

RESOLUTION NO. 74507

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE VARIOUS AGREEMENTS AND AMENDMENTS TO AGREEMENTS, AND TO ACCEPT GRANT FUNDS FOR PARKS, RECREATION AND NEIGHBORHOOD SERVICES PROGRAMS; AND AUTHORIZING THE DIRECTOR OF PARKS, RECREATION AND NEIGHBORHOOD SERVICES TO NEGOTIATE AND EXECUTE AGREEMENTS AND AMENDMENTS TO AGREEMENTS RELATED TO CERTAIN GRANT PROGRAMS, ALL CONSISTENT WITH THE AMOUNTS BUDGETED FOR THESE PROGRAMS IN THE ADOPTED BUDGET FOR FISCAL YEAR 2008-2009 PROVIDED THAT SUCH AGREEMENTS DO NOT REQUIRE ADDITIONAL ENVIRONMENTAL CLEARANCE

WHEREAS, the City of San José (“City”) contracts with community-based organizations, school districts, and other parties for various programs administered by the Department of Parks, Recreation and Neighborhood Services to support the livability of neighborhoods, offer opportunities for individuals to enjoy life, and strengthen communities of people within San José; and

WHEREAS, the City contracts with the County of Santa Clara to receive funds for programs that provide for senior nutrition and therapeutic recreation for mentally disabled adults; and

WHEREAS, in order to expedite the City’s contracting process and to make funding available to the recipients promptly, and in the interest of saving administrative time and cost, the Council desires to authorize the City Manager to negotiate and execute certain agreements and amendments to agreements, and to accept the grant funds for Parks, Recreation and Neighborhood Services programs; to authorize the Director of Parks, Recreation and Neighborhood Services to negotiate and execute certain other grant agreements and amendments to agreements, all in amounts consistent with the City’s

final adopted budget for Fiscal Year 2008-2009, and subject to the appropriation of funds;

WHEREAS, the proposed agreements to implement these various programs and the corresponding compensation to be paid by City or to be received by City for Fiscal Year 2008-2009 are listed in Attachment A to this Resolution; and

WHEREAS, in the event that the final budget adopted by City Council ("Council") on June 17, 2008 specifies amounts for these contracts that differ from those listed in Attachment A, the final budget amounts for Fiscal Year 2008-2009 will control the actual amounts for these agreements;

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

Subject to the appropriation of funds by the City Council:

1. The City Manager is hereby authorized to negotiate and execute agreements and amendments to agreements for various Parks, Recreation and Neighborhood Services Programs as identified in Attachment A to this Resolution in amounts budgeted for these programs in the adopted budget for Fiscal Year 2008-2009.
2. The Director of Parks, Recreation and Neighborhood Services is hereby authorized to negotiate and execute all agreements and amendments to the agreements during Fiscal Year 2008-2009 in amounts consistent with budgeted amounts in the adopted budget for 2008-2009 for the following grant programs: Bringing Everyone's Strengths Together (BEST), Healthy Neighborhoods Venture Fund (HNVF), and San José After School Program (SJAS).

3. The City Manager is authorized to negotiate and execute agreements and amendments to agreements, accepting grant funds from the County of Santa Clara for provision of mental health services and senior nutrition programs in amounts consistent with the budgeted amounts in the adopted budget for Fiscal Year 2008-2009 and on terms determined to be reasonable by the City Manager.
4. In addition to the authority specified above for Fiscal Year 2008-2009, the City Manager is also authorized to negotiate and execute a three-month extension of the agreement with the County of Santa Clara for the senior nutrition program to extend the term of this agreement through the first three months of Fiscal Year 2008-2009, and to accept grant funds from the County for that period in amounts consistent with budgeted amounts in the adopted budget for Fiscal Year 2008-2009 until a new agreement for 2008-2009 is finalized with the County, and on terms determined to be reasonable by the City Manager.
5. The City Manager is authorized to accept from the County funds exceeding the figures identified in the attachment for the specified programs and purposes identified in the attachment under the heading "Compensation Paid to City of San Jose," 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 process any required budgetary adjustments for City Council approval resulting from a deviation in the amounts actually received from the County for such programs.
6. This resolution does not authorize the City Manager or Director of PRNS to sign any agreement where additional environmental clearance is required as of the date of this Resolution.

ADOPTED this 24th day of June 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CORTESE, LICCARDO,
NGUYEN, OLIVERIO, PYLE, WILLIAMS; REED.

NOES: NONE.

ABSENT: CONSTANT.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk

ATTACHMENT A

AGREEMENT	DESCRIPTION	PROPOSED 2008-09 BUDGET
Catholic Charities of Santa Clara County Agreement	Operate programs at the Washington United Youth Center.	\$424,766
Grace Baptist Church (Lease Agreement)	Lease of space, including church and adjacent building for operation of the Grace Community Center for a term beginning 7/1/2008 through 6/30/2009	\$135,794
Friends of Guadalupe Park & Gardens (Friends)	Friends will assist the City with development and operation of the Guadalupe River Park and Gardens. Friends will act in advisory role to City regarding the development and operation of the Park for up to three (3) years (July 1, 2008 to June 30, 2011).	\$177,435 (3 year total subject to future appropriation of funds)
Kidz Love Soccer	Instructor Agreement to provide soccer instruction at various community centers for 2008-09/2009-10 (two year agreement).	\$300,000
Mexican American Community Services Corporation (MACSA)	For the Operation of the MACSA Youth Center	\$268,381
Mexican American Community Services Corporation (MACSA)	For the construction and joint use of outdoor sports facilities and minor building improvements (Source of Funds: Council District 5 Construction & Conveyance Tax Fund)	\$200,000

AGREEMENT	DESCRIPTION	PROPOSED 2008-09 BUDGET
San Jose Arena Management, LLC	For the operation and maintenance of carousel, children's play areas and restrooms at Arena Green up to three (3) years (July 1, 2008 to June 30, 2011)	\$408,066 (3 year total subject to future appropriation of funds)
Santa Clara Valley Water District (joint use agreement)	City will allow agency to construct, operate and maintain a demonstration garden on an acre of land along the west side of former Spring Street, immediately south of the Courtyard Garden and west of the Demonstration Orchard. The City's contribution is the lease value of the property over a 25-year period.	\$150,000 (estimated lease value over \$100,000)
Skyhawks	Instructor Agreement to provide summer sports camps at various community centers and other locations throughout the City.	\$250,000
<u>Compensation paid to the City of San Jose</u>		
Corporation for National and Community Services Grant Application and Agreement	Accept grant funds and negotiate and execute all agreements consistent with budgeted amounts for provision of the Senior Companion Program.	\$130,309
County of Santa Clara Agreement for Mental Health Services	Joint provision of mental health services at City's Grace Community Center.	City estimates receipt of up to \$625,482
County of Santa Clara Agreement for Senior Nutrition Program	Joint provision of a nutrition program for seniors.	City estimates receipt of up to \$1,146,000