CLARK COUNTY
STAFF REPORT

DEPARTMENT: Public Works, Parks and Lands Division

DATE: April 21, 2020

REQUESTED ACTION: Authorize the submittal of a grant application to the Washington State Recreation and Conservation Office for the development of Curtin Creek Park.

__X__ Consent ____ Hearing ____ County Manager

BACKGROUND

In 1999, Clark County and the City of Vancouver jointly purchased a 38-acre property at 12603 Northeast 72nd Avenue, Tax Parcel No. 198555000. Due to minimum 20-acre zoning, the partnership purchase helped both jurisdictions meet public service goals. The purpose was to establish the Vancouver Fire District No. 5 station on five-acres of the property with the remaining 33 acres to be developed as a community park. After the survey work was completed on the 33 acres, 16.82 acres were set aside as a natural wetland area, leaving 16.18 acres for park development.

Curtin Creek Community Park was identified as one of 35 community and neighborhood parks to be developed when voters created the Greater Clark Parks District (GCPD) in 2005. With 31 parks completed, Curtin Creek Community Park is the next GCPD development priority. In addition, County Council approved the 2015 Parks, Recreation and Open Space (PROS) Plan and parks facilities plan which prioritizes the development of this recreation facility. The new park is envisioned to include walking trails, wildlife viewing areas, picnic shelters, parking, benches, restrooms, an inclusive playground, sports fields and sport court amenities.

Approximately $8.4 million will be needed to fulfill the full scope of the preferred concept plan. The budget for the project is set at $6,555,000. Public Works will seek $850,000 in grants from the Washington State Recreation and Conservation Office to leverage county funds and provide a larger scope of amenities. Clark County will be required to provide a 50% funding match for each grant award.

The Recreation and Conservation Office requires the approved resolution be submitted, with the grant application, no later than May 1, 2020, to be eligible for the funding awards in 2021.

COUNCIL POLICY IMPLICATIONS

None. Council approved the land purchase, development plan, PROS plan and parks facilities plan.

ADMINISTRATIVE POLICY IMPLICATIONS

If the grant is approved, we will follow-up with budget implications and details.

COMMUNITY OUTREACH

The Parks Advisory Board approved the Curtin Creek Community Park development project in March 2018. A master plan was completed in 2019 that included public involvement through stakeholder interviews, an online survey that yielded over 600 responses and a well-attended open house held on November 13, 2019. The comprehensive Parks, Recreation and Open Space Plan identifies Curtin Creek Park as a priority development project.

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.

BUDGET DETAILS

Local Fund Dollar Amount	$6,555,000
Grant Fund Dollar Amount	$ 850,000
Account	Park Impact Fee District 6 Development and Combined Fund $4,555,000 Real Estate Excise Tax II Fund $2,000,000
Company Name	N/A

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ATTACHMENTS: (1) Resolution; (2) Recreation and Conservation Office Applicant Resolution/Authorization; and (3) PowerPoint

Galina Burley

Galina Burley, MPA
Parks and Lands Division Manager

Ahmad Qayoumi, PE
Public Works Director/County Engineer

Cherie Sabug

Cherie Sabug
Interim Finance Division Manager

Primary Staff Contact: Laura Hoggatt x1659

APPROVED:
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: April 21, 2020

SR# 064-20

CLARK COUNTY, WASHINGTON 1844

RESOLUTION NO. 2020-04-25

Authorizing the Director of Public Works or their designee to submit applications for grant funding assistance for Washington Wildlife Recreation Program to the Washington State Recreation and Conservation Office.

1 **WHEREAS,** under the provisions of the Washington Wildlife Recreation Program
2 (WWRP), and Youth Athletic Facilities (YAF), as provided in WAC 286 and subsequent
3 legislative action, Clark County may request state grant assistance to aid in financing the cost of
4 construction of outdoor recreation facilities; and
5 **WHEREAS,** any grant assistance received by Clark County pursuant to the requested aid
6 through the WWRP and YAF programs will be used for direct costs associated with
7 implementation of the projects referenced herein; and
8 **WHEREAS,** Clark County expects that the county's matching share of project funding
9 will be derived from Park Impact Fees, Real Estate Excise Tax Funds and potential partnerships,
10 and that pursuant to WAC 286-13-040 (3) the county must certify the available match at least
11 one month before funding approval; and
12 **WHEREAS,** Clark County will be responsible for supporting all non-cash commitments
13 to this project that do not materialize; and
14 **WHEREAS,** Clark County acknowledges that the grant assistance if approved, will be
15 paid on a reimbursement basis, and that pursuant to the terms of the grant, Clark County will
16 only request payment from the RCO after incurring eligible and allowable costs and remitting
17 payment to our vendors, and that pursuant to the terms of the grant, Clark county will only
18 request payment from the RCO after incurring eligible and allowable costs and remitting
19 payment to our vendors, and that the RCO may hold retainage until the project is deemed
20 complete; and

WHEREAS, Clark County acknowledges that any property owned by Clark County 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 Clark County and the Recreation and conservation Funding Board in the project agreement or an amendment thereto.

NOW, THEREFORE, the Clark County Council hereby resolves as follows:

1. The Director of Public Works or their designee is authorized to make formal application on behalf of Clark County to the Recreation and Conservation Office for grant assistance for the Curtin Creek Community Park Development Project; and
2. The board will sign the attached resolution (Attachment A) created by the RCO as a requirement to qualify for grant funding for the above project; and
3. The Director or their designee shall submit this Resolution and Attachment A as part of Clark County's formal application to the RCO for assistance.

RESOLVED this 21st day of April 2020.

Tina Redline

Deputy Clerk to the Council

Approved as to form only:
ANTHONY F. GOLIK

Bill Richardson

Bill Richardson,
Deputy Prosecuting Attorney

CLARK COUNTY, WASHINGTON 1844

CLARK COUNTY COUNCIL

By: Eileen Quiring
Eileen Quiring, Chair

By: _____
Temple Lentz, Councilor

By: _____
Julie Olson, Councilor

By: _____
John Blom, Councilor

By: _____
Gary Medvigy, Councilor

Attachment A

Recreation and Conservation Office
Applicant Resolution/Authorization

Organization Name (sponsor) Clark County Public Works, Parks and Lands Division

Resolution No. (if applicable)_____

Project(s) Number(s), and Name(s) 20-1243 Curtin Creek Community Park Development

This resolution/authorization authorizes the person identified below (in section 2) to act as the authorized representative/agent on behalf of our organization and to legally bind our organization with respect to the above Project(s) for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

WHEREAS, state grant assistance is requested by our organization to aid in financing the cost of the Project(s) referenced above;

NOW, THEREFORE, BE IT RESOLVED that:

1. Our organization has applied for or intends to apply for funding assistance managed by the Office for the above "Project(s)."

2. Ahmad Qayoumi, Clark County Public Works Director is authorized to act as a representative/agent for our organization with full authority to bind the organization regarding all matters related to the Project(s), including but not limited to, full authority to: (1) approve submittal of a grant application to the Office, (2) enter into a project agreement(s) on behalf of our organization, (3) sign any amendments thereto on behalf of our organization, (4) make any decisions and submissions required with respect to the Project(s), and (5) designate a project contact(s) to implement the day-to-day management of the grant(s).

3. Our organization has reviewed the sample project agreement on the Recreation and Conservation Office's WEBSITE at: https://rco.wa.gov/documents/manuals&forms/SampleProjAgreement.pdf. We understand and acknowledge that if offered a project agreement to sign in the future, it will contain an indemnification and legal venue stipulation (applicable to any sponsor) and a waiver of sovereign immunity (applicable to Tribes) and other terms and conditions substantially in the form contained in the sample project agreement and that such terms and conditions of any signed project agreement shall be legally binding on the sponsor if our representative/agent enters into a project agreement on our behalf. The Office reserves the right to revise the project agreement prior to execution and shall communicate any such revisions with the above authorized representative/agent before execution.

4. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative/agent has full legal authority to enter into a project agreement(s) on its behalf, that includes indemnification, waiver of sovereign immunity (as may apply to Tribes), and stipulated legal venue for lawsuits and other terms substantially in the form contained in the sample project agreement or as may be revised prior to execution.

5. Grant assistance is contingent on a signed project agreement. Entering into any project agreement with the Office is purely voluntary on our part.

6. Our organization understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the project agreement, the characteristics of the project, and the characteristics of our organization.

7. Our organization further understands that *prior to* our authorized representative/agent executing the project agreement(s), the RCO may make revisions to its sample project agreement and that such revisions could include the indemnification, the waiver of sovereign immunity, and the legal venue stipulation. Our organization accepts the legal obligation that we shall, prior to execution of the project agreement(s), confer with our authorized representative/agent as to any revisions to the project agreement from that of the sample project agreement. We also acknowledge and accept that if our authorized representative/agent executes the project agreement(s) with any such revisions, all terms and conditions of the executed project agreement (including but not limited to the indemnification, the waiver of sovereign immunity, and the legal venue stipulation) shall be conclusively deemed to be executed with our authorization.

