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RESOLUTION NO. 18-7117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA OCEAN PROTECTION COUNCIL'S PROPOSITION 1 GRANT PROGRAM UNDER THE WATER QUALITY, SUPPLY, AND INFRASTRUCTURE IMPROVEMENT ACT OF 2014

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

WHEREAS, the California Ocean Protection Council has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, the City of Hermosa Beach (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 HERMOSA BEACH, CALIFORNIA, HEREBY:

1. Approves the filing of an application for the Hermosa Avenue Green Street Project;
2. Determines the Applicant is eligible to apply for a State grant;
3. Certifies that the Applicant understands the assurances and certification in the application herein;
4. Certifies that the Applicant organization has long-term control of the property and will provide satisfactory documentation of the long-term control as part of the grant agreement development process;
5. Certifies that the 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;
6. Certifies the proposed project/organization is free of any legal challenges that could undermine progress on the project;
7. Gives the State permission to publish any provided digital image to its website and to crop or resize the image;

- 1 8. Agrees to acknowledge the State's support in any news media, brochures, articles,
2 publications, seminars, exhibits, buildings, displays, products, or other promotion
3 materials about the funded project;
- 4 9. Certifies that it will comply with the provisions of Section 1771.5 of the State Labor
5 Code regarding payment of prevailing wages on Projects awarded Proposition 40
6 Funds;
- 7 10. Agrees that projects involving construction, renovation, repair, rehabilitation, or
8 ground or visual disturbances must comply with all current laws and regulations which
9 apply to the Project, including, but not limited to, labor codes related to prevailing
10 wage, legal requirements for construction contracts, building codes, environmental
11 laws, health and safety codes, disabled access and historic preservation laws and
12 environmental laws. Grantee will be required to certify that, prior to commencement of
13 construction, all applicable permits and licenses (e.g., state contractor's license) will be
14 obtained;
- 15 11. Agrees to adhere to the Americans with Disabilities Act of 1990 (ADA) and the 2010
16 ADA Standards for Accessible Design. Title III of the ADA covers places of public
17 accommodation (such as museums, libraries, and educational institutions) and includes
18 a specific section regarding new construction and alterations in public
19 accommodations;
- 20 12. Agrees that projects involving construction, renovation, repair, rehabilitation, or
21 ground or visual disturbances must comply with the National Historic Preservation Act
22 and NAGPRA (Native American Graves Protection and Repatriation Act);
- 23 13. Waives all rights to privacy and confidentiality of the material submitted to the State;
- 24 14. Agrees to execute a grant agreement prior to the encumbrance deadline, and will cause
25 work on the project to be commenced within a reasonable time after encumbering the
26 funds, so that the project will be complete and the final invoice submitted to the State
27 by relevant deadlines;
- 28 15. Agrees that for all property acquired with Proposition 1 funds, the Applicant will
accept, sign, notarize and record a declaration of covenants, conditions and restrictions
(deed restrictions) which attaches the conditions of the grant, as set forth in the grant

1 agreement, on the use and enjoyment of the property until the end land tenure date
2 specified in the grant agreement; and

- 3 **16.** Appoints the City Manager, or designee, as agent to conduct all negotiations, execute
4 and submit all documents including, but not limited to, applications, agreements,
5 payment requests, and so on, which may be necessary for the completion of the
6 aforementioned project(s).

7 The City Clerk shall certify to the passage and adoption of this Resolution, shall enter the
8 same in the book of original Resolutions of said city; and shall make minutes of the passage and
9 adoption thereof in the records of the proceedings of the City Council at which the same is passed
10 and adopted.

11 **PASSED, APPROVED and ADOPTED** this 13th day of February, 2018.

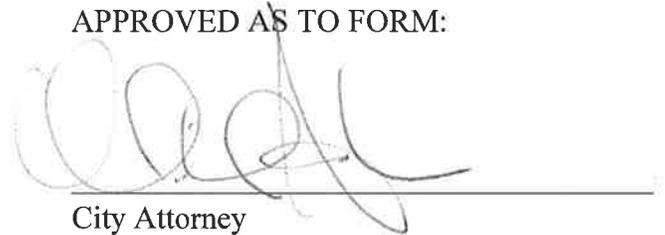
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15 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

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18 ATTEST:

APPROVED AS TO FORM:

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21 City Clerk

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25 City Attorney

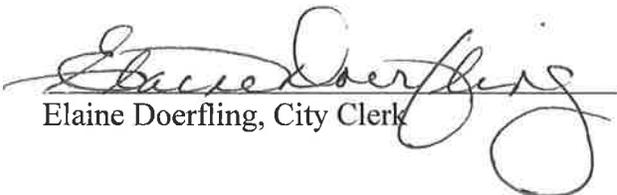
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF HERMOSA BEACH)

I, Elaine Doerfling, City Clerk of the City of Hermosa Beach, California, do hereby certify that the foregoing Resolution No. 18-7117 was duly and regularly passed, approved and adopted by the City Council of the City of Hermosa Beach at a Regular Meeting of said Council at the regular place thereof on February 13, 2018.

The vote was as follows:

AYES: Armato, Campbell, Fangary, Massey, Mayor Duclos
NOES: None
ABSENT: None
ABSTAIN: None

Dated: February 13, 2018


Elaine Doerfling, City Clerk