

RESOLUTION NUMBER R- 314776

DATE OF FINAL PASSAGE MAY 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE APPLICATION FOR CALIFORNIA DEPARTMENT OF PARKS AND RECREATION SPECIFIED GRANT PROGRAM FUNDS, APPROVING ADVANCE PAYMENT AGREEMENTS, AND ALL RELATED ACTIONS, FOR THE CANYONSIDE COMMUNITY PARK TENNIS COURTS EXPANSION, MARSTON HOUSE RESTORATION & REPAIR WORK, AND MOUNTAIN VIEW SPORTS & RACQUET CLUB PROJECTS.

WHEREAS, the Legislature and Governor of the State of California has designated the responsibility for the administration of the Specified Grant Program (Grant Program) to the California Department of Parks and Recreation; and

WHEREAS, the procedures established by the California Department of Parks and Recreation require the applicants' Governing Body to certify by resolution the approval of the grant application before submission of the application to the State of California; and

WHEREAS, the procedures established by the California Department of Parks and Recreation require the City of San Diego (City) to certify by resolution the approval of the General Provisions contained in the contract shown in the Procedural Guide before submission of said package to the State; and

WHEREAS, the City wishes to receive \$2,553,857 in Grant Program funding for the design and construction of an expansion and improvements to the Canyonside Community Park tennis courts; \$1,000,000 for the design and construction of improvements to the historic Marston House; and \$500,000 for the design and construction of improvements to the Mountain View Sports & Racquet Club; (herein collectively Projects); and

WHEREAS, successful applicants will enter into a contract with the State of California to complete the Projects; and

WHEREAS, the City seeks to enter into an advance payment agreement (Agreement) with Rancho Penasquitos Tennis Center to advance Grant Program funds and expend up to \$2,553,857 of Grant Program funds for the design and construction of an expansion and improvements to the Canyonside Community Park tennis courts at Canyonside Community Park; and

WHEREAS, the City seeks to enter into an Agreement with Save our Heritage Organization to advance Grant Program funds and expend up to \$1,000,000 of the Grant Program funds for the design and construction of improvements to the historic Marston House; and

WHEREAS, the City seeks to enter into an Agreement with Mountain View Sports & Racquet Club to advance Grant Program funds and expend up to \$500,000 of the Grant Program funds for the design and construction of improvements to the Martin Luther King Racquet Club at Mountain View Sports & Racquet Club; and

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 his designee, is authorized to make an application to the California Department of Parks and Recreation Specified Grant Program (Grant Program) for an amount not to exceed \$2,553,857 in Grant Program funding for improvements to the Canyonside Community Park tennis courts;

\$1,000,000 for improvements to the historic Marston House; and \$500,000 for improvements to the Mountain View Sports & Racquet Club; (herein collectively Projects).

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

BE IT FURTHER RESOLVED, that the Council certifies that the City will 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 conduct all negotiations, sign, and submit all documents, including, but not limited to, the Project Information 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 Mayor, or the Mayor's designee, is authorized to take all necessary actions to secure funding from the California Department of Parks and Recreation for the completion of the Projects.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to accept, appropriate, and expend an amount not to exceed \$2,553,857 in Grant Program funding for the Canyonside Community Park Tennis Expansion 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 Budget in RD23004 Canyonside Community Park Tennis Expansion, and to appropriate and expend an amount not to exceed \$2,553,857 from Fund 600001 Grant Fund – State for the purpose of the Canyonside Community Park Tennis Expansion 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 accept, appropriate, and expend an amount not to exceed \$1,000,000 in Grant Program funding for the historic Marston House Restoration & Repair Work 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 Budget in RD23005 Marston House Restoration & Repair Work, and to appropriate and expend an amount not to exceed \$1,000,000 from Fund 600001 Grant Fund – State for the purpose of the historic Marston House Restoration & Repair Work 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 accept, appropriate, and expend an amount not to exceed \$500,000 in Grant Program funding for the Mountain View Sports & Racquet Club 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 Budget in RD23006 Mountain View Sports & Racquet Club and to appropriate and expend an amount not to exceed \$500,000 from Fund 600001 Grant Fund – State for the purpose of the Martin Luther King Racquet Club 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 Mayor, or his designee, is authorized to enter into an advance payment agreement (Agreement) with Rancho Penasquitos Tennis Center, and to advance up to \$2,553,857 in Grant Program funds to Rancho Penasquitos Tennis Center for costs for the Canyonside Community Park Tennis Expansion Project.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to negotiate the Agreement and accept it on terms and conditions deemed by the Mayor or the Mayor's designee to be reasonable and in the best interest of the City, and to execute and deliver on behalf of the City, the Agreement and all other agreements and documents necessary to complete the Agreement for an amount not to exceed \$2,553,857, in Grant Program funds; and to advance an amount not to exceed \$2,553,857 in Grant Program funds to Rancho Penasquitos Tennis Center pursuant to the negotiated Agreement.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to enter into an Agreement with Save Our Heritage Organization, and to advance up to \$1,000,000 in Grant Program funds to Save Our Heritage Organization for costs for the Marston House Restoration & Repair Work Project.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to negotiate the Agreement and accept it on terms and conditions deemed by the Mayor or the Mayor's designee to be reasonable and in the best interest of the City, and to execute and deliver on behalf of the City, the Agreement, and all other agreements and documents necessary to complete the Agreement for an amount not to exceed \$1,000,000, in Grant Program funds; and to

advance an amount not to exceed \$1,000,000 in Grant Program funds to Save Our Heritage Organization pursuant to the Agreement.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to enter into an Agreement with Mountain View Sports & Racquet Club, and to advance up to \$500,000 in Grant Program funds to Mountain View Sports & Racquet Club for costs for the Martin Luther King Racquet Club Project.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to negotiate the Agreement and accept it on terms and conditions deemed by the Mayor or the Mayor's designee to be reasonable and in the best interest of the City, and to execute and deliver on behalf of the City, the Agreement, and all other agreements and documents necessary to complete the Agreement of an amount not to exceed \$500,000, in Grant Program funds; and to advance an amount not to exceed \$500,000 in Grant Program funds to Mountain View Sports & Racquet Club pursuant to the Agreement.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to add RD23004 Canyonside Community Park Tennis Expansion, RD23005 Marston House Restoration and Repair Work, RD23006 Mountain View Sports & Racquet Club, L22001 Ocean Beach Pier Replacement, and S23010 MTRP Trail System Management to the Capital Improvements Program.

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   
Jane M. Boardman  
Deputy City Attorney

JMB:nja  
03/03/23  
Or. Dept: Park & Recreation Dept.  
Doc. No.: 3262753

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 25 2023

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 5/1/23  
(date)

  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 25 2023, 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"/>
Kent Lee	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 MAY 01 2023.

**(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)

DIANA J.S. FUENTES  
Interim City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy  
for Connie Patterson

Office of the City Clerk, San Diego, California

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