

RESOLUTION NUMBER R- 283973

ADOPTED ON MAY 31 1994

RESOLUTION OF THE CITY OF SAN DIEGO APPROVING
THE APPLICATION AND ASSURANCES FOR GRANT FUNDS
UNDER THE COASTAL CONSERVANCY ACCESS PROGRAM
FOR OCEAN BOULEVARD - PHASE IV PROJECT.

WHEREAS, the California Legislature has established the State Coastal Conservancy pursuant to Public Resources Code sections 31000-31400 and authorized the Coastal Conservancy to award grants to local public agencies and nonprofit organizations for the acquisition and development of coastal accessways; and

WHEREAS, the grants are awarded pursuant to the guidelines established by the Coastal Conservancy for determination of project eligibility for funds; and

WHEREAS, procedures established by the Coastal Conservancy require the applicant to certify by resolution its approval of the application and listed assurances prior to submission of an application to the State; NOW, THEREFORE,

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

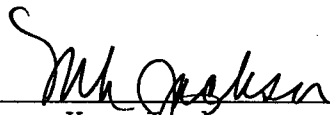
1. The Council approves the filing of an application for funding under the State Coastal Conservancy's Access Program.
2. The Council agrees to the attached List of Assurances of the Coastal Conservancy.
3. The Council states that the City has or will have sufficient funds to operate and maintain this funded project.

4. The Council agrees that the City will provide any funds needed beyond the grant request to complete this project funded under this program through the allocation of uncommitted funds.

5. The Council authorizes the City Manager or his representative, for and on behalf of the City, to negotiate and execute all agreements necessary to comply with the Coastal Conservancy's grant requirements.

6. The Council authorizes the City Auditor and Comptroller to establish a separate interest bearing fund for the grant monies received.

APPROVED: JOHN W. WITT, City Attorney

By 
Mary Kay Jackson
Deputy City Attorney

MKJ:mb
05/17/94
Or.Dept:Pk&Rec
R-94-1814
Form=r+t

List of Assurances

The applicant hereby assures and certifies that it will comply with State Coastal 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, and to finance and construct the proposed facilities; 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, 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 have sufficient funds available to meet its own share of the cost for projects. Sufficient funds will be available when the project is completed to assure the effective operation and maintenance of the facility for the purposes constructed.
3. It holds sufficient title or interest in the property to enable it to undertake lawful development and construction of the project. Except in the case where the Grantee is acquiring an interest in the property as a part of the project development, such title documentation shall be reviewed by the Executive Officer of the Conservancy.
4. It will not dispose of or encumber its title or other interest in the site and facilities, except as permitted by the Conservancy.
5. 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.
6. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the Conservancy that funds have been approved, and the project will be carried to completion with reasonable diligence.
7. It will, where appropriate, comply with the requirements of the State Government Code 7260 *et seq* which provides for equitable treatment and relocation assistance for persons displaced by eminent domain.
8. It will, where appropriate, comply with the requirements of the California Environmental Quality Act.
9. It will comply with all requirements imposed by the Conservancy concerning special provisions of law, and program requirements.

R-283973