



Legislation Details (With Board Report)

File #: RES 22-099 **Name:** Consider the Fish and Game Advisory Commission's Recommendation to the Board of Supervisors for Fiscal Year 2021-22 Fish and Game Propagation Program grant funds award, and adopt a resolution designating the grant applicants approved by the Board to receive a funding award.

Type: BoS Resolution **Status:** Passed

File created: 5/6/2022 **In control:** Board of Supervisors

On agenda: 5/17/2022 **Final action:** 5/17/2022

Title: Consider the Fish and Game Advisory Commission's Recommendation to the Board of Supervisors for Fiscal Year 2021-22 Fish and Game Propagation Program grant funds award, and adopt a resolution designating the grant applicants approved by the Board to receive a Fiscal Year 2021-22 funding award.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A-Fish and Game Code 13103, 3. Attachment B-Sample Grant Agreement, 4. Attachment C-04-12-2022 Commission Staff Report, 5. Attachment D-MCFGAC Recommended Projects, 6. Attachment E-Draft Resolution, 7. Presentation Item No.pdf, 8. Completed Board Order Item No. 16, 9. Completed Resolution Item No. 16

Date	Ver.	Action By	Action	Result
5/17/2022	1	Board of Supervisors	adopted	Pass

Consider the Fish and Game Advisory Commission's Recommendation to the Board of Supervisors for Fiscal Year 2021-22 Fish and Game Propagation Program grant funds award, and adopt a resolution designating the grant applicants approved by the Board to receive a Fiscal Year 2021-22 funding award.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Consider the Fish and Game Advisory Commission's Recommendation to the Board of Supervisors for Fiscal Year 2021-22 Fish and Game Propagation Program grant funds award;
- b. Adopt a resolution designating the grant applicants approved by the Board to receive a funding award and the award amount as recommended by staff; and
- c. Approve and authorize the Director of Public Works, Facilities, & Parks or designee to execute required grant agreements with the applicants approved by the Board to receive a Fiscal Year 2021-22 Fish and Game Propagation Program grant fund award and to disburse the funding awards.

SUMMARY/DISCUSSION:

The Monterey County Fish and Game Advisory Commission (Commission) received fourteen (14) applications for Fiscal Year (FY) 2021-22 Fish and Game Propagation Program (Program) grant funds. Board Resolution 81-239 requires that all expenditures using Program grant funds be approved by the Board of Supervisors (Board). California Fish and Game Code Section 13103 (Code) defines the only purposes for which a county may award fish and wildlife propagation grant funds (Attachment A). Program grant funds are intended to

provide financial resources to qualified agencies, organizations, groups, and individuals working to protect, preserve, enhance, and promote fish and wildlife resources. Applicants awarded grant funding enter into a grant agreement with the County (Attachment B).

The Department of Public Works, Facilities, & Parks (PWFP) issued two solicitations for FY 2021-22 propagation grant fund applications. The first solicitation was issued on August 26, 2021, with applications due on October 15, 2021. The second solicitation was issued on December 17, 2021, with applications due on January 14, 2022. Both solicitations were duly advertised in general-circulation newspapers throughout the County.

Six (6) applications were received in response to the first solicitation, with grant requests totaling \$18,917. On December 14, 2021, the Commission considered the first-round applications and compiled a funding recommendation for the Board totaling \$18,917. Seven (7) grant proposals were received in response to the second solicitation, with grant requests totaling \$33,506. On February 8, 2022, the Commission considered the second-round applications and compiled a funding recommendation for the Board totaling \$14,318. Three (3) of the second-round applicants did not meet submittal requirements and were contacted and encouraged to resubmit applications for future funding opportunities. The Commission adjusted the requested grant amount for some applications to fund only allowable activities or to apportion the award amount to estimated available funding. For both rounds of solicitation, the Commission's funding recommendation totaled \$33,235, leaving a balance of \$6,765.

As available funding remained, the Commission requested Staff to include on the April 12, 2022 Commission Agenda reconsideration of the three propagation grant applications not recommended for funding and review of a fourth application received by the County on March 14, 2022, outside the active solicitation period. Staff prepared the report to the Commission (Attachment C) recommending that three applications not be forwarded to the Board for funding, and a fourth application, the Monterey Bay Salmon and Trout Project, be recommended to the Board for a funding award as the applicant had subsequently provided delivery documentation showing the application had been received by the County before the deadline. Prior to the April 12, 2022 Commission meeting, one of the three project applicants agendaized for reconsideration withdrew his application for grant funds.

