

# CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Public Works / Parks / Legacy Lands

**DATE:** June 14, 2016

**REQUESTED ACTION:** Approve the resolution authorizing the Director of Public Works to submit grant application #16-1996 to the State Recreation and Conservation Office for funding assistance through the Aquatic Lands Enhancement Account. The application proposes acquisition of the 106 acre Lower Daybreak property from the Columbia Land Trust and development of initial public access and recreation improvements.

Consent     Hearing     County Manager

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## **PUBLIC WORKS GOALS:**

- Provide safe and efficient transportation systems in Clark County
- Create and maintain a vibrant system of parks, trails and green spaces
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a healthy, desirable quality of life
- Increase partnerships and foster an engaged, informed community
- Cultivate a nimble, responsive work force
- Make Public Works a great place to work

## **BACKGROUND**

The project site was acquired by the Columbia Land Trust in 2002 under a Memorandum of Understanding with Clark County to preserve future park opportunities. Columbia Land Trust holds title to the property. Per the provisions of the memorandum, the Land Trust will donate the property to the County at such time as County requests. The application is proposed as a "Protection and Enhancement and Public Access Combination Project" under the State's Aquatic Lands Enhancement Account (ALEA) in order to use the donated value of the land as the local match for construction of initial public access and recreational improvements on the property.

Key site features include 3,880 feet of East Fork Lewis Shoreline and 2,800 feet of Manley Creek. Property is immediately adjacent to the Daybreak boat launch and Daybreak Regional Park. The initial public access and recreational improvements for which grant funding is requested include:

- Trailhead improvements including signage and pedestrian safety improvements adjacent to the boat launch parking lot
- A 2,750 foot long, 10-foot wide paved multi-use trail
- A 1,650 foot long, 4-foot wide soft surface nature trail loop
- Two four foot wide soft surface water access trails extending from the main trail to the river
- A 30-foot diameter low wall scenic river overlook
- Four picnic tables with ADA pads
- Four sitting benches along the main trail
- Three 2 feet x 3 feet interpretive signs
- Landscaping

PW16-065

**COUNCIL POLICY IMPLICATIONS**

The Recreation and Conservation Office requires the governing bodies of potential project sponsors to approve resolutions authorizing submittal of the grant application. The grant application requests \$603,666, or 28.15% of the estimated cost to complete the project. A local match of \$1,540,429, or 71.85%, which equates to the estimated value of the land, is proposed.

Simultaneous with this ALEA grant, Salmon Recovery Funding Board grant application 16-1777 is proposed to restore the eroding bank and salmon habitat on the property. Authorization to submit that grant application has been requested via a separate staff report.

**ADMINISTRATIVE POLICY IMPLICATIONS**

None.

**COMMUNITY OUTREACH**

The Lower Daybreak Master Plan, adopted by the Board of County Councilors in 2010, includes a recommended set of Phase I improvements to begin implementation of the plan. Both the public access and recreation components proposed in this ALEA application #16-1996 and the restoration components proposed in SRFB grant application #16-1777 are elements of the phase 1 improvements.

Since adoption of the master plan, the update of Conservation Areas Acquisition Plan, adopted by the Board of County Councilors in 2014, and the update of the Parks Recreation and Open Space Plan, adopted by the Board of County Councilors in 2015, identify implementation of phase 1 improvements of these parcels as a priorities in their respective 6-year capital improvement project lists.

**BUDGET IMPLICATIONS**

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

Submittal of the grant application falls within existing budget capacity. If the county application is competitive and grant funds awarded, a formal grant agreement will need to be executed between Clark County and the state Recreation and Conservation Office. Grant funding decisions are not made until July 2017. If the application is successful, the Board of County Councilors would consider execution of the grant agreement in the third quarter of 2017. The 2017 Fall Supplemental Budget will be amended to recognize the terms of the grant agreement, if executed.

**BUDGET DETAILS**

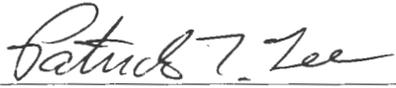
Local Fund Dollar Amount	\$1,540,429
Grant Fund Dollar Amount	\$603,666
Account	Conservation Futures Fund
Company Name	Washington State Recreation and Conservation Office

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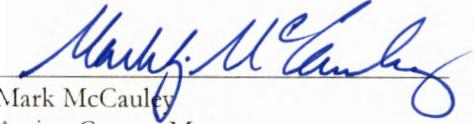
**DISTRIBUTION:**

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>

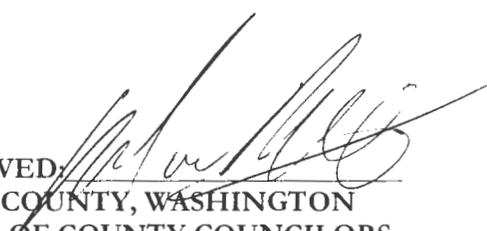
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Patrick T. Lee  
Legacy Lands Program Coordinator



Mark McCauley  
Acting County Manager



APPROVED:  
CLARK COUNTY, WASHINGTON  
BOARD OF COUNTY COUNCILORS

DATE: June 14, 2016

SR# SR 122-16



PW16-065

## BUDGET IMPACT ATTACHMENT

### Part I: Narrative Explanation

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

Submittal of the grant application falls within existing budget capacity. If the county application is competitive and grant funds awarded, a formal grant agreement will need to be executed between Clark County and the state Recreation and Conservation Office in the third quarter of 2017. The 2017 Fall Supplemental Budget will be amended to recognize the terms of the grant agreement, if executed.

### Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
3085, Conservation Futures	0	0	0	\$1,540,429	0	0
State ALJA grant	0	0	0	\$603,666	0	0
<b>Total</b>	0	0	0	\$2,144,095	0	0

II. A – Describe the type of revenue (grant, fees, etc.)

Donated value of the land transferred from the Columbia Land Trust (71.85%)

State Grant Funds (28.15%)

### Part III: Estimated Expenditures

III. A – Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		GF	Total	GF	Total	GF	Total
3085, Conservation Futures	0.22	0	0	0	\$2,144,095	0	0
<b>Total</b>	0.22	0	0	0	\$2,144,095	0	0

III. B – Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
Salary/Benefits	0	0	0	\$38,600	0	0
Contractual				\$565,066		
Supplies						
Travel						
Other controllables						
Capital Outlays	0	0	0	1,540,429	0	0
Inter-fund Transfers						
Debt Service						
<b>Total</b>	0	0	0	\$2,144,095	0	0

**RESOLUTION NO. 2016- 06-07**

Authorizing the Director of Public Works or his designee to submit application for grant funding assistance for an Aquatic Lands Enhancement Account project to the Washington State Recreation and Conservation Office.

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WHEREAS, under the provisions of the Aquatic Lands Enhancement Account (ALEA), as provided in RCW 79.105.150, 79A.25 RCW, WAC 286 and other applicable authorities, Clark County may request state grant assistance to aid in financing the cost of land acquisition and construction of public access facilities; and

WHEREAS, any grant assistance received by Clark County pursuant to the requested aid through the ALEA program will be used for direct costs associated with implementation of the projects referenced above; and

WHEREAS, Clark County expects that the county's matching share of project funding will be derived from the Conservation Futures and potential partnerships, and that pursuant to WAC 286-13-040 the county must certify the available match at least one month before funding approval; and

WHEREAS, Clark County will be responsible for supporting all non-cash commitments to this project that do not materialize; and

WHEREAS, Clark County acknowledges that the grant assistance, if approved, will be paid on a reimbursement basis, and that pursuant to the terms of the grant, Clark County will only request payment from the RCO after incurring eligible and allowable costs and remitting payment to our vendors, and that the RCO will hold retainage until the project is deemed complete; and

WHEREAS, Clark County acknowledges that any property owned by Clark County that is acquired, developed, renovated or restored with grant assistance must be dedicated for the purpose of the grant in perpetuity after the project is complete unless otherwise provided and

23 agreed to by Clark County and the Recreation and Conservation Funding Board in the project  
24 agreement or an amendment thereto; now, therefore,

25 **THE BOARD OF COUNTY COUNCILORS OF CLARK COUNTY, STATE OF**  
26 **WASHINGTON, HEREBY RESOLVE AS FOLLOWS:**

27 1. The Director of Public Works or his designee is authorized to make formal  
28 application on behalf of Clark County to the Recreation and Conservation Office for grant  
29 assistance for application 16-1996, Lower Daybreak Acquisition/Development project; and

30 2. The Board will sign the attached resolution (Attachment A) created by the RCO  
31 as a requirement to qualify for grant funding for the above project; and

32 3. The Director shall submit this resolution and the attached document as part of  
33 Clark County's formal application to the RCO for assistance;

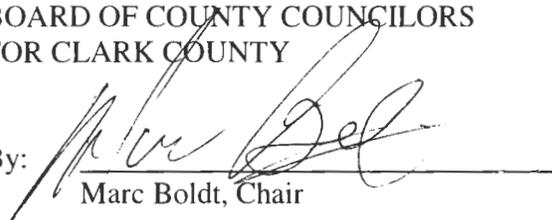
34 4. The recitals above are adopted as findings in support of this resolution.

ADOPTED this 14<sup>th</sup> day of June, 2016.

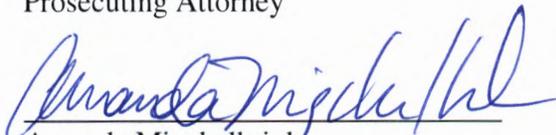
Attest:

  
Clerk to the Board

BOARD OF COUNTY COUNCILORS  
FOR CLARK COUNTY

By:   
Marc Boldt, Chair

Approved as to form only:  
ANTHONY F. GOLIK  
Prosecuting Attorney

  
Amanda Migchelbrink,  
Civil Deputy

By: \_\_\_\_\_  
Jeanne E. Stewart, Councilor

By: \_\_\_\_\_  
Julie Olson, Councilor

By: \_\_\_\_\_  
David Madore, Councilor

By: \_\_\_\_\_  
Tom Mielke, Councilor

RESOLUTION No. 2016 - 06-08

**Authorize the Director of Public Works or his designee to submit an application for grant funding assistance for an Aquatic Lands Enhancement Account (ALEA) project to the Recreation and Conservation Funding Board as provided in RCW 79.105.150, 79A.25 RCW, WAC 286, and other applicable authorities.**

**Project Sponsor: Clark County**

**Project: Grant application 16-1996, Lower Daybreak Acquisition/Development Project**

WHEREAS, under provisions of the ALEA program, state grant assistance is requested to aid in financing the cost of acquisition and development of the Lower Daybreak property.

WHEREAS, our organization considers it in the best public interest to complete the project described in the application.

NOW, THEREFORE, BE IT RESOLVED that:

1. Heath Henderson, Clark County Director of Public Works, or his designee is authorized to make formal application to the Recreation and Conservation Funding Board for grant assistance.
2. Our organization has reviewed the sample project agreement on the Recreation and Conservation Office's web site at:  
<http://www.rco.wa.gov/documents/manuals&forms/SampleProjAgreement.pdf> and authorizes Mark McCauley, Acting County Manager, or Heath Henderson to enter into such a project agreement, if funding is awarded. We understand and acknowledge that the project agreement will contain the indemnification and other terms and conditions that are contained in the sample project agreement. The sample project agreement may be revised periodically by the Recreation and Conservation Office. Our organization recognizes that such changes might occur prior to our authorized representative signing the actual project agreement, and we accept the responsibility and the presumption that our authorized representative shall have conferred with us as to any such changes before he/she executes the project agreement on behalf of our organization and so executes with our authorization.
3. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
4. Our organization expects our matching share of project funding will be derived from the value of the land to be donated by the Columbia Land Trust and that pursuant to WAC 286-13-040 we must certify the availability of match at least one month before funding approval. In addition, our organization understands it is responsible for supporting all non-cash commitments to this project should they not materialize.
5. We acknowledge that if the Recreation and Conservation Funding Board approves grant assistance for the project, the Recreation and Conservation Office will pay us on only a reimbursement basis. We understand reimbursement basis means that we will only request payment from the Recreation and Conservation Office after we incur eligible and allowable costs and pay them. The Recreation and Conservation Office may also determine an amount of retainage and hold that amount until the project is complete.
6. We acknowledge that any property acquired with grant assistance must be dedicated for the purposes of the grant in perpetuity unless otherwise agreed to by our organization and the

Recreation and Conservation Funding Board in the project agreement or an amendment thereto. We agree to dedicate the property in a signed "Deed of Right" based upon RCO's standard version of the deed, to be recorded on the title of the property with the county auditor.

7. We acknowledge that any property acquired in fee title must be immediately made available to the public unless the Recreation and Conservation Office director or the Recreation and Conservation Funding Board agrees to other restrictions in the project agreement or an amendment thereto.
8. We acknowledge that any property owned by our organization that is developed, renovated or restored with grant assistance must be dedicated for the purpose of the grant in perpetuity after the project is complete unless otherwise provided and agreed to by our organization and the Recreation and Conservation Funding Board in the project agreement or an amendment thereto.
9. This application authorization becomes part of a formal application to the Recreation and Conservation Funding Board for grant assistance.
10. We provided appropriate opportunity for public comment on this application.
11. We certify that this application authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that the person signing as authorized representative is duly authorized to do so.

