

RESOLUTION NUMBER R- 308770

DATE OF FINAL PASSAGE FEB 25 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES ENVIRONMENTAL JUSTICE IMPLEMENTATION GRANT FOR THE ENCANTO INNOVATIVE INCENTIVES IMPLEMENTATION PLAN AT THE EUCLID AND MARKET VILLAGE.

WHEREAS, the Sustainable Communities Planning Grant and Incentives Program (Grant Program) is funded by Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006; and

WHEREAS, the California Strategic Growth Council has been delegated the responsibility for the administration of the Grant Program, establishing necessary procedures; and

WHEREAS, procedures established by the Strategic Growth Council for the Grant Program require a resolution certifying the approval of an application by an applicant's governing board before submission of an application for an award of grant funds under the Grant Program; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the development of its proposal; and

WHEREAS, the City, in cooperation with Civic San Diego, wishes to apply for an award of grant funds under the Grant Program to be used for implementation of the Encanto Innovative Incentives Implementation Plan at the Euclid and Market Village (Proposal); and

WHEREAS, if awarded, the grant funds would be provided on a reimbursement basis;
and

WHEREAS, it is proposed that existing Central Imperial infrastructure bond proceeds shall be used to cover the initial upfront costs of implementation of the Proposal; and

WHEREAS, the proposed expenditure of these bond proceeds for this purpose is budgeted in line item 565 of the fifth Recognized Obligation Payment Schedule (ROPS) covering the period from January 1, 2014, through June 30, 2014, which has been approved by the State Department of Finance (DOF); and

WHEREAS, the proposed expenditure of these bond proceeds for this purpose is also included in the sixth ROPS covering the period from July 1, 2014 through December 31, 2014, in Line #565, which has been submitted to, but not yet approved by, the DOF; and

WHEREAS, under Charter section 265(i), resolutions adopted by the City Council are not subject to veto pending an election to fill the vacancy in the Office of the Mayor, but the Council President, during the period of vacancy, generally has the authority to approve resolutions in circumstances where expeditious approval is necessary to meet a legal requirement imposed by a court or another governmental agency; and

WHEREAS, the deadline for submission of the City's application to the Grant Program is February 28, 2014; and

WHEREAS, in light of these circumstances, it is requested that the Council President approve this Resolution expeditiously so that it can be submitted prior to the deadline; and

WHEREAS, all references in the authorized action items of this Resolution to "Mayor" are intended to refer to the elected Mayor or the Council President (during the period of vacancy

in the Office of the Mayor), as may be applicable upon the occurrence of each applicable authorized action item; NOW, THEREFORE,

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

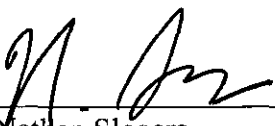
1. The Council approves the filing of an application for grant funds for the Encanto Innovative Incentives Implementation Plan at the Euclid and Market Village (Proposal) in order to become a sustainable community.
2. The Council certifies that it understands the assurances and certifications to be included in the application.
3. The Council certifies that the City will have sufficient funds to develop the Proposal, or will secure the resources to do so.
4. The Council certifies that the Proposal will comply with any applicable laws and regulations.
5. The Council appoints the Mayor, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limit to applications, agreements, and payment requests, which may be necessary for completion of the Proposal.
6. The Council authorizes the Mayor, or designee, to apply, accept, and take all necessary actions to secure up to \$1,000,000 in Sustainable Communities Planning Grant funds awarded by the California Strategic Growth Council for the Proposal.
7. The Council authorizes the Chief Financial Officer to accept up to \$1,000,000 if the grant funding is secured, and to establish a special interest-bearing account, if required.
8. The Council authorizes the Chief Financial Officer to appropriate and expend up to \$1,000,000 in Sustainable Communities Planning Grant funds from Fund 600001- Grant Fund-State, for the purpose of implementing the Proposal, if the grant funding is secured,

contingent upon receipt of a fully executed grant agreement from the California Strategic Growth Council.

9. The Council authorizes the Mayor to engage in any applicable meet and confer and any other legal requirements necessary to bring forward for Council consideration at a later date a proposed agreement, or a proposed amendment to an existing agreement, between the City and Civic San Diego authorizing Civic San Diego to provide expert consulting services to the City related to development and implementation of transit-oriented development in Encanto.

10. The Council authorizes the Mayor, or designee, to assign the Sustainable Communities Planning Grant funds, if awarded to the City, to Civic San Diego to use consistent with the grant application and grant agreement, but only if the Council in the future approves a consultant agreement, or an amendment to an existing consultant agreement, between the City and Civic San Diego authorizing Civic San Diego to provide expert consulting services to the City related to development and implementation of trans-oriented development in Encanto.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Nathan Slegers
Deputy City Attorney

NLJS:dkr
2/19/2014
Or.Dept: Civic San Diego
Doc. No. 730813_3

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of February 25, 2014

ELIZABETH S. MALAND
City Clerk

By Karen Crewshew
Deputy City Clerk

Approved pursuant to Charter section 265(i):

2/25/14

(date)

Gloria

GODD GLORIA, Council President

Passed by the Council of The City of San Diego on FEB 25 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 25 2014

(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Karen Cril, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 308770