

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN JOSE AUTHORIZING THE CITY MANAGER TO  
SUBMIT A GRANT APPLICATION AND, IF AWARDED,  
TO NEGOTIATE AND EXECUTE A GRANT AGREEMENT  
WITH THE SANTA CLARA VALLEY OPEN SPACE  
AUTHORITY FOR AN AMOUNT UP TO \$250,000 FOR  
PARK DEVELOPMENT AT THE SOUTHEAST CORNER  
OF MIDFIELD AVENUE AND HAVANA WAY**

**WHEREAS**, on November 2, 2021, the City of San José (“City”) City Council adopted a resolution authorizing the City Manager to negotiate and execute a grant agreement with the Santa Clara Valley Open Space Authority (“Authority”) for \$250,000 ; and

**WHEREAS**, however the Authority requires specific verbiage in the resolution for the grant as set forth in the memorandum to the City Council date May 10, 2022; and

**WHEREAS**, in accordance with the voter-approved Measure Q Expenditure Plan, the Authority has established a competitive Urban Grant Program (“Program”) for projects that provide healthy and safe open space and park areas and environmental education programs within and near urban areas of Santa Clara County; and

**WHEREAS**, the City has identified Havana-Midfield Park Project (“Project”) at the southeast corner of Midfield Avenue and Havana Way as a priority project; and

**WHEREAS**, the City believes that the Project meets the criteria for the Authority’s Program; and

**WHEREAS**, the total Project cost for the implementation of the Project is \$750,000; and

**WHEREAS**, the Authority's Program requires applicants to provide at least 25% match of grant request; and

**WHEREAS**, the City has secured \$500,000 from Caltrans Clean California Program; and

**WHEREAS**, the City will be responsible for operation and maintenance of the Project;

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

The City Manager is hereby authorized to submit a grant application and, if awarded, negotiate and execute a grant agreement with Santa Clara Valley Open Space Authority for an amount up to \$250,000 for park development at the southeast corner of Midfield Avenue and Havana Way.

Furthermore, the City Council hereby finds, determines, declares, and orders as follows:

1. Truth of Recitals. That the forgoing recitations are true and correct.
2. Measure Q Consistency. That the Project is consistent with the Measure Q Expenditure Plan.
3. Authorization. The City Manager of the City is hereby authorized to conduct all negotiations and submit and sign all documents, including but not limited to, grant agreement, conservation easement, amendments, reimbursement requests as may be necessary for completion of the project.
4. Matching Funds. The City has available \$500,000 for matching funds as cash or in-kind and sufficient funds to complete the Project.
5. Operation and Maintenance. The City has available and sufficient funds necessary to operate and maintain the Project.

6. Program Guidelines. The City has reviewed, understands, and agrees to abide by the provisions contained in the Program Guidelines.
7. Legal Compliance. The City acknowledges that it will comply with all federal, state and local laws applicable to the Project.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

---

SAM LICCARDO  
Mayor

ATTEST:

---

TONI J. TABER, CMC  
City Clerk