

RESOLUTION NUMBER R- 304733
DATE OF FINAL PASSAGE MAR 24 2009

RESOLUTION ENDORSING CO-APPLICATION WITH THE JACOBS CENTER FOR NEIGHBORHOOD INNOVATION FOR AN URBAN STREAMS RESTORATION GRANT, MAKING APPROPRIATE ENVIRONMENTAL DETERMINATION, CONDITIONALLY ACCEPTING GRANT IF OFFERED, AND DESIGNATING CONTRACT MANAGER AND FISCAL AGENT.

WHEREAS, the California Department of Water Resources, Division of Planning and Local Assistance, Urban Streams Restoration Program has announced the availability of funds for grants; and

WHEREAS, said grants are intended to help solve flooding and erosion problems in a way that provides environmental enhancement; and

WHEREAS, the Jacobs Center for Neighborhood Innovation is the sponsor of an application for such funds and the City of San Diego has proposed to co-sponsor a grant application with the Jacobs Center for Neighborhood Innovation; and

WHEREAS, the City of San Diego has concluded that the request for grant funds would not be considered a project as defined in the California Environmental Quality Act [CEQA] Guidelines section 15378, and would therefore be categorically exempt from requirements of CEQA pursuant to CEQA Guidelines section 15060(c)(3).

WHEREAS, the City of San Diego agrees to comply with all requirements of CEQA prior to implementation of the grant; and

WHEREAS, the City of San Diego considers the prospects of receiving a grant to be reasonably likely; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council does hereby approve the joint application with the Jacobs Center for Neighborhood Innovation for an Urban Streams Restoration Grant.

BE IT FURTHER RESOLVED, that if offered such a grant,

1. The Mayor or designee is authorized to accept and co-sign a grant agreement with the State of California Resources Agency, Department of Water Resources and the Jacobs Center for Neighborhood Innovation to restore a segment of Chollas Creek as part of the development of an affordable housing project near the intersections of Market and Euclid Avenues in San Diego, provided however that prior to the Jacobs Center obligating any grant funds, there is an agreement between the City and the Jacobs Center requiring that the Jacobs Center, their consultants and contractors indemnify the City, as well as obtain insurance in specified amounts naming the City as an additional insured. The agreement would also to allow the City to inspect and monitor all implementation activities including physical improvements and fiscal obligations and expenditures and give the City the right to assume implementation of the project, if necessary.

2. The Mayor is authorized to delegate authority to the Jacobs Center to provide management and support services required for performance of the work and administration of the grant agreement. Such delegation shall include the authority to submit invoices to the State of California for reimbursement.

3. The Council certifies that the request for grant funds is not considered a project and is therefore not subject to CEQA, pursuant to State CEQA Guidelines section 15060(c)3. If a grant is awarded, the future restoration project would be subject to discretionary review pursuant to the City's Land Development Code and CEQA.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon Thomas
Shannon Thomas
Deputy City Attorney

ST:pev
03/16/09/
Or.Dept:CPCI
R-2009-966
MMS #8211

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 23 2009.

ELIZABETH S. MALAND
City Clerk

By Julia Richardson
Deputy City Clerk

Approved: 3-24-09
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor