

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AND SUBMIT AN APPLICATION TO THE SANTA CLARA COUNTY OPEN SPACE AUTHORITY FOR A GRANT FOR THE COYOTE CREEK TRAIL (HIGHWAY 237 BIKEWAY TO TASMAN DRIVE) IN AN AMOUNT NOT TO EXCEED \$300,000 UNDER THE 20% FUNDING PROGRAM FOR THE PROJECT, TO ACCEPT THE GRANT IF AWARDED, AND TO EXECUTE ALL RELATED DOCUMENTS

WHEREAS, the City of San José (“City”) is submitting up to three grant applications to support the design and construction of the Coyote Creek Trail from Highway 237 Bikeway to Tasman Drive (“Project”); and

WHEREAS, a tiered approach for securing grant funds is being used; and

WHEREAS, if a Community Design and Transportation grant of \$1,055,000 is secured, the City would then accept a \$350,000 grant from the Environmental Enhancement and Mitigation Program, if awarded; and

WHEREAS, if funding remains insufficient, then the City would pursue a grant of up to \$300,000 from the Santa Clara County Open Space Authority (“OSA”);

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. Subject to funding shortfall to complete the Coyote Creek Trail (Highway 237 Bikeway to Tasman Drive) based on the combined grants from the Community Design and Transportation Capital Grant Program and the Environmental Enhancement and Mitigation Program, the City Manager or designee is authorized to submit a grant application in an amount up to \$300,000 to the Santa Clara County Open Space Authority under the 20% Funding Program for the Project; and
2. The City Manager or designee is further authorized to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, agreements, amendments, and payment requests, which may be necessary for completion of the Project.

ADOPTED this _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk