



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Albert Balagso

SUBJECT: SEE BELOW

DATE: 01-21-10

Approved

Date

1/26/10

COUNCIL DISTRICT: Citywide

SUBJECT: GRANT APPLICATIONS FOR PROPOSITION 84 - STATEWIDE PARK PROGRAM GRANT FUNDS

RECOMMENDATION

Adoption of a resolution authorizing the City Manager or designee to:

- a. Submit grant applications for the twenty-one (21) projects identified in Table 1 of this memorandum in the total amount not to exceed \$55,000,000 under the Statewide Park Development and Community Revitalization Program of 2008 (Statewide Park Program) administered by the Office of Grants and Local Services (OGALS) within the California State Department of Parks and Recreation (DPR);
- b. For projects with appropriate CEQA clearance, accept any grant funds awarded to the City and to negotiate and execute all necessary documents to implement the grant awards;
- c. For projects that have not obtained appropriate CEQA clearance, accept any grants funds awarded to the City for the limited purpose of completing CEQA, and negotiate and execute all necessary documents to implement the grant awards for CEQA clearance;
- d. For projects that have not obtained appropriate CEQA clearance, return to Council at a future date for authorization to negotiate and execute all necessary documents to implement the grant awards.

OUTCOME

City Council approval of the recommendations in this memorandum will authorize the City Manager, or designee, to apply for Statewide Park Program grant funding for the projects identified in Table 1 in this memorandum and to negotiate and execute any necessary documents

for acceptance and use of grant funds for projects with appropriate CEQA clearance, and to negotiate, execute and accept any grants funds awarded to the City for the limited purpose of completing CEQA and to return to Council at a later date for projects that currently do not have appropriate CEQA clearance. If all grant applications as set forth in Table 1 in this memorandum are accepted and fully funded by the State, the proposed projects will result in the acquisition of approximately 3.7 acres of new park lands, construction of 3.5 miles of new trails, improvements to 17 acres of existing park lands, and partnership with the Alum Rock School District for the construction of ball fields with artificial turf on elementary and middle school grounds.

EXECUTIVE SUMMARY

Reimbursable grant funding of approximately \$184 million is being made available state-wide through the first of two rounds of grant funding from the Statewide Park Program under Proposition 84. This competitive grant program will provide grant funds for the creation of new parks and new recreation opportunities in proximity to the most critically underserved communities across California. Applications for funding range from \$100,000 (minimum request) to \$5 million (maximum request) and are due to the DPR on or before March 1, 2010.

This grant program is an excellent source of funds for the City to develop park facilities using entirely non-City resources and to augment its existing sources of funds for parks capital improvements. To maximize the City's chances of being awarded grant funds, projects that best respond to the project selection criteria and that staff believes have the likelihood of scoring high are recommended for submission. Staff recommends submission of twenty-one (21) proposed projects (identified in Table 1) for a total not to exceed \$55 million. These proposed projects consist of development or renovations of 16 parks and 5 trails including partnership with the Alum Rock School District for the ball fields.

Since the Statewide Parks Program is primarily a reimbursement program, the City will need to provide up-front funding for the projects that are awarded grant funding. Staff recommends utilizing a combination of various funding strategies for projects that receive grant award, including: 1) recognize grant revenues to offset appropriations for expenditure, and 2) front funds from other City funding sources for parks purposes such as the respective Council District's Construction and Conveyance Ending Fund Balance. Sources of up-front funds would be reimbursed upon receipt of reimbursements from the grant. Depending on the number and value of projects that ultimately receive funding, staff may need to explore additional funding opportunities to provide up-front funds for projects.

Operating budget impact could total approximately \$425,000 annually if all twenty-one (21) projects are funded and completed. While these projects do not necessarily align with the Greenprint 2009 Update short term priorities of financially sustainable projects, the project completion deadline under the grant guidelines of December 2016 allows flexibility in the delivery schedule for the projects. Projects that align with the Greenprint priorities such as trails and sports fields would be given priority for development and other projects that provide new

park acres to the City would be delivered closer to the December 2016 deadline. If the future operating budgets cannot afford additional operating obligations, the City will have the ability to relinquish any grant award from the DPR.

BACKGROUND

On November 7, 2006, the voters approved the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). Proposition 84 authorizes the state to sell \$5.4 billion in general obligation bonds for safe drinking water, water quality and supply, flood control, waterway and natural resource protection, water pollution and contamination control, water conservation efforts, and park improvements.

Chapter 9, Subsection 75065 (b) of Proposition 84 included \$400 million for competitive grants for local and regional parks. (Public Resources Code Division 43, Chapter 9, §75065 (b) (1-5).

AB 31 (De Leon) established the Statewide Parks Development and Community Revitalization Act of 2008 which would utilize the \$400 million from Proposition 84 to fund the acquisition and development of parks, recreation areas, and facilities in critically underserved communities. The legislation authorizes a city, regional park district, joint powers authority, or county, and specified nonprofit organization to apply for local assistance program grants.

On April 1, 2009, the Statewide Park Program application guide was adopted. The first round of applications is due on March 1, 2010.

ANALYSIS

Grant Program

The Statewide Park Program is a competitive grant program that will provide grant funds for the creation of new parks and new recreation opportunities in proximity to the most critically underserved communities across California. A total of \$368 million will be made available in two rounds of funding, each with \$184 million. The program is open to any city, regional park district, joint powers authority, or county, and nonprofit organizations. Partnerships are encouraged between two or more agencies.

Eligible projects include an acquisition and development project combination¹ or a development project to create or add a new recreational opportunity to a park. The creation of new parks in neighborhoods will be given priority. The Statewide Park Program's intent is for these projects to benefit the health of families, youth, senior citizens, and other population groups by meeting their recreational, cultural, social, educational, and environmental needs.

¹ Acquisition without a development component is ineligible. However, the entire property acquired using grant funds need not be developed. Only a phase that creates a fully usable recreational opportunity must be completed and open to the public before the end of the grant performance period.

The Statewide Park Program provides the City of San José with an excellent opportunity to augment funding for its Parks Capital Improvement Program. The program allows for a minimum grant request of \$100,000 and a maximum request of \$5 million for projects that meet the programs eligibility criteria. Additionally, this grant program has no match requirement, but will require the City to provide funding for the awarded projects and the City will be reimbursed by the State up to the maximum award amount for each project.

DPR will rank all competing applications and select projects for funding based on nine Project Selection Criteria listed below. Proposed projects will first be evaluated using criteria 1 through 7 below to determine whether they are eligible for grant funding. Projects that do not meet requirements under criteria 1 through 7 will be deemed ineligible for funding and will be excluded from consideration.

1. Critical Lack of Park Space: The community within proximity of the project site (i.e. within 0.5 mile radius) must have a ratio of < 3 acres of useable park space per 1,000 residents.
2. Significant Poverty: The median household income in proximity to the project site (i.e. within the 0.5 mile radius) is < \$47,959 based on the “California State Parks Community Fact Finder” report.
3. Type of Project: The project must either be an acquisition and development combination or a development project.
4. Community Based Planning: The proposed project design must include residents’ ideas for solutions for safe public use.
5. Sustainable Techniques: The proposed project design must include techniques for efficient use of energy, water, and other natural resources.
6. Project Funding: This category is not scored.
7. Fees and Hours of Operation Entrance or membership fees must calculate to less than \$30/month and must accommodate daily access.
8. Youth Outdoor Learning Employment or Volunteer Opportunities: Types of employment or training during (planning phase and construction phase) and after project execution (operational phase).
9. Community Challenges and Project Benefits: Current community challenges faced by the community and the benefits the project would bring to the community.

All eligible and competing projects will be scored and ranked (based on the project selection criteria) by the DPR. Points will be awarded based on how an application compares with all eligible applications submitted to the State. Projects may receive from 0 to a maximum score of 100 points. A more detailed discussion on how projects will be scored is provided in Attachment A.

