

RESOLUTION NUMBER R- 314326DATE OF FINAL PASSAGE SEP 21 2022

A RESOLUTION OF THE COUNCIL OF THE
CITY OF SAN DIEGO APPROVING THE APPLICATION FOR
LAND AND WATER CONSERVATION FUND STATE AND
LOCAL ASSISTANCE PROGRAM AND OUTDOOR
RECREATION LEGACY PARTNERSHIP PROGRAM FUNDS,
AND ALL RELATED ACTIONS, FOR THE DEVELOPMENT
OF BEYER COMMUNITY PARK.

WHEREAS, the Land and Water Conservation Fund (LWCF) State and Local Assistance Program and Outdoor Recreation Legacy Partnership (ORLP) Program (Grant Program) was created by Congress in 1964 to assist in preserving, developing, and assuring accessibility to present and future generations of U.S. citizens and visitors "such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of citizens of the United States..."; and

WHEREAS, the LWCF State and Local Assistance Program is operated by the National Park Service (NPS) in partnership with designated lead agencies in each of the 50 states; and

WHEREAS, NPS created the ORLP Program administered under the authority of the LWCF Act to provide new or significantly improve recreation opportunities for economically-disadvantaged communities in larger urbanized areas that are under-served in terms of parks and other outdoor recreation resources; and

WHEREAS, the LWCF Act requires that any park or other outdoor recreation area benefitting from assistance from the LWCF, regardless of the amount or extent of assistance, not be converted to any use other than public outdoor recreation uses; and

WHEREAS, the procedures established by NPS requires the applicant's Governing Body to certify by resolution the approval of the grant application before submission of the application; and

WHEREAS, the City wishes to receive \$5,000,000 in Grant Program funding for improvements to Beyer Community Park (Project); and

WHEREAS, the City will provide 1:1 matching funds for the Project; and

WHEREAS, successful applicants will enter into a contract with the United States of America to complete the Project;

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego (Council), that the Mayor, or the Mayor's designee, is authorized to make an application to the Land and Water Conservation Fund State and Local Assistance Program and Outdoor Recreation Legacy Partnership Program (Grant Program) for an amount not to exceed \$5,000,000 for the development of Beyer Community Park (Project).

BE IT FURTHER RESOLVED, that the Council certifies that the City understands the assurances and certification in the Project Application Package.

BE IT FURTHER RESOLVED, that the Council certifies the City has or will have available, prior to commencement of Project work utilizing specified grant funds, sufficient funds, including those provided by this grant, to complete the Project.

BE IT FURTHER RESOLVED, that the Council certifies the City has reviewed, understands, and agrees to the General Provisions contained in the Project Application.

BE IT FURTHER RESOLVED, that the Mayor, or the Mayor's designee, is authorized to conduct all negotiations, sign, and submit all documents, including, but not limited to, the Project Application Form, applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant's scope of work.

BE IT FURTHER RESOLVED, that the City agrees to comply with all applicable federal, state, and local laws, ordinances, rules, regulations, and guidelines.

BE IT FURTHER RESOLVED, that the Mayor, or the Mayor's designee, is authorized to take all necessary actions to secure funding from the National Parks Service for the completion of the Project.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to add S-23008 Beyer Park Development Phase II project to the Capital Improvements Program.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to accept, appropriate, and expend an amount not to exceed \$5,000,000 in Grant Program funding for the Project, if the grant funding is secured, and contingent upon the Chief Financial Officer furnishing one or more certificates that funds are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to increase the Capital Improvements Program (CIP) Budget in S-23008, and to appropriate and expend an amount not to exceed \$5,000,000 from Fund 600000 Grant Fund – Federal for the purpose of the Project, contingent upon the receipt of a fully executed grant agreement, if the grant funding is secured, and contingent upon the Chief Financial Officer furnishing one or more certificates that funds are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to transfer appropriations of \$1,500,000 from CIP S15031, Egger/South Bay Community Park ADA

Improvements, to CIP S23008, Beyer Park Development Phase II within Fund 400881, Debt
Funded GF CIP.

BE IT FURTHER RESOLVED, that if any grant funding discussed above is secured, the
Chief Financial Officer is authorized to establish a special interest-bearing account for such
grant, if required.

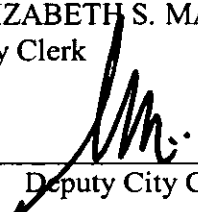
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Jane M. Boardman
Jane M. Boardman
Deputy City Attorney

JMB:nja
07/11/22
Or. Dept: Park & Recreation Dept.
Doc. No.: 3074862

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this
meeting of SEP 13 2022.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9/20/22
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on SEP 13 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 21 2022.

(Please note: When a resolution is approved by the 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
Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

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