

RESOLUTION NO. 75273

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 21 PROJECTS IDENTIFIED IN THE ATTACHMENT OF THIS RESOLUTION, IN AN AMOUNT NOT TO EXCEED \$55 MILLION, TO ACCEPT THE GRANTS IF AWARDED, AND TO NEGOTIATE AND EXECUTE 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 first of two rounds of grant funding under Proposition 84 due on or before March 1, 2010; 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 21 projects under the Statewide Park Program, in an amount not to exceed \$55 million; and

WHEREAS, the City, if selected, will need to provide up-front funding for projects in which funding is awarded, since the Statewide Parks 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 twenty-one (21) projects identified in Table 1 (Attachment A) to this Resolution, in a total amount not to exceed \$55 million; and

2. Certifies that the City will have sufficient funds to operate and maintain the projects if the 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 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 9th day of February, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk

ATTACHMENT A

Table 1:

Project	Description	Amount (\$)
1. Almaden Apartments Park	New Park Construction	2,000,000
2. Tamien Park	New Park Construction	4,000,000
3. Nisich Park (Suzay-Nisich)	New Park Construction	400,000
4. Del Monte Park Phase 1	New Park Construction	3,500,000
5. Vista Montana Park	Construction of new sports fields	3,000,000
6. Willow Glen Spur – Bellevue Park	Acquire and construct park/trail improvements	2,000,000
7. Martial Cottle Community Garden (Chynoweth/Vauxhall)	Construction of Community Garden	1,000,000
8. Buena Vista Park	Park Expansion	600,000
9. Lower Silver Creek Trail (Miguelito Creek to Alum Rock Avenue)	Design and construct trail improvements	3,000,000
10. Coyote Creek Trail (Story Road to Phelan Avenue)	Design and construct trail improvements	2,500,000
11. Guadalupe River Trail (Virginia Street to Willow Street)	Design and construct trail and pedestrian bridge	5,000,000
12. Spartan Keyes Park (1010 S. 3rd St)	Land acquisition and Phase 1 construction of new park	3,000,000
13. Tillman Park	Land acquisition and construction of new park	1,500,000
14. Bay Trail Reach 9 and 9B	Construct pedestrian bridge and trail reach	5,000,000
15. Rock & Oakland Park	Land acquisition and construction of new park	5,000,000
16. Kelley Park (Neighborhood Serving)	Construction of New Recreation Features	1,500,000
17. Parque de Los Pobladores	Park Expansion	1,500,000
18. Evans Lane/Canoas	New Park Construction	3,000,000
19. Rincon South Park (Kerley and Rosemary)	Land acquisition and construction of new park	1,500,000
20. Hubbard Elementary School	Renovate Ball Fields with Artificial Turf	3,000,000
21. Joseph George Middle School	Renovate Ball Fields with Artificial Turf	3,000,000
	Total	\$55,000,000