On April 12, 2022, the Commission reconsidered the remaining two applications and the application received in March 2022. County Counsel read the California Fish and Game Code 13103 defining the only purposes for which a county may award fish and wildlife propagation grant funds for the edification of the Commission. The Commission voted to recommend the three projects, with a total funding request of \$8,800, to the Board. However, as their overall recommendation would exceed the \$6,765 available FY 2021-22 propagation grant fund allocation, the Commission stipulated that the Gaines and Associates award, if approved by the Board, would be held until July 1, 2022 for funding.

Attachment D provides a comprehensive listing of applications recommended by the Commission for approval by the Board, including the sponsoring organization/agency, brief project description, and funding requested. The chart is divided into two sections: the first section includes applications that were reviewed and recommended by the Budget Committee for a funding award; the second section includes the four applications only considered by the Commission. Due to timing concerns, these applications were not taken to the Budget Committee for review.

Staff does not concur with the Commission's funding recommendation for one applicant, Gaines and Associates. The Commission proposes to have this applicant receive his funds after July 1, 2022, because there are not enough allocated FY 2021-22 grant funds remaining to cover an award of \$2,500. FY 2022-23

propagation funds have not been received yet from the State, and the County cannot make such a deferred commitment to the applicant. Additionally, Gaines and Associates is a registered lobbyist firm with the State of California, and staff does not believe its proposed education project conforms to Code expenditure criteria (a) defining “public education.” County distribution of State propagation funds is subject to audit. Should the Board approve the Commission’s recommended awards, the FY 2021-22 Program’s grant fund allocation would be over expended by \$2,035. Staff has prepared a resolution for the Board’s consideration (Attachment E) with its recommendation to award funding to twelve (12) applicants that meet the criteria for a funding award and the total combined award stays within the FY 2021-22 Program’s allocated funding.

PWFP requests the Board: 1) Consider the Commission’s recommendation regarding applications to receive a FY 2021-22 Propagation Program grant fund award; 2) Adopt a resolution designating the grant applicants approved by the Board to receive a funding award and in the award amount as recommended by staff, and 3) Approve and authorize the PWFP Director or designee to execute required grant agreements with the applicants approved by the Board to receive grant funds and to distribute the funding awards.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel reviewed the application packet and process for consistency with Board Resolution 81-239 and the California Fish and Game Code. Only the applications listed in the first section of Attachment D were reviewed and approved by the Budget Committee on March 30, 2022.

Some projects recommended for funding, due to wildlife and/or seasonal nature of the project, could be negatively impacted by a delay of the grant award. Due to the time constraints, Staff received approval to bypass the Budget Committee from the County Administrative Officer and Budget Committee Chair.

FINANCING:

The FY 2021-22 Adopted Budget for Fish and Game Fund 006, Appropriation Unit PFP059, includes \$40,000 allocated for Program grants. The Commission recommended a total grant award of \$42,035 for thirteen (13) projects. PWFP-Finance cannot delay funding a project into a future fiscal year as recommended by the Commission. If the Commission’s recommended awards were to be approved by the Board, the FY 2021-22 Program grant fund allocation would be over expended by \$2,035. Staff’s recommendation for applicants to receive a funding award stays within the Program’s allocation for this fiscal year, leaving a balance of \$465.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommendation supports the Board of Supervisors Economic Development and Infrastructure Strategic Initiatives. By funding qualified projects and programs designed to protect and improve precious resources, specifically water quality and quantity and environmental habitats essential for the success, vigor, and preservation of fish and wildlife species, not only do local ecological resources benefit, but also the daily lives of Monterey County residents are enriched, and visitors are drawn to the area for recreation and sport activities, which in turn, stimulates the local economy.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Reviewed by: Bryan Flores, Chief of Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, & Parks

Attachments:

Attachment A-California Fish and Game Code 13103

Attachment B-Sample Grant Agreement

Attachment C-04/12/22 Fish and Game Advisory Commission Staff Report

Attachment D-Recommended Projects for FY 2021-22 Propagation Program Grant Award

Attachment E-Draft Resolution

(Attachments are on file with the Clerk of the Board)