

**RESOLUTION NO. 74602**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM, AND TO NEGOTIATE AND EXECUTE ALL DOCUMENTS RELATED TO THE GRANT FUNDING AGREEMENTS**

**WHEREAS**, the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” provides funds to the State of California (“State”) for grants to state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail purposes; and

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing project application under the program; and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

**WHEREAS**, the City of San José desires to apply for a grant and to enter into a grant agreement with the State to complete construction of trail improvements between Highway 101 and Interstate 880 to the TRAIL: Lower Guadalupe River Reach E Project and to authorize the City Manager to submit an application for funds of up to \$500,000 from the State and to negotiate and execute all documents related to the grant funding agreements;

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

1. The filing of an application for the Recreational Trails Program is hereby approved.
2. The City of San José certifies it has or will have available prior to commencement of any work on the project(s) included in this application, sufficient funds to operate and maintain the project(s).
3. The City of San José certifies it has reviewed, understood, and agreed to the General Provisions contained in the contract shown in the procedural guide.
4. The appointment of the City Manager as agent to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests, is hereby approved.
5. The City of San José agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

ADOPTED this 30th day of September, 2008, by the following vote:

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

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk