

RESOLUTION NUMBER R- 306371

DATE OF FINAL PASSAGE DEC 7 2010

A RESOLUTION OF THE CITY OF SAN DIEGO TO ACCEPT AND APPROPRIATE STATE WATER RESOURCE BOARD PROPOSITION 84 GRANTS FOR THE LA JOLLA AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE FOR A NUMBER OF PROJECTS CONSISTENT WITH THE LA JOLLA SHORES COASTAL WATERSHED MANAGEMENT PLAN.

WHEREAS, the California State Water Resources Control Board (SWRCB) has established 34 Areas of Special Biological Significance (ASBS) off the coast of California; and

WHEREAS, two adjacent ASBS exist within the jurisdiction of the City of San Diego: ASBS No. 31 (the San Diego Marine Life Refuge at the Scripps Institution of Oceanography) and ASBS No. 29 (the San Diego-La Jolla Ecological Reserve off the coast of La Jolla Shores); and

WHEREAS, the discharges of constituents or "wastes" contained within storm water discharges into the ASBS is prohibited by the California Ocean Plan; and

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

1. That the Mayor, or designee, is authorized and empowered for and on behalf of the City to negotiate and execute agreements with the California State Water Resources Control Board for Proposition 84 Grants (Grant) assistance of up to \$2,500,000 for projects in the La Jolla ASBS which are consistent with the La Jolla Shores Coastal Watershed Management Plan, including the construction of the Avenida de la Playa storm drain low flow diversion.

2. That the Chief Financial Officer is authorized to accept up to \$2,500,000 if the grant is secured.
3. That the Chief Financial Officer is authorized to establish a separate interest-bearing account for the Grant funds, if required by the terms of the Grant agreement.
4. That the Chief Financial Officer is authorized to increase up to \$1,690,000 in Fiscal Year 2011 Capital Improvements Program Budget in CIP A-CC.00001, Watershed CIP, Fund 600001, Grant Fund – State.
5. That the Chief Financial Officer is authorized to appropriate up to \$1,690,000 of Grant funds in CIP A-CC.00001, Watershed CIP, Fund 600001, Grant Fund – State, for the Avenida De La Playa Storm Drain Replacement Project, (WBS B-00909), contingent upon receipt of a fully executed Grant agreement, and to expend such amounts subject to any further authorizations required by law.
6. That the Chief Financial Officer is authorized to appropriate and expend up to \$810,000 of Grant funds in Storm Water Department (2114), Fund: 600001 (Grant Fund-State), contingent upon receipt of a fully executed Grant agreement, and the City Comptroller first certifying that funds are, or will be, on deposit with the City Treasurer.

7. That the Chief Financial Officer, upon advice from the administering department is authorized to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Frédéric M. Ortlieb
Frédéric M. Ortlieb
Deputy City Attorney

FMO:cla
11/10/10 Corr. Copy
Or.Dept: Stormwater

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 30 2010

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 12-7-10
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor