

(R-83-1218)

RESOLUTION NUMBER R- 257933

Adopted on FEB 8 1983

A RESOLUTION APPROVING THE AGREEMENT AND
ASSURANCES FOR COASTAL CONSERVANCY GRANT FUNDS
FOR THE TIJUANA RIVER ESTUARINE SANCTUARY

WHEREAS, THE Tijuana River National Estuarine Sanctuary has been established in southern San Diego County to preserve the natural condition of the Tijuana estuary and adjacent agricultural, riparian and upland habitats; and

WHEREAS, to implement said Sanctuary, public acquisition of up to 776 acres of privately owned lands having agricultural and other resource values important to the Sanctuary is proposed; and

WHEREAS, the City of San Diego has adopted a Local Coastal Program which has been certified by the California Coastal Commission and which calls for the protection of wetland habitats and the preservation of agricultural uses, consistent with long term protection of estuarine resources in the Tijuana Valley; and

WHEREAS, the legislature has established the State Coastal Conservancy (pursuant to Public Resources Code Sections 31000-31400), and authorized it to award grants to local public agencies for the acquisition of interests in land; and

WHEREAS, the City of San Diego has applied to the Conservancy for grant funds to help implement the Tijuana Valley Segment of its Local Coastal Program, through a program of

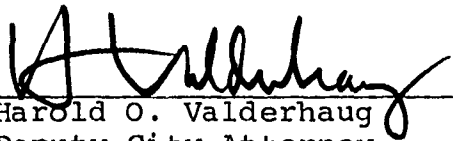
acquisition and leaseback of agricultural lands, in cooperation with the Conservancy, to be managed in perpetuity as a part of the Tijuana River National Estuarine Sanctuary; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the City Manager is hereby authorized and empowered to execute, for and on behalf of The City of San Diego, an Agreement between City and the State Coastal Conservancy, the form of which Agreement is on file in the office of the City Clerk as Document No. RR- 257933, for the acquisition of real property interests in the Tijuana Valley; and the mechanism for acquisition, ownership and management of agricultural properties described therein is hereby approved.

2. That the City hereby agrees to all conditions contained in the attached "List of Assurances," including any applicable federal grant conditions (items 3, 4, 7 and 8).

APPROVED: John W. Witt, City Attorney

By 
Harold O. Valderhaug
Deputy City Attorney

HOV:ps
2/1/83
Or.Dept:Prop.
Form=r.none

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EXHIBIT 3

LIST OF ASSURANCES

The applicant hereby assures and certifies that it will comply with Conservancy regulations, policies, guidelines and requirements as they relate to the acceptance and use of Conservancy funds for this project. Also, the applicant gives assurance and certifies with respect to the grant that:

1. It possesses legal authority to apply for the grant; that, where appropriate, a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will not dispose of or encumber its title or other interests in the site and facilities except as permitted by the Conservancy.
3. It will give the Conservancy, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
4. It will, where appropriate, comply with the requirements of the State's Braithwaite Act (Chapter 1574, Statutes of 1971 and related statutes), which provides for fair and equitable treatment of displaced persons, and the Uniform Relocation and Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 916-46) and the Department of Commerce implementing regulations (15 CFR 916) for the acquisition of all land within the boundaries of the sanctuary.
5. It will, where appropriate, comply with the requirements of the California Environmental Quality Act, Public Resources Code Sections 21000 et seq.
6. It will comply with all requirements imposed by the Conservancy concerning special provisions of law, and program requirements.
7. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended (42 USC 2000d) and the requirements imposed by the Regulations of the Department of Commerce (15 CFR Part 8) issued pursuant to that Title. In accordance therewith no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Federal financial assistance is received.
8. No member of or delegate to the United States Congress, or resident Commissioner, shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom.

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Passed and adopted by the Council of The City of San Diego on FEB 8 1983
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

BILL CLEATOR
 Deputy Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By *Ellen Board* Deputy.

Office of the City Clerk, San Diego, California

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