

RESOLUTION NUMBER R- 302686
DATE OF FINAL PASSAGE NOV 08 2007

WHEREAS, the City of San Diego has been designated a Groundwork USA Pilot Community and is eligible to receive funding from the Environmental Protection Agency's [EPA] Brownfields Program; and

WHEREAS, the City convened the Groundwork San Diego-Chollas Creek Steering Committee to build on their commitment to improve green space opportunities and reclaim brownfields for community benefit and economic redevelopment; and

WHEREAS, based on the completion of a feasibility study and strategic plan, the City, National Park Service [NPS], EPA and the Groundwork San Diego Steering Committee deemed the Groundwork model to be appropriate and endorsed the establishment of Groundwork San Diego; and

WHEREAS, on January 28, 2003, by Resolution No. R-297569, the City of San Diego authorized the City Manager to apply for, accept and expend grant funds from the State of California Department of Water Resources under their Urban Streams Restoration Program to implement demonstration stream restoration projects at two segments of Chollas Creek in Southeastern San Diego: 38th and Alpha and Euclid and Market Streets, pursuant to the adopted Chollas Creek Enhancement Program. The grant was for \$362,000, of which approximately \$165,000 remains, and the City of San Diego wishes to contract with Groundwork San Diego to

expend these funds on additional stream restoration at the 38th and Alpha site; NOW,
THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or designee, is authorized and empowered for and on behalf of the City to execute a Cooperative Agreement between the City of San Diego and the National Park Services for the acceptance of \$85,000 in grant funds for Chollas Creek South Branch Phase One Implementation [Project], under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 302686-1

BE IT FURTHER RESOLVED, that the Mayor, or designee, is authorized and empowered to take all necessary actions to secure funds from the National Park Service for the Project.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to establish an interest-bearing fund for the receipt of the grant funds.

BE IT FURTHER RESOLVED, that the Fiscal Year 2008 Capital Improvements Program Budget is amended by increasing CIP No. 37-446.0, Chollas Creek South Branch Phase One Implementation, Fund No. 383232, National Park Service Chollas Creek Grant by \$85,000, contingent upon receipt of a fully executed grant agreement.

BE IT FURTHER RESOLVED, that the appropriation and expenditure of an amount not to exceed \$85,000 from CIP No. 37-446.0, Chollas Creek South Branch Phase One Implementation, Fund No. 383232, National Park Service Chollas Creek Grant is hereby authorized, contingent upon receipt of a fully executed grant agreement, and provided that the

City Auditor and Comptroller first furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the Mayor, or designee, be and he is hereby authorized and empowered to extend the term of an existing agreement with the State of California Department of Water Resources under the Urban Creek Restoration and Flood Control Act to use the remaining \$165,000 in grant funds from that agency, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No.

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BE IT FURTHER RESOLVED, that the Mayor is authorized to execute, for and on behalf of said City, an agreement in an amount not to exceed \$250,000 with Groundwork San Diego, for the purpose of administering and completing the stream restoration at 38th and Alpha Streets, under the terms and conditions set forth in the Agreement.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$250,000 from CIP No. 37-446.0, Chollas Creek South Branch Phase One Implementation, is authorized for the purpose of providing funds for the purpose of administering and completing the stream restoration at 38th and Alpha Streets, contingent upon the City Auditor and Comptroller first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that this activity is not subject to the California Environmental Quality Act [CEQA] pursuant to Section 15060(c)(3) ("Not a Project") as defined by the State CEQA Guidelines Section 15378.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Andrea Contreras Dixon
Andrea Contreras Dixon
Deputy City Attorney

ACD:pev
05/21/07
09/11/07 COR.COPY
10/25/07 COR.COPY2
AudCert: AC2700739
Or.Dept:Plan.
R-2007-1155
MMS #4878

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 05 2007.

ELIZABETH S. MALAND
City Clerk

By Mary Zumaya
Deputy City Clerk

Approved: 11-8-07
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700739

ORIGINATING

DEPT. NO.: 042

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: _____ Fund: _____

Purpose: _____

Date: _____ By: _____

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

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: \$165,000.00

Vendor: Groundwork San Diego

Purpose: Authorizing the Mayor to execute a Cooperative Agreement with Groundwork San Diego to administer and complete the stream restoration in Chollas Creek South Branch Phase I.

Date: May 10, 2007 By: Faye Ponder-Price 

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	30244	30244	106	4279	374460				165,000.00
TOTAL										\$165,000.00

FUND OVERRIDE

AC 2700739

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JUN 13 2007