

Item 106a  
02/15/2022

(R-2022-228)

RESOLUTION NUMBER R- 313910

DATE OF FINAL PASSAGE FEB 25 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE APPLICATION FOR CALIFORNIA NATURAL RESOURCES AGENCY LOCAL ASSISTANCE SPECIFIED GRANT PROGRAM FUNDS, AND ALL RELATED ACTIONS, FOR IMPROVEMENTS TO THE BILLE JEAN KING TENNIS CENTER AND IMPROVEMENTS TO THE ED BROWN CENTER.

WHEREAS, the Legislature and Governor of the State of California has designated the responsibility for the administration of the Local Assistance Specified Grant Program (Grant Program) to the California Natural Resources Agency; and

WHEREAS, the procedures established by the California Natural Resources Agency require the applicant's 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 Natural Resources Agency require the City of San Diego (City) to certify by resolution the approval of the Project Information Package before submission of this package to the State; and

WHEREAS, the City wishes to receive \$2,500,000 in Grant Program funding for improvements to the Billie Jean King Tennis Center and \$300,000 for improvements to the Ed Brown Center (Projects); and

WHEREAS, the City seeks to enter into a reimbursement agreement with Youth Tennis San Diego (YTSD) to use up to \$2,500,000 of the Grant Program funds to reimburse YTSD for costs in the renovation of the Billie Jean King Tennis Center at the Barnes Tennis Center; and

WHEREAS, the City seeks to enter into a reimbursement agreement with the Ed Brown Center (EBC) to use up to \$300,000 of the Grant Program funds to reimburse EBC for

costs in the installation of solar panels, automatic entrance doors, and additional storage areas at the EBC; and

WHEREAS, if the Council of the City of San Diego (Council) authorizes the Mayor or his designee to reimburse up to \$2,500,000 of grant monies to YTSD, the Mayor or his designee will be authorized to negotiate a reimbursement agreement(s) on terms and conditions that the Mayor or his designee determines to be reasonable and in the best interest of the City, and to execute and deliver on behalf of the City any reimbursement agreement(s) and all other agreements and documents necessary to complete the reimbursement agreement of an amount not to exceed \$2,500,000 in Grant Program funds to YTSD; and

WHEREAS, if the Council authorizes the Mayor or his designee to reimburse up to \$300,000 of grant monies to EBC, the Mayor or his designee will be authorized to negotiate a reimbursement agreement(s) on terms and conditions that the Mayor or his designee determines to be reasonable and in the best interest of the City, and to execute and deliver on behalf of the City any reimbursement agreement(s) and all other agreements and documents necessary to complete the reimbursement agreement of an amount not to exceed \$300,000 in Grant Program funds to EBC; and

WHEREAS, successful applicants will enter into a contract with the State of California to complete the Projects; 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 Natural Resources Agency Office of Grants and Local Services – Local Assistance Specified Grant Program (Grant Program) for an amount not to exceed \$2,500,000 for improvements to the Billie Jean King Tennis Center and \$300,000 for improvements to the Ed Brown Center (Projects).

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

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 Projects.

BE IT FURTHER RESOLVED, that the Council certifies that the City has or will provide sufficient funds to develop, operate, and maintain the Projects consistent with the land tenure requirements.

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

BE IT FURTHER RESOLVED, that the Council certifies that it will comply with the provisions of Section 1771.5 of the California Labor Code.

BE IT FURTHER RESOLVED, that, if applicable, the Council certifies that the Projects will comply with any laws and regulations including, but not limited to, the California Environmental Quality Act and environmental laws, legal requirements for building codes, health and safety codes, and accessibility regulations, and that prior to commencement of construction, all applicable licenses and permits will have been obtained.

BE IT FURTHER RESOLVED, that the Mayor, or his 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 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 his designee, is authorized to take all necessary actions to secure funding from the California Natural Resources Agency 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 \$2,500,000 in Grant Program funding for the Billie Jean King Tennis Center 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 RD-22005, and to appropriate and expend an amount not to exceed \$2,500,000 from Fund 600001 Grant Fund – State for the purpose of the Billie Jean King Tennis Center 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 \$300,000 in Grant Program funding for the Ed Brown Center 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 CIP Budget in RD-22003, and to appropriate and expend an amount not to exceed \$300,000

from Fund 600001 Grant Fund – State for the purpose of the Ed Brown Center 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 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.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to do all of the following in connection with the reimbursement agreement with Youth Tennis San Diego (YTSD):

1. To enter into a reimbursement agreement with YTSD, and to use up to \$2,500,000 in Grant Program funds to reimburse YTSD for costs in the renovation of the Billie Jean King Tennis Center at the Barnes Tennis Center.

2. To negotiate the reimbursement agreement and accept it on terms and conditions deemed by the Mayor or his designee to be reasonable and in the best interest of the City, and to execute and deliver on behalf of the City, any reimbursement agreement(s), and all other agreements and documents necessary to complete the reimbursement agreement of an amount not to exceed \$2,500,000, in Grant Program funds; and to transfer an amount not to exceed \$2,500,000 in Grant Program funds to YTSD pursuant to the negotiated reimbursement agreement.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to do all of the following in connection with the reimbursement agreement with Ed Brown Center (EBC):

1. To enter into a reimbursement agreement with EBC, and to use up to \$300,000 in Grant Program funds to reimburse EBC for costs in the installation of solar panels, automatic entrance doors, and additional storage areas at the EBC.

2. To negotiate the reimbursement agreement and accept it on terms and conditions deemed by the Mayor or his designee to be reasonable and in the best interest of the City, and to execute and deliver on behalf of the City, any reimbursement agreement(s), and all other agreements and documents necessary to complete the reimbursement agreement of an amount not to exceed \$300,000, in Grant Program funds; and to transfer an amount not to exceed \$300,000 in Grant Program funds to EBC pursuant to the negotiated reimbursement agreement.

APPROVED: MARA W. ELLIOTT, City Attorney

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

JMB:nja  
01/27/22  
Or. Dept: Park & Recreation Dept.  
Doc. No.: 2869455

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 15 2022.

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 2/25/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on FEB 15 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 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 FEB 25 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 *Connie P.* for Connie P., Deputy

Office of the City Clerk, San Diego, California

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