

RESOLUTION NO. 75541

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PLANNING, BUILDING AND CODE ENFORCEMENT TO EXECUTE AND SUBMIT AN APPLICATION TO THE STATE OF CALIFORNIA SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84) FOR A GRANT FOR THE SUSTAINABLE COMMUNITIES ECONOMICALLY DISADVANTAGED SET ASIDE PLANNING GRANT FOR THE URBAN CORRIDOR PLAN FOR THE EAST SANTA CLARA STREET AREA FOR AN AMOUNT OF APPROXIMATELY \$325,000, BUT IN NO EVENT TO EXCEED \$1 MILLION; AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT IF AWARDED, AND TO NEGOTIATE AND EXECUTE ALL RELATED DOCUMENTS

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program stated above; and

WHEREAS, the Strategic Growth Council ("SGC") has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the SGC require a resolution certifying the approval of the application by the City of San Jose's ("City") City Council before submission of said application to the State; and

WHEREAS, the City desires to apply for the Sustainable Communities Economically Disadvantaged Set Aside Planning Grant to develop an urban corridor plan for East

Santa Clara Street ("Project") for approximately \$325,000 in grant funds, but in any event such grant application shall not seek more than \$1 million; and

WHEREAS, if the grant is awarded the City would enter into an agreement with the State of California for the purposes of implementing the Project, and while a local match of funds is not required for the Project, City may provide in-kind leverage of permanent long-range planning positions supported by the General Fund, including the City pursuing other third party funding to cover additional temporary City Planning positions.

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

1. The Director of Planning, Building and Code Enforcement is authorized to execute and submit an application to the State of California Sustainable Communities Planning Grant and Incentives Program to develop an urban corridor plan for East Santa Clara Street, in an amount up to \$1 million.
2. City certifies that City understands the assurances and certification in the application; and
3. City certifies that City will have sufficient funds to develop the Project or will secure the resources to do so; and
4. City certifies that the Project will comply with any applicable laws and regulations.
5. The City Manager is further authorized to accept the grant on behalf of the City and to negotiate and execute any necessary documents including, but not limited to, agreements and payment requests to effectuate the grant from the State of California Sustainable Communities Planning Grant and Incentives Program for

the Project upon and subject to Council approval of appropriation of in-kind leverage that may be necessary for the grant.

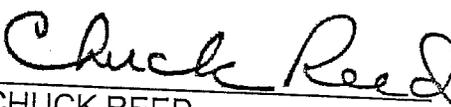
ADOPTED this 24th day of August, 2010, by the following vote:

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