



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**
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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: May 9, 2017

TO: Board of Supervisors

FROM: **Brian Foss, Planning Director**

SUBJECT: Resolution authorizing execution of a third amendment to the grant agreement between County of Nevada and Oak Tree Park and Recreation District.

RECOMMENDATION: Adopt the attached resolution that will renew and extend the grant agreement with Oak Tree Park and Recreation District.

FUNDING: Funding is included in the FY 16/17 Recreation Mitigation Fees Budget for the Twin Ridges Benefit Zone and will not require a budget amendment. There is no impact to the General Fund.

ATTACHMENTS:

1. Proposed Resolution and Amended Grant Agreement
2. Extension Request
3. Resolution No. 3-199, Resolution No. 14-383, and Resolution 16-117

BACKGROUND: On February 12, 2013, the Board of Supervisors approved three requests for allocation of Recreation Mitigation Funding including the Oak Tree Community Park Pavilion project by the Oak Tree Park and Recreation District (OTPRD). On June 11, 2013, the Board of Supervisors approved a grant agreement with OTPRD to allocate \$45,900 in Recreation Mitigation Funding to complete this project in addition to a 10% administration fee of \$4,590 for a total award amount of \$50,490. This project entails constructing a pavilion and picnic areas at Oak Tree Community Park and the original date for completion of the project was August 12, 2014.

The OTPRD needed additional time to submit an application and obtain approval for a Use Permit to develop new use areas at Oak Tree Community Park prior to commencing construction of the pavilion project. Due to limited resources, OTPRD is utilizing volunteers to prepare the application materials for the required Use Permit. The use of volunteers and planning for future use areas at Oak Tree Community Park had extended the implementation schedule for the pavilion project.

The Park District requested an additional eighteen months beyond the August 12, 2014 expiration date to complete the pavilion project. The first amendment to the contract was approved by the Board of Supervisors on August 12, 2014 which extended the expiration date to February 12, 2016.

The Use Permit was not completed by February, 2016 so the OTPRD needed additional time to complete the project since the use of the Mitigation Funding is dependent upon first obtaining approval for a Use Permit. Upon submission of the preliminary materials to the Planning Agency for the Use Permit it became evident that OTPRD needed to rethink many aspects required for the Use Permit. The preliminary plan which the OTPRD submitted to the Planning Agency posed numerous potential environmental impacts associated with locations and types of future use areas. After much consideration OTPRD decided to eliminate and/or relocate future use areas, including relocating the pavilion use area, to avoid environmental impacts. This required the OTPRD to redesign the current and future park use areas and OTPRD requested an additional fifteen months beyond the February 2016 expiration date, to May 12, 2017, to complete the pavilion project, which was granted by the Board of Supervisors.

The Use Permit was approved on September 22, 2016 but the OTPRD is still a bit behind in completing the Pavilion and other associated aspects of the project that utilizes the Mitigation Funding. Simply receiving the Use Permit took much effort and much more time than the District estimated. Once approved the OTRPD started finalizing the design and siting of the Pavilion and met with engineers to discuss the design and make appropriate changes. The design and the actual location of both the pavilion and associated ADA parking spaces has been finalized. The OTPRD hopes to submit for the building permits very soon. OTPRD has been contacting contractors and volunteers and is in the process of receiving bids for the project. The Park feels that the project will take 2 months to complete after receiving the building permit. After project completion OTPRD estimates that they will need two months to close out the grant and finalize payment requests. Therefore, the OTPRD is requesting an additional 6 months beyond the current expiration to complete the pavilion project. Planning staff is recommending granting the extension for 12 months in order to provide more than adequate time to complete the project and avoid future extension requests.

Modifying the expiration date of the grant agreement requires a contract amendment. Attached is an amended grant agreement to amend the contract in order to change the expiration date for the pavilion project accordingly. Staff supports the additional time to ensure completion of the Oak Tree Community Park Pavilion project. In all other ways, the original grant agreement will remain the same.

SUMMARY: On June 11, 2013, the Board approved a grant agreement with the Oak Tree Park and Recreation District to allocate \$45,900 in Recreation Mitigation Funding to complete the Oak Tree Community Park Pavilion Project. Attached for Board consideration is the third amended grant agreement to change the expiration date for project completion to May 12, 2018.

Approved by: Brian Foss, Planning Director