

**RESOLUTION NO. 121-10**

**RESOLUTION OF THE RICHMOND CITY COUNCIL APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND FOR THE MARTIN LUTHER KING PARK PROJECT**

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**WHEREAS**, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund 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; and

**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 applications by local agencies under the program; and

**WHEREAS**, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of Applications and the availability of eligible matching funds prior to submission of said applications to the State; and

**WHEREAS**, the proposed Martin Luther King Park Project (the Project) is consistent with the most recent *California Outdoor Recreation Plan (CORP)*; and

**WHEREAS**, the Project must be compatible with the land use plans of those jurisdictions immediately surrounding the project;

**NOW, THEREFORE, BE IT RESOLVED** that the Richmond City Council hereby:

1. Approves the filing of an application for Land and Water Conservation Fund assistance; and
2. Agrees to abide by SECTION 6(F)(3) of Public Law 88-578 which states “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.”
3. 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
4. Certifies that the Project is compatible with the land use plans of those jurisdictions immediately surrounding the Project; and
5. Appoints the City Manager of the City of Richmond 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.

I hereby certify that the foregoing resolution was duly passed, approved and adopted by the City Council of the City of Richmond, California, at a special meeting of said City Council held on October 26, 2010, by the following vote:

AYES: Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Bates

DIANE HOLMES  
Clerk of the City of Richmond

(SEAL)

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. 121-10, finally passed and adopted by the City Council of the City of Richmond at a special meeting held on October 26, 2010.