

RESOLUTION NUMBER R- 294359

ADOPTED ON DEC 11 2000

WHEREAS, the State Legislature has established the State Coastal Conservancy [Conservancy] and authorized it to award grants to local public agencies for the acquisition and development of coastal accessways [Grant Program]; and

WHEREAS, the Grant Program funds projects such as public accessways, trails, and stairs to the beach, including existing accessways that have been closed or damaged; and

WHEREAS, the City desires to apply for a grant pursuant to the Grant Program [Grant] to repair the beach access stairway located at Ladera Street and Sunset Cliffs Boulevard in Sunset Cliffs Park [Project], which has been extensively damaged by years of use and exposure to the elements; and

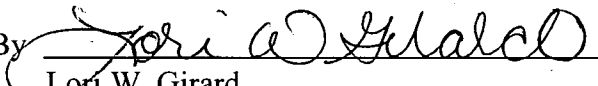
WHEREAS, the Project is recommended by the Sunset Cliffs Beach Access Feasibility Study (October 2000), the draft Sunset Cliffs Master Plan (April 2000), and the Sunset Cliffs Natural Park Recreation Council; NOW, THEREFORE,

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

1. That the City Manager or his representative is authorized to apply to the Conservancy for the Grant for the Project.
2. That the City Manager or his representative is authorized to take all necessary actions to secure the Grant and to negotiate and execute all agreements necessary to comply with the Conservancy's grant requirements.

3. That the City Manager is authorized to accept the Grant if it is secured.
4. That the City agrees to the List of Assurances, attached hereto and incorporated herein as Exhibit "A."
5. That the City Auditor and Comptroller is authorized to establish a special interest-bearing fund for the Grant.
6. That the City Auditor and Comptroller is authorized to appropriate and expend the Grant funds if the Grant is secured.

APPROVED: CASEY GWINN, City Attorney

By 
Lori W. Girard
Deputy City Attorney

LWG:cdk
11/28/00
Or.Dept:Pk.&Rec.
Aud.Cert.N/A
R-2001-907

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.

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