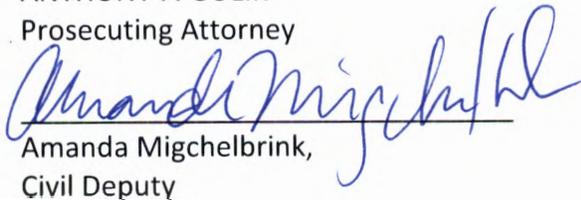
This resolution was adopted by our organization during the meeting held at Vancouver, Washington on this 14<sup>th</sup> day of June, 2016.

Signed and approved by the following authorized representative:

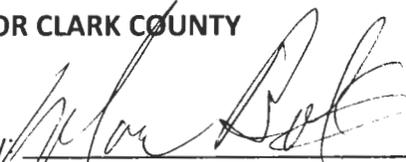
**Attest:**

  
Clerk to the Board

*Reviewed*  
~~Approved~~ as to form only:  
ANTHONY F. GOLIK  
Prosecuting Attorney

  
Amanda Migchelbrink,  
Civil Deputy

**BOARD OF COUNTY COUNCILORS  
FOR CLARK COUNTY**

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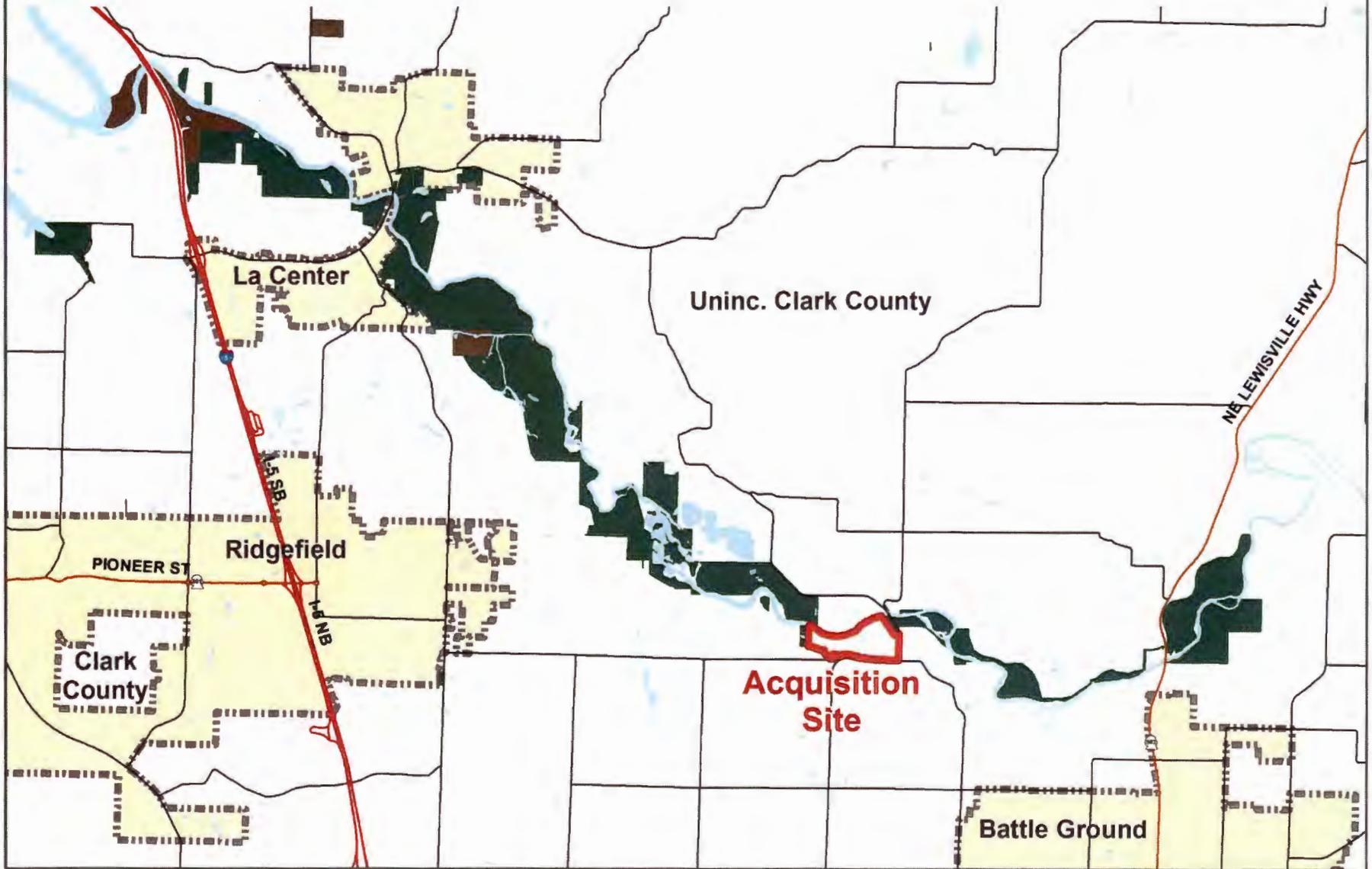
By: \_\_\_\_\_  
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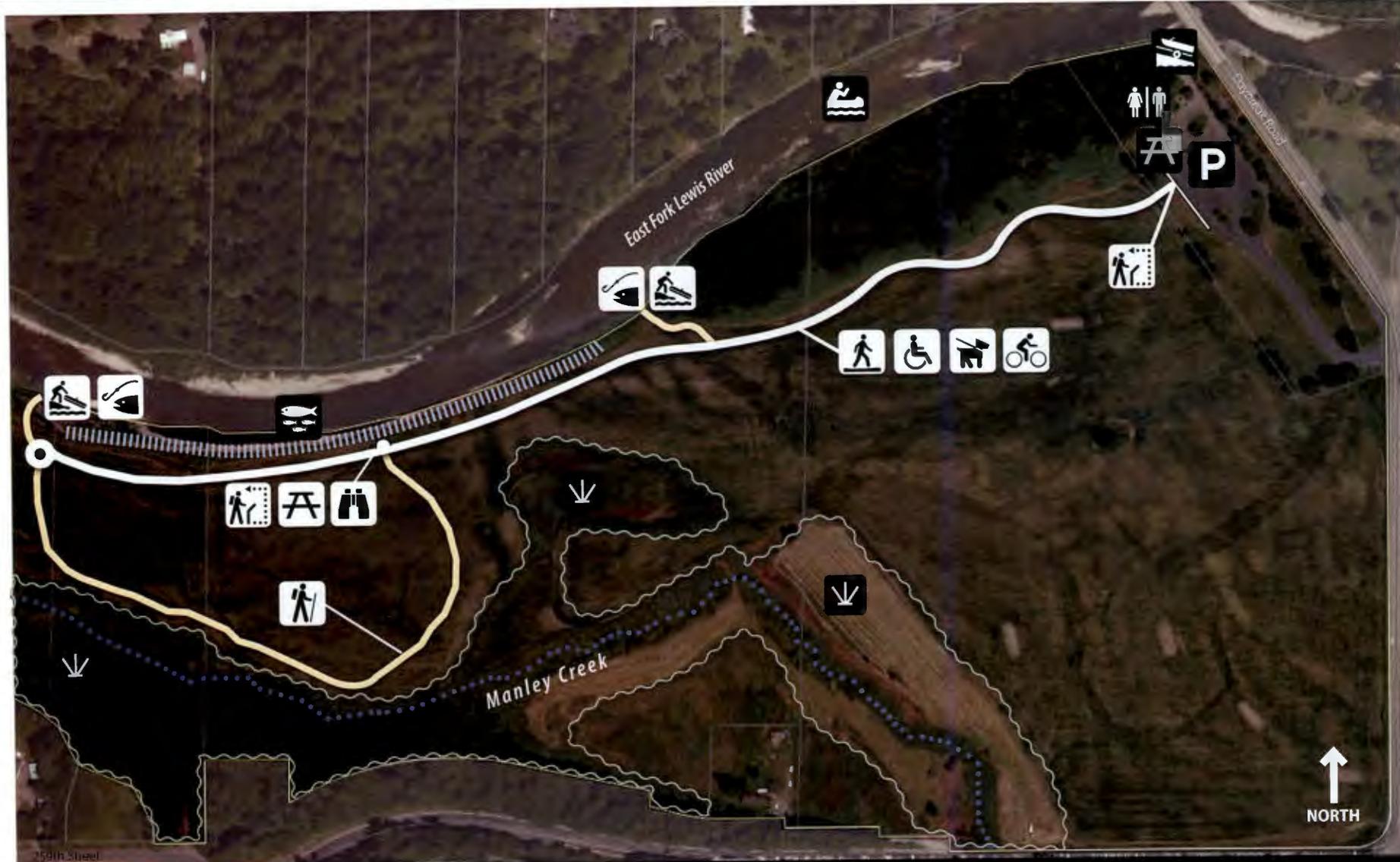
# REGIONAL LOCATION MAP – EAST FORK LEWIS RIVER GREENWAY

**Project:** Lower Daybreak Acquisition/Development (16-1996)

**Program:** Aquatic Lands Enhancement Account

**Sponsor:** Clark County





**Lower Daybreak Regional Park - Phase 1 Improvements: Concept Plan**

Figure 1  
v. 5.16.2016