

AGENDA ITEM 27

Conduct public hearing on application for Texas Recreation & Parks account Regional Grants Program.

Public Hearing open: 10:32 A.M.

Jim Rodgers addressed the Court regarding an application for the Texas Recreation & Parks account Regional Grants Program.

Public Hearing closed: 10:39 A.M.

AGENDA ITEM 28

Consider and approve a resolution authorizing application for Texas Recreation & Parks account Regional Grants Program.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve a resolution authorizing application for Texas Recreation & Parks account Regional Grants Program.

Vote: **5 - 0**

< Attachment >

RESOLUTION AUTHORIZING APPLICATION**TEXAS RECREATION & PARKS ACCOUNT
REGIONAL GRANTS PROGRAM**

A RESOLUTION OF THE COUNTY OF WILLIAMSON, TEXAS (HEREINAFTER CALLED THE APPLICANT), DESIGNATING OFFICIALS AS BEING RESPONSIBLE FOR THE APPLICANT IN DEALING WITH TEXAS PARKS & WILDLIFE (TPW), FOR THE PURPOSE OF PARTICIPATING IN THE TEXAS RECREATION AND PARKS ACCOUNT REGIONAL GRANTS PROGRAM (HEREINAFTER CALLED THE PROGRAM); CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT'S MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY, OR THE TERM OF THE JOINT-USE AGREEMENT FOR NON-LEASED PROPERTY) PUBLIC PARK AND RECREATIONAL USES.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent the Applicant in dealing with TPW concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs its County Judge to act for the Applicant in dealing with TPW for the purpose of the Program, and John C. Doerfler is hereby officially designated as the representative in this regard.

SECTION 4: That the Applicant hereby specifically authorizes the above-named official to make application to TPW concerning the site to be known as Brushy Creek Regional Park System and Conservation Corridor in Williamson County for use as a park site and is hereby dedicated (or will be dedicated upon completion of acquisition) for public park and recreation purposes in perpetuity, or for the lease or joint-use term, if legal control is through an inter-governmental lease or joint-use agreement.

SECTION 5: That the Applicant hereby certifies that a copy of the application has been submitted to the appropriate regional council of governments for Texas Review and Comments System consideration.

Introduced, read and passed by the affirmation vote of the Applicant on this ____ day of January, 2004.


John C. Doerfler, County Judge
Williamson County

ATTEST:


Nancy E. Rister, County Clerk
Williamson County

APPLICANT'S CERTIFICATION & PROGRAM ASSURANCES

TEXAS RECREATION & PARKS ACCOUNT REGIONAL GRANTS PROGRAM

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has held a public hearing in accord with all pertinent local and state laws.
2. Has the required matching share of funds available and sufficient for the project.
3. Will adequately maintain and operate areas developed with TRPA assistance at sponsor expense.
4. Will permanently dedicate for public park and recreation use, or will dedicate for the term of the lease for leased property, or for the term of the joint-use agreement for non-leased property, all areas which receive TRPA assistance.
5. Has the legal authority to apply for TRPA assistance, and the institutional, managerial and financial capability to ensure proper planning, management and completion of the project described in this application.
6. Will give the State of Texas, hereafter referred to as "State", through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
7. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from Texas Parks & Wildlife hereafter referred to as TPW. Will record the State interest in the title of real property in accordance with TPW directives and will include a covenant in the title of real property acquired in whole or in part with TRPA assistance funds to assure nondiscrimination during the useful life of the project.
8. Will comply with the requirements of TPW with regard to the drafting, review and approval of construction plans and specifications.
9. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms with the approved plans and specifications.
10. Will furnish quarterly progress reports and such other information as may be required by TPW.
11. Will initiate and complete the work within the applicable time frame after receipt of approval from TPW.
12. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
13. Will comply with all State and Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) any other non-discrimination provisions in the specific statute(s) under which application for TRPA assistance is being made, and (f) the requirements of any other non-discrimination statutes(s) which may apply to the application.
14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with the environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-1900 and Executive Order (EO) 11514; (b) protection of wetlands pursuant to EO 1190; (c) evaluation of flood hazards in floodplains in accordance with EO 11988; (d) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (e) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); and (f) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 127 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist TPW in assuring compliance with Texas Antiquities Code (Rev. 9-1-87).

