



Legislation Details (With Board Report)

**File #:** RES 23-013      **Name:** Adopt a Resolution for Fish and Game Propagation Grant Funds Award

**Type:** BoS Resolution      **Status:** Passed

**File created:** 1/19/2023      **In control:** Board of Supervisors

**On agenda:** 1/31/2023      **Final action:** 1/31/2023

**Title:** Adopt a Resolution to:

- a. Consider the Fish and Game Advisory Commission’s Recommendation to the Board of Supervisors for Fiscal Year (FY) 2022-23 Fish and Game Propagation Grant Funds award;
- b. Designate the grant applicants approved by the Board to receive a funding award in the amount recommended by Staff; and
- c. Approve and authorize the Director of Public Works, Facilities and Parks or designee to execute required grant agreements with the applicants approved by the Board to receive a FY 2022-23 Fish and Game Propagation Grant Fund Program award and to disburse the funding awards as delineated in Exhibit 1.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A-California Fish and Game Code Section 13103, 3. Attachment B-Board Resolution #81-239, 4. Attachment C-12-13-2022 MCFGAC Staff Report, 5. Attachment D-MCFGAC Recommendation to BOS for FY 2022-23 PGF Awards, 6. Attachment E-Draft Resolution, 7. Completed Board Order Item No. 37, 8. Completed Resolution Item No. 37

Date	Ver.	Action By	Action	Result
1/31/2023	1	Board of Supervisors		

Adopt a Resolution to:

- a. Consider the Fish and Game Advisory Commission’s Recommendation to the Board of Supervisors for Fiscal Year (FY) 2022-23 Fish and Game Propagation Grant Funds award;
- b. Designate the grant applicants approved by the Board to receive a funding award in the amount recommended by Staff; and
- c. Approve and authorize the Director of Public Works, Facilities and Parks or designee to execute required grant agreements with the applicants approved by the Board to receive a FY 2022-23 Fish and Game Propagation Grant Fund Program award and to disburse the funding awards as delineated in Exhibit 1.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Consider the Fish and Game Advisory Commission’s Recommendation to the Board of Supervisors for Fiscal Year (FY) 2022-23 Fish and Game Propagation Grant Funds award;
- b. Designate the grant applicants approved by the Board to receive a funding award in the amount recommended by Staff; and
- c. Approve and authorize the Director of Public Works, Facilities and Parks or designee to execute required grant agreements with the applicants approved by the Board to receive a FY 2022-23 Fish and Game Propagation Grant Fund Program award and to disburse the funding awards as delineated in Exhibit 1.

SUMMARY/DISCUSSION:

California Fish and Game Code Section 13100 establishes the county fish and wildlife propagation fund to be expended for the protection, conservation, propagation, and preservation of fish and wildlife resources, under

the direction of the Board of Supervisors, pursuant to the Fish and Game Code. Funds are received through various State of California Fish and Wildlife fines issued by Game Wardens. California Fish and Game Code Section 13103 (Code), defines the only purposes for which a county may award fish and wildlife propagation grant funds (PGF) (Attachment A). PGF 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. County distribution of State propagation funds is subject to audit.

The Monterey County Fish and Game Advisory Commission (MCFGAC) was formed on April 28, 1981, by the Board of Supervisors by enacting Resolution #81-239, for the purpose to advise and make recommendations to the Board on the expenditure of funds that benefit fish and wildlife resources in Monterey County. Board Resolution 81-239 (Attachment B) requires that all expenditures using these grant funds be approved by the Board of Supervisors. The annual budgeted amount for the Monterey County Propagation Grant Fund is \$40,000. Due to a returned FY 2020-21 award of \$5,000 and unused FY 2021-22 award monies in the amount of \$465, the total amount available for the FY 2022-23 Propagation Grant Fund Awards is \$45,465. Applicants awarded grant funding will enter into a grant agreement with the County.

