

DEPARTMENT: Public Works/Parks & Rec

By: Rich Begley

Phone: 966-2498

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes \_\_\_ No X)

Resolution Authorizing Application for \$150,000 in Per Capita, 2000 Park Bond Act Funds; Authorize the Public Works Director to Perform Negotiations, Execute Documents, Payment Requests and Other Official Functions.

It is proposed that the Board of Supervisors consider this request to immediately encumber the Proposition 12 funds allocated to Mariposa County for park development. During the remainder of the application process, specific projects may be considered by the Board and then forwarded to the state along with environmental documents, plans and specifications, and other requirements as outlined in the procedural guide for this program. The initial application will read "Mariposa County Parks." Until specific projects are proposed and approved by the Board, this action will permit the conclusion of the Master Plan Update and permit Mariposa County's per capita allocation to be included in the state budget.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors has claimed funds and submitted grants in the 1964, 1974, 1976, 1980, 1988 and 1990 State Park Bond Acts.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Postponement of this item will result in funding being placed in FY 2002-03 Budget.  
Do not approve. County will not receive allocation.

COSTS: ( X ) Not Applicable

A. Budgeted current FY> \$ \_\_\_\_\_

B. Total anticipated Costs> \$ \_\_\_\_\_

C. Required additional funding> \$ \_\_\_\_\_

D. Internal transfers> \$ \_\_\_\_\_

SOURCE: ( ) 4/5th Vote Required

A. Unanticipated revenues> \$ \_\_\_\_\_

B. Reserve for contingencies> \$ \_\_\_\_\_

C. Source description: > \_\_\_\_\_

Balance in Reserve Contingencies, If Approved:  
\$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:

1. Resolution \_\_\_\_\_

2. State of California description of Proposition 12 (6 pgs) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CLERK'S USE ONLY

Res. No.: 01-224 Ord. No.: \_\_\_\_\_

Vote - Ayes: 5 Noes: \_\_\_\_\_

Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

Approved  Denied

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

By: \_\_\_\_\_

Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

\_\_\_\_\_ Recommended

\_\_\_\_\_ Not Recommended

\_\_\_\_\_ For Policy Determination

\_\_\_\_\_ Submitted with Comment

\_\_\_\_\_ Returned for Further Action

Comment: \_\_\_\_\_

\_\_\_\_\_

C.A.O. Initials: gd

**RESOLUTION APPROVING THE APPLICATION TO APPLY FOR GRANT FUNDS FOR THE PER  
CAPITA GRANT PROGRAM UNDER THE  
SAFE NEIGHBORHOOD-PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION  
BOND ACT OF 2000**

WHEREAS, the Legislature and Governor of the State of California have approved a grant for the above Program; and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the grant program, setting up necessary procedures; and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the governing body to certify by resolution the approval of the Grantee to apply for the Per Capita Allocation; and

WHEREAS, the Grantee will enter into a Contract with the State of California for subject Project(s);

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

1. Approve the filing for local assistance funds from the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000; and
2. Certifies that Grantee has or will have sufficient funds to operate and maintain the Project(s); and
3. Certifies that Grantee has reviewed, understands and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
4. Appoints the Public Works Director as agent to conduct all negotiations, execute and submit all documents including, but not limited to the Applications, agreements, payments and so on, which may be necessary for the completion of Project(s).


PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 24th day of July, 2001 by the following vote:

AYES: Balmain, Parker, Reilly, Stewart, Pickard

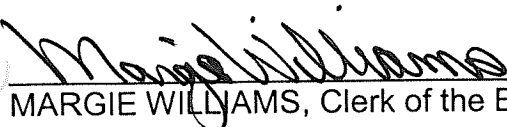
NOES: None

ABSENT: None

ABSTAINED: None

  
DOUG BALMAIN, Chair  
Mariposa County Board of Supervisors

ATTEST:

  
MARGIE WILLIAMS, Clerk of the Board





May 30, 2001

Dear Local Officials and Interested Parties:

**Subject: 2000 Parks Bond Act Program Status**

The California Department of Parks and Recreation is pleased to announce important 2000 Parks Bond Act information.

The final Guidelines for the Per Capita Grant Program and the Administrative Standards are now available with the exception of the Land Tenure Scale that is found in both documents. A five-day public comment period solely on the revised Land Tenure Scale will open on Tuesday, June 5, 2001 and close on Monday, June 11, 2001. The Land Tenure Scale is Appendix F in the Per Capita Guidelines and Appendix E in the Administrative Standards.

We encourage you to submit your resolution from your governing body to encumber your Per Capita Grant Program funds as soon as possible. We also encourage you to submit applications for individual Per Capita projects. The Per Capita Grant Program provides funding for park acquisition and development projects for cities, counties, and eligible park districts. Funding is based on the population found within the boundaries of these jurisdictions.

