

6/22/2010

46-R-10

A RESOLUTION

**Authorizing the City Manager to Sign a
Resolution of Authorization for an
Open Space Land Acquisition and Development
Grant Application for the Grandmother Park Project and for Other
Activities Related to the Grandmother Park Project**

WHEREAS, the Open Space Land Acquisition and Development (hereinafter, "OSLAD") Grant is a state-financed program operated by the Illinois Department of Natural Resources; and

WHEREAS, an OSLAD Grant can be requested for acquisition and/or development of land for public outdoor recreational purposes; and

WHEREAS, the OSLAD Grant Program operates on a reimbursement basis providing up to fifty percent (50%) assistance for approved project costs, with a maximum award of seven hundred fifty thousand dollars (\$750,000.00) for acquisition projects; and

WHEREAS, an applicant, as part of its proposal, must adopt and submit a Resolution of Authorization by July 1, 2010, certifying and acknowledging that it has one hundred percent (100%) of the funds necessary to complete the pending project within the required time; and

WHEREAS, the City's Parks, Recreation and Community Services Department is preparing a grant proposal for the Grandmother Park Project; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the foregoing recitals are hereby found as fact
and incorporated herein by reference.

SECTION 2: That the City Council adopts the State of Illinois
OSLAD Doc-3 Resolution of Authorization attached hereto as Exhibit A and
made a part herein by reference.

SECTION 3: That the City Manager is hereby authorized to sign,
and the City Clerk hereby authorized to attest, on behalf of the City of Evanston,
the Resolution of Authorization and the Grant Application to apply for an OSLAD
Grant for the Grandmother Park Project.

SECTION 4: That the City Manager is hereby authorized and
directed to negotiate any additional conditions of the Resolution of Authorization
and Grant Application as may be determined to be in the best interest of the City.

SECTION 5: That this Resolution 46-R-10 shall be in full force and
effect from and after its passage and approval in the manner provided by law.


Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene, City Clerk

Adopted: June 28, 2010

EXHIBIT A

State of Illinois OSLAD Doc-3 Resolution of Authorization

STATE OF ILLINOIS / DNR
OSLAD/LWCF PROJECT APPLICATION FORM

DOC-3 RESOLUTION OF AUTHORIZATION

1. Project Sponsor: City of Evanston

2. Project Title: Grandmother Park

The City of Evanston (local project sponsor) hereby certifies and acknowledges that it has 100% of the funds necessary (includes cash and value of donated land) to complete the pending OSLAD/LWCF project within the timeframes specified herein for project execution, and that failure to adhere to the specified project timeframe or failure to proceed with the project because of insufficient funds or change in local recreation priorities is sufficient cause for project grant termination which will also result in the ineligibility of the local project sponsor for subsequent Illinois DNR outdoor recreation grant assistance consideration in the next two (2) consecutive grant cycles following project termination.

Acquisition and Development Projects

It is understood that the project should be completed within the timeframe established in the project agreement and the Final Billing reimbursement request will be submitted to IDNR as soon as possible after project completion.

The City of Evanston (local project sponsor) further acknowledges and certifies that it will comply with all terms, conditions and regulations of 1) the Open Space Lands Acquisition and Development (OSLAD) program (17 IL Adm. Code 3025) or federal Land & Water Conservation Fund (LWCF) program (17 IL Adm. Code 3030), as applicable, 2) the federal Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and/or the Illinois Displaced Persons Relocation Act (310 ILCS 40 et. seq.), as applicable, 3) the Illinois Human Rights Act (775 ILCS 5/1-101 et.seq.), 4) Title VI of the Civil Rights Act of 1964, (P.L. 83-352), 5) the Age Discrimination Act of 1975 (P.L. 94-135), 6) the Civil Rights Restoration Act of 1988, (P.L. 100-259) and 7) the Americans with Disabilities Act of 1990 (PL 101-336); and will maintain the project area in an attractive and safe conditions, keep the facilities open to the general public during reasonable hours consistent with the type of facility, and obtain from the Illinois DNR written approval for any change or conversion of approved outdoor recreation use of the project site prior to initiating such change or conversion; and for property acquired with OSLAD/LWCF assistance, agree to place a covenant restriction on the project property deed at the time of recording that stipulates the property must be used, in perpetuity, for public outdoor recreation purposes in accordance with the OSLAD/LWCF programs and cannot be sold or exchanged, in whole or part, to another party without approval from the Illinois DNR.

BE IT FURTHER PROVIDED that the City of Evanston (local project sponsor) certifies to the best of its knowledge that the information provided within the attached application is true and correct. This Resolution of Authorization has been duly discussed and adopted by the City of Evanston (local project sponsor) at a legal meeting held on the ___ day of _____, 20__.

Wally Bonkiewicz
(Authorized Signature)
CITY MANAGER
(title)

ATTESTED BY: [Signature]
City Clerk
(title)

U.S. DEPARTMENT OF THE INTERIOR

Certification Regarding Federal
Debarment, Suspension, Ineligibility and
Voluntary Exclusion

Local Agency Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 43 CFR Part 12, Section 12.510, Participants' responsibilities. The regulations were published as Part VI of the May 26, 1988 Federal Register (pages 19160-19211). For assistance in obtaining a copy of the regulations, contact the U.S. Department of the Interior, Acquisition and Assistance Division, Office of Acquisition and Property Management, 18th and C Streets, N.W., Washington D.C. 20240.

AS CHIEF ELECTED OFFICIAL of the below indicated Illinois local unit of government seeking LWCF financial assistance, I do hereby certify that:

1. The prospective local agency project sponsor (sub-recipient) certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective local agency project sponsor (sub-recipient) is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

City of Evanston

Local Project Sponsor

WALLY BOBKIEWICZ, CITY MANAGER

Name and Title of Authorized Representative

Wally Bobkiewicz

Signature

6-23-10

Date

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ASSURANCE OF COMPLIANCE

City of Evanston (hereinafter called "Applicant-Recipient"), HEREBY AGREES THAT IT will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112) as amended, the Age Discrimination Act of 1975 (P.L. 94-135), the Civil Rights Restoration Act of 1988 (P.L. 100-259) and the Americans with Disabilities Act of 1990 (PL 101-336), and all requirements imposed by or pursuant to the U.S. Department of the Interior Regulation (43 CFR 17) issued pursuant to these laws, to the end that no person in the United States shall, on the ground of race, color, creed, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant-Recipient receives financial assistance from the U.S. Department of the Interior and HEREBY GIVES ASSURANCE THAT IT will immediately take any measures to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant-Recipient by the U.S. Department of the Interior, this assurance obligates the Applicant-Recipient, or in the case of any transfer of such property, any transferee for the period during which the real property or structure is used for a purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance obligates the Applicant-Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Applicant-Recipient for the period during which the Federal financial assistance is extended to it by the U.S. Department of the Interior.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts or other Federal financial assistance extended after the date hereof to the Applicant-Recipient by the bureau or office, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. The Applicant-Recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall reserve the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant-Recipient, its successors, transferees, and assignees, and the person whose signature appears below is authorized to sign this assurance on behalf of the Applicant-Recipient.

6-23-10
(Date)

City of Evanston
(APPLICANT / RECIPIENT)

BY: Wally Bonking
(President, Chairman of Board or Comparable authorized Official)

2100 Ridge Avenue
(APPLICANT / RECIPIENT MAILING ADDRESS)

Evanston, Illinois 60201
(CITY, STATE ZIP CODE)