

RESOLUTION NUMBER R- 299753

ADOPTED ON OCT 11 2004

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION TO THE STATE OF CALIFORNIA FOR CONSTRUCTION OF SITE AMENITIES AT PARADISE HILLS COMMUNITY PARK.

WHEREAS, the State of California [SOC], and the Per Capita Roberti-Z'berg-Harris funds [RZH], under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act of 2002 Resources Bond, award grants to local public agencies for additional park amenities [Grant Programs]; and

WHEREAS, the City desires to apply for the grants pursuant to the Grant Programs [Grants] to provide for additional park amenities and construction of a new skate park, comfort station, parking lot surface, fitness course, and other site amenities at Paradise Hills Community Park [Project]; 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 SOC and RZH for the Grants for the Project.
2. That the City Manager or his representative is authorized to take all necessary actions to secure the Grants and to negotiate and execute all agreements necessary to comply with the SOC's and RZH's grant requirements.
3. That the City Manager is authorized to accept the Grants if they are secured.
4. That the City Auditor and Comptroller is authorized to establish special interest-bearing fund for the Grants.

5. That upon receipt of a fully executed grant agreement, an increase of \$830,300 to the Fiscal Year 2005 Capital Improvement Program Budget, CIP No. 29-432.0, Paradise Hills Community Park, in Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act of 2002 Resources Bond, is authorized.

7. That the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$830,300 from CIP No. 29-432.0, Paradise Hills Community Park, Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act of 2002 Resources Bond, upon receipt of a fully executed grant agreement.

8. That the City Manager is authorized to award the Project contract to HMS Construction in an amount not to exceed \$852,905, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

9. That the expenditure of an amount not to exceed \$852,905 from CIP No. 432.0, Paradise Hills Community Park, for the Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer, is authorized.

10. That the Auditor and Comptroller is authorized to return excess budgeted funds to the appropriate reserve.

APPROVED: CASEY GWINN, City Attorney

By Shannon M. Thomas

Shannon M. Thomas  
Deputy City Attorney

SMT:cdk

09/30/04

Or.Dept:Park & Rec.

Aud.Cert: N/A

R-2005-379