

**RESOLUTION NO. 103-11**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE URBAN GREENING GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 FOR THE OHLONE GREENWAY COMPLETION-BAXTER CREEK RESTORATION PROJECT (PROPOSITION 84)**

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WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Strategic Growth Council has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the Strategic Growth Council require a resolution certifying the approval of application(s) by the applicant's governing board before submission of said application(s) to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the Project

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Richmond, California

1. Approves the filing of an application for the Ohlone Greenway Completion – Baxter Creek Restoration Project;
2. Certifies that applicant understands the assurances and certification in the application;
3. Certifies that applicant or title holder will have sufficient funds to operate and maintain the project consistent with the land tenure requirements; or will secure the resources to do so;
4. Certifies that it will comply with the provisions of Section 1771.8 of the State Labor Code regarding payment of prevailing wages on Projects awarded Proposition 84 Funds;
5. If applicable, certifies that the project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable permits will have been obtained;
6. Certifies that applicant will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1;
7. Appoints the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s);
8. Authorizes the City Manager to accept and appropriate any funds awarded in response to the grant application.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a joint meeting thereof held November 15, 2011 by the following vote:

Ayes: Councilmembers Bates, Beckles, Booze, Ritterman, Vice Mayor But and Mayor McLaughlin.

Noes: None.

Abstentions: None.

Absent: Councilmember Rogers.

DIANE HOLMES  
Clerk of the City of Richmond

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. 103-11, finally passed and adopted by the City Council of the City of Richmond at a joint meeting held on November 15, 2011.