

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO SUBMIT GRANT APPLICATIONS TO THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM OF 2008 ADMINISTERED BY THE OFFICE OF GRANTS AND LOCAL SERVICES WITHIN THE CALIFORNIA STATE DEPARTMENT OF PARKS AND RECREATION FOR FOUR PROECTS IDENTIFIED IN THE ATTACHMENT OF THIS RESOLUTION, IN AN AMOUNT NOT TO EXCEED \$20 MILLION, TO ACCEPT THE GRANT IF AWARDED, AND TO NEGOTIATE AND EXECUTE ALL RELATED DOCUMENTS

WHEREAS, 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), which allows the State of California to sell \$5.4 billion in general obligation bonds for safe drinking water and water quality to waterway and natural resource protection to water pollution and contamination control and park improvements; and

WHEREAS, Chapter 9, Subsection 75065(b) of Proposition 84 also included \$400 million for competitive grants for local and regional parks whereby AB 31 (De Leon) established the Statewide Parks Development and Community Revitalization Act of 2008 ("Statewide Park Program"), which utilizes Proposition 84's grant allocation to fund the acquisition and development of parks, recreation areas and facilities in critically underserved communities; and

WHEREAS, the California State Department of Parks and Recreation (“DPR”) 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, the DPR is accepting applications ranging from the minimum request of \$100,000 to the maximum request of \$5 million for grant funding of approximately \$184 million, which is being made available statewide through the second round of grant funding under Proposition 84 due on or before July 1, 2011; and

WHEREAS, said procedures established by DPR require the City of San Jose (“City”) to certify by resolution the approval of applications before submission of said Application to the State of California; and

WHEREAS, the City desires to submit grant applications for four projects under the Statewide Park Program, in an amount not to exceed \$20 million; and

WHEREAS, the City, if selected, will need to provide up-front funding for projects in which funding is awarded, since the Statewide Park Program is primarily a reimbursement program, and the City will be reimbursed by the State of California up to the maximum award for each project;

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

1. Approves the filing of grant applications to Statewide Park Development and Community Revitalization Program of 2008 administered by the Office of Grants and Local Services within the California State Department of Parks and Recreation for four (4) projects identified in Table 1 (Attachment A) to this Resolution, in a total amount not to exceed \$20 million; and
2. Certifies that the City will have sufficient funds to operate and maintain the projects if requested grants are awarded and the parties enter into a fully executed grant agreement; and
3. Certifies that the City 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 the 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, subject to paragraph 5 below; and
5. Authorizes the City Manager or designee to:
 - a. Accept any grant funds awarded to the City and to negotiate and execute all necessary documents to implement the grant awards, for projects with appropriate CEQA clearance;

- b. Accept any grant 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, for projects that have not obtained appropriate CEQA clearance; and
 - c. Return to City Council at a future date for authorization to negotiate and execute all necessary documents to implement the grant awards, for projects that have not obtained appropriate CEQA clearance.
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

ADOPTED this _____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk

ATTACHMENT A

Table 1:

Project	Description	Amount (\$)
1. Roberto Antonio Balermino Park	New Park Construction	5,000,000
2. Tamien Park	New Park Construction	5,000,000
3. Del Monte Park Phase 1	New Park Construction	5,000,000
4. St. James Park	Substantial Renovation	5,000,000
Total		20,000,000