Recommended Projects

Staff recommends submission of 21 proposed projects up to a total amount of approximately \$55 million as set forth below in Table 1. **The grant amounts requested for each project could change as staff prepares the grant application, but the total requested will be within the \$55 million cap.**

Table 1

Project	Description	Amount (\$)
1. Almaden Apartments Park	New Park Construction	2,000,000
2. Tamien Park	New Park Construction	4,000,000
3. Nisich Park (Suzay-Nisich)	New Park Construction	400,000
4. Del Monte Park Phase 1	New Park Construction	3,500,000
5. Vista Montana Park	Construction of new sports fields	3,000,000
6. Willow Glen Spur – Bellevue Park	Acquire and construct park/trail improvements	2,000,000
7. Martial Cottle Community Garden (Chynoweth/Vauxhall) ^{(1) (3) (4)}	Construction of Community Garden	1,000,000
8. Buena Vista Park	Park Expansion	600,000
9. Lower Silver Creek Trail (Miguelito Creek to Alum Rock Avenue)	Design and construct trail improvements	3,000,000
10. Coyote Creek Trail (Story Road to Phelan Avenue)	Design and construct trail improvements	2,500,000
11. Guadalupe River Trail (Virginia Street to Willow Street)	Design and construct trail and pedestrian bridge	5,000,000
12. Spartan Keyes Park (1010 S. 3rd St)	Land acquisition and Phase 1 construction of new park	3,000,000
13. Tillman Park	Land acquisition and construction of new park	1,500,000
14. Bay Trail Reach 9 and 9B	Construct pedestrian bridge and trail reach	5,000,000
15. Rock & Oakland Park	Land acquisition and construction of new park	5,000,000
16. Kelley Park (Neighborhood Serving)	Construction of New Recreation Features	1,500,000
17. Parque de Los Pobladores	Park Expansion	1,500,000
18. Evans Lane/Canoas	New Park Construction	3,000,000
19. Rincon South Park (Kerley and Rosemary)	Land acquisition and construction of new park	1,500,000
20. Hubbard Elementary School ^{(2) (3)}	Renovate Ball Fields with Artificial Turf	3,000,000
21. Joseph George Middle School ^{(2) (3)}	Renovate Ball Fields with Artificial Turf	3,000,000
Total		\$55,000,000

(1) City Staff is working with the County of Santa Clara to obtain a lease on a portion of its property in order to develop it into a community garden.

(2) These projects will be developed in partnership with the Alum Rock school district.

- (3) *A land tenure agreement meeting the satisfaction of the State needs to be in place before the City can apply for grant funding.*
- (4) *Staff will explore the possibility of applying for the Martial Cottle Community Garden project in round 2.*

The County of Santa Clara will be applying for a separate \$5 million grant from the Statewide Park Program for the development of Martial Cottle Park. Since the maximum allowable grant for a single site is \$5 million, staff will apply for the Martial Cottle Community Garden Project in the second round of Proposition 84 funding.

Staff intends to submit joint grant applications with the Alum Rock School District for Projects No. 20 (Hubbard Elementary School Ball field) and No. 21 (Joseph George Middle School Ball field). Since the School District owns the land, the City will work with the School District to enter into a joint use agreement to construct the proposed project on its properties and to submit a joint grant application to DPR.

Project Selection Process

The grant program's intent is to award grant funds to projects that create new parks and new recreation opportunities in proximity to the most critically underserved communities. Projects that align with priorities identified in the Greenprint 2009 Update and City's priorities were analyzed under the grant selection criteria to determine eligibility and competitiveness. Projects that did not meet the eligibility requirements under the grant guidelines were eliminated from consideration. In addition, projects for which CEQA has been completed or will be completed in less than one year are the only projects that could be considered under the grant guidelines. After creating a list of projects that meet the minimum grant guidelines, eligible City projects were then assessed by staff to determine the most competitive projects under the grant program's Project Selection Criteria. During the internal process of determining eligible inputs, staff collaborated with the Department of Housing, Redevelopment Agency, and the Department of Transportation.

If fully funded, projects listed in Table 1 will result in the acquisition of approximately 3.7 acres of new park lands, construction of 3.5 miles of new trails, improvements to 17 acres of existing park lands, and partnership with school districts for the construction of ball fields with artificial turf on elementary and middle school grounds. The following 10 affordable housing developments would benefit from the proposed projects: Orvieto, Monterey Family, Rosemary, Fairways, Brookwood, Markham Terrace, Belovida, Kings Crossing, Paseo Senter, and Corde Terra.

There are no candidate projects in Council Districts 1, 2, 8, and 9 because the projects do not rank well on the State's Community Fact Finder (CFF). The CFF is the primary source that the State will use to rank projects and it evaluates the income level, number of households below the poverty line, and park acreage in a specific area. The CFF is available at the following website:

http://www.parks.ca.gov/?Page_id=26025.

