



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Albert Balagso

**SUBJECT:** PARKS, RECREATION AND  
NEIGHBORHOOD SERVICES  
2010-2011 AGREEMENTS

**DATE:** 06-01-10

Approved

Date

6-4-10

**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 2010-2011 Proposed Budget;
- (c) Authorize the City Manager to negotiate and execute a three-month extension of the agreement with the County of Santa Clara for the Senior Nutrition Agreement into the first three months of 2010-2011 and to accept grant funds for that period in amounts consistent with budgeted amount in the 2010-2011 Proposed Budget, until a new agreement for 2010-2011 is finalized with the County;
- (d) Authorize the Director of Parks, Recreation and Neighborhood Services to negotiate and execute 2010-2011 contracts and amendments consistent with Adopted Budget amounts for the following grant programs:
  1. Bringing Everyone's Strengths Together (B.E.S.T.)
  2. Healthy Neighborhoods Venture Fund (H.N.V.F.)  
(H.N.V.F. contracts are in the midst of a multi-year award cycle. In addition, the funding source is shifting to the General Fund.)
  3. Mayor's Gang Prevention Task Force Memorandums of Understanding
  4. Safe Summer Initiative Grant (S.S.I.G.)
  5. San José After School (S.J.A.S.)

## **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 2010-2011 agreements.

## **ANALYSIS**

PRNS is seeking authority for the City Manager or their designee, to sign and execute agreements and 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 2010-2011 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 received by the City (Attachment B) for 2010-2011 are contingent on the adoption of the 2010-2011 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, PRNS is seeking authority to designate the Director of PRNS with contracting authority to negotiate and execute contracts and amendments consistent with the 2010-2011 Proposed Budget for B.E.S.T., H.N.V.F., Mayor's Gang Prevention Task Force Memorandums of Understanding, S.S.I.G. and S.J.A.S. grant programs to reduce processing time that will lead to efficiency gains and the timely delivery of contracts and initial payments. Such authority will apply to any grant amendments related to these programs subject to the 2010-2011 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 Municipal Code Section 4.12.320 and 4.12.33 Local and Small Business Preference 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 three grant programs that meet Criteria 1. The B.E.S.T., H.N.V.F., and S.J.A.S grant applications processes are managed through WebGrants, the City's online grant management system. In addition, all grant opportunities are advertised in the San Jose Mercury News.

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 22, 2010, City Council Meeting.

**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 2010-2011 Proposed Operating Budget. If funding is not designated or included in the 2010-2011 Adopted Budget, those agreements will not proceed.

**CEQA**

All items on Attachment A: Not a Project.

All items on Attachment B: Not a Project.

/s/

ALBERT BALAGSO  
Director of Parks, Recreation and  
Neighborhood Services

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

**Attachment A:** Compensation Paid by the City of San José

**Attachment B:** Compensation Paid to the City of San José

**ATTACHMENT A**

<b>Compensation Paid by the City of San José</b>		
<b>AGREEMENT</b>	<b>DESCRIPTION</b>	<b>PROPOSED 2010-2011 BUDGET</b>
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
Kids Love Soccer	Instructor agreement to teach soccer classes and conduct soccer camps at various fields throughout San José.	\$370,000
Children's Health Initiative	Funding provides health insurance to approximately 1,700 children whose families have income at or below 300% of the federal poverty level.	\$2,100,000

**ATTACHMENT B**

<b>Compensation Paid to the City of San José</b>		
<b>AGREEMENT</b>	<b>DESCRIPTION</b>	<b>PROPOSED 2010-2011 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 \$451,004
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
Alum Rock Union School District	City is the service provider for After School Education and Safety (ASES) grant money in the S. J. A. S. program.	City is reimbursed for expense receipt of up to \$530,000
First 5 of Santa Clara County	Partnership agreement with the FIRST 5 of Santa Clara County to provide parent and child enrichment programs, services and activities through community centers for families and children ages 0 to 5. This funding is expected to be used over the course of 2 years.	First 5 will provide funding to the City in the amount of \$500,000