

Resolution R-5195

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING APPLICATION(S) FOR FUNDING ASSISTANCE FOR WASHINGTON WILDLIFE AND RECREATION PROGRAM (WWRP) PROJECTS TO THE RECREATION AND CONSERVATION FUNDING BOARD AS PROVIDED IN CHAPTER 79A.15 AND 79A.25 REVISED CODE OF WASHINGTON, WASHINGTON ADMINISTRATIVE CODE TITLE 286, AND OTHER APPLICABLE AUTHORITIES.

1 WHEREAS, the City of Kirkland has approved a comprehensive
2 parks and recreation plan that includes development of Totem Lake
3 Park; and
4

5 WHEREAS, under provisions of the WWRP program, state grant
6 assistance is requested to aid in financing the cost of development of
7 Totem Lake Park; and
8

9 WHEREAS, our organization considers it in the best public
10 interest to complete the project described in the application.
11

12 NOW, THEREFORE, be it resolved by the City Council of the City
13 of Kirkland as follows:
14

15 Section 1. The Director of Parks and Community Services is
16 authorized to make formal application to the Recreation and
17 Conservation Office for grant assistance.
18

19 Section 2. Our organization has reviewed the sample project
20 agreement on the Recreation and Conservation Office's web site and
21 authorizes the City Manager to enter into such a project agreement, if
22 funding is awarded. We understand and acknowledge that the project
23 agreement will contain the indemnification (applicable to any sponsor)
24 and waiver of sovereign immunity (applicable to Tribes) and other terms
25 and conditions that are contained in the sample project agreement. The
26 sample project agreement may be revised periodically by the Recreation
27 and Conservation Office. Our organization recognizes that such changes
28 might occur prior to our authorized representative signing the actual
29 project agreement, and we accept the responsibility and the
30 presumption that our authorized representative shall have conferred
31 with us as to any such changes before he/she executes the project
32 agreement on behalf of our organization and so executes with our
33 authorization.
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35 Section 3. Any grant assistance received will be used for direct
36 eligible and allowable costs that are reasonable and necessary to
37 implement the project referenced above.

38 Section 4. Our organization expects our matching share of
39 project funding will be derived from Real Estate Excise Taxes (REET 1)
40 and Park Impact Fees and that pursuant to WAC 286-13-040 we must
41 certify the availability of match at least one month before funding
42 approval. In addition, our organization understands it is responsible for
43 supporting all non-cash commitments to this project should they not
44 materialize.

45
46 Section 5. We acknowledge that if the Recreation and
47 Conservation Funding Board approves grant assistance for the project,
48 the Recreation and Conservation Office will pay the City of Kirkland on
49 only a reimbursement basis. We understand reimbursement basis
50 means that we will only request payment from the Recreation and
51 Conservation Office after we incur eligible and allowable costs and pay
52 them. The Recreation and Conservation Office may also determine an
53 amount of retainage and hold that amount until the project is complete.
54

55 Section 6. We acknowledge that any property owned by our
56 organization that is developed, renovated or restored with grant
57 assistance must be dedicated for the purpose of the grant in perpetuity
58 after the project is complete unless otherwise provided and agreed to
59 by our organization and the Recreation and Conservation Funding Board
60 in the project agreement or an amendment thereto.
61

62 Section 7. We acknowledge that any property not owned by our
63 organization that is developed, renovated or restored with grant
64 assistance must be dedicated for the purpose of the grant for at least
65 twenty-five (25) years after the project is complete unless otherwise
66 provided and agreed to by our organization and the Recreation and
67 Conservation Funding Board in the project agreement or an amendment
68 thereto.
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70 Section 8. This resolution becomes part of a formal application
71 to the Recreation and Conservation Office for grant assistance.
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73 Section 9. The City of Kirkland provided appropriate opportunity
74 for public comment on this application.
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76 Section 10. The City of Kirkland certifies that this application
77 authorization was properly and lawfully adopted following the
78 requirements of our organization and applicable laws and policies and
79 that the person signing as authorized representative is duly authorized
80 to do so.
81

82 Passed by majority vote of the Kirkland City Council in open
83 meeting this 19th day of April, 2016.
84

85 Signed in authentication thereof this 19th day of April, 2016.


DEPUTY MAYOR

Attest:


City Clerk