

DISTRICT 05 GRANT AGREEMENT

This Agreement is made and entered into this 3rd day of August, 2021 by and between the CITY OF SAN JOSE, a municipal corporation ("City") and Mount Pleasant Neighborhood Association ("Grantee").

Grantee is a non-profit corporation registered with the State of California
unincorporated association political subdivision of the State of California Other. If
Other, please explain:

SECTION 1. GRANT AWARD

A. Upon full execution of this Agreement, City agrees to pay to Grantee a grant award in the amount of \$1,000.00 ("Grant Award").

B. Grantee shall spend the Grant Award only for the purposes specified below (the "Grant Project").

This grant is provided to Mount Pleasant Neighborhood Association to support the 2021 National Night Out Event. After such a disconnected and difficult year, the Mount Pleasant Neighborhood Association board wants to re-connect our residents and embrace our spirit of community. Our event will invite residents to join our community convening and share in pleasant conversation and resources. We're excited to see new and old faces at our event and inviting them to join our neighborhood association. Therefore, this grant falls under the recreation section of the SAP grant.

SECTION 2. TERM OF AGREEMENT

A. The term of this Agreement shall commence on the date of execution by City and shall expire on the 31st Day of December, 2021, unless sooner terminated in accordance with the terms of this Agreement.

B. If Grantee fails to use the Grant Award as specified herein, the City Clerk may terminate this Agreement upon seven (7) days' written notice to Grantee. No later than sixty (60) days after Grantee's receipt of the City's termination notice, Grantee shall refund the unused grant amount to the City; except that Grantee shall have no obligation to refund to City any portion of the Grant Award that was expended in accordance with the terms of this Agreement.

C. Grantee shall not expend any portion of the funds provided under this Agreement ("Grant Award") to inhibit or promote religion and the Grant Services funded by the Grant Award must not be used to convey a religious message. Any portion of the Grant Award used in contradiction to the provisions of this SECTION, shall be deemed a disallowed cost.

C. Grantee shall not expend any portion of the Grant Award for political advocacy efforts, whether for or against a political candidate, ballot measure or bill.

SECTION 3. ACCOUNTING/AUDIT

- A. Grantee shall maintain proper accounting records in accordance with generally accepted accounting principles. All financial documents and transactions associated with this grant shall be available to the City for inspection, copying, and audit purposes during regular business hours.
- B. Grantee further agrees that such right of City to examine or audit shall continue for three (3) years after the expiration or termination of this Agreement, or for such longer period, if any, as is required by applicable law. Grantee shall preserve and make available its records (1) until the expiration of three years from the date of expiration or sooner termination of this Agreement, or (2) for such longer period, if any, as is required by applicable law.

SECTION 4. INDEMNIFICATION AND HOLD HARMLESS

Grantee agrees to protect, defend, indemnify and hold harmless City, its officers, employees and agents from any and all liability, loss, damage, suits, actions, or claims arising or resulting from the performance of this Agreement by Grantee, its officers, volunteers, employees, or agents. This section will survive expiration or sooner termination of this Agreement.

SECTION 5. INSURANCE REQUIREMENTS

- Insurance is not required.
- Insurance is required. Grantee agrees to have and maintain the policies set forth in the attached Exhibit A, entitled "INSURANCE." All policies, endorsements, certificates and/or binders shall be subject to approval by the Risk Manager of the City of San Jose as to form and content. These requirements are subject to amendment or waiver if so approved in writing by the Risk Manager. Grantee agrees to provide City with a copy of said policies, certificates and/or endorsements upon execution of this Agreement.

SECTION 6. COMPLIANCE WITH ALL LAWS/NON-DISCRIMINATION

- A. Grantee shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local governments.
- B. Grantee shall not discriminate, in any way, against any person on the basis of race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin, in connection with or related to the performance of this Agreement.

SECTION 7. NOTICES

Any communication or notice which either party is required to send to the other or which either party desires to send to the other, shall be in writing and shall be either personally delivered or mailed in the United States mail, postage prepaid, to the City as addressed below and to Grantee as set forth in Grantee's signature block.

City: Toni J. Taber, CMC
City Clerk
200 E. Santa Clara St.
14th Floor of the Tower
San Jose, CA 95113

WITNESS THE EXECUTION HEREOF on the day and year first written above.

FORM AGREEMENT APPROVED BY THE
OFFICE OF THE CITY ATTORNEY

“CITY”

CITY OF SAN JOSE, a Municipal
Corporation

By: mjrodriguez
for TONI J. TABER, CMC
City Clerk

“GRANTEE”

Mount Pleasant Neighborhood Association
(NAME OF ORGANIZATION)

By: Trudy Ellerbeck
Name: Trudy Ellerbeck
Title: Treasurer

Address:
3340 Mount Vista Dr.
San Jose CA 95127

Telephone:
510.305.2215

Federal Tax ID No.:
[REDACTED]

