

**City of Blaine**  
**Request for Council Action**  
**Meeting Date: May 26, 2020**

**Subject:** Resolution 1816-20, authorizing the City Manager to enter into a contract with the Washington State Recreation and Conservation Office in support of an ALEA Grant for the Marine Park Beach Capital Project.

**Department: Community Development Services**

**Prepared By:** \_\_\_\_\_  
(Digital Signature)

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**This Action Is:**       Necessary and Routine       COVID-19 Response

This action item is necessary to respond to the unexpected impacts on the City’s funding and schedule for developing park capital improvement projects due to COVID-19, and the respond to a unique funding opportunity created in response to the virus outbreak.

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**Agenda Location:**       Consent Agenda       Council Action       Unfinished Business

**Attachments:**

1. Draft Resolution 1816-20, Authorizing the City Manager to Enter into a Contract with the Washington State Recreation and Conservation Office in Support of an ALEA Grant for the Marine Park Shoreline Capital Project.

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**Background/Summary:**

In response to the COVID-19 pandemic; the Governor’s Stay at Home – Stay Healthy order; and to continue the City’s economic recovery efforts, the Department recommends that the City Council adopt the attached draft Resolution 1816-20. The Resolution will authorize the City Manager to enter into a contract with the Washington State Recreation and Conservation Office to receive grant funding for the Marine Park Shoreline project. CDS proposes to that this may be an opportune time to apply for this grant, because the State Recreation and Conservation Office (RCO) has reduced the grant match from 50% to 25% in response to COVID-19.

The Marine Park Shoreline project is on the City’s adopted Parks Capital Improvement Plan. The project is proposed to be split into two phases. The first phase is scheduled for 2021, and includes \$300,000 in expenditures. Phase Two is scheduled for 2022 and includes \$500,000 in expenditures. The sources of capital development funds are generally restricted to capital only and cannot be used for operations. That is the case in this proposal.

In 1984, the Washington State Legislature created the Aquatic Lands Enhancement Account (ALEA) to ensure that money generated from aquatic lands was used to protect and enhance those lands. Grants may be used for the acquisition, improvement, or protection of aquatic lands for public purposes. They also may be used to provide or improve public access to the waterfront. The City of Blaine is eligible to participate in the program as an incorporated City in Washington State.

If the City's ALEA grant application is approved, the project could likely be built in one phase next year which would reduce costs, such as mobilization, and reduce impacts on the park, and minimize environmental impacts. The ALEA grant would provide up to \$500,000 to the Marine Park Shoreline project. The City is then responsible for providing a 25-percent match for project costs.

The project, once completed, will remove the broken concrete and debris along Marine Park shoreline and replace it with boulders, cobbles, sand and gravels, creating two pocket beaches and two headlands to stabilize the shoreline. The project will result in safer shoreline access and help prevent further erosion around the Marine Park Playground and Lighthouse Point Water Reclamation Facility. CDS also anticipates that an improved beach at Marine Park will attract more visitors to the City, and result in greater commercial activity when those visitors visit Blaine's local restaurants and retail establishments.

The Department has obtained federal and state permits to complete the Marine Park Shoreline project, including confirming the City's capacity to manage the construction project next year. If funded, the project will break ground late summer or fall of 2021.

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**Budget Implications:**    Current Budget    New Budget Request    Non-Budgetary

There are no 2020 budget year implications for applying for the ALEA grant besides use of staff time. If awarded, the grant funds would be provided on a reimbursement basis. The project would become a part of the 2021 budget if the grant application is successful. The City's Finance Director has confirmed the City's 25-percent match requirement is estimated to be available in the Park Impact Fee Reserve for next year.

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**Recommendation:**

1. The Department recommends that the City Council consider approving Draft Resolution 1816-20, authorizing the City Manager to enter into a contract with the Washington State Recreation and Conservation Office in support of an ALEA Grant for the Marine Park Shoreline capital project.

