

RESOLUTION NUMBER R- 289273

ADOPTED ON OCT 07 1997

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE CITY OF SAN DIEGO'S APPLICATIONS AND ASSURANCES FOR GRANT FUNDS UNDER THE COASTAL CONSERVANCY ACCESS PROGRAM FOR THREE PROJECTS: (1) GRAND AVENUE COMFORT STATION, (2) SUNSET CLIFFS NATURAL PARK ACCESS FEASIBILITY STUDY, AND (3) LA JOLLA COVE SLOPE PROTECTION REPLACEMENT.

WHEREAS, the Legislature has established the State Coastal Conservancy (pursuant to Public Resources Code sections 31000 through 31400) and authorized it 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 guidelines established by the Coastal Conservancy for determination of project eligibility for funds; and

WHEREAS, the procedures established by the Coastal Conservancy require the applicant to certify by resolution approval of the applications and listed assurances prior to submission of the applications to the State of California; and

WHEREAS, The City of San Diego wishes to apply for State Coastal Conservancy grants for the following projects: (1) Grand Avenue Comfort Station, (2) Sunset Cliffs Natural Park Access Feasibility Study, and (3) La Jolla Cove Slope Protection Replacement; and

WHEREAS, on September 17, 1997, the Natural Resources and Culture Committee recommended that the City Council use Coastal Infrastructure and Facilities Fund moneys to

match the proposed State Coastal Conservancy grant, if awarded, for the design and construction of the Grand Avenue Comfort Station; NOW, THEREFORE,

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

1. That the Council hereby approves the filing of three applications for the State Coastal Conservancy's Access Program for: (1) Grand Avenue Comfort Station, (2) Sunset Cliffs Natural Park Access Feasibility Study, and (3) La Jolla Cove Slope Protection Replacement.

2. That the Council hereby agrees to the List of Assurances attached hereto and incorporated herein by reference.

3. That the Council hereby certifies that it has or will have sufficient funds to operate and maintain the funded projects.

4. That the Council hereby agrees to provide any funds needed beyond the grants requested to complete the projects funded under this program through the allocation of uncommitted funds.

5. That the Council hereby authorizes the City Manager, or representative, to negotiate and execute all agreements necessary to comply with Coastal Conservancy grant requirements.

BE IT FURTHER RESOLVED, that the Council hereby authorizes the City Manager, or representative, to accept and expend grant funds from the State Coastal Conservancy for the Sunset Cliffs Natural Park Feasibility Study project.

BE IT FURTHER RESOLVED, that the Council hereby authorizes the City Manager, or representative, to accept grant funds from the State Coastal Conservancy and to expend such funds following CEQA review of the Grand Avenue Comfort Station and La Jolla Cove Slope Protection Replacement projects.

BE IT FURTHER RESOLVED, that the Council hereby authorizes the City Auditor and Comptroller to establish a separate interest bearing fund for each grant received.

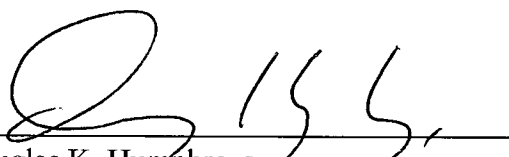
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer funds for each grant, if secured, as follows:

1. An amount not to exceed \$360,000 from Fund 30303, CIP 52-545.0 (TransP, "Annual Allocation - Coastal Erosion Affecting City Streets") to the La Jolla Cove Slope Protection Replacement project account.

2. An amount not to exceed \$16,000 from Fund 63034 (Sunset Cliffs Estate Trust) to Sunset Cliffs Beach Access Feasibility Study project account.

3. An amount not to exceed \$50,000 from Fund 10220 (TOT - Coastal Infrastructure and Facilities Fund) to the Grand Avenue Comfort Station project account.

APPROVED: CASEY GWINN, City Attorney

By 
Douglas K. Humphreys
Deputy City Attorney

DKH:lc
09/09/97
Or.Dept.Pk.&Rec.
Aud.Cert:9800296
R-98-286
Form=r&t.frm

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.

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 9800296
 ORIGINATING DEPT. NO.: 441

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount 426,000 Fund 30303 / 63034 / 10220

Purpose Grant Application to State Coastal Conservancy for Three Coastal Projects: Grand Ave. Comfort Station, Sunset Cliffs Access Feasibility Study, and La Jolla Cove Slope Protection Replacement.

Date September 8, 1997 By: *[Signature]*
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENEF/ EQUIP	FACILITY	AMOUNT
1	0	30303	30244	107	4279	525450				\$360,000.00
2	0	63034			9540					16,000.00
3	0	10220	913	3010	4881	913310				50,000.00
TOTAL AMOUNT										\$426,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____

Vendor _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENEF/	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

R 289273

OCT 07 1997 AC 9800296