CITY COUNCIL CONTRIBUTION REQUEST FORM

Council District: 5	Contact Person: Brisa Rojas	Phone: 408 535-4905
Grantee Name: Mount Pleasant Neighborhood Association		Vendor # 53206
Grantee Taxpayer ID: XXXXXXXXXX	Charitable Trust (CT) # Batch # 785703	
Grantee Contact: Trudy Ellerbeck	Title: Treasurer Invoice # 532062121	
Phone: 510.305.2215	Fax:	
Email: jotrudy@pacbell.net		
Address: 3340 Mount Vista Dr.		
City: San Jose	State: CA	Zip: 95127
Hand Deliver Check <input checked="" type="checkbox"/> Mail Check <input type="checkbox"/> Address for check: ACH on file		
City:	State:	Zip:
GRANTEE TYPE		
<input type="checkbox"/> Non-profit corporation registered with the State of California <input type="checkbox"/> School District		
<input checked="" type="checkbox"/> Unincorporated Association <input type="checkbox"/> City of San José Department		
<input type="checkbox"/> Political Subdivision of the State of California <input type="checkbox"/> Other: _____		
Recreational		
PURPOSE OF THE GRANT		
<p>_ 2021 National Night Out - After such a disconnected and difficult year, the Mount Pleasant Neighborhood Association board wants to re-connect our residents and embrace our spirit of community. Our event will invite residents to join our community convening and share in pleasant conversation and resources. We're excited to see new and old faces at our event and inviting them to join our neighborhood association. Therefore, this grant falls under the recreation section of the SAP grant.</p> <p>Furthermore, our event will feature a backpack distribution that will include various school supplies meant to help students and their families smoothly return to school! Our neighborhood association closely partners with the Mount Pleasant Unified School District and has students who attend East Side Union Elementary & High School District. We hope that connecting students with these resources will help ensure their success in the coming school year.</p>		
<i>Note: No Funds Shall be used for religious or political purposes.</i>		
SOURCE OF FUNDS		
<input type="checkbox"/> Council Grant: I understand it will be funded by my Council District Office appropriation.		
<input checked="" type="checkbox"/> SAP Pavilion at San José District Funds: I understand it will be funded by the Arena Community Fund City-wide appropriation, and that my district is allocated \$25,000 per year.		
<input type="checkbox"/> Constituent Outreach: I understand it will be funded by my Constituent Outreach Appropriation		
Amount: \$1,000		
SAP		
\$1000		

CITY COUNCIL CONTRIBUTION REQUEST FORM

Is the councilmember or his/her spouse or domestic partner affiliated with the grantee in any way? (For example, a paid or unpaid member, director, officer, or advisor to the grantee)

x No. Yes.

If yes, please explain: _____

To the best of my knowledge, this request complies with the City Council Expenditure and Reimbursement Policy (CPM # 0-38).



Dated: 07/13/2021

Councilmember's Signature

Dated: 08/03/21



Toni Faber, CMC
City Clerk

for

FOR OFFICE OF THE CITY CLERK USE

Visible Code: (Number)

Date check received from Finance: _____ Check Number: _____ Distribution date: _____

Is the grantee requesting Council grants from other Council Districts at this time? Yes No

Has the grantee received any other Council grants within the past 12 months? Yes No

Has the grantee received any other City of San José Grants within the past 12 months? Yes No



CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street, 14th Floor
San José, California 95113
Telephone (408) 535-1260
Facsimile (408) 292-6207

TONI J. TABER, CMC
City Clerk

August 3, 2021

Via E-Mail Only

Trudy Ellerbeck
Mount Pleasant Neighborhood Association
3340 Mount Vista Drive
San Jose, CA 95127
jotrudy@pacbell.net
(email only)

Dear Trudy,

Congratulations! Your organization has been awarded a grant in the amount of \$1,000.00, at the recommendation of Councilmember Magdalena Carrasco. The attached electronic grant agreement contains the grant amount, the purpose of the grant, and the conditions of the grant award.

Please sign this grant agreement in blue ink, and email it back to me, along with an authorized signature form, that I will send to you separately. Please note that the agreements must be signed by your organization's Authorized Signatory as designated by your Governing Board or Board of Directors. Please leave the agreement date blank as the date will be entered once the agreement is fully-executed.

Please email all documents to: Charulatha.thiyagarajan@sanjoseca.gov

If you have questions, or need additional information regarding grant requirements, or would like to check the status of your grant application, please email me at the email address above.

Sincerely,

TONI J. TABER, CMC
City Clerk

City of San José Contract/Agreement Transmittal Form

Route Order

Attached / Completed

Electronically Signed

TO: City Attorney
 City Manager
 City Clerk **OR** Return to
Dept. (circle one)

Insurance Certificates / Waivers Electronically Signed: Select one
 Business Tax Certificate Audit Trail Attached (if applicable)
 Contacted Clerk re: Form 700
 Supplemental Memorandums (if applicable): Select One

Type of Document: New Contract

Type of Contract: Grant Applications/Agreements

REQUIRED INFORMATION FOR ALL CONTRACTS:

Existing GILES # 667454-000

Contractor: Mount Pleasant Neighborhood Association

Address: 3340 Mount Vista Dr., San Jose, CA 95127

Phone: 510.305.2215

Email: jotrudy@pacbell.net

Contract Description: 2021 National Night Out - After such a disconnected and difficult year, the Mount Pleasant Neighborhood Association board wants to re-connect our residents and embrace our spirit of community. Our event will invite residents to join our communit

Term Start Date: Upon execution Term End Date: 12/31/2021 Extension: Select one

Method of Procurement: Select one RFB, RFP or RFQ No.: _____ Date Conducted: _____

Agenda Date (if applicable): _____ Agenda Item No.: _____

Resolution No.: _____ Ordinance No.: _____

Original Contract Amount: \$1000.00 Amount of Increase/Decrease: _____

Option #: ___ of ___ Option Amount: _____ Updated Contract Amount: _____

Fund/Appropriation: 001-40-009445-4064

Form 700 Required: Select one

Business Tax Certificate No.: _____ Expiration Date: _____

Department: Council (40)

Department Contact Name/Phone: Charu Thiyagarajan (408) 535-1260 or Brisa Moreno (408) 535-4905

Notes:

Department Director Signature: _____ Date

Office of the City Manager Signature: _____ Date