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**Reviewed By:**

City Manager \_\_\_\_\_ Finance Director \_\_\_\_\_ City Clerk \_\_\_\_\_  
(Digital Signature) (Digital Signature) (Digital Signature)

**RESOLUTION NO. 1816-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE WASHINGTON STATE RECREATION AND CONSERVATION OFFICE IN SUPPORT OF AN ALEA GRANT FOR THE MARINE PARK SHORELINE CAPITAL PROJECT.**

**WHEREAS**, the City's Park Capital Improvement Plan identifies projects over a 6 year horizon, is updated annually by City Council, and implemented over the year by the Community Development Services Department and Public Works Department; and,

**WHEREAS**, the Marine Park Shoreline project is in the City's adopted Park Capital Improvement Plan for 2021 and 2022; and,

**WHEREAS**, the City of Blaine desires grant assistance to aid in financing the cost of the Marine Park Shoreline project; and,

**WHEREAS**, the Aquatic Lands Enhancement Account (ALEA) is a program of the Washington State Recreation and Conservation Office. The primary purpose of the ALEA grant program is to help ensure that money generated from aquatic lands is used to protect and enhance those lands.

**WHEREAS**, the City of Blaine has matching funds available in the Park Impact Fee Reserve Account for a 25-percent ALEA grant match; and,

**WHEREAS**, the Marine Park Shoreline project is a shovel ready project as the City of Blaine has approved federal and state permits.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON, DOES HEREBY RESOLVE AND CONFIRM AS FOLLOWS:**

1. Our organization intends to apply for funding assistance managed by the Office for the Marine Park Shoreline capital project.
2. Our organization authorizes the following persons or persons holding specified titles/positions (and subsequent holders of those titles/positions) to execute the following documents binding our organization on the above projects:

Grant Document	Name of Signatory or Title of Person Authorized to Sign
Grant application (submission thereof)	Michael Jones, City Manager
Project contact (day-to-day administering of the grant and communicating with the RCO)	Alex Wenger, Economic Development & Tourism Coordinator
RCO Grant Agreement (Agreement)	Michael Jones, City Manager
Agreement amendments	Michael Jones, City Manager
Authorizing property and real estate documents (Notice of Grant, Deed of Right or Assignment of Rights if applicable).	Alex Wenger, Economic Development & Tourism Coordinator

The above persons are considered an "authorized representative(s)/agent(s)" for purposes of the documents indicated. Our organization shall comply with a request from the RCO to provide documentation of persons who may be authorized to execute documents related to the grant.

3. Our organization has reviewed the sample RCO Grant Agreement on the Recreation and Conservation Office's WEB SITE at: <https://rco.wa.gov/wp-content/uploads/2019/06/SampleProjAgreement.pdf>. We understand and acknowledge that if offered an agreement to sign in the future, it will contain an indemnification and legal venue stipulation and other terms and conditions substantially in the form contained in the sample Agreement and that such terms and conditions of any signed Agreement shall be legally binding on the sponsor if our representative/agent enters into an Agreement on our behalf. The Office reserves the right to revise the Agreement prior to execution.
4. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative(s)/agent(s) have full legal authority to act and sign on behalf of the organization for their assigned role/document.
5. Grant assistance is contingent on a signed Agreement. Entering into any 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 Agreement, the characteristics of the project, and the characteristics of our organization.
7. Our organization further understands that prior to our authorized representative(s)/agent(s) executing any of the documents listed above, the RCO may make revisions to its sample Agreement and that such revisions could include the indemnification and the legal venue stipulation. Our organization accepts the legal obligation that we shall, prior to execution of the Agreement(s), confer with our authorized representative(s)/agent(s) as to any revisions to the project Agreement from that of the sample Agreement. We also acknowledge and accept that if our authorized representative(s)/agent(s) executes the Agreement(s) with any such revisions, all terms and conditions of the executed Agreement 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 referenced above.
9. 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.
10. 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 all project deliverables, grant reports, or other responsibilities are complete.
11. 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 Agreement or an amendment thereto.
12. 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.
13. This resolution/authorization is deemed to be part of the formal grant application to the Office.
14. Our organization warrants and certifies 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.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON**, on the 26th day of May, 2020, and approved by the Mayor on the same day.

**CITY OF BLAINE, WASHINGTON**

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Bonnie Onyon, Mayor

ATTEST/AUTHENTICATE:

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Samuel Crawford, City Clerk

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