



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Albert Balagso

SUBJECT: PARKS, RECREATION AND
NEIGHBORHOOD SERVICES
2008-2009 AGREEMENTS

DATE: 06-02-08

Approved

Date

6/5/08

COUNCIL DISTRICT: Citywide
SNI AREA: N/A

RECOMMENDATION

Adopt a resolution authorizing the following, subject to the appropriation of funds by the City Council, and on such terms and conditions as deemed appropriate by the City Manager:

(a) Authorize the City Manager to negotiate and execute all agreements and amendments for Parks, Recreation and Neighborhood Services Department (PRNS) programs identified on Attachment A;

(b) Authorize the Director of Parks, Recreation and Neighborhood Services to negotiate and execute 2008-2009 contracts and amendments consistent with adopted budgeted amounts for the following grant programs:

- Bringing Everyone's Strengths Together (BEST)
- Healthy Neighborhoods Venture Fund Grant (HNVF)
- San Jose After School Program (SJAS)

(c) Authorize the City Manager to negotiate and execute agreements and amendments to accept grant funds from the Corporation for National Community Services for the Senior Companion program, County of Santa Clara (County) for provision of mental health services and senior nutrition programs consistent with the 2008-2009 Adopted Budget; and

(d) Authorize a three-month extension of the agreement with the County of Santa Clara of the Senior Nutrition Agreement into the first three months of 2008-2009 and to accept grant funds for that period in amounts consistent with budgeted amount in the 2008-2009 Adopted Budget, until a new agreement for 2008-2009 is finalized with the County.

OUTCOME

By delegating to the City Manager and PRNS Director the authority to negotiate and execute these contracts, this will expedite the process of making funding available to recipients.

BACKGROUND

In response to the City Council's request to accelerate the City's administrative processes, including the contract process, PRNS prepares this council memorandum annually to seek authorization to negotiate and execute agreements. This authorization will allow execution of 2008-2009 agreements effective July 1, 2008. These agreements either expire June 30, 2008, or will be executed during the fiscal year.

ANALYSIS

The City contracts with community-based organizations, school districts, and other parties for various programs. These programs provide services that support the livability of neighborhoods, offer opportunities for individuals to enjoy life, and strengthen communities of people within San José.

The City also contracts with the County to receive funds for the provision of senior nutrition services and for the Grace Community Center program for mentally disabled adults.

In a number of cases, the contract amount to be paid or received by the City exceeds the City Manager's contract authority. By delegating the contract authority to the City Manager and/or PRNS Director to negotiate and execute these agreements, the administrative process of making funding available to recipients will be expedited. Additionally, City Council and administrative staff time generally dedicated to prepare and review individual memos for these agreements will be significantly reduced.

The proposed contracts and compensation to be paid or received by the City for 2008-2009 are detailed in Attachment A, and are contingent on the adoption of the 2008-2009 Budget. In the event the amounts specified for these contracts are modified, the contracts shall reflect the amounts approved. The City Manager shall have the authority to accept from the County any funds exceeding the figures identified in Attachment A for the specified programs and purposes identified under the heading "Compensation Paid to City of San José," provided that the City Manager determines that the City is able to provide the services and comply with any additional requirements associated with the increased grant funds. The City Manager shall also bring forward for Council approval any required budgetary adjustments and appropriation actions necessary for such programs.

In addition, PRNS is seeking authority for the City Manager or designee, to sign and execute amendments to the agreements covered by this memorandum. The City Manager or designee may only exercise such amendment authority if the contract, as amended, is consistent with the 2008-2009 Adopted Budget and further provided that City Council has taken all appropriation actions necessary to fulfill the terms of the amended contract.

Additionally, designating the Director of PRNS with contracting authority to negotiate and execute contracts and amendments consistent with the 2008-2009 Adopted Budget for BEST, HNMF and SJAS grant programs will reduce processing time that will lead to efficiency gains and the timely delivery of contracts. Such authority will apply to any grant amendments related to these programs subject to the 2008-2009 Adopted Budget and with the stipulation that the City Council has taken all appropriation actions necessary to execute the terms of the amended contract.

Consultant agreements that require compliance with Ordinance No. 27136 (which amended the preference in the award of contracts for local and small businesses) have not been included in this memorandum.

