

STAFF REPORT
COUNCIL MEETING DATE:
December 10, 2012

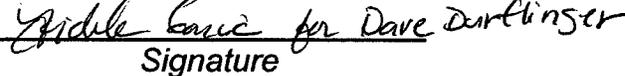
ITEM FOR COUNCIL CONSIDERATION:

Adoption of Resolution No. 5425 approving submittal to the State of California an application for an Environmental Enhancement and Mitigation Grant to be used to fund the design and construction of a community garden on APN 004-105-15.

Report prepared by:

Matthew Roberts, Parks and Recreation Director


Signature

Reviewed by: City Manager 
Signature

STAFF RECOMMENDATION:

Action Item: Non action item:

Adopt Resolution No. 5425 approving submittal of an Environmental Enhancement and Mitigation Program grant to the State of California.

Sample Motion: I move to adopt Resolution No. 5425 authorizing the application for grant funds under the Environmental Enhancement and Mitigation Program for funds to construct a community garden as read by title only.

I. BACKGROUND:

The City has recently purchased a parcel of land (APN 004-105-15) that is located along Fifth Street and Holly just west of Municipal Parking Lot No.3. Funds used for the acquisition came from the City's Park Acquisition Fund that may only be used for park and open space acquisition. One proposed use for the new park land is to build a community garden open to all residents for the benefit of growing fruits and vegetables for personnel consumption. The parcel is currently vacant and will require significant improvements to be readied for such a project.

City Staff is working to identify funding sources to improve the parcel. One grant that appears to be well suited is the Environmental Enhancement and Mitigation Program.

The Environmental Enhancement and Mitigation Program (EEMP) was established by the Legislature in 1989. It offers a total of \$10 million each year for grants to local, state, and federal governmental agencies and to nonprofit organizations for projects to mitigate the environmental impacts caused by new or modified state transportation facilities. The Environmental Enhancement and Mitigation Program encourages



projects that produce multiple benefits which reduce greenhouse gas emissions, reduce risks associated with climate change impacts, and demonstrate collaboration with local, state and community entities. Eligible projects must be directly or indirectly related to the environmental impact of the modification of an existing transportation facility (CA Constitution, Art. XIX, Sec. 1) or construction of a new transportation facility. Please see <http://resources.ca.gov/eem/docs/EEMPAuthLegislation.pdf>.

Grants are awarded in four categories:

Highway Landscaping and Urban Forestry Projects are designed to offset vehicular emissions of carbon dioxide through the planting of trees and other suitable plants.

Resource Lands Projects are for the acquisition, restoration, or enhancement of resource lands (watersheds, wildlife habitat, wetlands, forests, or other significant natural areas) to mitigate the loss of or detriment to such lands within or near the right of way for transportation improvements.

Roadside Recreation Projects provide for the acquisition and/or development of roadside recreational opportunities.

Mitigation Projects Beyond the Scope of the Lead Agency responsible for assessing the environmental impact of the proposed transportation improvement. Projects that will mitigate the impact of proposed transportation facilities or will enhance the environment beyond requirements under CEQA are eligible when the ability to implement the proposed mitigation or enhancement measure is beyond the scope of the lead agency responsible for assessing the environmental impact of the proposed transportation improvement. While Cal Trans will implement mitigations as defined in their CEQA document for the reconfiguration of the interchanges, the proposed community garden can provide additional mitigation not required by law and should be eligible for consideration under the EEMP.

The Casitas and Linden Interchange Improvements Project will require a Local Coastal Plan Amendment (LCPA) approved by the California Coastal Commission. As a draft condition of the LCPA approval an Agricultural Preservation Program is being considered. In this Program a community garden system is envisioned that could

include funding improvements on the same site as discussed in this report. If funding from both the Agricultural Preservation Program and the EEMP were to be realized, they would be complimentary and allow for a well-executed project.

II. POLICY:

The proposed project will provide a new outdoor recreational use on land designated by the City's General Fund for open space and recreation. It also will produce food within the urban boundary promoting sustainability and public health. The project is intended to be designed with storm water improvements tactics helping to promote clean water. The City's General Plan and Local Coastal Plan policy OSC-14 directs the City to pursue the provision of adequate parks and open space for all community members for these reasons.

III. FINANCIAL CONSIDERATIONS:

The proposed grant application has a maximum award of \$350,000 for land improvement projects. No matching funds are required for the EEM Program, however, additional points will be given to applications which include other sources of funds for the proposed EEMP project.

A preliminary project budget is being prepared at this time.

IV. LEGAL ISSUES:

No legal issues are identified at this time.

V. ALTERNATIVE OPTIONS:

The City Council may decide not to apply for the Environmental Enhancement and Mitigation Program and seek other funding sources.

VI. PRINCIPAL PARTIES EXPECTED AT MEETING:

None

VII. ATTACHMENTS:

Resolution No. 5425

Resolution No 5425

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM UNDER THE SECTION 164.56 OF THE STREETS AND HIGHWAYS CODE FOR THE FOLLOWING PROJECT: CARPINTERIA COMMUNITY GARDEN

WHEREAS, the Legislature of the State of California has enacted AB 471 (Chapter 106 of the Statutes of 1989), which is intended to provide \$10 million annually for a period of 10 years for grant funds to local, state and federal agencies and nonprofit entities for projects to enhance and mitigate the environmental impacts of modified or new public transportation facilities; and

WHEREAS, the Natural Resources Agency has established the procedures and criteria for reviewing grant proposals and is required to submit to the California Transportation Commission a list of recommended projects from which the grant recipients will be selected; and

WHEREAS, said procedures and criteria established by the Natural Resources Agency require a resolution certifying the approval of application by the Applicant's governing body before submission of said application to the State; and

WHEREAS, the application contains assurances that the Applicant must comply with; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the environmental enhancement and mitigation project;

NOW, THEREFORE, BE IT RESOLVED that the Carpinteria City Council hereby:

1. Approves the filing of an application for the Environmental Enhancement and Mitigation Program for grant assistance.
2. Certifies that said applicant will make adequate provisions for operation and maintenance of the project.
3. Appoints the City Manager of the City of Carpinteria as agent to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

Passed Approved and Adopted the 10th day of December 2012.

I, the undersigned, hereby certify that the foregoing Resolution Number 5425 was duly adopted by the Carpinteria City Council following roll call vote:

Ayes:

Noes:

Absent:

Attest:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on December 10, 2012.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney, City of Carpinteria