8. 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.

9. Our organization acknowledges and warrants, after conferring with its legal counsel, that no additional legal authorization beyond this authorization is required to make the indemnification, the waiver of sovereign immunity (as may apply to Tribes), and the legal venue stipulation substantially in form shown on the sample project agreement or as may be revised prior to execution legally binding on our organization upon execution by our representative/agent.

10. *(Recreation and Conservation Funding Board Grant Programs Only]* If match is required for the grant, we understand our organization 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 matching share commitments to this project should they not materialize.

11. Our organization acknowledges that if it receives grant funds managed by the Office, the Office will pay us on only a reimbursement basis. We understand reimbursement basis means that we will only request payment from the Office after we incur grant eligible and allowable costs and pay them. The Office may also determine an amount of retainage and hold that amount until the Project is complete.

12. [*Acquisition Projects Only*] Our organization acknowledges that any property acquired with grant assistance must be dedicated for the purposes of the grant in perpetuity unless otherwise agreed to in writing by our organization and the Office. We agree to dedicate the property in a signed "Deed of Right" for fee acquisitions, or an "Assignment of Rights" for other than fee acquisitions (which documents will be based upon the Office's standard versions of those documents), to be recorded on the title of the property with the county auditor.

13. [*Acquisition Projects Only*] Our organization acknowledges that any property acquired in fee title must be immediately made available to the public unless otherwise provided for in policy, the project agreement, or authorized in writing by the Office Director.

14. *[Development, Renovation, Enhancement, and Restoration Projects Only – If your organization owns the property]* Our organization acknowledges that any property owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant in perpetuity unless otherwise allowed by grant program policy, or Office in writing and per the project agreement or an amendment thereto.

15. *[Development, Renovation, Enhancement, and Restoration Projects Only – If your organization DOES NOT own the property]* Our organization acknowledges that any property not owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant as required by grant program policies unless otherwise provided for per the project agreement or an amendment thereto.

16. [Only for Projects *located in Water Resources Inventory Areas 1 – 19 that are applying for funds from the Critical Habitat, Natural Areas, State Lands Restoration and Enhancement, Riparian Protection, or Urban Wildlife Habitat grant categories; or the Puget Sound Acquisition and Restoration program, or a Salmon Recovery Funding Board approved grant]* Our organization certifies the following: the Project does not conflict with the *Puget Sound Action Agenda* developed by the Puget Sound Partnership under RCW 90.71.310.

17. This resolution/authorization is deemed to be part of the formal grant application to the Office.

18. Our organization warrants and certifies, after conferring with its legal counsel, that this resolution/authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal authority to commit our organization to the warranties, certifications, promises and obligations set forth herein.

[Native American Tribes, Local Governments, and Nonprofit Organizations Only] This application authorization was adopted by our organization during the meeting held: at the Clark County Councilor's Hearing

Location: Clark County Public Service Center, 1300 Franklin St., Vancouver, WA 98660

Date: April 21, 2020

[*All Applicants*] Signed and approved on behalf of the resolving body of the organization by the following authorized member(s):

Signed _____
Eileen Quiring

Title: County Council Chair Date: 4/21/2020

Washington State Attorney General's Office

Approved as to form Brian Fuller 1/19/18

Assistant Attorney General *Date*

You may reproduce the above language in your own format; text however may not change.

