND CITY COUNCIL**
**RESOLUTION NO. 87420 C.M.S.**

2018 NOV -1 PM 12:45

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO 1) ACCEPT AND APPROPRIATE AN AMOUNT NOT TO EXCEED THREE HUNDRED SIXTY THOUSAND DOLLARS (\$360,000.00) ANNUALLY FROM THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (DISTRICT) FOR A TOTAL AMOUNT NOT TO EXCEED ONE MILLION EIGHT HUNDRED DOLLARS (\$1,800,000.00) FOR THE GRANT TERM FY 2018 - 2022 AND 2) ENTER INTO AN AGREEMENT WITH THE DISTRICT TO IMPLEMENT THE COLLABORATIVE CREEK IMPROVEMENT AND CLEAN CREEKS PROGRAMS (PROGRAMS) FOR THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2022**

**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 three hundred sixty thousand dollars (\$360,000.00) in funds for these Programs for the period July 1, 2017 through June 30, 2022; and

**WHEREAS**, the FY 2018 and FY 2019 adopted budget is two hundred eighty thousand dollars (\$280,000.00) annually. An increase in appropriations in the amount of eighty thousand dollars (\$80,000.00) for each fiscal year is necessary. The new total grant appropriation for FY 2018 and FY 2019 will be three hundred sixty thousand dollars (\$360,000.00) annually; 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 and appropriation of funds from the District in the amount of three hundred sixty thousand dollars (\$360,000.00) annually for the duration of the grant term FY 2018 – 2022. Appropriations for FY 2020, FY 2021, and FY 2022 will be included as part of the baseline budget for those fiscal years as follows:

\$270,000.00 to Public Works Grants Fund (2990); Watershed and Stormwater Organization (30245); Watershed & Stormwater Program (IN14), Collaborative Creeks Project 1004385, Accounts 56611 and 52919 for the Collaborative Creek Improvement Program.

\$90,000.00 to Public Works Grants Fund (2990); Environmental Remediation Organization (30683); Sustainable Communities Program (SC26), Clean Creeks Project 1004228, Accounts 56611 and 52919 for the Clean Creeks Program; and be it

**FURTHER RESOLVED:** The City Council authorizes the appropriation in an amount not to exceed one hundred sixty thousand dollars (\$160,000.00) to true up baselined grant funds by \$80,000.00 for FY 2018 and \$80,000.00 for FY2019. Funds will be appropriated in the Public Works Grant Fund (2990), Watershed and Environmental Organizations (30245, 30683); and the Collaborative Creeks and Clean Creeks Projects (1004385, 1004228); and be it

**FURTHER RESOLVED:** That should additional funds from the Alameda County Flood Control and Water Conservation District (District) 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, 2022; 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, NOV 27 2018

**PASSED BY THE FOLLOWING VOTE:**

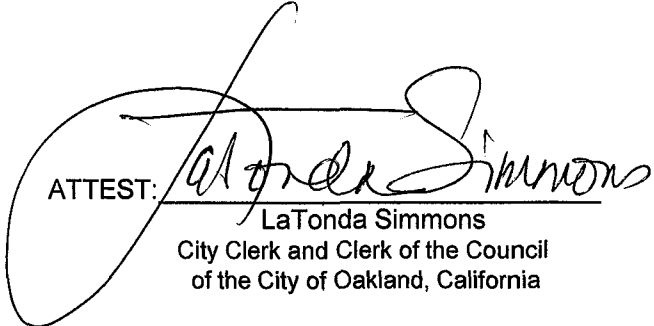
AYES - ~~BRUNNEN~~ CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 Braks

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