MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

September 7, 2016 — Agenda Item VI(i)

Resolution No. 16-152

RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAINS RECREATION
AND CONSERVATION AUTHORITY AUTHORIZING AN APPLICATION
FOR ENVIRONMENTAL ENHANCEMENT MITIGATION PROGRAM
(EEMP) GRANT FUNDS FOR TEMESCAL RANCH
ACQUISITION PROJECT PHASE 2

WHEREAS, the Legislature and Governor of the State of California have enacted Section 164.56 of the California Streets And Highways Code, which is intended to provide 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 California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures and criteria, 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 established by the California Natural Resources Agency require a resolution certifying the approval of an application by the MRCAs governing board before submission of said application to the State; and

WHEREAS, the MRCA, if selected, will enter into an agreement with the State of California to carry out the Project.

Resolved, That the Governing Board of the Mountains Recreation and Conservation Authority (MRCA) hereby:

1.   FINDS that the Temescal Ranch Acquisition Project Phase 2 will provide significant public benefits; and

2.   FINDS that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); and

3.   ADOPTS the staff report and recommendation dated September 7, 2016; and

4.   AUTHORIZES amending resolution 16-86 authorizing an application for Environmental Enhancement Mitigation Program (EEMP) Grant Funds for Temescal Ranch Acquisition Project Phase 2; and

5. APPROVES the filing of an application for the Temescal Ranch Protection Project Phase 2; and

6. CERTIFIES that MRCA understands the requirements in the Program Guidelines; and

7. CERTIFIES that MRCA or title holder will have sufficient funds to operate and maintain the project consistent with the land tenure requirements; or will secure the resources to do so; and

8. CERTIFIES that MRCA will record a document against the real property that defines the State's interest in the property whether the Grantee owns the property or not; and

9. CERTIFIES that MRCA will comply with the provisions of Section 1771.5 of the State Labor Code regarding payment of prevailing wages on Projects awarded EEMP Funds; and

10. CERTIFIES, if applicable, that the project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable licenses and permits will have been obtained; and

11. CERTIFIES that MRCA will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and

12. AUTHORIZES any budget amendments as necessary; and

13. AUTHORIZES entering into an EEMP grant agreement; and

14. AUTHORIZES the Executive Officer or his designee to do any and all acts necessary to carry out this resolution and any recommendations made by the Governing Board.

15. CERTIFIES that MRCA will make adequate provisions for operations and maintenance of the project.

_____
                                   Chair

AYES:

NOS:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Governing Board of the Mountains Recreation and Conservation Authority, duly noticed and held according to law, on the 7th day of September, 2016.

Date: _____   _____
                                     Executive Officer