

RESOLUTION NO. 1116

CITY OF LACEY

A RESOLUTION OF THE CITY OF LACEY AUTHORIZING THE APPLICATION FOR FUNDING ASSISTANCE MANAGED BY THE WASHINGTON STATE RECREATION AND CONSERVATION OFFICE FOR THE GREG CUIOIO PARK PHASE 1A PROJECT.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City of Lacey ("City") intends to apply for funding assistance managed by the Washington State Recreation and Conservation Office ("Office") for the Greg Cuoio Park Phase 1A project ("Project").
2. The City Manager or designee is the authorized representative/agent of the City of Lacey and is authorized to execute any and all documents related to the grant and to legally bind the City with respect to the Greg Cuoio Park Phase 1A Project for which we seek grant funding assistance managed through the Office.
3. The City has reviewed the sample RCO Grant Agreement on the Recreation and Conservation Office's WEB SITE at: <https://rcow.wa.gov/wp-content/uploads/2019/06/SampleProjAgreement.pdf>. The City understands and acknowledges that if offered an agreement to sign in the future, it will contain an indemnification and legal venue stipulation and other terms and conditions substantially in the form contained in the sample Agreement and that such terms and conditions of any signed Agreement shall be legally binding on the sponsor if our representative/agent enters into an Agreement on our behalf. The Office reserves the right to revise the Agreement prior to execution.
4. The City acknowledges and warrants, after conferring with its legal counsel, that its authorized representative/agent has full legal authority to act and sign on behalf of the organization.
5. Grant assistance is contingent on a signed Agreement. Entering into any Agreement with the Office is purely voluntary on our part.
6. The City understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the Agreement, the characteristics of the project, and the characteristics of our organization.
7. The City further understands that prior to our authorized representative/agent executing any of the documents listed above, the RCO may make revisions to its


sample Agreement and that such revisions could include the indemnification and the legal venue stipulation. Our organization accepts the legal obligation that we shall, prior to execution of the Agreement(s), confer with our authorized representative/agent as to any revisions to the project Agreement from that of the sample Agreement. We also acknowledge and accept that if our authorized representative/agent executes the Agreement(s) with any such revisions, all terms and conditions of the executed Agreement shall be conclusively deemed to be executed with our authorization.

8. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
9. If match is required for the grant, we understand our organization must certify the availability of match at least one month before funding approval. In addition, our organization understands it is responsible for supporting all non-cash matching share commitments to this project should they not materialize.
10. The City acknowledges that if it receives grant funds managed by the Office, the Office will pay us on only a reimbursement basis. We understand reimbursement basis means that we will only request payment from the Office after we incur grant eligible and allowable costs and pay them. The Office may also determine an amount of retainage and hold that amount until all project deliverables, grant reports, or other responsibilities are complete.
11. The City acknowledges that any property owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant in perpetuity unless otherwise allowed by grant program policy, or Office in writing and per the Agreement or an amendment thereto.
12. This resolution is deemed to be part of the formal grant application to the Office.
13. The City warrants and certifies that this resolution was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal authority to commit our organization to the warranties, certifications, promises and obligations set forth herein.


PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,

this 21 day of April, 2022.


CITY COUNCIL

By 
Mayor

Attest:


City Clerk

Approved as to form:


City Attorney