A five-day public comment period on the Revised Draft Procedural Guidelines for the (1) Non-Motorized Trails Grant Program and the (2) Urban Recreational and Cultural Centers, Museums, and Facilities for Wildlife or Environmental Education Grant Program (URCC) will open on Tuesday, June 5, 2001 and close on Monday, June 11, 2001. It is expected that the final Procedural Guidelines for these grant programs will be issued in mid-June, 2001.

You are encouraged to provide proposed URCC Program projects to members of the Legislature for their nomination. The Department must receive the Legislators nominations by June 30, 2001. This nomination process is unique to the URCC Program. If your project is nominated, you must submit a complete application package to the Department's Office of Grants and Local Services by November 1, 2001. The Office will study each nominated project and will submit a prioritized list and comparative evaluation of each project to the Legislature by April 1, 2002.

### **2000 Bond Act Intent**

The Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, responding to the recreational and open-space needs of a growing population and expanding urban communities, is intended to revive state stewardship of natural resources by investing in neighborhood parks and state parks, clean water protection and coastal beaches and scenic areas.

### **Per Capita Program Intent and Permissible Uses**

The Per Capita Grant Program is intended to meet the urgent need for safe, open and accessible local park and recreational facilities for increased recreational opportunities that provide positive alternatives to social problems.

### **Eligible Projects**

Eligible Projects include Acquisition, Development, improvement, rehabilitation, restoration, enhancement, and the Development of interpretive facilities of local parks and recreational lands and facilities, including renovation of recreational facilities conveyed to local agencies resulting from the downsizing or decommissioning of federal military installations. Per Capita grant funds can only be used for capital outlay.

Per Capita Grants are allocated to cities, counties, and park and recreation districts on a population-based formula. Funds allocated to these agencies shall be appropriated primarily for Projects that accomplish one or all of the following:

- Rehabilitate facilities at existing local parks, which will allow the parks to be more efficiently managed and will reduce operational costs.
- Develop facilities that promote positive alternatives for youth and that promote cooperation between local park and recreational service providers and youth-serving nonprofit organizations.
- Promote family-oriented recreation, including art activities.
- Provide for open, safe, and accessible local park lands, facilities and botanical gardens.

## **III. PER CAPITA PROGRAM DESCRIPTION**

### **Total Funds Available**

\$388,000,000 has been allocated for the Per Capita program. There are no matching requirements for the Per Capita program.

The Per Capita grant funds are available in two components:

- Per Capita I (\$338,000,000)
- Per Capita II (\$50,000,000)

## PER CAPITA I :

### Eligible Applicants

Sixty percent (60%) of the \$338,000,000 shall be allocated to the following entities based on population:

- Cities
- Eligible Districts, other than a regional park district, regional park and open-space district, and regional open-space district.

The minimum Allocation for these agencies is \$30,000.

Forty Percent (40%) of the \$338,000,000 shall be allocated to the following entities:

- Counties
- Regional park districts
- Regional park and open-space districts
- Open-space districts

The minimum Allocation for counties only is \$150,000.

## PER CAPITA II

### Eligible Applicants

Cities and districts in Urbanized Counties that provide park and recreation services within jurisdictions of 200,000 or less in population.

### State Administrative Costs

The State costs of administering the Bond Act shall be paid out of the bond proceeds. These costs shall be shared proportionately by each program funded through this Bond Act.

*Note: Authority cited: Section 5003 ; Public Resources Code.*

*Reference: Sections 5096.310(f), 5096.332, 5096.333, 5096.336(b), 5096.367 Public Resources Code.*

## IV. IMPORTANT POINTS

The Applicant should consider the following important points when applying for and managing Per Capita Program funds:

- Eligible Project costs may be incurred after July 1, 2000. Payments may not be made until there is a fully executed Contract between the Department and the Grantee.

- The Grantee may spend up to 25% of the Project Grant Amount for non-construction costs, including grants administration, plans, permits, specifications, CEQA compliance and/or Acquisition documents.
- At the time of application, the Applicant must provide, at a minimum, either (1) a notice of exemption filed with the county clerk, or (2) an initial study with a description of how the applicant will comply with CEQA. If the Applicant has made a full-faith effort to complete CEQA, but is unable to complete CEQA or otherwise proceed with the Project due to issues related to the CEQA process, costs incurred by the Applicant directly related to the CEQA process can be applied to the non-construction cost limit.
- Costs related to construction management, which can be documented as direct charges, are eligible. Indirect costs are ineligible.
- Per Capita grant funds can only be used for capital outlay.
- The Per Capita Grant Program performance period is July 1, 2000 to June 30, 2008.
- Grantees must have a fully executed Contract by June 30, 2003. After June 30, 2003, the Department will not process any Contracts for Per Capita Program Funds.
- The Grantee shall complete all Per Capita Projects and submit final documentation by March 1, 2008 to process the final payment. Grant funds that have not been expended by the Grantee shall revert to the Bond Act fund and be available for Appropriation by the Legislature for one or more of the categories that the Legislature determines to be of the highest priority statewide.
- There will be no time extensions allowed under the Per Capita Program.
- For Development Projects, the Applicant must own the land or the land must be subject to a lease or other long-term interest the Applicant holds, as satisfactory to the Department. If a grant Applicant does not have fee title to the lands, the Applicant shall demonstrate to the satisfaction of the Department that the proposed Project will provide benefits that are commensurate with the type and duration of the interest in land that is held by the Applicant. (See Appendix F, pg. 40)
- All real property shall be acquired from a willing seller and in compliance with current laws governing relocation and Acquisition of real property.
- Grantee shall comply with all applicable current laws and regulations affecting Development Projects, including, but not limited to, legal requirements for construction contracts, building codes, health and safety codes, and disabled access laws.