Staff evaluated every existing park in each council district and found no competitive projects in the four Council Districts mentioned above relative to the grant funding guidelines

Commitments

In the event that the DPR awards grant funding for any of the 21 projects listed above, the City will be required to enter into a written grant agreement that will commit the City to the following for each of the awarded Projects:

Commitment	Approach for Addressing
Statewide Park funding will be fixed at the award amount for any project and, therefore, any cost increase will be incurred by the City.	Consistent with other grant programs, the City will address funding shortfall, if any, through local funding and other grant sources. Staff will notify the City Council if additional funding beyond the allocated budget is required due to unforeseen circumstances.
City will advance its own funds to complete the project.	This is consistent with many grant programs. Funds to advance the cost of the project will be appropriated through the annual budget process or through a separate City Council memorandum. The City will request reimbursements for expenses incurred on a quarterly basis, or sooner if necessary, to replenish the City fund that advances the money.
The City shall have sufficient funds to operate and maintain the project.	The operating costs are identified under the costs and budget section of the memorandum. These costs will be reviewed annually through the budget process and if grant funding is received, the project will be included in future Five-Year General Fund Forecasts.
No other use, sale, or other disposition or change of the use of the property to one not consistent with the grant scope shall be permitted except as authorized by a specific act of the legislature and the property shall be replaced with property of equivalent value and usefulness as determined by California Department of Parks and Recreation.	It is the intent of the City to comply with this grant requirement.
The property acquired or developed may be transferred to another eligible entity if the successor entity assumes the obligations imposed under this contract and with the approval of California Department of Parks and Recreation.	It is the intent of the City to comply with this grant requirement should the need arise.
Shall comply with the California Environmental	This requirement is consistent with City

Commitment	Approach for Addressing
Quality Act (Public Resources Code, Section 21000, et. seq., Title 14, California Code of Regulations, Section 15000 et. seq.).	Policy and Procedures, and the City shall comply with this requirement.
Compliance with the funding deadlines (NOTE: Project must be completed by the deadline in order to receive full funds awarded.)	All projects need to be constructed by December 2016 and final reimbursement packages submitted by March 31, 2017. The City is well positioned to complete any grant funded project within the deadline.
If awarded, failure to comply with the terms of grant agreement as well as any other grant contracts, specified or general, that the City has entered into with State, may be cause for suspension of any and obligations of the State unless the State determines that such failure was due to no fault of the City.	It is the intent of the City to fully comply with all terms of the grant agreement.
For purposes of this program, if funding for any fiscal year is reduced or deleted by the budget act, executive order, the legislature, or by any other provision of statute, the State shall have the option to either cancel the contract with no liability occurring to the State, or offer a contract amendment to City to reflect a reduced grant amount.	If the State is unable to fund the grant, the City will work with the state to modify the contract agreement to reflect a reduced scope.
Any income earned by the City from a State approved non-recreational use on the project shall be used for recreational purposes at the project, or, if approved by the State, for recreational purposes within the City's jurisdiction.	The City will ensure that any income derived from non-recreational use on the project will be for recreational purposes only.
Record a Memorandum of Unrecorded Grant Agreement (MUGA) i.e. record a notice on the title of the Project property owned by the City stating that the property use has restrictions due to the grant contract with DPR.	The City shall comply with this requirement by recording a notice on the title for parcels owned by the City on which the Project will be built. A sample MUGA is shown in Attachment B.

As part of the grant application process, the City is required to adopt a resolution (see Attachment C) in substantially the same form as the sample resolution provided in the grant guidelines and to make certain commitments, assurances, and certifications described in this memorandum.

EVALUATION AND FOLLOW UP

If the City is awarded any grant, staff will seek required appropriation actions from the City Council as well as authorization for the award of a construction contract for grant funded projects at a later date.

POLICY ALTERNATIVES

Alternative #1: Do Nothing

Pros: Does not require staff time in the preparation of an application package.

Cons: Inconsistent with City Council's approach of seeking grant funds to develop projects when feasible. The City loses an opportunity to seek grant funds of up to \$55 million for the identified projects.

Reason for not recommending: The identified projects are well suited for this funding source and not pursuing funds would be inconsistent with the Council's preferred approach.

Alternative #2: Apply only for Trail Projects

Pros: Does not require staff time to prepare non-trail applications.

