

RESOLUTION NO. 75279

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AND SUBMIT AN APPLICATION FOR GRANT FUNDS TO THE SANTA CLARA VALLEY WATER DISTRICT IN AN AMOUNT NOT TO EXCEED \$300,000 FOR THE TRAILS AND OPEN SPACE GRANT PROGRAM UNDER THE CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION PROGRAM OF 2000 FOR THE PENITENCIA CREEK REACH 1 (DOREL DRIVE TO NOBLE DRIVE) TRAIL PROJECT AND NEGOTIATE AND EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT THE GRANT

WHEREAS, the Santa Clara Valley Water District has enacted the Trails and Open Space Grant Program, which provides funds for the acquisition and development of neighborhood, community, and regional parks and recreation lands and facilities; and

WHEREAS, the Santa Clara Valley Water District's Watershed Planning Unit has been delegated the responsibility for the administration of the grant program, and setting up necessary procedures; and

WHEREAS, said procedures established by the Santa Clara Valley Water District require the San José City Council ("Council") to certify by resolution the approval of the City of San José ("City") to apply for Trails and Open Space Grant Program funds; and

WHEREAS, the City will enter into a Grant Agreement with the Santa Clara Valley Water District; and

WHEREAS, if the grant is awarded, the City will be required to provide a match equaling \$100,000, which is 25% of the total Project cost of \$400,000;

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

1. Approves the filing of an Application for local assistance funds from the Trails and Open Space Grant Program under the Clean, Safe Creeks and Natural Flood Protection Program of 2000; and
2. Certifies that the City of San José has or will have sufficient funds to operate and maintain the Project; and
3. Certifies that the City of San José has reviewed, understands and agrees to the Special Provisions, General Provisions and Financial Provisions contained in the Agreement; and
4. Authorizes the City Manager or Designee to execute and submit an application to the Santa Clara Valley Water District under the 2010 Trail and Open Space Grant program for the Pentencia Creek Reach 1 (Dorel Drive to Noble Drive) Trail project in an amount not to exceed \$300,000; and
5. Appoints the City Manager or Designee as agent to accept the grant on behalf of the City, to conduct all negotiations, execute and submit all documents including, but not limited to Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

ADOPTED this 23rd 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