



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Albert Balagso

**SUBJECT:** PARKS, RECREATION AND  
NEIGHBORHOOD SERVICES  
2009-2010 AGREEMENTS

**DATE:** 06-08-09

Approved

Date

6-11-09

**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) identified on Attachment A;

(b) Authorize the City Manager to negotiate and execute agreements and amendments to accept grant funds identified on Attachment B consistent with the 2009-2010 Adopted Budget;

(c) Authorize a three-month extension of the agreement with the County of Santa Clara for the Senior Nutrition Agreement into the first three months of 2009-2010 and to accept grant funds for that period in amounts consistent with budgeted amount in the 2009-2010 Adopted Budget, until a new agreement for 2009-2010 is finalized with the County;

(d) Authorize the Director of Parks, Recreation and Neighborhood Services to negotiate and execute 2009-2010 contracts and amendments consistent with adopted budgeted amounts for the following grant programs:

1. Bringing Everyone's Strengths Together (B.E.S.T.)
2. San José After School (S.J.A.S.)
3. Safe Summer Initiative Grant (S.S.I.G.)
4. Healthy Neighborhoods Venture Fund (H.N.V.F.)

## **OUTCOME**

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

## **BACKGROUND**

The City contracts with community-based organizations, school districts, and other parties for various programs. 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. 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.

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 timely execution of 2009-2010 agreements.

## **ANALYSIS**

PRNS is seeking authority for the City Manager or their designee, to sign and execute amendments to the agreements covered by this memorandum. 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 City Manager or designee may only exercise such amendment authority if the contract, as amended, is consistent with the 2009-2010 Adopted Budget and further provided that City Council has taken all appropriation actions necessary to fulfill the terms of the amended contract.

The proposed contracts (Attachment A) and compensation to be paid or received by the City (Attachment B) for 2009-2010 are contingent on the adoption of the 2009-2010 Budget. In the event the amounts specified for these contracts are modified, the contracts shall reflect the amounts approved. In addition, the City Manager shall have the authority to accept any funds exceeding the figures identified in Attachment B for the specified programs and purposes identified as "Compensation Paid to the City" 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.

Furthermore, designating the Director of PRNS with contracting authority to negotiate and execute contracts and amendments consistent with the 2009-2010 Adopted Budget for B.E.S.T., H.N.V.F., S.S.I.G. and S.J.A.S. 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 2009-2010 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 A are below the \$1 million threshold, there are four that meet Criteria 1. The B.E.S.T. program carried out a Request for Qualification (RFQ) proposal in 2007 that covers the funding period from 2007 to 2010. The B.E.S.T. RFQ was posted in the San Jose Mercury News, Post Record, BidSync Website and the PRNS "Bringing Everyone's Strengths Together Program" Website. The H.N.V.F. program posted their 2009-2010 Request For Proposal (RFP) in the San Jose Mercury News, BidSync Website and the PRNS "Healthy Neighborhood Venture Fund" Website. The 2009-2010 S.J.A.S. program will post a notice of funding availability and its application forms on the PRNS "Afterschool Program" website.

Additionally, the grant award to be received from the County of Santa Clara for the City's Senior Nutrition Program and subsequent agreement may exceed \$1.2 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 30, 2009 City Council Agenda.

HONORABLE MAYOR AND CITY COUNCIL

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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**

Funding for the agreements cited in the attachments is included in the 2009-2010 Proposed Operating Budget.

**CEQA**

All items on Attachment A: Not a Project.  
All items on Attachment B: Not a Project.

  
ALBERT BALAGSO  
Director of Parks, Recreation  
and Neighborhood Services

For questions, please contact Andrew Hitchcock, Senior Analyst, at (408) 793-5537.

Attachment A  
Attachment B

**ATTACHMENT A**

<b>AGREEMENT</b>	<b>DESCRIPTION</b>	<b>PROPOSED 2009-10 BUDGET</b>
Mexican American Community Services Corporation (MACSA)	For the operation of the MACSA Youth Center	City estimates up to: \$268,380
Grace Baptist Church	City leases space from Grace Baptist Church providing a therapeutic recreation program for adults with mental disabilities.	\$136,000
Skyhawks	Instructor agreement to provide summer sport camps at various community centers and other locations throughout the City.	\$250,000
Catholic Charities – Washington Youth United	Catholic Charities will operate the Washington United Youth Center within all specifications, guidelines, and expectations of a City facility.	City estimates up to: \$423,000

**ATTACHMENT B**

**Compensation Paid to the City of San José**

<b>AGREEMENT</b>	<b>DESCRIPTION</b>	<b>PROPOSED 2009-10 BUDGET</b>
County of Santa Clara - Mental Health Services	Joint provision of mental health services at City's Grace Community Center.	City estimates receipt of up to \$448,342
County of Santa Clara Agreement for Senior Nutrition Program	Joint provision of a nutrition program for seniors.	City estimates receipt of up to \$1,215,000
San Jose Unified School District	City is the service provider for Level 3 after school program at Anne Darling, Empire Gardens and Olinder Elementary	City is reimbursed for expense receipt of up to \$365,515
Alum Rock Union School District	City is the service provider for Level 3 after school program at Cureton, McCollam, Painter and Slonaker Elementary	City is reimbursed for expense receipt of up to \$415,596