Cons: Inconsistent with City Council's approach of seeking grant funds to develop projects when feasible. The City loses an opportunity to seek grant funds to serve under-served areas.

Reason for not recommending: All identified projects are well suited for this funding source and not pursuing funds would be inconsistent with the City Council's preferred approach.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 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)**
- Criterion 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)**

This action meets criterion 1. This memorandum will be posted on the City Council Agenda website for the February 09, 2010 Council agenda. City Staff will continue to do outreach efforts in support of these projects.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, the Department of Housing, the Department of Public Works, Finance Department, San José Redevelopment Agency, the Department of Transportation, and the Department of Building, Planning and Code Enforcement.

FISCAL/POLICY ALIGNMENT

All projects are consistent with the Council-approved Budget Strategy for Economic Recovery. If selected for funding, the projects will spur construction spending in our local economy. These projects align with long-term Greenprint priorities as opposed to short-term sustainability priorities.

COST SUMMARY/IMPLICATIONS

Capital

As with many other grant programs, the City will be required to provide funding for each awarded project and seek reimbursement for eligible costs from the State as funds are expended and at the completion of the project. Attachment D details Upfront funding strategies to develop the projects.

Operation and Maintenance (O&M) Impact

Any new facility constructed with the Statewide Grant Program funds will increase the current operation and maintenance costs (O&M). Annual O&M cost currently associated with developed park land is estimated to be between \$15,000 and \$25,000/acre, and the cost associated with trails is \$12,000/mile. The overall impact for all the projects listed in this memorandum will be approximately \$425,000 if all projects are awarded grant funding and once all the projects are operational in FY2017-2018. This figure includes \$211,000 which was included in the Preliminary 2011-2015 General Fund Forecast. Preliminary 2011-2015 General Fund Forecast will be reviewed and considered for inclusion in future Forecast documents.

If the operating budgets in the future years cannot support additional operating obligations, the City will be able to relinquish any grant award and return any used grant funds to the State with a mutual written agreement.

BUDGET REFERENCE

Not applicable

CEQA

Table 2 shows projects that have a completed CEQA clearance. Table 3 shows projects that require CEQA to be completed.

Table 2: Projects with CEQA Clearance

<i>Project Name</i>	<i>CEQA Reference</i>
Almaden Apartments Park	Negative Declaration, PDC98-089
Del Monte Park Phase 1	EIR Resolution #72625, File No. PDC03-071
Vista Montana park	EIR Resolution #72768, File No. PDC07-055
Buena Vista Park	Exempt, File No. PP08-026
Lower Silver Creek Trail (Miguelito Creek to Alum Rock Avenue)	Mitigated Negative Declaration, File No. PP04-057
Coyote Creek Trail (Story Road to Phelan Avenue)	Mitigated Negative Declaration, File No. PP06-111
Guadalupe River Trail (Virginia Street to Willow Street)	Mitigated Negative Declaration, File No. PP04-323
Bay Trail Reach 9 and 9B	Mitigated Negative Declaration, File No. PP01-150

Table 3: Projects that require CEQA Clearance

<i>Project Name</i>	<i>CEQA Information</i>
Tamien Park	None
Nisich Park (Suzay-Nisich)	Exemption for park acquisition only (File No. PP04-074)
Martial Cottle Community Garden (Chynoweth/Vauxhall)	None
Willow Glen Spur / Bellevue Park (Pomona Street to Monterey Hwy)	Exemption for grant application only (File No. PP03-143)
Spartan Keyes Park (1010 S. 3rd St)	Environmental clearance for previous development (37 units + private open space PDC07-002)
Tillman Park	None
Rock & Oakland Park	None
Kelley Park (Neighborhood Serving)	File No. PP91-162 (Kelley Park master plan EIR); addendum likely necessary
Parque de Los Pobladores	File No. PP09-072 for contract for review of improvement documents only
Evans Lane/Canoas	None
Rincon South Park (Kerley and Rosemary)	None
Hubbard Elementary School	None
Joseph George Middle School	None

HONORABLE MAYOR AND CITY COUNCIL

01-21-10

Subject: Grant Applications for Proposition 84 – Statewide Park Program

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CEQA clearance for projects in Table 3 will be coordinated with the Department of Planning, Building and Code Enforcement.