The Department of Public Works, Facilities and Parks (PWFP) issued a solicitation for FY 2022-23 PGF applications, with applications due on October 19, 2022. The solicitation was duly advertised in general-circulation newspapers throughout the County. Thirteen (13) applications were received in response to the solicitation, with grant requests totaling \$72,967. The applications are summarized in the attachment to December 13, 2022 MCFGAC staff report (Attachment C).

On December 13, 2022, MCFGAC considered the FY 2022-23 PGF applications and compiled a funding recommendation for the Board. One applicant did not meet submittal requirements; however, MCFGAC considered its proposed project. MCFGAC adjusted requested grant awards for some applicants to fund allowable activities only or to apportion the award amount to the estimated funding available. MCFGAC's funding recommendation totaled \$43,923, leaving a balance of \$1,542 (assuming the recommended funding level of \$45,465 is approved). Attachment D provides a listing of applications recommended by MCFGAC for award by the Board.

Staff recommends that the \$1,542 balance in FY 2022-23 PGF that MCFGAC did not recommend for an award, be awarded to the next highest ranked applicants that were not fully funded. The small balance makes it impractical to process for an emergency award. The balance is recommended to be split between the next tie-scoring, top-ranking applicants, Hastings Natural History Preserve (Hastings) and Pacific Grove Natural History Museum Junior Conservations (PGNHM Jr. Conservationists), to further fund allowable project expenditures.

Staff does not concur with the MCFGAC's funding recommendation for one applicant, Gaines and Associates. This applicant did not fully meet the submittal requirements and is a registered lobbyist firm with the State of California. Staff does not believe its proposed education project conforms to Code expenditure criteria (a) defining "public education." Staff asked the applicant to submit a planned curriculum and itemize expenditures. The applicant submitted only an itemization of expenditures and did not provide the requested planned curriculum stipulated by Code. The Board did not award grant funds to this applicant for the same reason last year.

Staff has prepared a draft resolution for the Board's consideration (Attachment E) with its recommendation to award \$45,465 in funding to the twelve (12) applicants that meet the criteria for a FY 2022-23 PGF award. At its December 13, 2022 meeting, the MCFGAC requested staff prepare the reports for Board approval and specifically authorized staff to make funding award adjustments should funds not be awarded. Accordingly, the \$2,500 MCFGAC recommended for award to Gaines and Associates has been redistributed among the three top

-ranked applicants not fully funded as follows: 1) increase SPCA-Monterey County's (scoring 91.3%) award by \$2,000 to fully fund their \$7,000 request; and 2) utilize the remaining \$500 to increase the next two highest ranking not fully funded applicants, Hastings and PGNHM Jr. Conservationists, (scoring an 87.3% tie) by \$250 each. Additionally, the \$1,542 PGF remaining balance is also allocated to these two applicants. Exhibit 1 of the Draft Resolution reflects Staff's recommendation for individual awards.

PWFP requests the Board approve : 1) MCFGAC's recommendation for award; 2) 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 3) Approve and authorize the PWFP Director or designee to execute the grant agreements with the applicants approved by the Board to receive a FY 2022-23 PGF award and to disburse the funding awards as delineated in Exhibit 1.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel reviewed and approved the process for consistency with Board Resolution 81-239 and the California Fish and Game Code. MCFGAC heard presentations from the parties seeking propagation grant funds and requested staff to take the necessary actions to bring this item forward for Board of Supervisors' consideration for approval.

FINANCING:

The FY 2022-23 Fish & Game Propagation Fund's Adopted Budget includes sufficient appropriations to support awarding grants up to \$45,465.

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

Prepared by: Bryan Flores, Chief of Parks (831) 755-4831

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

Attachments are on file with the Clerk of the Board:

Attachment A-California Fish and Game Code Section 13103

Attachment B-Board Resolution #81-239

Attachment C-MCFGAC Staff Report 12-13-22

Attachment D-MCFGAC Recommendation to BOS for FY 2022-23 PGF Awards

Attachment E-Draft Resolution