

COUNCIL AGENDA: APRIL 16, 2013

SUBJECT: A RESOLUTION APPROVING THE APPLICATION FOR STATE OFF-HIGHWAY VEHICLE GRANT FUNDS

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: Annually, the Parks and Leisure Services Department applies for funding from the State OHV Division. This report serves the purpose of updating the City Council on the past acquisition and development grant project awards, as well as what the City is applying for in the upcoming funding cycle.

The OHV Park currently serves a dual purpose as both an OHV recreational opportunity and as an area-wide storm runoff retention facility. Up-gradient development will increase the amount of storm runoff directed to the OHV Park. Storm runoff from approximately 450 acres of semi-developed municipal airport, and another 200 acres of semi-developed business park and other recreational lands is directed for retention within the active OHV riding areas. More than 460 acres of additional business park land is planned for future development and will contribute to this drainage area storm runoff.

In 2009, the City received a \$364,000 acquisition grant with a required match from the City of \$204,032 for a total project cost of \$568,032. Also in 2009, the City received a development grant of \$500,000 with a City match of \$176,951 totaling \$676,951. The performance period for both projects was October 1, 2009 - September 30, 2012. The acquisition, followed by the development phase, was intended to relocate the area-wide storm drainage retention basin from the active riding areas by constructing a new drainage basin further down-gradient. The excessive amount of water that currently flows into the OHV Park results in lengthy Park closures during winter months. The acquisition was also going to serve to better ensure land-use control for purposes of buffering the OHV related activities from the potential development of sensitive receptors.

The multiple property owners who own the 40 acres identified in the Storm Drain Master Plan that the City of Porterville hoped to acquire for this project were unwilling to sell. These same property owners also own the second potential site. Six potential sites in all, some City owned, were looked at to no avail. City staff continue to work on identifying other options as potential development project sites for future grant opportunities. Engineering staff are working with the

DJ Director

MB Appropriated/Funded

MS City Manager

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Airport Design Consultant to identify, size and locate a storm drain basin that potentially can serve not only the airport but the Industrial Park. Surface waters from the Industrial Park that can be diverted away from the OHV Park will greatly benefit the OHV Park.

Due to the inability to acquire and develop the property during the project performance period, grant funds awarded for the two phase project reverted back to the OHV Trust Fund. An extension was requested and granted. However, attempts to identify, develop and re-scope the project exceeded the extension granted by the OHV Division. The total available funding amount including the four areas (ground operations, acquisition, development and law enforcement) has decreased dramatically the past four years with the upcoming fiscal year being \$10,000,000, down from \$21,000,000 last year. In addition, the State has indicated that it will be at least another year before the outlook possibly becomes brighter as they still are recovering from the underreporting of \$34,492,000 of OHV Funds.

For this upcoming funding cycle, staff has prepared an application for Off-Highway Vehicle Grant Funds. This year the process entails an on-line preliminary application and the ability for the public to review and comment on the preliminary application. The public review and comment period was from March 5, 2013 – April 1, 2013. In addition, State OHV personnel review the preliminary application and provide comments on the completeness and accuracy of the preliminary application. Staff is then given the opportunity to revise the preliminary application, only for purposes of responding to public and State comments, prior to confirming the submission of a final application due May 6, 2013.

The preliminary application is for Ground Operations. The Ground Operations project is for annual ongoing maintenance and operational activities. The Ground Operations request is comprised of a \$69,061 grant request and a \$71,942 local match for a total project cost of \$141,003. Ground Operations is a one-year project.

RECOMMENDATION: That the City Council adopt a Resolution approving the application for State Off-Highway Vehicle Grant Funds.

ATTACHMENTS: Resolution

RESOLUTION NUMBER: _____
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING THE APPLICATION FOR THE STATE OF CALIFORNIA,
DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS

WHEREAS, The people of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for Operation and Maintenance, Restoration, Law Enforcement, and Education and Safety for off-highway vehicle recreation; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Application to apply for Off-Highway Motor Vehicle Grant funds; and

WHEREAS, this Project appears on, or is in conformance with this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding the Project;

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

1. Approves the filing of an Application(s) for an Off-Highway Vehicle Grant or Cooperative Agreement; and
2. Certifies that this agency understands its legal obligations to the State upon approval of the Grant; and
3. Certifies that this agency understands the California Public Resources Code requirement that Acquisition and Development Projects be maintained to specific conservation standards; and
4. Certifies that the Project will be well-maintained during its useful life; and
5. Certifies that this agency will implement the Project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and
6. Certifies that this agency will provide the required matching funds; and
7. Certifies that the public and adjacent property owners have been notified of this Project (as applicable); and
8. Appoints the Director of Parks & Leisure Services as agent to conduct all negotiations, execute and submit all documents including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the Project.

Approved and Adopted on the 16th day of April, 2013.

By: _____
Virginia R. Gurrola, Mayor

Attest:
John D. Lollis, City Clerk

Patrice Hildreth, Chief Deputy City Clerk