ALBERT BALGSO
Director of Parks, Recreation and
Neighborhood Services

For questions please contact Rajesh Adoni, Senior Analyst, at 408-793-4184.

Attachment A:	Proposition 84 Statewide Park Program Project Selection Criteria
Attachment B:	Sample Memorandum of Unrecorded Agreement (MUGA)
Attachment C:	Sample Resolution
Attachment D:	Upfront Funding Strategies

Eligibility Criteria (NOTE: Points are preliminary and may change. They are only provided to here to show the relative importance placed on the criterion by the State)	Maximum Points to Earn	
	<p>APPLICATIONS. OGALS will develop a competitive statewide list representing the number of families below poverty of all APPLICATIONS in ranking order, from highest to lowest.</p>	
<p>3. Type of Project - Project Selection Criterion #3</p>	<p>The proposed scope must consist of one of the following acquisition and development combination <u>OR</u> development projects:</p> <ul style="list-style-type: none"> a) Creating new park space <u>OR</u> b) Adding additional park space to expand existing overused park <u>OR</u> c) Constructing a new recreation feature <u>OR</u> d) Renovation of an existing recreational feature to create new recreational opportunity <p>NOTE: c) & d) above can include recreational features that are <u>not</u> located in a park.</p>	<p>12</p>
<p>4. Community Based Planning Project Selection Criterion #4</p>	<p>The proposed project design must include resident's ideas for solutions for safe public use.</p> <p>Points will be awarded for the following:</p> <ul style="list-style-type: none"> a) Number of meetings held and convenience of these meetings (4 points) b) Methods of inviting & broad representation (4 points) c) Degree of involvement of the residents in the selection, design of the recreation feature, location and the safety and park beautification (10 points) 	<p>18</p>
<p>5. Sustainable Techniques – Project Selection Criterion #5</p>	<p>A) The proposed project design must include at least 2 of the following 4 design techniques for efficient use of energy, water, and other natural resources:</p> <ul style="list-style-type: none"> a) Use of water efficient irrigation system that includes a rain sensor and soil moisture meter, or on-site water recycling that reduces potable water consumption b) Incorporating pervious surfaces or bio-swales water runoff c) Minimize construction waste by the separation and recycling of recoverable materials generated in construction OR use of at least 10% recycled materials during construction 	<p>6</p>

Eligibility Criteria		Maximum Points to Earn
(NOTE: Points are preliminary and may change. They are only provided to here to show the relative importance placed on the criterion by the State)		
	<p>d) Landscaping that excludes the use of invasive plants and instead features drought tolerant or climate appropriate non-invasive native turf, trees, shrubs, plants, and ground cover, and minimizes the use of toxic pesticides and inorganic fertilizers</p> <p>B) The project to include other energy, water and natural resource conservation techniques other than above.</p> <p>Incorporating up to five more design techniques (not listed above) for efficient use of energy, water, and other natural resources will earn up to 5 additional points.</p>	5
6. Project Funding - Project Selection Criterion #6	<p>The requested grant must equal the estimated cost needed to complete the project <u>or</u> the requested grant <u>plus</u> the total amount of additional committed funds must equal the estimated cost of the project.</p> <p>NOTE: Although no points are given, this criterion must be met to be eligible for funding.</p>	0
7. Fees and Hours of Operation - Project Selection Criterion #7	<p>Entrance or membership fees must calculate to less than \$30/month and must accommodate daily access.</p> <p>Note: Up to 5 points will be given to projects with weekday and weekend operating hours appropriate for youth, families, seniors, and other population groups in the CRITICALLY UNDERSERVED COMMUNITY, and with reasonable or no entrance or membership fees.</p>	5

Additional Points		Maximum Points to Earn
8. Youth Outdoor Learning Employment OR Volunteer Opportunities	<p>Types of employment or training during (planning phase and construction phase) and after project execution (operational phase):</p> <p>a) Types of employment or volunteer outdoor learning opportunities</p> <p>b) Number of people employed/ or received volunteer</p>	3

Additional Points		Maximum Points to Earn
	training opportunities	
9. Community Challenges and Project Benefits	a) What are the current challenges? b) How will the project improve the current conditions? c) What administrative and operational experience or capacity does the APPLICANT have to ensure PROJECT COMPLETION and long term operation and maintenance of the PROJECT?	15
TOTAL Possible Points		100

