DEPARTMENT: Public Works

RECOMMENDED ACTION AND JUSTIFICATION:

Authorize the Chair of the Board to execute the attached formal resolution to authorize the Public Works Director to obtain $7,500 of matching grant funds through the California Department of Transportation (Aeronautics) program. See Attachment 1.

This project match is for the Update of the Mariposa-Yosemite Airport Master Plan.

Funding is through a Federal Aviation Administration grant of $150,000 (95% of the project cost) (AIP# 3-06-0147-06). See Attachment 3. The remaining 5% must come from other sources. The state offers a 4.5% match of the total project cost through Caltrans Aeronautics. The remainder is funded by the County.

The state match must be approved before work begins on the Master Plan.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board approved application and accepted a grant from the FAA for the Master Plan Update on September 13, 2005. The Board has applied for and received matching grants on all the past Airport Improvement Projects funded by the Federal Aviation Administration.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not authorize application for the matching grant. The County would provide the entire 5% match.

Financial Impact? (X) Yes ( ) No  Current FY Cost: $
Budgeted In Current FY? (X) Yes ( ) No ( ) Partially Funded
Amount in Budget: $157,900 *
Additional Funding Needed: $*

Source:
Internal Transfer
Unanticipated Revenue 4/5’s vote
Transfer Between Funds 4/5’s vote
Contingency 4/5’s vote
( ) General ( ) Other

List Attachments, number pages consecutively
1. Resolution
2. Procedures for AIP matching grants
3. Application
4. AIP 6 approval & contract (portions)

*Project funds:
FAA $150,000 approved
State $7,500 this grant request
County sources $400

CLERK'S USE ONLY:
Res. No.: Ord. No. ______
Vote – Ayes: ______ Noes: ______
Absent: ______
[ ] Minute Order Attached [ ] No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: ______

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: ____________________________
Deputy

COUNTY ADMINISTRATIVE OFFICER:
[ ] Requested Action Recommended
[ ] No Opinion

Comments:

CAO: ___/___/___

Revised Dec. 2002
RESOLUTION NO. 05-581

A resolution of the Mariposa County Board of Supervisors authorizing the submittal of an application, acceptance of an allocation of funds and execution of a grant agreement with the California Department of Transportation, for an AIP Matching grant.

WHEREAS, the County of Mariposa and the Federal Aviation Administration are parties to federal Airport Improvement Program (AIP) grant 3-06-0147-06 for update of the Mariposa-Yosemite Airport Master Plan; and

WHEREAS, the California Department of Transportation, pursuant to the Public Utilities Code section 21683.1, provides grants equal to 5% of Federal Aviation Administration grants to airports; and

WHEREAS, the California Department of Transportation requires the Board of Supervisors to adopt a resolution authorizing the submission of an application for a AIP Matching grant;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Mariposa, State of California:

1. Authorizes filing an application for a state AIP Matching grant for this project.
2. Authorizes accepting the allocation of state AIP Matching funds for the project.
3. Authorizes execution of an AIP Matching Grant Agreement for this project; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Mariposa does hereby authorize Dana Hertfelder, Public Works Director to sign any documents required to apply for and accept these subject funds on behalf of the County of Mariposa.

I hereby certify the foregoing resolution was introduced and read at the regular meeting of the County Board of Supervisors of the County of Mariposa on the 13th day of December, 2005, and the resolution was duly adopted at said meeting by the following vote:

AYES: STETSON, TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Bob Pickard, Chairman
Mariposa County Board of Supervisors

ATTEST:
Margie Williams, Clerk of the Board of Supervisors,
County of Mariposa
State of California
California Department of Transportation
Division of Aeronautics

Procedures to Receive an AIP Matching Grant

Once a sponsor accepts a federal Airport Improvement Program (AIP) grant, it should apply to the Division of Aeronautics for an allocation of State matching funds. The application form (DOA-0012) must be received by the Division and the state AIP Matching Grant Agreement must be executed prior to the start of construction (or land acquisition or planning effort).

The State will allocate matching funds to the sponsor when the following criteria have been met:

* The sponsor is eligible.
* The sponsor has accepted the AIP grant.
* The sponsor's governing board has approved the application for State funding. (The sponsor should get board/council approval for the State application at the same time as board approval for the AIP application. This avoids delays later.)
* The project is in the State’s Capital Improvement Plan (CIP).
* The project meets applicable State environmental laws.
* Construction of the project has not yet started.
* The primary benefit of the project is for general aviation.
* Monies are available in the State’s set-aside for AIP Matching.

When it allocates funds, the Department will also prepare a state grant agreement and send it to the sponsor for signature. The sponsor then returns the agreement to the Division of Aeronautics which will complete the processing. A single, state payment will be made after the AIP Matching grant has been executed, the project has been completed, and the FAA has conducted a final inspection. The Department will consider progress payments for projects that are unusually large and/or have a lengthy construction schedule. [See attached flow chart.]

