CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 7, 2012 **ITEM NUMBER:**

SUBJECT: **APPROVE RESOLUTION FOR THE APPLICATION OF GRANT FUNDS FROM THE LAND AND WATER CONSERVATION FUND PROGRAM FOR THE SOUTH FAIRVIEW PARK IMPROVEMENT PROJECT**

DATE: **JULY 26, 2012**

FROM: **PUBLIC SERVICES DEPARTMENT**

PRESENTATION BY: **ERNESTO MUNOZ, PUBLIC SERVICES DIRECTOR**

FOR FURTHER INFORMATION CONTACT: **FARIBA FAZELI, INTERIM CITY ENGINEER, (714) 754-5335**

RECOMMENDATION:

1. Adopt a Resolution for the submittal of a grant application to the California Department of Parks and Recreation, Land and Water Conservation Fund Program, for the South Fairview Park Improvement Project (Attachment 1).

2. Designate the Public Services Director as the City's authorized representative.

BACKGROUND:

The Land and Water Conservation Fund (LWCF) Program provides funds to federal agencies, and to the 50 states and 6 territories. The money allocated to the states may be used for statewide planning, and for acquiring and developing outdoor recreation areas and facilities.

The program, which is administered nationally by the National Park Service, was established in September 1964, initially authorized for a 25-year period, and has been extended for another 25 years to January 2015.

Under the provisions of the California Outdoor Recreation Resources Plan Act of 1967, the expenditure of funds allocated to California is administered by the State Liaison Officer, who is the Director of the State Department of Parks and Recreation.

Funds for this competitive grant program are derived from federal recreation fees, sales of federal surplus real property, the federal motorboat fuel tax and the Outer Continental Shelf mineral receipts. The grant requires a minimum of fifty percent (50%) local match funds.

ANALYSIS:

This year, the LWCF Program is expected to provide nearly $2 million for grants to cities, counties and districts for the acquisition or development of outdoor recreation areas and facilities. Property acquired or developed under the program is federally protected in perpetuity for public outdoor recreation use. Competitive grant applications for the State's Land and Water Conservation Fund Program are due on November 1, 2012.

The grant application to the California Strategic Growth Council will request funding of $225,000 for the design and construction of the South Fairview Park Improvement Project.

Project improvements include the construction of a multipurpose trail between Canyon Drive and Pacific Avenue, cul-de-sac parking at the end of Pacific Avenue, native habitat landscaping, and a small play area. The total project cost is $450,000. If grant funding is approved, the design may begin in early 2013. In order for the City to apply for these grant funds a resolution approving the filing of an application and naming the Public Services Director as the City's authorized representative is needed.

ALTERNATIVES CONSIDERED:

The City Council may consider not adopting the Resolution. However, this alternative is not recommended as it would result in the City's project application being declined and render the City ineligible to compete for available grant funding.

FISCAL REVIEW:

The total cost for the design and construction of the South Fairview Park Improvement Project is estimated at $450,000. If staff is successful in capturing grant funding for this project, a $225,000 match is required for this grant program. The funding match will come from Fairview Park allocations and the City's Park Development Fund.

LEGAL REVIEW:

The City Attorney has reviewed and approved the Resolution as to form.

CONCLUSION:

It is recommended that the City Council adopt the attached Resolution for the filing of a grant application to the California Department of Parks and Recreation, Land and Water Conservation Fund Program, for the South Fairview Park Improvement Project, and designate the Public Services Director as the City's authorized representative.

ERNESTO MUNOZ
Public Services Director

FARIBA FAZELI
Interim City Engineer

Attachment: 1 - Proposed Resolution

c: Chief Executive Officer
City Attorney
Interim City Clerk
Parks Project Manager
Contract Administrator
File

Resolution No: _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS FOR THE SOUTH FAIRVIEW PARK IMPROVEMENT PROJECT

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund Grant-In-Aid Program, providing Matching funds to the State of California and its political subdivisions for acquiring lands and developing Facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing Applications by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the APPLICANT to certify by resolution the approval of Applications and the availability of eligible Matching funds prior to submission of said Applications to the State; and

WHEREAS, the proposed South Fairview Park Improvement Project is consistent with the most recent *California Outdoor Recreation Plan (*CORP*)*; and

WHEREAS, the Project must be compatible with the land use plans of those jurisdictions immediately surrounding Project;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Costa Mesa hereby:

1. Approves the filing of an Application for Land and Water Conservation Fund assistance; and

2. Agrees to abide by SECTION 6(F)(3) of Public Law 88-578 which states, "No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."

3. Certifies that said agency has Matching funds from eligible source(s) and can finance 100 percent of the Project, which up to half may be reimbursed; and

4. Certifies that the Project is compatible with the land use plans of those jurisdictions immediately surrounding the Project; and

5. Appoints the Public Services Director as agent of the APPLICANT to conduct all negotiations and execute and submit all documents, including, but not limited to: applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned Project.

PASSED AND ADOPTED this 7TH day of August 2012.

_____
Mayor

ATTEST:

_____
Interim City Clerk