

RESOLUTION NO. C-28456

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR AND TO ENTER AN AGREEMENT AND ALL AMENDMENTS WITH THE STATE DEPARTMENT OF PARKS AND RECREATION FOR FUNDING UNDER THE HABITAT CONSERVATION FUND PROGRAM OF THE CALIFORNIA WILDLIFE PROTECTION ACT OF 1990 FOR THE SAN GABRIEL RIVER WEST RIPARIAN RESTORATION PROJECT

Robert E. Shannon
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WHEREAS, the State of California provides grants to public entities under the California Wildlife Protection Act of 1990 ("Act"); and

WHEREAS, the State Department of Parks and Recreation ("State") has the responsibility for administration of the grant program; and

WHEREAS, the State requires that the applicant for grant funds approve submission of the application by resolution; and

WHEREAS, the application contains assurances with which the applicant must comply; and

WHEREAS, if a grant is given to the applicant, the applicant must enter an agreement with the State relating to the grant program;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. That the City Manager of the City of Long Beach is hereby authorized to submit an application for grant funds under the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for the development of 0.4 acres of native riparian habitat within the San Gabriel West Parkway in the City of Long Beach (the " San Gabriel River West Riparian Restoration Project" or "Project").

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Sec. 2. The City Manager is hereby authorized and appointed to conduct all negotiations and execute and submit all documents including but not limited to applications, agreements, amendments, payments requests, and other documents which may be necessary to complete the Project with grant funds.

Sec. 3. The City of Long Beach certifies that it has or will have sufficient funds prior to commencement of any work on the Project for the City matching funds and to operate and maintain the Project after completion.

Sec. 4. The City of Long Beach certifies and understands that it has made assurances and certification contained in the application form.

Sec. 5. This resolution shall take effect immediately on its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting on September 21, 2004, by the following vote:

Ayes: Councilmembers: Lowenthal, Baker, Colonna,
O'Donnell, Kell, Richardson,
Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Reyes Uranga.



City Clerk

HABITAT CONSERVATION FUND PROGRAM

ASSURANCES

Applicant possesses legal authority to apply for the grant, and to finance, acquire, and construct the proposed project; that a resolution, motion or similar action has been duly adopted or passes as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

Applicant will maintain and operate the property acquired, developed, rehabilitated, or restored with the funds in perpetuity. With the approval of the granting agency, the applicant or its successors in interest in the property may transfer the responsibility to maintain and operate the property in accordance with Section 5919 of the Public Resources Code.

Applicant will use the property only for the purposes of the California Wildlife Protection Act of 1990 and to make no other use, sale, or other disposition of the property except as authorized by specific act of the Legislature.

Applicant will give the State's authorized representative access to and the right to examine all records, books, papers, or documents related to the grant.

Applicant will cause work on the project to be commenced within a reasonable time after receipt of notification for the State that funds have been approved and that the project will be prosecuted to completion with reasonable diligence.

Applicant will comply where applicable with provisions of the California Environmental Quality Act and the California Relocation Assistance Act, any other state, and/or local laws, and/or regulations.

DPR 879 (Back)