

RESOLUTION NO. 73962

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH KABOOM! FOR THE PLANNING, DESIGN, AND OVERSIGHT OF VOLUNTEER INSTALLATION OF PLAYGROUND EQUIPMENT IN CITY PARKS

WHEREAS, KABOOM! is a national nonprofit organization that coordinates construction of community-built playgrounds by serving as a project manager for the playground design and construction, recruiting the funding partner to provide the playground equipment, providing tools for installation, training volunteers to construct the playground, and providing a certified playground inspector; and

WHEREAS, KABOOM! and the City of San José (“City”) have tentatively identified Welch Park as the next site for volunteer installation of playground equipment by KABOOM!; and

WHEREAS, the City desires to negotiate and execute an agreement with KABOOM! for the planning, design, and oversight of volunteer installation of playground equipment within City parks, including Welch Park or any park within a Redevelopment Area that may be substituted for Welch Park; and

WHEREAS, KABOOM! is requesting that the City waive its standard contractual requirements relating to indemnification, insurance and recordkeeping, and due to the benefits of any potential park projects, including savings in capital project costs, and community empowerment, the City agrees to the waiver of these standard provisions;

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

The City Manager is hereby authorized to negotiate and execute an agreement with KABOOM! for the planning, design, and oversight of volunteer installation of playground equipment in City parks, which will waive the City's standard contractual requirements for indemnification, insurance and recordkeeping.

ADOPTED this 21st day of August, 2007, by the following vote:

AYES:	CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE, LICCARDO, NGUYEN, OLIVERIO, PYLE, WILLIAMS; REED
NOES:	NONE
ABSENT:	NONE
DISQUALIFIED:	NONE

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk