



**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 21, 2011

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>						

CONTACT PERSON: Celeste Perez PHONE: 559-624-7000

SUBJECT: Approve the Earlimart Recreational Facility Joint Exercise of Powers Agreement and Application for Statewide Park Program Grant Funds

REQUEST(S):

That the Board of Supervisors:

1. Find that the participation in a Joint Exercise of Powers Agreement between the Resource Management Agency and the Earlimart School District for the Earlimart Recreational Facility will facilitate joint cooperation between governmental agencies to design, construct, operate and maintain this important community infrastructure project.
2. Approve the application for Statewide Park Program grant funds for design and construction of the Earlimart Recreational Facility; and
3. Certify that the Joint Powers Authority has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
4. Certify that the Joint Powers Authority has or will have sufficient funds to operate and maintain the project(s), and
5. Certify that the Earlimart School District, as a party to the Joint Powers Authority, has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
6. Delegate the authority to the Chairman of the Board of Supervisors, or his/her designee, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and

SUBJECT: Approve the Earlimart Recreational Facility Joint Exercise of Powers Agreement and Application for Statewide Park Program Grant Funds
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payment requests, which may be necessary for the completion of the grant scope; and

7. Agree to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
8. Authorize the Chairman of the Board of Supervisors to sign and the Secretary of the Board of Supervisors or authorized Deputy to attest to the Resolution and the Joint Exercise of Powers Agreement.

SUMMARY:

The State of California Department of Parks and Recreation has released grant funding through the Statewide Park Program for the development of parks and recreational facilities. The Earlimart School District (ESD) and other community partners have requested the County to apply for funding for the development of a recreational facility on ESD property. The ESD has made this request as it is not eligible to apply for these grant funds directly. If awarded, the County would be the grant recipient and would implement the project on ESD property. Upon completion of construction, the ESD would own, operate, and maintain the park facility. At no time will the County be responsible for the ownership or liability of the park facility.

The ESD has dedicated approximately four (4) acres of undeveloped open space on their property to be used as a new multi-purpose park. The proposed park will be located on the south-east corner of the Earlimart Elementary School property bound by Elm and School Streets. The new park will also provide overflow of excess stormwater in a 25 year flood event. Additionally, the park will provide approximately 700 elementary school students with outdoor physical activity and learning space. One third of the park will be accessible from dawn to dusk all year round. On the 180 school days in the year, a portion of the Park will be secured and only accessible to elementary school students for physical, recreational and educational activities. After 3:30 pm, the gates to the entire park will be opened for public use on those days.

It is anticipated that the design of the park will make it attractive to use by youth, families and seniors. Care has been taken in the initial design of the park to incorporate the features most frequently requested by residents during the Community Planning Activities. To the extent possible, features are placed in the park where residents indicated they would be most desired, including: a lighted perimeter walking path, shade trees adjacent to picnic areas, an outdoor event area and an open grassy space in the middle of the park for youth and family physical activity. Attention will be paid to ensure that all Americans with Disability Act (ADA) requirements are met and there will be an emphasis on creating a safe environment for all residents, including those young enough to be in strollers as well as seniors who perhaps use a walker or wheelchair.

Staff is requesting that the Board authorize the submittal of an application for Statewide Park Program grant funds in the amount of \$2,153,900. If awarded

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funds, the County will be the grant recipient and will be responsible for all grant commitments, including special conditions. However, all long term ownership, maintenance, and liability costs will be borne by the ESD. The ESD will support the County and provide any and all documents as necessary throughout the execution of the project. The County will contract for services and oversee the construction of the improvements. Once completed, the ESD will assume full responsibility, including operations and maintenance, of the park facility.

The roles and responsibilities of both parties have been outlined and agreed upon within the Joint Powers Authority agreement (JPA). Staff is requesting that the Board approve the JPA allowing for the County to be the lead applicant on this project. The ESD has previously approved and executed the JPA. Statewide Park Program grant applications are due July 1. If awarded, it is anticipated that the project would begin construction in summer 2012.

FISCAL IMPACT/FINANCING:

The cost of application preparation is provided from the Earlimart Redevelopment Project Area, Budget No. RE3-RE3-2000. If awarded Statewide Park Program grant funds, the engineer's estimate for preliminary design, final plans and specifications, and construction is \$2,153,900 with no local match requirement.

There is no net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Quality of Life - The proposed project will provide greater recreational and cultural opportunities that promote public health, welfare and youth oriented activities.

Safety and Security – The proposed project will provide a safe place for the men, women and children of Earlimart to play.

ALTERNATIVES:

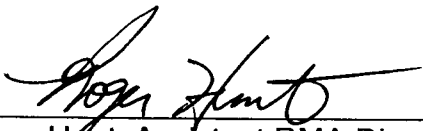
Your Board could choose to decline to submit an application for the 2011 California Department of Parks and Recreation Statewide Park Program and direct staff to pursue alternative funding. This is not recommended as there is a critical need for park space in Earlimart.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

State of California, Department of Parks and Recreation to review the application; Auditor/Controller for accounting and funds disbursement; County Counsel to review all documents; General Services to provide assistance and guidance as necessary; and Earlimart School District to own, operate and maintain upon completion.

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ADMINISTRATIVE SIGN-OFF:

A handwritten signature in black ink, appearing to read "Roger Hunt", is written over a horizontal line.

Roger Hunt, Assistant RMA Director
Administration and Community Development Branch

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s)

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVING THE EARLIMART RECREATIONAL FACILITY JOINT EXERCISE OF POWERS AGREEMENT AND APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS))))))	RESOLUTION NO. _____ AGREEMENT NO. _____
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UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 21, 2011, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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1. Found that the participation in a Joint Exercise of Powers Agreement between the Resource Management Agency and the Earlimart School District for the Earlimart Recreational Facility will facilitate joint cooperation between governmental agencies to design, construct, operate and maintain this important community infrastructure project.
2. Approved the application for Statewide Park Program grant funds for design and construction of the Earlimart Recreational Facility; and
3. Certified that the Joint Powers Authority has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and

4. Certified that the Joint Powers Authority has or will have sufficient funds to operate and maintain the project(s), and
5. Certified that the Earlimart School District, as a party to the Joint Powers Authority, has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
6. Delegated the authority to the Chairman of the Board of Supervisors, or his/her designee, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope; and
7. Agreed to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
8. Authorized the Chairman of the Board of Supervisors to sign and the Secretary of the Board of Supervisors or authorized Deputy to attest to the Resolution and the Joint Exercise of Powers Agreement.