

RESOLUTION NO. _____

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To 1) Enter Into An Amendment To An Existing Cooperative Funding Agreement With East Bay Regional Parks District To Receive Grant Funds To Design And Construct The McLaughlin Eastshore State Park Improvements Project, And 2) Accept And Expend Funds From East Bay Regional Parks District For This Project In An Amount Not To Exceed One Hundred Twenty Thousand Dollars

WHEREAS, the City of Emeryville (City) experiences a chronic flooding problem during the rainy season on Powell Street adjacent to McLaughlin Eastshore State Park (MESSP) located between Alameda County Fire Station No. 34 and Interstate 80; and

WHEREAS, East Bay Regional Parks District (EBRPD) owns and is responsible for maintenance for MESSP; and

WHEREAS, the City is responsible for the existing Stormdrain infrastructure located in MESSP; and

WHEREAS, the City desires to construct new drainage features on MESSP to mitigate the chronic flooding problem as part of the CIP # CF-01 Project; and

WHEREAS, the City must obtain a permit from EBRPD to perform work on MESSP land; and

WHEREAS, EBRPD will award a permit to the City on the condition that the City includes park improvements as part of its CF-01 Project; and

WHEREAS, EBRPD will make available to the City \$120,000 in grant funds to design the park improvements; and

WHEREAS, the City and EBRPD entered into a cooperative funding agreement to access the funds as authorized by the City Council pursuant to Resolution No. 24-114; and

WHEREAS, the City and EBRPD desire to amend the cooperative funding agreement to further clarify the terms of the funding agreement to include:

1. Provisions for EBRPD to review design plans in multiple phases prior to development of final construction drawings.
2. That the City will commit to construction of the project provided it receives environmental clearance and grant funding remains available for construction.
3. That the City will continue to maintain the Stormdrain facilities that it owns on EBRPD land, and EBRPD will continue to maintain its land and all other improvements upon it.

; now, therefore, be it

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RESOLVED, by the City Council of the City of Emeryville that the City Manager is hereby authorized to execute an Amendment to the Cooperative Funding Agreement in substantial form to Exhibit A, and to accept and appropriate funding from EBRPD in an amount of one hundred twenty thousand dollars (\$120,000).

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, June 3, 2025, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

MAYOR

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

DocuSigned by:
John Kennedy
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CITY ATTORNEY

ATTACHMENTS

- Exhibit A – EBRPD Cooperative Funding Agreement 1st Amendment