PUBLIC OUTREACH

- ✓ **Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. (Required: Website Posting)
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

While the majority of the contracts listed on the attachment are below the \$1 million threshold, there are a few that meet Criteria 1. The HNMF Advisory Committee discussed and recommended funding during the publicly-noticed meeting on April 30, 2008. Results of this meeting were posted to the PRNS Website. The BEST program carried out a Request for Qualification (RFQ) proposal that covers the funding period from 2007-2008 to 2009-2010. The BEST RFQ was posted in the San Jose Mercury News, Post Record and PRNS Website. SJAS program posted its Request for Proposals on the PRNS website.

Additionally, the grant award to be received from the County of Santa Clara for the City's Senior Nutrition Program and subsequent agreement meet or exceed \$1.1 million which, by definition of Criteria 1, requires website posting. To meet this requirement, this council memorandum will be posted to the City's Website City Council Agendas and Synopses for public viewing for the June 24, 2008 City Council Agenda.

HONORABLE MAYOR AND CITY COUNCIL

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Subject: Parks, Recreation and Neighborhood Services 2008-2009 Agreements

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COORDINATION

This memorandum has been coordinated with the City Attorney's Office, City Manager's Office and the City Manager's Budget Office.

COST IMPLICATIONS

The agreements cited in the attachment are included in the 2008-2009 Proposed Operating Budget.

CEQA

Mexican American Community Services Corporation-Construction and joint use of an outdoor sports facility: PP08-103

All remaining items on Attachment A: Not a Project.



ALBERT BALAGSO
Director of Parks, Recreation
and Neighborhood Services

For questions, please contact Andrew Freeman Jr, Senior Analyst, at (408)-793-4182.

Attachment

ATTACHMENT A

AGREEMENT	DESCRIPTION	PROPOSED 2008-09 BUDGET
Catholic Charities of Santa Clara County Agreement	Operate programs at the Washington United Youth Center.	\$424,766
Grace Baptist Church (Lease Agreement)	Lease of space, including church and adjacent building for operation of the Grace Community Center.	\$135,794
Guadalupe Park & Gardens	Friends of Guadalupe River Park & Gardens (Friends) will assist the City with development and operation of the Guadalupe River Park and Gardens. Friends will act in advisory role to City regarding the development and operation of the Park for up to three (3) years (July 1, 2008 to June 30, 2011).	\$177,435 (3 year total subject to future appropriation of funds)
Kidz Love Soccer	Instructor Agreement to provide soccer instruction at various community centers for 2008-2009 and 2009-2010 (two-year agreement)	\$300,000
Mexican American Community Services Corporation (MACSA)	For the operation of the MACSA Youth Center	\$268,381
Mexican American Community Services Corporation (MACSA)	For the construction and joint use of outdoor sports facilities and minor building improvements (Source of Funds: Council District 5 Construction & Conveyance Tax Fund).	\$200,000
San Jose Arena Management, LLC	For the operation and maintenance of carousel, children's play areas and restrooms at Arena Green up to three (3) years (July 1, 2008 to June 30, 2011)	\$408,066 (3 year total subject to future appropriation of funds)

AGREEMENT	DESCRIPTION	PROPOSED 2008-09 BUDGET
Santa Clara Valley Water District (joint use agreement)	City will allow agency to construct, operate and maintain a demonstration garden on an acre of land along the west side of former Spring Street, immediately south of the Courtyard Garden and west of the Demonstration Orchard. The City's contribution is the lease value of the property over a 25 year period.	\$150,000 (estimated lease value over \$100,000)
Skyhawks	Instructor agreement to provide summer sport camps at various community centers and other locations throughout the City.	\$250,000
<u>Compensation paid to the City of San Jose</u>		
Corporation for National and Community Services Grant Agreement	Accept grant funds and negotiate and execute all agreements consistent with budgeted amounts for provision of the Senior Companion Program	\$130,309
County of Santa Clara Agreement for Mental Health Services	Joint provision of mental health services at City's Grace Community Center.	City estimates receipt of up to \$625,482
County of Santa Clara Agreement for Senior Nutrition Program	Joint provision of a nutrition program for seniors.	City estimates receipt of up to \$1,146,000