



Midpeninsula Regional
Open Space District

R-19-57
Meeting 19-13
May 15, 2019

AGENDA ITEM 8

AGENDA ITEM

Grant Agreement with the Santa Clara Valley Water District for the Beatty Trail Connection

GENERAL MANAGER'S RECOMMENDATION

Adopt a resolution in support of an application for the Safe, Clean Water Priority D3 Grant Program to receive \$149,906 from the Santa Clara Valley Water District for the Beatty Trail Connection Project, affirming that sufficient funds are available to complete this work, and authorizing the General Manager to execute the grant agreement.

SUMMARY

The Safe, Clean Water and Natural Flood Protection Program is a competitive 15-year grant program to ensure uninterrupted water resource services in Santa Clara County. Five priority funding areas are available and competitive grants are awarded through staggered application cycles. The Midpeninsula Regional Open Space District (District) applied for the Priority D3 New Access to Trails grant for construction of the Beatty Trail. The Santa Clara Valley Water District (SCVWD) Board of Directors approved this grant application in the amount of \$149,906 to construct a new trail at the Beatty property in Sierra Azul Open Space Preserve. Adoption of a resolution by the District Board of Directors (Board) is required to meet the grant requirements and fully execute the grant agreement.

DISCUSSION

Santa Clara Valley Water District's Measure B, the Safe, Clean Water and Natural Flood Protection Program, was approved by voters in 2012. This 15-year program was established to provide a long-term safe and reliable water supply within Santa Clara County. Under this program, the D3 New Access to Trails grant was formed to provide new access to creekside trails and open space within Santa Clara County. Projects eligible for funding must be located within Santa Clara County, create new public access where it did not previously exist, and establish either a new creekside trail or an important trail link to a creekside trail network. In the 2019 grant round a total of \$571,000 in grants was available.

District staff submitted a grant application in the most recent D3 Grant funding round, requesting \$249,843 for planning and construction costs for the Beatty Trail. The District plans to provide public access on the former Beatty property by constructing a parking area and an approximately 1.3 mile multi-use trail connecting to Priest Rock Trail in Lexington County Park, which continues eastward into Sierra Azul Open Space Preserve. The trail will offer widespread views of the Lexington Reservoir basin and new access to regional trails, including the Bay Area Ridge Trail and Juan Bautista de Anza National Historic Trail. Although outside of the funding request,

the new parking area will provide biking and equestrian access around Lexington Reservoir into Bear Creek Redwoods Open Space Preserve.

On April 23, 2019, the SCVWD Board of Directors approved funding for this project. Currently, the District has three other funding agreements with SCVWD. The first grant was awarded in 2016 for restoration of Hendry's Creek, also through the D3 Grant Program, for a total of \$484,650. In June 2017, SCVWD and the District entered into a Memorandum of Understanding (MOU) for invasive species removal at Bear Creek Redwoods Open Space Preserve (BCR). This MOU will provide \$200,000 each year for five years to fund invasive species removal at BCR and other District preserves. In 2018, the District also received a \$149,500 grant from SCVWD through the D3 Access to Trails Program for construction of the Webb Creek Bridge at BCR.

Grant Requirements

The grant agreement with SCVWD requires the District to complete the project within three years unless the parties agree to an extension. The District must also submit regular project updates to SCVWD as part of grant reimbursement requests and acknowledge SCVWD as the source of grant funds by including them on project signage, publically acknowledging the funds in at least one newsletter or other news source, and inviting SCVWD to participate in public ceremonies associated with the project.

The attached resolution (Attachment 1) certifies that sufficient funds are available to execute this project (as required by SCVWD) and authorizes the General Manager to execute the grant agreement.

FISCAL IMPACT

The Safe, Clean Water Priority D3 grant will represent a positive fiscal impact totaling \$149,906, beginning in FY2019-20. Total project costs for MAA22-004 Beatty Parking Area & Trail Connections are estimated to be \$4.6 million, of which SCVWD will contribute 3%. The District will contribute the remaining balance through its Measure AA funds. The District is not currently seeking other funding sources for construction at this time, however as construction draws near, available opportunities will be evaluated.

The following table outlines the MAA22-004 Beatty Trail Connection project budget and costs-to-date.

MAA22-004 Beatty Parking Area & Trail Connections	Prior Year Actuals	FY2018-19 Amended	FY2019-20 Projected	FY2020-21 Projected	Estimated Future Years	TOTAL
District Funded (Fund 30-MAA):	\$0	\$115,000	\$373,638	\$586,250	\$3,380,150	\$4,455,038
Safe, Clean Water Priority D3 Grant Amount:	\$0	\$0	\$30,906	\$19,000	\$100,000	\$149,906
Total MAA22-004 Budget:	\$0	\$115,000	\$404,544	\$605,250	\$3,480,150	\$4,604,944
Spent-to-Date (as of 04/16/19):	\$0	(\$787)	\$0	\$0	\$0	(\$787)
Encumbrances:	\$0	(\$21,640)	\$0	\$0	\$0	(\$21,640)
Budget Remaining (Proposed):	\$0	\$92,573	\$404,544	\$605,250	\$3,480,150	\$4,582,517

The following table outlines the MAA22 portfolio budget and costs-to-date.

MAA22 Portfolio Allocation:	\$6,714,000
Safe, Clean Water Priority D3 Grant Amount:	\$149,906
Life-to-Date Spent (as of 04/16/19):	(\$968,589)
Encumbrances:	(\$163,391)
Portfolio Balance Remaining (Proposed):	\$5,731,926

BOARD COMMITTEE REVIEW

This item was not previously reviewed by a Board Committee.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Submitting grant applications to secure funding is not subject to the California Environmental Quality Act (CEQA). As part of the parking area and trail construction, the District will comply with all CEQA requirements.

NEXT STEPS

With Board approval, the District will adopt the proposed resolution and execute the grant agreement. Near-term next steps for the project include:

- Environmental Review (January 2020-December 2020)
- Design development for the trail (January 2021-June 2021)
- Permitting (April 2020-September 2021)
- Trail construction (April 2021 – October 2022)
- Public access (Winter 2024)

Attachments:

1. Resolution authorizing the District's grant application for the Safe, Clean Water Priority D3 Grant Program

Responsible Department Head:

Stefan Jaskulak, CFO/Director of Administrative Services

Prepared by:

Melanie Askay, Grants Program Manager

RESOLUTION NO. 19-__

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS UNDER THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM OF 2012

WHEREAS, the Santa Clara Valley Water District has enacted the 2019 Safe Clean Water Priority D3 Grant Program, which provides funds for cleanup, education, outreach and watershed stewardship activities;

WHEREAS, the Santa Clara Valley Water District’s Civic Engagement Unit has been delegated the responsibility for the administration of the grant program, setting up necessary procedures; and

WHEREAS, said procedures established by the Santa Clara Valley Water District require Grantee’s Governing Body to certify by resolution the approval of Grantee to apply for and accept grant program funds; and

WHEREAS, Applicant will enter into a Grant Agreement with the Santa Clara Valley Water District;

NOW, THEREFORE, BE IT RESOLVED that the Midpeninsula Regional Open Space District hereby:

1. Approves the submission of an Application for grant funds from Priority D3 of the Safe, Clean Water and Natural Flood Protection Program
2. Approves the acceptance of grant funds from Priority D3 of the Safe, Clean Water and Natural Flood Protection Program, upon approval of grant funding for the Project by appropriate authorities;
3. Certifies that the Applicant has or will have sufficient funds to operate and maintain the Project(s);
4. Certifies that the Applicant will review and agree to the Special Provisions, General Provisions, Financial Provisions and Insurance Requirements contained in the Agreement; and
5. Appoints the (designated position) General Manager as agent to conduct all negotiations, execute and submit all documents including, but not limited to Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2019, at a regular meeting thereof, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

Secretary
Board of Directors

President
Board of Directors

APPROVED AS TO FORM:

General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

District Clerk