Brushy Creek Regional Park System and Conservation Corridor - Phase II
Applicant Name/Project Name

John C. Doerfler 1-20-04
Signature of Official Authorized in Resolution

John C. Doerfler, Williamson County Judge
Typed Name and Date

SUMMARY OF GUIDELINES

FOR ADMINISTRATION OF TRPA ACQUISITION AND DEVELOPMENT PROJECTS

(Revised March 2002)

The Texas Parks & Wildlife Commission, by authority of Chapters 13 and 24 of the Parks & Wildlife Code, has adopted Guidelines for Administration of TRPA Acquisition and Development Projects, to read as follows:

Policy. It is the Commission's policy that the Department shall administer local projects in accord with the following guidelines, with interpretation of intent to be made to provide the greatest number of public recreational opportunities for citizens of Texas.

Local administrative costs shall not be considered as eligible local matching funds unless circumstances dictate that high priority public needs will not be met without the full or partial benefit of such in-kind contribution.

Approved projects shall be pursued in a timely manner by the sponsor, unless delays result from extraordinary circumstances beyond the sponsor's control. Failure to meet the following time frames may be grounds for the Department to initiate cancellation of the affected project in order to recommend reallocation of available funds to other projects, or to deny requests for additional grant funds for new projects:

ACTIVITY

TIME FRAME

Commission Approval	Begin 3-year project period
Pre-Contract Documentation	Within 6 months of Commission approval
(U.S. Army Corps of Engineers 404 Permit, Texas Natural Resources Conservation Commission Permit, Texas Historical Commission Cultural Resources Survey & Clearance, R-O-W Abandonment, Lease/Joint-Use Agreement Execution)	
Grant Agreement Execution (By TPW and Local Sponsor)	Within 6 months of Commission approval
Quarterly Status Reports	Within 2 weeks of quarter ending dates of March 31, June 30, September 30 and December 31
Appraisal Approval	Within 6 months of grant agreement execution
Land Acquisition	Within 9 months of appraisal approval
Construction Plan Submission	Within 6 months of land acquisition for projects involving acquisition; or Within 6 months of contract execution for development only projects
Periodic Reimbursement Billings	Submit every 90 days, if possible (\$10,000 minimum request)
Project completion and Grant Close-Out	Within 3 years of Commission approval

SUMMARY OF GUIDELINES (Continued)

The following criteria will be used to determine sponsor eligibility for additional funding:

- All previously completed Department sponsored grant projects must be in compliance with all the terms of the "General Provisions" of the contract agreement under which they received assistance and all applicable Land & Water Conservation Fund; Texas Local Parks, Recreation & Open Space Fund; and Texas Recreation & Parks Account Program guidelines; and
- For active grants, all required project documentation (such as appraisals, construction plans and specifications, quarterly status reports, and reimbursement requests) must be complete and have been received on schedule, if due; and
- All active projects which are at least two years old must be reimbursed for a minimum fifty percent of the approved grant amount; and
- The total of approved grant funds which have not been reimbursed may not exceed \$1 million for all active grant projects.

FAILURE TO MEET ANY ONE OF THE ABOVE CRITERIA MAY BE GROUNDS FOR DENYING NEW GRANT FUNDS. ASSESSMENT OF THE ABOVE CRITERIA IN CONJUNCTION WITH REQUESTS FOR NEW GRANTS WILL BE MADE ON JUNE 1ST OR NOVEMBER 1ST (ON JULY 1ST FOR 2002 REGIONAL GRANTS ONLY) PRIOR TO SUBMISSION OF FUNDING RECOMMENDATIONS TO THE COMMISSION.

- Under extenuating circumstances Department staff may recommend new grant fund approval if a project sponsor has not met all of the above criteria. Grant award, however, may be contingent upon certain conditions which will be specified in staff recommendations to the Parks and Wildlife Commission.

* * * * *

I have read the "Summary of Guidelines for Administration of TRPA Acquisition and Development Projects" and understand that the project sponsor which I represent will be responsible for compliance with the above conditions as a result of the receipt of grant assistance from the Texas Recreation and Parks Account. It is also understood that the "Summary of Guidelines for Administration of TRPA Acquisition and Development Projects" is part of the grant contract agreement.

John C. Doerfler
Signature of Official Authorized in Resolution

John C. Doerfler, County Judge
Name and Title

1-20-04
Date

John C. Boertler
County Judge
Williamson County



WILLIAMSON COUNTY COURTHOUSE
710 MAIN, SECOND FLOOR
GEORGETOWN, TEXAS 78626
PHONE (512) 943-1550
FAX (512) 943-1662

January 27, 2004

Mr. Tim Hogsett, CPRP
Director, Recreation Grants Branch
Texas Parks & Wildlife
4200 Smith School Road
Austin, Texas 78744-3291

Re: Regional Park Application sponsored by Williamson County

Dear Mr. Hogsett:

