

RESOLUTION NO. 90-09

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND
AUTHORIZING THE PORT DIRECTOR TO ACCEPT THE FY 2008
CALIFORNIA PORT AND MARITIME SECURITY GRANT PROGRAM
GRANT IN THE AMOUNT OF THREE MILLION SEVEN HUNDRED AND
EIGHT SEVEN THOUSAND EIGHT HUNDRED AND EIGHT HUNDRED AND
EIGHTY NINE DOLLARS (\$3,787,889) AND TO TAKE ANY AND ALL ACTION
NECESSARY TO IMPLEMENT THIS RESOLUTION.**

WHEREAS, the City of Richmond operates various terminal facilities at the Port of Richmond requiring security; and

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (the "Act"), approved by the voters as Proposition 1B at the November 7, 2006 general election, authorizes the issuance of Nineteen Billion Nine Hundred Twenty Five Million (\$19,925,000,000) in general obligation bonds for specified purposes, including grants for port security projects; and

WHEREAS, Section 8879.23 (c)(3) of the Act directs that One Hundred Million dollars (\$100,000,000) be made available upon appropriation by the legislature for grants to eligible entities for port and maritime security projects; and

WHEREAS, funding allocated for the FY 2008 California Port and Maritime Security Grant Program ("CPMSGP") is Fifty Seven Million Dollars (\$57,000,000); and

WHEREAS, eligible applicants for CPMSGP funding are publicly owned ports, harbors, and ferryboat and ferry terminal operators; and

WHEREAS, CPMSGP applicants must adhere to the *Program Guidelines and Application Kit* issued on October 10, 2008 (the "*Guidelines*"); and

WHEREAS, the *Guidelines* require projects submitted be reviewed and approved in a three phase process: Phase 1: Investment Justifications, Phase 2: Project Funding Plan and Phase 3: Notice of Project Approval; and

WHEREAS, an award eligibility determination has been made by the California Emergency Management Agency to the Port of Richmond in the amount of Three Million Seven Hundred and Eight Seven Thousand Eight Hundred and Eighty Nine Dollars (\$,787,889); and

WHEREAS, the *Guidelines* require grant recipients to accept such grants, by a resolution of the Governing Body and the City of Richmond is the Governing Body for the purpose of applying for and accepting CPMSGP funding; and

WHEREAS, the staff report accompanying this Resolution, the City Council has been provided with additional information upon which the findings and the actions set forth in this Resolution are based.

NOW THEREFORE BE IT RESOLVED, that the Council finds the above recitals true and accurate.

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the Port Director to accept the FY 2008 California Port and Maritime Security Grant Program grant in the amount of Three Million Seven Hundred and Eight Seven Thousand Eight Hundred and Eighty Nine Dollars (\$3,787,889) and to take any and all actions necessary to implement this Resolution in accordance with the Guidelines.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on September 8, 2009, by the following vote:

AYES: Councilmembers Bates, Butt, Rogers, Ritterman, Viramontes, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: Vice Mayor Lopez.

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa :ss
City of Richmond }

I certify that the foregoing is a true copy of Resolution No. 90-09, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on September 8, 2009.