



STAFF REPORT

MEETING DATE: November 8, 2023

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Consideration of Deed Restriction for the Kerman Northwest Park (JG)

RECOMMENDATION: Council by motion adopt the resolution approving the Deed Restriction for the Kerman Northwest Park As Required by the 2018 Parks Bond Act Per Capita Grant Program and authorize the City Manager to execute same.

EXECUTIVE SUMMARY:

The Kerman Northwest Park (Project) will be located at the intersection of Kenneth and San Joaquin Avenues. The Project was awarded for construction on August 9, 2023, and includes concrete sidewalk, landscape planting, and a landscape irrigation system.

A funding source of the Project is the 2018 Parks Bond Act Per Capita Grant Program (Grant) for which a contract was executed on March 17, 2022 in the amount of \$177,952.00. As a requirement of the funding, the City of Kerman (City) must record a Deed Restriction with the County of Fresno Recorder's Office. The Deed Restriction will restrict the title to the property, safeguarding it for purposes consistent with the Grant for the duration of the contract performance period, through June 30, 2048. The Deed Restriction must be recorded before any grant funding is made available to the City.

FISCAL IMPACT:

Failure to approve the required deed restriction will result in the City not receiving the grant funding thereby creating a shortage of funds putting in jeopardy the completion of the Project.

ATTACHMENTS:

- A. Resolution
- B. Deed Restriction

Attachment 'A'

RESOLUTION NO. 23-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING THE DEED RESTRICTION FOR THE KERMAN NORTHWEST PARK AS REQUIRED BY THE 2018 PARKS BOND ACT PER CAPITA GRANT PROGRAM AND AUTHORIZE THE CITY MANAGER TO EXECUTE SAME

WHEREAS, the City of Kerman (City) is developing the Kerman Northwest Park (Project) located at the intersection of Kenneth and San Joaquin Avenues; and

WHEREAS, the Project was awarded for construction on August 9, 2023; and

WHEREAS, the Project will include concrete sidewalk, landscape planting and a landscape irrigation system; and

WHEREAS, the City has received 2018 Parks Bond Act Per Capita Grant Program (Grant) funds in the amount of \$177,952.00; and

WHEREAS, conditions of the funding require the City record a Deed Restriction with the County of Recorder's Office, for safeguarding the property for purposes consistent with the Grant for the duration of the contract performance period, through June 30, 2048; and

WHEREAS, the Deed Restriction must be recorded before Grant funds are made available to the City.

NOW THEREFORE, the City Council of the City of Kerman hereby resolves as follows:

- SECTION 1. The foregoing recitals are true and correct and incorporated by reference.
- SECTION 2. The Deed Restriction attached hereto as Exhibit 'A' is approved.
- SECTION 3. City Manager Jon Jansons is authorized to sign the Deed Restriction.
- SECTION 4. This resolution is effective upon adoption.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 8th day of November 2023, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Marci Reyes
City Clerk