

RESOLUTION NO. 13-114 N.C.

**AMENDING THE FISCAL YEAR 2013-2014 CIP BUDGET, AUTHORIZING THE
IMPLEMENTATION OF (PB E4 PROJECT) THE PARKS AND RECREATION
IMPROVEMENTS PROJECT**

WHEREAS, Pursuant to Resolution No. 12-064 N.C. the City Council of the City of Vallejo declared its intent to establish a Participatory Budgeting process with the goal of allocating a minimum of 30% of the 1% sales tax monies, Measure B funds, collected over a 15 month period from April 1, 2012 through June 30, 2013; and

WHEREAS, upon the completion of the Participatory Budgeting election process, the results were presented to this Council on May 28, 2013, and twelve projects were selected by the public, including 'Parks and Recreation Improvements Projects as described in the 'Description of voter Approved Project Proposal' attached to the staff report on that date, hereinafter, the "Project"; and upon the completion of the Participatory Budgeting election process, the results were presented to this Council, and twelve projects were selected by the public, including the Project; and

WHEREAS, Pursuant to Resolution No. 12-138 N.C. the Council adopted the Participatory Budgeting Rulebook determining that Participatory Budgeting Projects are eligible for funding if they meet the following criteria:

1. They benefit the public.
2. Are a one-time expenditure that can be completed with funds from the FY2012/2013 budget.
3. Are implemented by the City of Vallejo, or in collaboration with the Vallejo City Unified School District, the Greater Vallejo Recreation District, or any other Public Agency, non-profit organization, or religious institution that operates in Vallejo. Projects implemented by non-city public agency must also include financial or value in kind contributions. Projects implemented by non-profit organizations or religious institutions must also meet the eligibility guidelines used by the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program; and

WHEREAS, on July 9, 2013 City Council approved a Resolution of Intention to amend the Fiscal Year 2013-2014 budget; and

WHEREAS, the Council has received evidence and testimony on the Project, and hereby exercises its authority to make the following findings and to resolve as follows.

NOW, THEREFORE, BE IT RESOLVED that the City of Vallejo makes the following findings:

1. The City Council of the City of Vallejo finds that implementing the Project will improve the quality of life for all Vallejo residents by increasing the opportunities for recreation and exercise in City-owned parks that are managed by the Greater Vallejo Recreation District pursuant to the Master Lease between the City of Vallejo and the Greater Vallejo Recreation District.
2. The Project will provide recreational benefits to families, seniors, school groups, sports teams and anyone who uses park benches, play equipment, restrooms, water fountains,

sidewalks, the bocce ball courts and the PAL field, improving the quality of life of Vallejo residents.

3. The Project will improve Vallejo's image and combat blight at Vallejo parks and recreational facilities. These improvements and repairs provide a public benefit to the City of Vallejo.

BE IT FURTHER RESOLVED that the following conditions must be met prior to the disbursement of funds to each project proponent:

1. Location Approval. Location of project needs will be determined by GVRD and City of Vallejo Staff, (including the Economic Development Department and Planning Division, and the Public Works Department) after input from project proponents. (Site Plan, Unit Plan or other administrative approval needs to be processed).
2. Cooperation with other public entities. Require the cooperation, collaboration, or in-kind contribution from the Greater Vallejo Recreation District as well as the cooperation, collaboration, in-kind contribution and eligibility provided by the Vallejo City Unified School District, owner of the land leased to the Police Activity League (PAL).
3. California Environmental Quality Act (CEQA). Depending on location and specifics of improvements, GVRD and or City Staff will evaluate the project's environmental impact and determine whether the project is exempt from CEQA or requires environmental review.
4. Key Conditions prior to Disbursement of Funds.
 - a. Identify the owners of the 13 properties involved and determine if they are cooperative with regard to this project; if City is not owner, negotiate and execute grant agreement in a form to be approved by City Attorney.
 - b. For GVRD and VCUSD-related improvements:
 - i. GVRD (or public entity) agrees and executes grant agreement detailing improvements, timeline and with specific reporting and delivery provisions;
 - ii. City processes administrative or planning approval for specific improvements and selection of location;
 - iii. Reporting requirements and acceptance of improvements to occur when Project is completed.
 - c. Pursuant to Cal.Gov. Code § 1090, no person who participated in any capacity (whether as a steering committee member, delegate, proponent or advisor) during the Participatory Budgeting Process for this Project may personally benefit by receipt of any funds contained in any grant agreement for this Project authorized by this resolution.

FURTHER, BE IT RESOLVED that subject to the findings and the conditions set forth in this resolution, the City Council hereby:

1. Amends the Fiscal Year 2013-2014 General Fund and Capital Improvement Program (CIP) Budgets, redistributing \$621,500 from Project Number PB-000 in the CIP Budget to the City's General Fund to implement the Project, and, authorize the City Manager the

administrative authority to execute any and all agreements, subject to review by the City Attorney, and to take any and all required actions to implement the Project as set forth in this resolution, consistent with the Vallejo Municipal Code, the PB Rule book and any other applicable authority and authorizes him to use his discretion in making decisions that ultimately promote the goal of the Project as set forth in the 'Description of voter-approved Project Proposal'.

2. Directs the City Manager to report to the City Council once the project is complete.

Adopted by the City Council of the City of Vallejo at a regular meeting held on July 23, 2013 by the following vote:

AYES:	Mayor Davis, Vice Mayor Gomes and Councilmembers Brown, Malgapo, McConnell, Sampayan, and Sunga
NOES:	None
ABSTAIN:	None
ABSENT:	None


OSBY DAVIS, MAYOR

ATTEST:


DAWN G. ABRAHAMSON, CITY CLERK