**Note:** *If a project is not in the CIP,* the Department cannot provide AIP Matching funds until the regional transportation planning agency and the California Transportation Commission approve adding the project to the CIP. The CIP amendment process takes at least three months. If construction starts before the CIP amendment is approved and a state grant agreement is executed, the Department cannot give AIP Matching funds for the project.

**Security Projects.** Matching for “security” projects [see below] has the same process as above with the following exceptions:

* State Matching for Airport Improvement Program (AIP) Security Grant (DOA-0301) application form is used.
* The airport must have fewer than 80,000 annual operations.
* A single AIP grant with security and non-security items is treated as two state grants.

“Security” is fences, gates, security lighting, access control systems, and surveillance systems.

October 2002
Process for State Matching of Airport Improvement Program (AIP) Grants

**Sponsor Activity**

- **Alert:** Do not start construction without a state Grant Agreement

- Receive AIP Grant

- Submit form DOA-0012, local approval, etc. for AIP Matching allocation

- Sign and return Grant Agreement


- Receive Information about AIP grant awards from FAA

- Prepare allocation letter and Grant Agreement

- Sign Grant Agreement

- Begin construction

- Reconcile payments and project completion

- Submit claim after final FAA payment

- Forward claim to Accounting

**Caltrans Aeronautics**

- Review pre-applications for AIP funding

- Receive Information about AIP grant awards from FAA

- Prepare allocation letter and Grant Agreement

- Sign Grant Agreement

- Reconcile payments and project completion

**Federal Aviation Administration (FAA)**

- Review projects; award AIP grants annually

- Reconcile payments and project completion

**California Transportation Commission (CTC)**

- Adopt CIP (Capital Improvement Plan) every two years

- Adopt Aeronautics Program with $ for AIP Matching every two years

- Allocate set-aside funds for AIP Matching each fiscal year

Dept. of Transportation
Division of Aeronautics
August 2002
STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION
STATE MATCHING GRANT FOR FAA AIRPORT IMPROVEMENT PROGRAM – APPLICATION
DOA-0012 (REV.2/95)

PLEASE PRINT OR TYPE AND COMPLETE ALL ITEMS

PART I. AIRPORT INFORMATION

PUBLIC ENTITY       MARIPOSA COUNTY
AIRCRAFT NAME       MARIPOSA-YOSEMITE AIRPORT
CONTACT NAME        GWEN FOSTER
TITLE               ASSOCIATE ENGINEER
BUSINESS ADDRESS    Mariposa County Public Works, 4639 Ben Hur Road, Mariposa, CA 95338
                    BUSINESS PHONE
                    (209) 966-5356

PART II. PROJECT INFORMATION

DESCRIPTIVE TITLE OF APPLICANT’S PROJECT:
Update Airport Master Plan including Airport Layout Plan, Land Use Plan and Environmental Document Update

<table>
<thead>
<tr>
<th>FEDERAL FUNDS</th>
<th>$ 150,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT FUNDS</td>
<td>$ 400</td>
</tr>
<tr>
<td>STATE FUNDS</td>
<td>$ 7,500</td>
</tr>
<tr>
<td>TOTAL COST OF PROJECT</td>
<td>$157,900</td>
</tr>
</tbody>
</table>

*Maximum 5% of Federal Funds

PART III. ADDITIONAL DOCUMENTS

Pursuant to Public Utilities Code Sections 21681-21684 and Section 4064 of the CAAP Regulations, please submit the following documents with this application:

- Local government approval (resolution or minute order) authorizing this application.
- Completed Certification of Airport Eligibility for CAAP funds (Form DOA-0007) if not submitted earlier for this fiscal year.
- Documentation evidencing full compliance with CEQA and State CEQA Guidelines:
  - State Clearinghouse No. SCH #________________________ or Categorical Exemption Class No. Section 15262-planning study
- Application for Amended Airport Permit (Form DOA-0103) or Airport Site Approval Permit (Form DOA-0100), if required.
- Layout Plan showing project location(s) and dimensions.
- FAA Grant (with FAA and sponsor signatures),
- Additional documentation may be required if items in the FAA AIP are not eligible for CAAP funding.

PART IV. AUTHORIZATION

AUTHORIZED OFFICIAL’S SIGNATURE  TITLE  DIRECTOR
PRINT NAME  DANA HERTFELDER  DATE  November 23, 2005

SEND COMPLETED APPLICATION AND ALL REQUIRED DOCUMENTS TO:

CALIFORNIA DEPARTMENT OF TRANSPORTATION
AERONAUTICS PROGRAM – MS #40
P.O. BOX 942874
SACRAMENTO, CA 94274-0001

DOA 95-0012

Attachment #3
October 24, 2005

Ms. Dana Hertfelder
Public Works Director
Mariposa County
4639 Ben Hur Road
Mariposa, California 95338

Dear Ms. Hertfelder:

Airport: Mariposa-Yosemite, CA; AIP Project No. 3-06-0147-06; Contract No. DTFA08-05-C-31643; Grant Agreement

This acknowledges receipt of the executed Grant Agreement for the subject project.

