

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION AND NEGOTIATE AND EXECUTE A GRANT AGREEMENT WITH SANTA CLARA VALLEY OPEN SPACE AUTHORITY FOR AN AMOUNT UP TO \$250,000 FOR DESIGN AND ENVIRONMENTAL REVIEW OF A 1-ACRE PROTOTYPE WETLAND RESTORATION PROJECT

WHEREAS, in accordance with the voter-approved Measure Q Expenditure Plan, the Santa Clara Valley Open Space Authority (Authority) has established a competitive Urban Grant Program (the 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 of San José (City) has identified the design and environmental review of a 1-acre Prototype Wetland Restoration Project (Project) at Lake Cunningham Regional Park (Park) as a priority project; and

WHEREAS, the City believes that the Project meets the criteria for the Authority's Urban Grant Program; and

WHEREAS, the Project cost is estimated to be \$388,000; and

WHEREAS, the Authority's Program requires applicants with annual revenue above \$10 million to provide at least a 25% match of the grant request; and

WHEREAS, the City's 25% match amount will be included in the 2023-2024 Proposed Capital Budget; and

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

NOW, THEREFORE, BE IT RESOLVED that this Council of the City of San José 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 of San José or their designee is hereby authorized to conduct all negotiations and submit and sign all documents, including but not limited to, grant agreements, amendments, and reimbursement requests as may be necessary for completion of the Project.
4. **Matching Funds.** The City has available \$62,500 (25% of \$250,000) 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 Authority's 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 _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN

Mayor

ATTEST:

TONI J. TABER, CMC

City Clerk