

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS**

Date: **AUGUST 21, 2012**

From: ^{MD} **JAMES DURFEE / MARK RIDEOUT**

Subject: **COLFAX REGIONAL PARK SPLASH PLAY AREA**

ACTION REQUESTED / RECOMMENDATION:

1. Approve a non-monetary Amendment No. 1 to Agreement No. 13075 with the City of Colfax to change the scope from constructing a swimming pool to constructing a children's splash play area at the Colfax Regional Park, with no change to original funding from Park Dedication Fees, Recreation Area #2, City of Colfax, and no net county cost; and
2. Authorize the Chair to execute the Amendment on behalf of your Board.

BACKGROUND: On December 13, 2011, your Board approved Agreement No. 13075, between the County of Placer and the City of Colfax (City), to provide \$100,000 in Park Dedication Fees (PDF) from Recreation Area #3, City of Colfax, to assist the City with construction of a new swimming pool at Colfax Regional Park. At that time, the City anticipated the award of a State grant that would fund the majority of construction costs. Unfortunately, the City learned that their grant application was unsuccessful, and has decided to pursue the swimming pool project in phases.

On May 23, 2012, the Colfax City Council directed City staff to pursue the splash play area component as Phase I of the swimming pool project and to request an amendment to Agreement No. 13075 in order to use approved PDF funding for construction of the splash play area. County staff worked with the City and on June 5, 2012, the Placer County Parks Commission recommended that your Board approve an amendment to Agreement No. 13075, which changes the scope of the Agreement and directs the \$100,000 PDF commitment to the splash play area. On June 20, 2012, the Weimar Applegate Colfax Municipal Advisory Council also recommended approval. In order to change the scope of this project, your Board's approval of Amendment No. 1 to Agreement No. 13075 is required.

ENVIRONMENTAL CLEARANCE: The City of Colfax processed a Notice of Exemption for the overall swimming pool project pursuant to the California Environmental Quality Act (CEQA). The action requested of your Board, to amend the PDF funding agreement, is not a project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378.

FISCAL IMPACT: Funding for the swimming pool project was previously approved by your Board for the City's use. As this Amendment only changes the scope of work, and the funding source of the project are Park Dedication Fees, there is no net county cost associated with this action. The City estimates that the splash play area will cost \$150,000, and the City will pay any costs in excess of the amount authorized by Agreement No. 13075.

AVAILABLE FOR REVIEW AT CLERK OF THE BOARD: AGREEMENT NO. 13075

ATTACHMENT: AMENDMENT NO. 1 TO AGREEMENT NO. 13075

JD:MR:JR:DB

cc: COUNTY EXECUTIVE OFFICE

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COUNTY OF PLACER
AND
CITY OF COLFAX
FOR A SPLASH PLAY AREA AT COLFAX REGIONAL PARK

WITNESSETH:

WHEREAS, on December 13, 2011, your Board authorized execution of Agreement No. 13075, between the County of Placer hereinafter referred to as "COUNTY," and the City of Colfax, hereinafter referred to as "CITY," to provide \$100,000 of County Park Dedication Fees to the CITY for the construction of a new swimming pool complex at Colfax Regional Park in Colfax, CA; and

WHEREAS, the scope of the Swimming Pool Project included a 75' x 45' heated swimming pool, a splash play area, restrooms, showers, bleachers, parking, shade structures, and a storage building; and

WHEREAS, the City was not successful in applying for a grant from the State Parks and Recreation Proposition 40 Grant Program to fund the majority of the costs for the swimming pool complex; and

WHEREAS, the Colfax City Council has decided to pursue the Swimming Pool Project in phases; with the Splash Play Area being Phase 1; and

WHEREAS, the City has requested using the previously allocated \$100,000 of County Park Dedication Fees to fund a portion of the cost to construct the Splash Play Area.

NOW, THEREFORE, the parties hereto agree that Agreement No. 13075 shall be amended as follows:

Amend Section 2 to read:

"City shall oversee construction of a Splash Play Area which will allow for year round use by City residents and visitors of Placer County."

Amend Section 3 to read:

"COUNTY grants to City Park Dedication Fees in an amount not to exceed One Hundred Thousand Dollars (\$100,000) to pay for a portion of the cost of construction of the Splash Play Area. Funds shall be released on a reimbursement basis.

Funds granted shall be solely from funds received by COUNTY and held as Park Dedication Fees. In the event it is determined by the COUNTY that the City has utilized funds in a manner that is in violation of any applicable regulation or administrative rule pertaining thereto, and the COUNTY requires repayment of any funds granted to the CITY, the CITY shall immediately upon request of COUNTY reimburse COUNTY for the same."

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 1 to Agreement No. 13075 to be executed on behalf of the persons duly authorized by the governing boards of the parties hereto.

County of Placer (COUNTY)

By: _____ Date _____
Chair, Board of Supervisors

City of Colfax (CITY)

By: Bruce Kranz Date 8/1/12
Bruce Kranz, City Manager

APPROVED AS TO FORM:

By: _____ Date _____
County Counsel