Curtin Creek Community Park

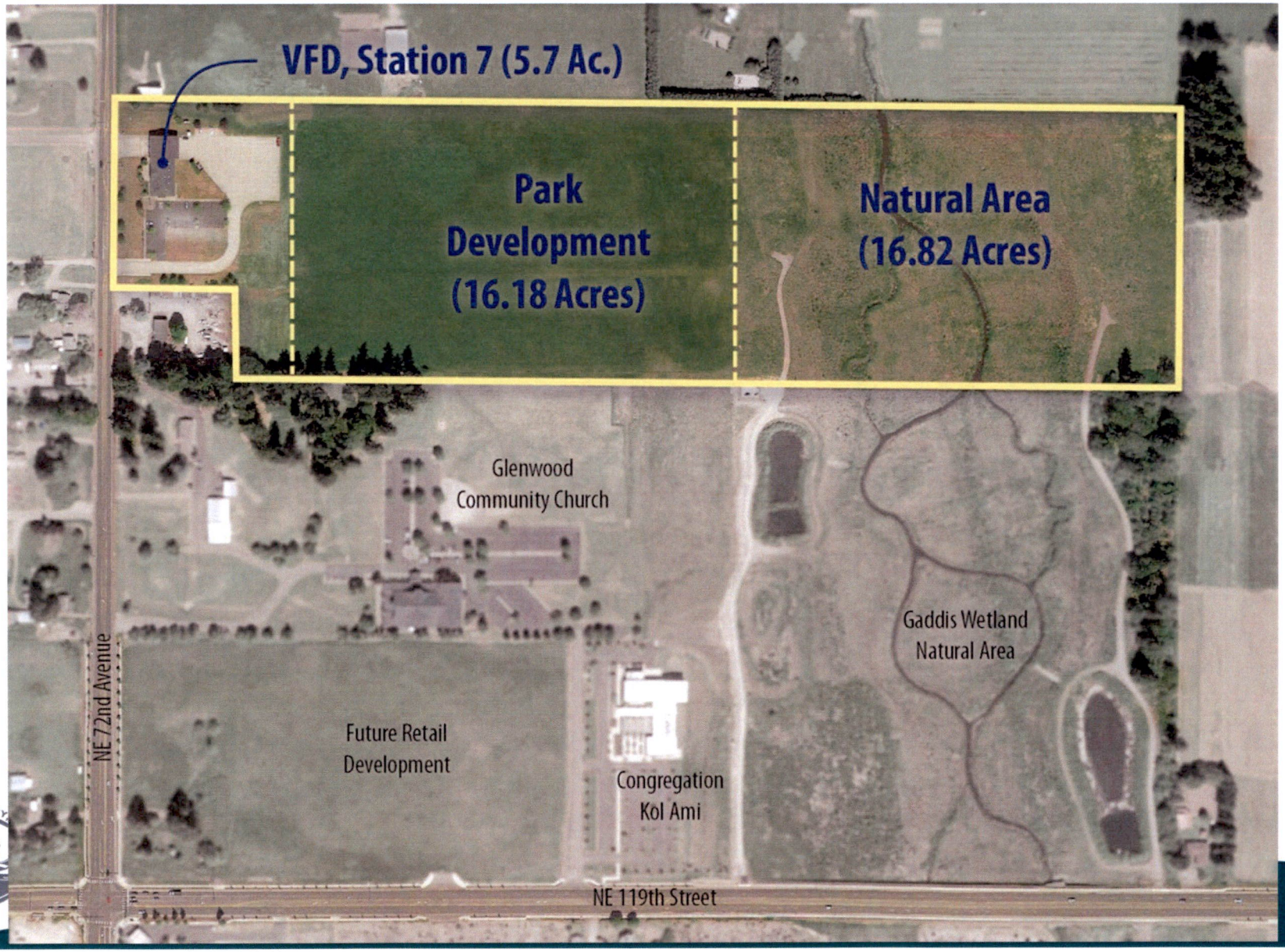
Public Works

April 21, 2020

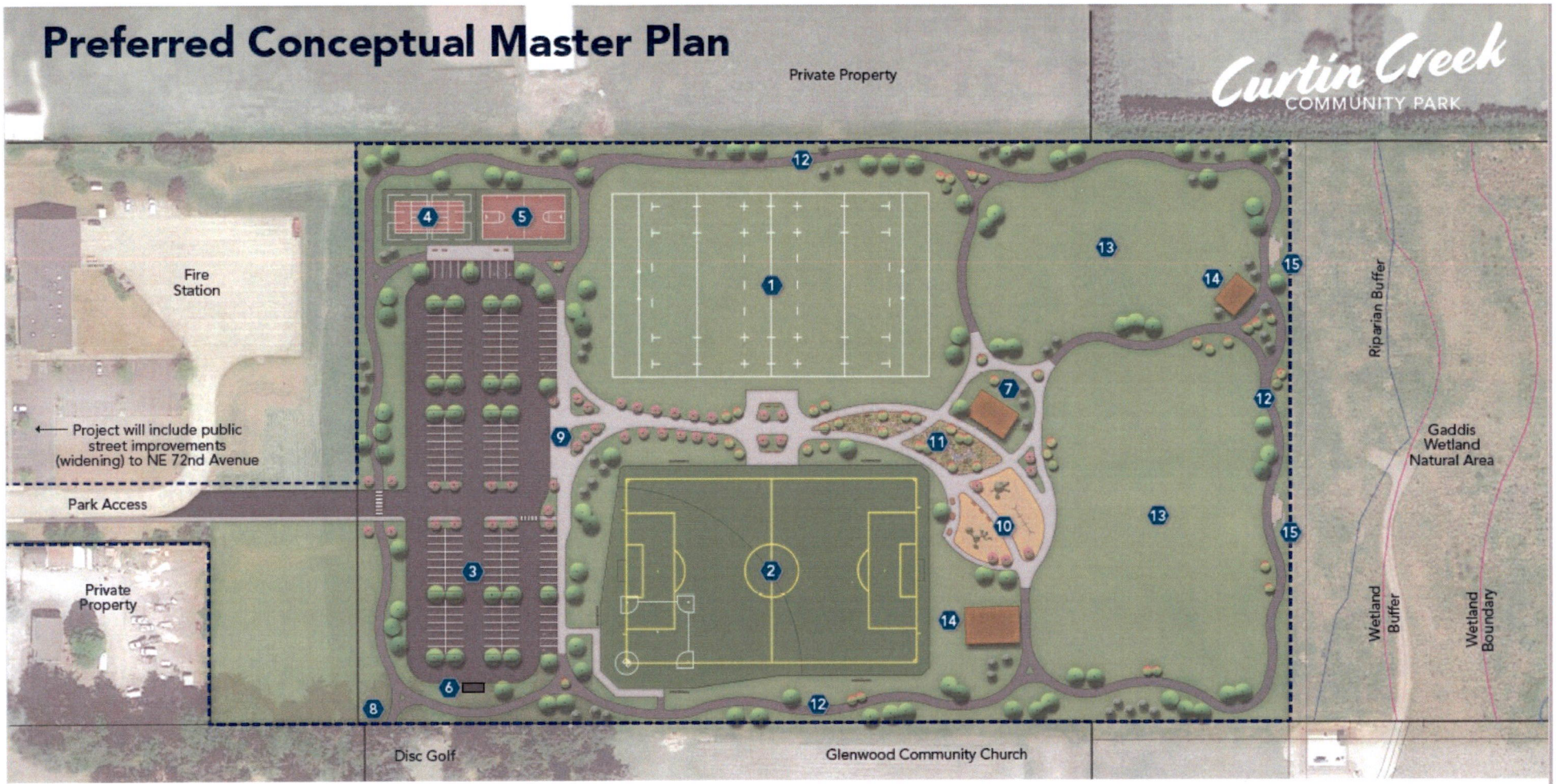
Project Background Timeline

Year	Description
1998	Clark County and the City of Vancouver identify property to purchase within 20-acre minimum zoning area
1999	Clark County and the City of Vancouver jointly purchase 38-acre Parcel No. 198555000 located at 12603 Northeast 72nd Avenue.
2005	Greater Clark Parks District approved by voters. Curtin Creek Community Park one of 35 parks promised in levy.
2015	Clark County Parks, Recreation and Open Space Plan adopted.
2018	Council approves plan to develop Curtin Creek Community Park.
2019	PHASE 1: Public engagement and Master Plan completion. • 600+ Online survey responses • 100+ Attended Community Open House in November 2019 • Stakeholder interviews (8) / News Release/Mailings (7,600+)
2020	• Clark County Parks and Lands Division applies for grant funding • Design and Permitting work begins
2021-2022	• Funding award announcements • Design and permitting finalized / Construction begins in 2021 • Park development completion in 2022