Attachment B: Sample of Memorandum of Unrecorded Grant Agreement (MUGA)

Recording requested by, and when recorded)
 return to: State of California)
 Department of Parks and Recreation)
 Grants and Local Services Division)
 1416 9th Street, Room 918)
 Sacramento, CA 95814)
 Space above this line for Recorder's use

County:
 APN:

Memorandum Of Unrecorded Grant Agreement

This Memorandum of Unrecorded Grant Agreement (Memorandum), dated as of _____ (current date), is recorded to provide notice of an agreement between the State of California, acting by and through the Department of Parks and Recreation ("DPR"), and the CITY OF SAN JOSE.

RECITALS

A. On or about _____ (date grant contract was signed by DPR), DPR and the CITY OF SAN JOSE entered into a certain Grant Agreement No. _____ (grant contract number), pursuant to which DPR granted to CITY OF SAN JOSE certain funds for the acquisition or improvement of certain real property, more particularly described in attached Exhibit A (legal description of the land) and incorporated by reference (the "Real Property").

B. Under the terms of the Grant Agreement, DPR reserved certain rights with respect to the Real Property acquired or improved with the grant funds.

C. CITY OF SAN JOSE desires to execute this Memorandum to provide constructive notice to all third parties of certain rights reserved by DPR under the Grant Agreement.

NOTICE

- The Real Property (including any portion of it or any interest in it) may not be sold or transferred without the written approval of the State of California, acting by and through the Department of Parks and Recreation (DPR), or its successor, provided that such approval shall not be unreasonably withheld as long as the purposes for which the Grant was awarded are maintained.
- For additional terms and conditions of the Grant, reference should be made to the Grant Agreement which is on file with the DPR located at: Office of Grants and Local Services (OGALS)
 1416 9th Street, Room 918
 Sacramento CA 95814

OGALS:		GRANTEE:	
By:		By:	
Signature	Date	Signature	Date
Printed Name and Title		Printed Name and Title (AUTHORIZED REPRESENTATIVE or designee)	

Attachment C:

Resolution No: _____

RESOLUTION OF THE SAN JOSE CITY COUNCIL
Approving The Applications For STATEWIDE PARK PROGRAM GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Program, setting up necessary procedures governing the Application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the grant scope project;

NOW, THEREFORE, BE IT RESOLVED that the SAN JOSE CITY COUNCIL hereby:

Approves the filing of applications for the projects listed in this resolution, and

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project if the requested grant/s is/are awarded; and
2. Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s) if the requested grant/s is/are awarded, and
3. Certifies that the applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to CITY MANAGER or DESIGNEE to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Approved and adopted the ____ day of _____, 20____
I, the undersigned, hereby certify that the foregoing Resolution Number _____ was duly adopted by the SAN JOSE CITY COUNCIL following a roll call vote:

Ayes:
Noes:
Absent: _____
(Clerk)

Attachment D: Upfront Funding Strategies

The Statewide Parks Program allows for three types of grant payments to grantees for projects: advance payments, reimbursement payments, and final payments. Final payments are classified as reimbursements. Depending on the type of payment and other requirements for advances, the City may request from up to 10% of the grant amount for CEQA and up to 80% of the grant amount for acquisition. Other requirements such as timing of the use of grant funds determine the projects eligibility for advance funds from the State.

Staff recommends utilizing a combination of strategies to provide upfront funds for awarded projects. Strategies will be selected for individual awarded projects based on the projects unique circumstances.

1. Recognize Grant Revenues in the Budget: Grant Revenues for amounts that the City can reasonably expect to receive within the fiscal year will be recognized as a source of funds to offset appropriations on the expenditure side. For example, projects that have an acquisition component can expect to receive an advance of 80% of the cost of acquisition and the remaining 20% upon completion of the acquisition. Therefore, grant revenues for acquisition projects can be recognized together with the appropriation for expenditure.
2. Front the money from another City funding source (e.g. the district's Construction and Conveyance Tax Fund Ending Fund Balance): Historically, grant funds are "fronted" using available Construction and Conveyance Ending Fund Balance (EFB) in the council district where the project is located. The district's EFB is replenished upon receipt of reimbursement for eligible expenditures from the State.

Staff is exploring other funding strategies to provide upfront funds for awarded projects and will seek council approval at a later date.