Sincerely,

Andrew M. Richards
Manager, Airports District Office
DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

GRANT AGREEMENT

Part 1 – Offer

Date of Offer August 15, 2005
Mariposa-Yosemite Airport/Planning Area
Project No. 3-06-0147-06
Contract No. DTFA08-05-C-31643

TO: Mariposa County, California
(herewith called the "Sponsor")

FROM: The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated February 27, 2004, for a grant of Federal funds for a project at or associated with the Mariposa-Yosemite Airport/Planning Area which Project Application, as approved by the FAA, is hereby incorporated herein and made a part hereof; and

WHEREAS, the FAA has approved a project for the Airport or Planning Area (herein called the "Project") consisting of the following:

Update Airport Master Plan, including Airport Layout Plan, Land Use Plan and Environmental Document Update

all as more particularly described in the Project Application.
NOW THEREFORE, pursuant to and for the purpose of carrying out the provisions of Title 49, United States Code, as amended, and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application and its acceptance of this Offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the assurances and conditions as herein provided, THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States share of the allowable costs incurred in accomplishing the Project, 95.00 percent of the allowable project costs.

The Offer is made on and subject to the following terms and conditions:

**Conditions**

1. The maximum obligation of the United States payable under this offer shall be $150,000.00. For the purposes of any future grant amendments that may increase the foregoing maximum obligation of the United States under the provisions of Section 512(b) of the Act, the following amounts are being specified for this purpose:
   - $150,000.00 for planning
   - $0.00 for airport development or noise program implementation.

2. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under the Act.

3. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of such regulations and procedures as the Secretary shall prescribe. Final determination of the United States share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.

4. The sponsor shall carry out and complete the Project without undue delays and in accordance with the terms hereof, and such regulations and procedures as the Secretary shall prescribe, and agrees to comply with the assurances which were made part of the project application.

5. The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the sponsor.

6. This offer shall expire and the United States shall not be obligated to pay any part of the costs of the project unless this offer has been accepted by the sponsor on or before August 26, 2005, or such subsequent date as may be prescribed in writing by the FAA.

7. The sponsor shall take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or disbursed by the sponsor that were originally paid pursuant to this or any other Federal grant agreement. It shall obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. It shall return the recovered Federal share, including funds recovered by settlement, order or judgment, to the Secretary. It shall furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the sponsor, in court or otherwise, involving the recovery of such Federal share shall be approved in advance by the Secretary.

8. The United States shall not be responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
9. The Sponsor agrees to coordinate this master planning study with the metropolitan planning organizations, other local planning agencies, and with the State Airport System Plan prepared by the State's Department of Transportation and consider any pertinent information, data, projections, and forecasts which are currently available or as will become available. The Sponsor agrees to consider all Clearinghouse comments and to furnish a copy of the final report to the State's Department of Transportation.

10. In accordance with Section 47108(b) of the Act, as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer may not be increased for a planning project.

11. Approval of the project is conditioned on the sponsor's compliance with the applicable air and water quality standards in accomplishing project construction and in operating the airport. Failure to comply with this requirement may result in suspension, cancellation, or termination of Federal assistance under this agreement.

12. The sponsor agrees to request cash drawdowns on the letter of credit only when actually needed for its disbursements and to timely reporting of such disbursements as required. It is understood that failure to adhere to this provision may cause the letter of credit to be revoked.

13. It is mutually understood and agreed that if, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by $25,000.00 or five percent (5%), whichever is greater, the maximum obligation of the United States can be unilaterally reduced by letter from the FAA advising of the budget change. It is further understood and agreed that if, during the life of the project, the FAA determines that a change in the grant description is advantageous and in the best interests of the United States, the change in grant description will be unilaterally amended by letter from the FAA. Upon issuance of the aforementioned letter, either the grant obligation of the United States is adjusted to the amount specified or the grant description is amended to the description specified.

14. The sponsor agrees to request cash drawdowns on the letter of credit only when actually needed for its disbursements and to timely reporting of such disbursements as required. It is understood that failure to adhere to this provision may cause the letter of credit to be revoked.

15. The Part V Assurances dated September 1999, submitted as a part of the Sponsor's Project Application, is hereby revised to include new assurance numbers 38 and 39, and revisions to assurance number 31. The updated assurances, dated March 2005, is attached hereto and made apart hereof.
comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION
WESTERN-PACIFIC REGION

[Signature]
Raymond R. Chiang
Acting Manager, Airports District Office

**Part II - Acceptance**

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

Executed this 26th day of August, 2005.

Mariposa County, California

(NAME OF SPONSOR)

(SEAL)

(SPONSOR'S DESIGNATED OFFICIAL REPRESENTATIVE)

Attest: [Signature]
Title: Clerk of the Board

CERTIFICATE OF SPONSOR'S ATTORNEY

I, Tom Guarino, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of California. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at Mariposa County this 13th day of September, 2005.

(SIGNATURE OF SPONSOR'S ATTORNEY)