Thank you for the opportunity to submit this application for our multi-jurisdictional, public/private sector regional park. Williamson County, in cooperation with the cities of Austin, Cedar Park and Round Rock, and the Brushy Creek and Fern Bluff Municipal Utility Districts, have been actively following our master plan for the development of Brushy Creek Regional Park System and Conservation Corridor since 1999. As proposed, the park system will connect and augment existing and proposed recreational opportunities along Brushy Creek, from Cedar Park to Round Rock. The system, when complete, will include approximately seven miles of regional linear parkland, coupled with many acres of community park development. More than anything else, the regional park will provide hiking and biking trails, the #1 priority recreational facility listed in all of the participating entities' Master Park Plans. Not only will the proposed system provide these much needed recreational facilities, but will also provide alternate, safe means of travel from Cedar Park to Round Rock. To date, the system includes the connection of high intensity use parks, such as Creekside Park in Brushy Creek MUD and the Meadows Community Park in Fern Bluff MUD, while integrating areas of passive recreation along Brushy Creek. Currently, it is estimated that as many as 2,000 joggers, walkers and bicyclists traverse the regional trail on any given weekend. With its opening in December, Brushy Creek Lake Park in Cedar Park became the most recent link in the regional trail system. Phase II, the focus of this application, will provide the link from Brushy Creek Lake Park to Twin Lakes Park, which is situated alongside Highway 183 just south of Cedar Park.

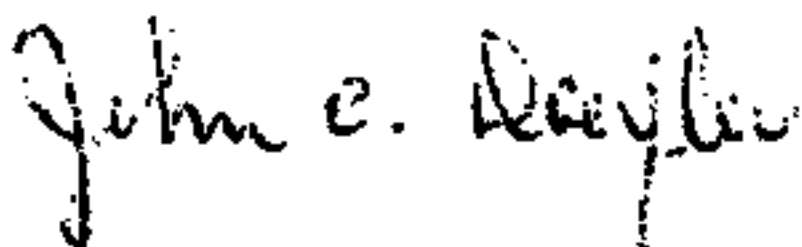
Numerous wetland areas along the creek sustain vegetation, fish and wildlife. Signage along the creek will point out important historic, cultural and environmentally significant sites. In Williamson County, the fastest growing county in the United States, conservation of our natural and cultural resources for the use and enjoyment of present and future generations is our mission.

The County, along with our partner cities and municipal utility districts, have developed supportive relationships with several private sector businesses, including the Avery Ranch Company, the Lower Colorado River Authority and several home builders.

Brushy Creek, rich with historical, cultural and environmental sites, must be protected. The potential for Williamson County and all of our public/private partners to continue to develop this historic, multi-cultural recreation and conservation corridor is very important and exciting. This regional park system will ultimately bring recreation, tourism, cultural and natural resources together in cooperation with the private sector, using local organizations, associations and all levels of government.

The Brushy Creek Regional Park System and Conservation Corridor has all the desired elements of a Parks and Wildlife regional grant. We would be proud and very pleased to continue our relationship with Texas Parks and Wildlife to complete the development of this regional park system. I sincerely thank you for your serious consideration of our application.

Respectfully,



John C. Doerfler
Williamson County Judge

PUBLIC HEARING NOTICE

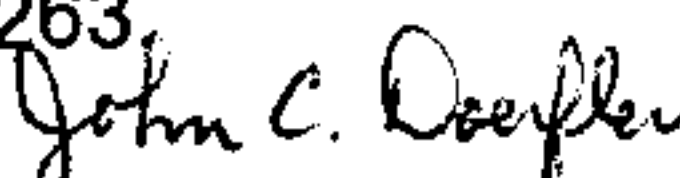
Williamson County has been made aware of the Texas Parks and Wildlife Department's Texas Recreation and Parks Account Program. It is the intent of Williamson County to consider an application for a grant from the Department.

The County proposes the expansion of and recreational improvements to Brushy Creek Regional Park System and Conservation Corridor (also known as Brushy Creek Regional Trail). The proposed park project is in the floodplain/wetland area and could have certain environmental impacts.

A public hearing has been called for January 20, 2004 at 10 a.m. at the Commissioners' Courtroom, Williamson County Courthouse, located at 710 Main, Georgetown, Texas to provide information about the proposed park project and the impact it may have on the floodplain/wetland area. Public comment is welcome at the hearing and/or may be submitted in writing to the County Judge's office, 710 Main, #201, Georgetown, Texas 78626 during routine business hours.

Please notify the County if assistance can be furnished to any handicapped person that wishes to attend this public hearing.

For further information, contact Jim Rodgers at 512/260-4263.


Judge John C. Doerfler
Williamson County
