

## **RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR  
\$650,000 TO THE CALIFORNIA OCEAN PROTECTION COUNCIL'S PROPOSITION  
1 GRANT PROGRAM UNDER THE WATER QUALITY, SUPPLY, AND  
INFRASTRUCTURE IMPROVEMENT ACT OF 2014 TO CONSTRUCT THE COYOTE  
POINT EASTERN PROMENADE**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, in the 1920s, the Coyote Point Promenade was built as part of the Pacific City amusement park as a pathway alongside the San Francisco Bay, and since the County acquired the Coyote Point Recreation Area in the 1940s, use of the site has always included a shoreline trail and access to the Bay for non-motorized recreational users, including walkers, joggers, bicyclists, picnicking families, windsurfers, kiteboarders, and kayakers; and

**WHEREAS**, strong winds and tides have deteriorated the shoreline pathway and beach to the extent that an engineered solution is essential to prevent permanent closure of the site, so private funding was secured to develop a full set of construction plans, permits, and specifications; and

**WHEREAS**, to help fund the construction phase of this project, the County of San Mateo would like to apply for grant funding from the California Ocean Protection Council, which requires that the governing body of Applicant agencies adopt a resolution containing various assurances, which this Board hereby seeks to provide.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board of Supervisors:

1. Authorizes the Parks Director or his/her designee, to submit a grant application for the \$650,000 to the California Ocean Protection Council's Proposition 1 grant program under the water quality, supply, and infrastructure improvement act of 2014 to construct the Coyote Point Eastern Promenade; and
2. Approves the filing of an application for the Coyote Point Eastern Promenade Project; and
3. Determines Applicant is eligible to apply for a State grant; and
4. Certifies that Applicant understands the assurances and certification in the application herein, and
5. Certifies 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; and
6. 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; and
7. Certifies the proposed project/organization is free of any legal challenges that could undermine progress on the project; and
8. Gives State permission to publish any provided digital image to its website and to crop or resize the image; and

9. Agrees to acknowledge State's support in any news media, brochures, articles, publications, seminars, exhibits, buildings, displays, products, or other promotion materials about the funded project; and
10. Certifies that it will comply with the provisions of Section 1771.5 of the State Labor Code regarding payment of prevailing wages on Projects awarded Proposition 40 Funds; and
11. Agrees that projects involving construction, renovation, repair, rehabilitation, or ground or visual disturbances must comply with all current laws and regulations which apply to the Project, including, but not limited to, labor codes related to prevailing wage, legal requirements for construction contracts, building codes, environmental laws, health and safety codes, disabled access and historic preservation laws and environmental laws. Grantee will be required to certify that, prior to commencement of construction, all applicable permits and licenses (e.g., state contractor's license) will be obtained; and
12. Agrees to adhere to the Americans with Disabilities Act of 1990 (ADA) and the 2010 ADA Standards for Accessible Design. Title III of the ADA covers places of public accommodation (such as museums, libraries, and educational institutions) and includes a specific section regarding new construction and alterations in public accommodations; and
13. Agrees that projects involving construction, renovation, repair, rehabilitation, or ground or visual disturbances must comply with the National Historic Preservation Act and NAGPRA (Native American Graves Protection and Repatriation Act); and

14. Waives all rights to privacy and confidentiality of the material submitted to State; and
15. Agrees to execute a grant agreement prior to the encumbrance deadline, and will cause work on the project to be commenced within a reasonable time after encumbering the funds, so that the project will be complete and the final invoice submitted to the State by relevant deadlines; and
16. Agrees that for all property acquired with Prop 1 funds, Applicant will accept, sign, notarize and record a declaration of covenants, conditions, and restrictions (deed restrictions) that attaches the conditions of the grant, as set forth in the grant agreement, on the use and enjoyment of the property until the end land tenure date specified in the grant agreement; and
17. Appoints the Parks Director or his/her designee, 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 Coyote Point Eastern Promenade Project.

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