



Legislation Details (With Board Report)

File #: 13-1048 **Name:** Pajaro Park Contribution MOU
Type: General Agenda Item **Status:** Passed
File created: 10/1/2013 **In control:** Board of Supervisors
On agenda: 10/22/2013 **Final action:** 10/22/2013

Title: a. Approve and authorize the Chair of the Board to sign a Memorandum of Understanding with the Pajaro/Sunny Mesa Community Services District in the amount of \$25,000 to fund a portion of the first year start-up cost in FY 2013-14 to operate and maintain the recently-completed Pajaro Neighborhood Park; and
b. Authorize the Auditor-Controller to issue payment of \$25,000 to the Pajaro/Sunny Mesa Community Services District in accordance with the Memorandum of Understanding.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Proposed MOU, 2. Completed Board Order/Executed MOU

Date	Ver.	Action By	Action	Result
10/22/2013	1	Board of Supervisors		

a. Approve and authorize the Chair of the Board to sign a Memorandum of Understanding with the Pajaro/Sunny Mesa Community Services District in the amount of \$25,000 to fund a portion of the first year start-up cost in FY 2013-14 to operate and maintain the recently-completed Pajaro Neighborhood Park; and
b. Authorize the Auditor-Controller to issue payment of \$25,000 to the Pajaro/Sunny Mesa Community Services District in accordance with the Memorandum of Understanding.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve and authorize the Chair of the Board to sign a Memorandum of Understanding with the Pajaro/Sunny Mesa Community Services District in the amount of \$25,000 to fund a portion of the first year start-up cost in FY 2013-14 to operate and maintain the recently-completed Pajaro Neighborhood Park; and
b. Authorize the Auditor-Controller to issue payment of \$25,000 to the Pajaro/Sunny Mesa Community Services District in accordance with the Memorandum of Understanding.

SUMMARY:

The recommended action will contribute \$25,000 from the General Fund to the Pajaro/Sunny Mesa Community Services District (CSD) to fund a portion of the first year start-up cost to operate and maintain the recently-completed Pajaro Neighborhood Park during FY 2013-14.

DISCUSSION:

The former Redevelopment Agency of the County of Monterey (now the Successor Agency to the Redevelopment Agency of the County of Monterey) worked with the community of Pajaro from 2006 through 2013 to fund, design, and construct a new five-acre public park in that community.

A key component of the funding for the project was a \$5.0 million Proposition 84 grant from the State Department of Parks and Recreation. A key condition of the Proposition 84 Grant requires that the park be maintained and operated by a public agency as a public park through June 30, 2039, a period of twenty five

years. Public law precluded use of Redevelopment Agency funds for that purpose, so a major issue in the project development process was to determine what public agency would own and fund the operation and maintenance of the park. The Pajaro/Sunny Mesa Community Services District accepted this responsibility through approval of an *Operation and Maintenance Agreement* on December 4, 2012.

Construction of the park will soon be complete, and by separate action on this agenda the CSD and Successor Agency have completed a *Property Transfer Agreement* and *Grant Deed* to implement the change of ownership. The CSD is now ready to commence operation and maintenance.

The CSD estimates the annual cost to operate and maintain the newly-completed park to be approximately \$125,000 per year. The CSD has been campaigning to raise funds through private donations for this cost to preclude the potential need to raise property owner rates to meet this financial obligation.

The recommended Memorandum of Understanding will fund approximately 20% of the CSD's cost for the first year of operation. The recommended contribution of \$25,000 is included in the FY 2013-14 Budget adopted by the Board of Supervisors on June 25, 2013.

OTHER AGENCY INVOLVEMENT:

The Pajaro/Sunny Mesa Community Services District (CSD) has worked collaboratively with the former Redevelopment Agency of the County of Monterey to be part of the community effort to fund, design, and construct the Pajaro Neighborhood Park. The CSD accepted responsibility to own and maintain the Park upon its completion at its own cost for a period of at least twenty-five years through an *Operation and Maintenance Agreement* approved on December 4, 2012. By separate action on this agenda, the Successor Agency Board of Directors approved a *Notice of Completion* for construction of the Pajaro Neighborhood Park, and a *Project Transfer Agreement* and *Grant Deed* transferring ownership of the completed park to the CSD.

On September 25, 2013 the CSD Board of Directors approved the recommended MOU.

The Auditor-Controller's Office has reviewed this recommendation.

FINANCING:

The CSD estimates the cost to operate and maintain the completed park to be approximately \$125,000 per year. The CSD has received pledges of public donations to fund this cost. The recommended MOU will fund approximately 20% of the CSD's cost for the first year of operation. The recommended contribution of \$25,000 is included in the FY 2013-14 Adopted Budget, County Administrative Office 1050-8029 Contributions - Other Agencies, Appropriation Unit CAO007.

Prepared by: G.H. Nichols, PE, Civil Engineer

Approved by: Benny J. Young, Resource Management Agency Director

Attachments: Proposed MOU