

PREPARED BY:	<u>M. Jones</u>
DOCUMENT REVIEWED BY:	
■ Finance Manager	<u>n/a</u>
■ City Attorney	<u>via e-mail</u>
■ City Clerk	<u>CMS</u>

RESOLUTION NO. ____-2011

RESOLUTION OF THE FORT BRAGG REVISING RESOLUTION 3375-2010 APPROVING THE APPLICATION FOR NATURE EDUCATION FACILITY PROGRAM FUNDS *Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006*

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Nature Education Facilities Program, setting up necessary procedures governing the Application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the project should this grant be awarded; and

WHEREAS, the Noyo Center Project is the subject of a Negative Declaration (Mitigated Negative Declaration) pursuant to the California Environmental Quality Act ("CEQA") and Title 14, the California Code of Regulations ("CEQA Guidelines").

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby revise City Council Resolution 3375-2010 approving the application for Nature Education Facility Program Funds *Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006* by adding items 7 and 8 (shown in underlined text) to the list of certifications as follows:

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project should this grant be awarded; and
2. Certifies that the applicant has or will have sufficient funds to operate and maintain the project; and
3. Certifies that the applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Certifies that this project is consistent with the applicable City planning document (existing and proposed Local Coastal Program); and
5. Delegates the authority to the City Manager 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; and
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
7. Certifies its intent to transfer the grant contract obligations to Sonoma State University, upon successful completion of the project, should the grant be awarded.

8. Specifies that, if the grant is awarded, the applicant as the grantee must comply with the grant contract provisions through project completion for 30 years, or until the State approves the transfer of the project property and grant contract obligations to Sonoma State University, whichever is earlier.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 28th day of February, 2011, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

DAVE TURNER,
Mayor

ATTEST:

Cynthia M. VanWormer, CMC
City Clerk