

RESOLUTION NO. 2023-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE APPLICATION FOR THE LAND AND WATER CONSERVATION FUND FOR THE NEW PARK AT 10TH AND FLOWER STREET PROJECT

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund (“LWCF”) Grant-In-Aid Program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes;

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing application by local agencies under the program;

WHEREAS, the applicant certifies by resolution the approval of the application and the availability of eligible matching funds prior to submission of the application to the State;

WHEREAS, the City of Santa Ana’s Parks Services Division of the Public Works Agency began community outreach in Fall 2022, retained a Landscape Architectural firm to provide conceptual studies, design development and contract documents, and commenced the design process for the New Park at 10th and Flower Street Project (“the Project”);

WHEREAS, the Project site will be developed on eight vacant parcels acquired during Fiscal Year 2022/2023 with American Rescue Plan Act (“ARPA”) funds; and

WHEREAS, the City of Santa Ana (or “APPLICANT”) now wishes to request funding through the LWCF Program for development of the aforementioned Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Ana as follows:

Section 1. The City of Santa Ana approves the filing of an application for Land and Water Conservation Fund assistance for the proposed: 10th and Flower Street New Neighborhood Park Development Project.

Section 2. The City of Santa Ana certifies that the APPLICANT has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and

Section 3. The City of Santa Ana agrees to abide by 54 U.S.C. §200305(f)(3) which requires, "No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other

than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."

Section 4. The City of Santa Ana certifies that said agency has matching funds from eligible source(s) and can finance 100 percent of the Project, which up to half may be reimbursed; and

Section 5. The City of Santa Ana agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Section 6. The City of Santa Ana appoints the Executive Director of the Public Works Agency as agent of the APPLICANT to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned Project.

Section 7. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this _____ day of _____, 2023.

Valerie Amezcua
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: _____


Jonathan T. Martinez
Assistant City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

NOT PRESENT: Councilmembers _____

CERTIFICATION OF ATTESTATION AND ORIGINALITY

I, _____, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2023-____ to be the original Resolution adopted by the City Council of the City of Santa Ana on _____, 2023.

Date: _____

Clerk of the Council
City of Santa Ana