



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	A 14-186	Name:	
Type:	BoS Agreement	Status:	Passed
File created:	7/3/2014	In control:	Board of Supervisors
On agenda:	7/29/2014	Final action:	7/29/2014
Title:	a. Accept the grant from the United States Environmental Protection Agency in the amount of \$200,000 for the San Lucas Branch Library site; and b. Authorize the Director of Public Works, or his designee, to accept or reply otherwise in writing within 21 days of receipt of the Assistance Agreement, administer, and execute the Assistance Agreement provided that the agreement has been reviewed and approved as to legal form and liability by County Counsel and Risk Management.		
Sponsors:	Public Works / RMA		
Indexes:			
Code sections:			
Attachments:	1. USEPA Application Letter, 2. USEPA Region9 Application Kit -Signed.pdf, 3. Project Budget, 4. LocationMap, 5. Completed Board Order		

Date	Ver.	Action By	Action	Result
7/29/2014	1	Board of Supervisors	approved	

- a. Accept the grant from the United States Environmental Protection Agency in the amount of \$200,000 for the San Lucas Branch Library site; and
- b. Authorize the Director of Public Works, or his designee, to accept or reply otherwise in writing within 21 days of receipt of the Assistance Agreement, administer, and execute the Assistance Agreement provided that the agreement has been reviewed and approved as to legal form and liability by County Counsel and Risk Management.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept the grant from United States Environmental Protection Agency in the amount of \$200,000, for the San Lucas Branch Library site; and
- b. Authorize the Director of Public Works, or his designee, to accept or reply otherwise in writing within 21 days of receipt of the Assistance Agreement, administer, and execute the Assistance Agreement provided that the agreement has been reviewed and approved as to legal form and liability by County Counsel and Risk Management.

SUMMARY/DISCUSSION:

On November 5, 2013, the Board of Supervisors approved the submittal of a Brownfields Program Cleanup Grant application to United States Environmental Protection Agency (USEPA) for cleanup of the San Lucas Branch Library site located at 54692 Teresa Street in San Lucas, California and authorized the Director of Public Works, or his designee, to act as Agent for the County in processing all documentation to secure grant funds. If the County's application was successful in securing funding, RMA-Public Works (RMA-PW) was to return to the Board for authorization to accept the award.

County procedures require that departments request approval of the Board of Supervisors prior to executing agreements. On June 2, 2014, RMA-PW received notification from USEPA that the County had been conditionally awarded \$200,000, and that our 20 percent cost share waiver request had also been granted (USEPA Application Letter attachment). USEPA requested that follow-up documents (USEPA Region 9 Application Kit attachment) be provided by July 7, 2014 before they send the Assistance Agreement. Per USEPA terms, "There will be an Assistance Agreement created which your agency will accept upon receipt unless they reply otherwise in writing within 21 days." Accordingly, upon receipt of the Assistance Agreement, RMA-Public Works will seek County Counsel and Risk Management review of the agreement as to legal form and liability, respectively, and should they not approve the agreement, the Director of Public Works will provide USEPA timely written notice. Due to the Board of Supervisors' August meeting schedule, RMA-PW is requesting the Board accept the USEPA grant in the amount of \$200,000 at this time and authorize the Director of Public Works, or his designee, to accept or reply otherwise in writing within 21 days of receipt of Agreement, administer, and execute the Assistance Agreement.

OTHER AGENCY INVOLVEMENT:

RMA-Public Works worked closely with Monterey County Free Libraries, the Health Department's Environmental Health Division, and Community Development as well as USEPA Region 9 Brownfields Office regarding the grant application.

FINANCING:

There is no impact to the General Fund as a result of this action. Total estimated project cost is \$1,531,152. The project is funded with \$344,187 in Capital Funds; \$410 in an Excess Sales Deposit; \$350,000 donation from the Foundation for Monterey County Free Libraries; \$350,000 grant from the Monterey Peninsula Foundation and two conditional awards: 1) Community Development Block Grant (CDBG) in the amount of \$150,938; and 2) USEPA Conditional Grant in the amount of \$200,000. Presently, an unfunded project construction balance of \$135,617 exists. USEPA and CDBG grants will fund site remediation costs, totaling \$350,938. Due to funding constraints, this project was put on-hold pending available funds and was not included in the FY 2014-15 Adopted Budget. Staff will return to the Board at a later date with a report to modify the Facilities Maintenance Projects Fund 401-3000-8184-RMA-004 to increase appropriations and revenues for this project.

Prepared by: Florence Kabwasa-Green, Management Analyst II, (831) 755-4805

Approved by:

Robert K. Murdoch, P.E., Director of Public Works

Benny J. Young, RMA Director

Dated: July 21, 2014

Attachments: USEPA Application Letter; USEPA Region 9 Application Kit; Project Budget; Location Map (Attachments on file with the Clerk of the Board)