Park Development Area



Preferred Conceptual Master Plan



1. Natural Grass Rugby/Soccer Field (360'x210')
2. Synthetic Turf Soccer (110 yd. x 70 yd.) / Little League (200') w/ lights
3. Parking (160 Stalls)
4. Tennis/Pickleball Courts
5. Basketball/Futsal Court
6. Solid Waste/Recycling Center
7. Restroom Building w/ Storage
8. Connection to existing Disc Golf
9. Drop-off Area / Entry Plaza
10. All-Inclusive Playground
11. Natural Feature
12. Trail/Bike Path (concrete & asphalt)
13. Open Lawn Space
14. Picnic Area with Shelter
15. Wetland Viewpoints

ROBERTSON ENGINEERING, PC

wsp

LSW ARCHITECTS

CLARK COUNTY, WASHINGTON

Project Funding

Fund	Description	Amount
3176	Park Impact Fee District 6 Development 2019	$ 150,000
3176	Park Impact Fee District 6 Development 2020	$ 350,000
3276	PIF District 6 Combined Acquisition /Development 2020-2022	$4,055,000
3083	Real Estate Excise Tax II (REET II) 2021-2022	$2,000,000
	Subtotal (*County Funds*)	**$6,555,000**
1032	RCO WWRP Local Parks Grant	$ 500,000
1032	RCO Youth Athletic Fields Grant	$ 350,000
	Total *(If grant awards received)*	**$7,405,000**