- Pursuant to guidelines issued by the Secretary for Resources, all recipients of funding from the 2000 Bond Act shall post signs acknowledging the source of the funds. (See Appendix G, pg. 42)

*Note: Authority cited: Section 5003, Public Resources Code. Reference: Sections 5096.301, 5096.307(a) and (b), 5096.3075, 5096.309, 5096.331(a)(b)(c) and (d), 5096.336(a) and (b), 5096.341(a)(d)(1) and (2), 5096.342(b), 5096.343(a), Public Resources Code.*

## **V. GRANT PROCESS**

Grantee shall receive a Per Capita Contract for the entire Per Capita Allocation by submitting a signed resolution from their governing body. The Grantee shall submit individual Project Application form(s) for each eligible Project within their jurisdiction. Following is the Per Capita program process:

1. Applicant submits authorizing resolution to the Department.
2. The Department reviews the resolution and sends a Contract to the applicant for signature.
3. Applicant returns the signed Contract to the Department.
4. The Department returns a fully executed Contract to Grantee.
5. Grantee submits individual Project Application(s) to the Department.
6. The Department reviews the Application materials and sends letter of approval to the Grantee or requests additional information.
7. Grantee may submit payment request for a 10% advance of the Project Grant Amount specified in the pending Application, to be spent on costs such as plans, specifications, and/or CEQA compliance and permits.
8. Once the Application is approved, including CEQA and permits, the Grantee commences work on the Project. The Grantee may submit a payment request for up to 80% of Project Grant Amount. (See Payment Process, pg. 10)
9. Grantee posts 2000 Bond Act signs acknowledging the source of funds. (See Appendix G, pg. 42)
10. Grantee completes Project and submits Project completion package.
11. The Department Project Officer makes final on-site Project inspection.
12. The Department processes final payment.
13. The Department may perform an audit of completed Project.

## **VI. PROJECT APPLICATION PROCESS**

### **Project Application**

After a Grantee has a fully executed Contract encumbering their funding Allocation, the Grantee shall submit complete, individual Project/ Application(s) to the Department.

The Project Application shall consist of the following items:

- Application Form



- At the time of application, the Applicant must provide, at a minimum, either (1) a notice of exemption filed with the county clerk, or (2) an initial study with a description of how the applicant will complete CEQA compliance.
- Project location map (city or county) with enough detail to allow a person unfamiliar with the area to locate the Project
- Evidence of adequate land tenure (lease, joint powers agreement, etc.). (See Appendix F, pg. 40)
- Acquisition map showing exterior boundaries and parcel numbers. (Acquisition Projects)
- Site plan (Development Projects)
- Acquisition Schedule
- Cost estimate (Development Projects)
- Indication of amount, type and source of funds above grant provided by Applicant
- Required Permit or comments as applicable to the Project. Examples include:
  - State Lands Commission
  - San Francisco Bay Conservation and Development Commission (BCDC)
  - Regional Coastal Zone Protection Commission
  - Corps of Engineers
- All leases, agreements, etc., affecting Project lands or the operation and maintenance thereof
- Photos of Project site (optional)
- Applications shall be accompanied by certification from the Applicant's planning agency that the Project is consistent with the park and recreation element of the city or county general plan, the District park and recreation plan, or the appropriate planning document, and will satisfy a high priority need.

## **VII. ADMINISTRATION PROCESS**

### **Changes to Project Scope**

A Grantee wishing to change the Project Scope of an approved Project shall submit any changes to the original Project Scope in writing to the Department for prior approval. Any changes in scope shall be in compliance with the intent of the Per Capita Grant Program.

### **Project Withdrawals**

The Grantee may withdraw a Project. The funds allocated to this Project will revert to the Grantee's Allocation. The Grantee shall notify the Department in writing of a Project withdrawal. If the Grantee has made a full-faith effort to complete CEQA, but is unable to complete CEQA or otherwise proceed with the Project due to issues related to the CEQA process, costs incurred by the Grantee directly related to the CEQA process are eligible costs to a maximum of 25% of the Project Grant Amount.