RESOLUTION - ACTION REQUESTED 2014-39

MEETING: January 28, 2014

TO: The Board of Supervisors

FROM: Rick Benson, County Administrative Officer

RE: MOU Between Mariposa County and MPUD to Apply for EDA Infrastructure Grant

RECOMMENDATION AND JUSTIFICATION:
Approval of a Memorandum of Understanding (MOU) Between the County of Mariposa and Mariposa Public Utilities District to Apply for an Economic Development Administration (EDA) Infrastructure Grant, and Authorize the Board of Supervisors Chair to Sign the MOU.

The County of Mariposa, in conjunction with the Mariposa Public Utilities District, has drafted an MOU to apply for an Economic Development Administration grant for infrastructure of a possible future development project. The MOU was approved by the MPUD Board of Directors and staff is now seeking County approval. Approval of the MOU will allow the County and MPUD to proceed with the EDA grant application process.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
The alternative would be to deny the MOU. A negative action would halt the application process for the EDA Infrastructure Grant, thus making the County ineligible for the grant.

FINANCIAL IMPACT:
None

ATTACHMENTS:
eda grant MOU county_mpud_final (DOCX)

CAO RECOMMENDATION
Requested Action Recommended
RESULT: ADOPTED AS AMENDED BY CONSENT VOTE [UNANIMOUS]
MOVER: Lee Stetson, District I Supervisor
SECONDER: John Carrier, District V Supervisor
AYES: Stetson, Jones, Bibby, Cann, Carrier
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA  95338 (209) 966-3222

KEVIN CANN, CHAIR
MERLIN JONES, VICE-CHAIR
LEE STETSON
JANET BIBBY
JOHN CARRIER

DISTRICT IV
DISTRICT II
DISTRICT I
DISTRICT III
DISTRICT V

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO:    RICK BENSON, CAO
FROM:  RENE’ LaROCHE, Clerk of the Board

SUBJECT:  Approve a Memorandum of Understanding (MOU) Between the County of Mariposa and Mariposa Public Utilities District (MPUD) to Apply for an Economic Development Administration Infrastructure Grant, and Authorize the Board of Supervisors Chair to Sign the MOU

RES. 14-39

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on January 31, 2014

ACTION AND VOTE:


Approve a Memorandum of Understanding (MOU) Between the County of Mariposa and Mariposa Public Utilities District (MPUD) to Apply for an Economic Development Administration Infrastructure Grant, and Authorize the Board of Supervisors Chair to Sign the MOU

Regarding CA4, Supervisor Bibby required clarification as to what the proposed infrastructure would be, and as to any proposed projects. She also expressed concerns regarding the hold harmless clauses. Rick Benson/County Administrative Officer responded, noting that this is just an MOU to apply for a grant, and that any grant that is awarded will have to come back before the Board to approve. He also remarked that the infrastructure referred to would be water and sewer lines that would need to be made available for possible development on Highway 140 on the north side of town. Supervisor Bibby required further clarification as to the purpose of the development. Mr. Benson responded that ideas that have been talked about are a hotel, a convention center, or something similar. He also explained that there currently is no project being proposed, and that this grant is being pursued in order to get some outside money to help defray the cost of infrastructure expansion. Mr. Benson also noted that the grant application will be a joint collaboration, but that MPUD is going to have to do all of the construction which is why the clauses are written differently. Supervisor Bibby inquired as to who will be
receiving and administering the grant. Tara Schiff/Community Development-Grant Coordinator responded that the County will be responsible for the administration of the grant, and MPUD will be responsible for the construction and maintenance of the infrastructure. Supervisor Bibby also inquired as to whether a clause could be added that states that the county is under no obligation to commit funds for the execution of projects under this agreement from sources other than the EDA Grant. Steven W. Dahlem/County Counsel responded affirmatively. He also noted that the administration of the grant is addressed in Paragraph 2; that Paragraph 4 indicates that MPUD is responsible for construction and maintenance; and that the lengths of the hold harmless clauses neither lessen, nor broaden, the indemnity. Supervisor Bibby reiterates her request to add the clause discussed earlier. Ms. Schiff affirmed. Discussion ensued between Supervisor Cann and Ms. Schiff relative to the grant percentage. Ms. Schiff noted that she went through the grant yesterday and we could, possibly, qualify for 100% based on our poverty and unemployment levels in Mariposa County. She also remarked that the proposed location is very general and not targeted yet. Supervisor Cann clarified that this is to open the door to MPUD for anything that might be available. Supervisor Carrier inquired as to whether they were looking at an application at this time. Ms. Schiff responded that the process is to have this MOU approved first, execute it once approved, and then complete the grant application. She also reiterated the possibility of a 100% grant and explained that they can't move ahead with a grant application without an agreement with MPUD. Supervisor Bibby inquired as to the types of projects that have been discussed. Ms. Schiff responded that they are looking at a possible conference center, an assisted living center or anything else that might come up but that it is vague as there is no developer committed to any specific project at this point. Supervisor Bibby inquired if there have been any discussions regarding the Field of Dreams or gymnasium. Ms. Schiff responded that there have not. Supervisor Cann clarified that the only eligible projects are the twenty or so on the SEDS (Social and Economic Development Strategies) Plan that the Board submitted to the Department of Commerce a couple of years ago. Supervisor Bibby noted that it would have been helpful to have the SEDS attached and encouraged that it be attached in the future. Supervisor Cann agreed with reviewing the SEDS as he believes there are some other infrastructure projects outside of the town on that plan.

Cc: Supervisor Bibby
Tara Schiff, Community Development/Grant Coordinator
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