

RESOLUTION NUMBER R- **314830**

DATE OF FINAL PASSAGE **MAY 23 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE OF A DONATION FROM CASA FAMILIAR FOR ADDITIONAL UPGRADES TO PHASE II OF THE BEYER PARK DEVELOP PROJECT, AND ALL RELATED ACTIONS.

WHEREAS, the City of San Diego (City) received \$8.5 million in grant funding from the State of California to initiate the design and construction for the first phase of Beyer Community Park. The Beyer Park Development Project consists of the design and construction of an eight-acre park located near Beyer Boulevard and Enright Drive and will serve the communities of San Ysidro and Otay Mesa (Project); and

WHEREAS, Casa Familiar was founded in 1973 and is a 501(c)(3), community-based organization dedicated to serving residents in South San Diego County. Casa Familiar is the leading service and community development organization in the community of San Ysidro, providing over 40 bilingual programs and services at six different sites in the community. Programs include Civic Engagement, Health and Social Services, Arts and Culture, and Education; and

WHEREAS, the City is designing and constructing Beyer Community Park in two phases. Amenities of Phase I will include multi-purpose fields, a children's play area, picnic areas, a comfort station, a basketball court, a dog park, a skate park, and walking trails; and

WHEREAS, Casa Familiar desires to contribute a \$321,126 donation to the City to pay for upgrades to be added to the Phase II scope of work of the Project upon completion of Phase I of the Project; and

WHEREAS, the following list of upgrades have been added to the Phase II scope of the Project:

- Adding 185 trees
 - i. 11 - 36" box trees
 - ii. 93 - 24" box trees
 - iii. 81 -15-gallon trees
- Adding bottle filler stations to two drinking fountains
- Adding additional planting at dog park and picnic areas
 - i. 50 additional 5 - gallon shrubs
 - ii. 100 additional 1 - gallon shrubs
- Adding biochar amendment to planting areas

WHEREAS, the City wishes to receive up to \$321,126 in funding for Phase II of the Project; and

WHEREAS, the City seeks to enter into a donation agreement with Casa Familiar to accept up to \$321,126 for Phase II of the Project; and

WHEREAS, if the Council of the City of San Diego (Council) authorizes the acceptance of a donation from Casa Familiar, the Council authorizes the Mayor or his designee to negotiate a donation agreement on terms and conditions that the Mayor or the Mayor's designee determines to be reasonable and in the best interest of the City; and to execute and deliver on behalf of the City, a donation agreement, and all other agreements and documents necessary to complete the donation agreement of an amount up to \$321,126 in Project funds; 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, that the Mayor, or the Mayor's designee, is authorized to accept up to \$321,126 in funds from Casa Familiar to pay for upgrades to be added to the Phase II scope of work for the Beyer Park Development Project (Project).

BE IT FURTHER RESOLVED, that the Mayor, or the Mayor's designee, is authorized to negotiate a donation agreement on terms and conditions that the Mayor or the Mayor's designee determines to be reasonable and in the best interest of the City; and to execute and deliver on behalf of the City, a donation agreement, and all other agreements and documents necessary to complete the donation agreement of an amount up to \$321,126 in Project funds.

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, applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Project.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to accept, appropriate, and expend an amount not to exceed \$321,126 in funding for the Project.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to increase the CIP Budget in CIP S23008, Beyer Park Development Phase II, and to appropriate and expend an amount not to exceed \$321,126 from Fund 200636, Developers Contribution-CIP, for the purpose of the Project, contingent upon the receipt of a fully executed donation agreement, if the funding is secured.

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

APPROVED: MARA W. ELLIOTT, City Attorney

By



Jane M. Boardman
Deputy City Attorney

JMB:nja
04/14/2023
Or. Dept: Parks & Rec
Doc. No.: 3278755_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 16 2023.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 5/23/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 16 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 23 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 Connie Patterson, Deputy

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| Office of the City Clerk, San Diego, California |
| Resolution Number R- 314830 |