

December 17, 2013

**MARIN COUNTY**  
PARKS  
PRESERVATION • RECREATION



Board of Supervisors  
County of Marin  
3501 Civic Center Drive  
Marin County Civic Center  
San Rafael, California 94903

Linda Dahl  
DIRECTOR  
GENERAL MANAGER

**SUBJECT: REQUEST TO AUTHORIZE PRESIDENT TO EXECUTE RESOLUTION AND GRANT AGREEMENTS RELATED TO THE ALLOCATION AND DISBURSEMENT OF FUNDING FROM THE MEASURE A CITY, TOWN, AND APPLICABLE SPECIAL DISTRICT PROGRAM**

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Dear Board Members:

**RECOMMENDATION:**

1. Authorize the President to execute Resolution Implementing the Expenditure Plan of Marin County Ordinance 3586 for Applicable Special Districts.
2. Authorize the President to execute grant agreements with:
  - a. City of San Rafael
  - b. City of Novato
  - c. City of Mill Valley
  - d. City of Sausalito
  - e. City of Belvedere
  - f. Town of Corte Madera
  - g. Town of Fairfax
  - h. Town of Larkspur
  - i. Town of Ross
  - j. Town of San Anselmo
  - k. Town of Tiburon
  - l. Firehouse Community Park Agency
  - m. Marin City Community Services District
  - n. Marinwood Community Services District
  - o. Muir Beach Community Services District
  - p. Strawberry Recreation District
  - q. Tamalpais Community Services District
  - r. Tomales Community Services District

3. Authorize the President to execute a grant agreement with the Bel Marin Keys Community Services District subject to the receipt of a signed agreement.
4. Encourage the eight special districts, if they so choose, to review the existing allocation method for Measure A funds available to them, reach a consensus, and inform Marin County Parks and your board of a decision by June 30, 2014.

**SUMMARY:**

Marin County Ordinance No. 3586, the Marin Parks, Open Space, and Farmland Preservation Transactions and Use Tax Ordinance, also known as Measure A, earmarks fifteen percent of its annual revenues for a "City, Town and Applicable Special District Program" (see Attachment A). Funds from this program are intended to assist Marin's municipalities and applicable special districts in managing their parks, open space preserves, recreation programs, and vegetation to promote biodiversity and reduce wildfire risk.

Program participants are required to enter into a grant agreement with the county prior to the first disbursement of funds. The form of this agreement underwent extensive review by staff and legal counsel of all participants, and was reviewed and approved by County Counsel. Each year, pursuant to the agreement, participants are required to complete a work plan and expenditure report. Agreements include important annual deadlines regarding this process. Marin County Parks staff will provide estimates of disbursement amounts, review work plans, and review and track expenditure reports to fulfill its own Measure A annual reporting requirements.

**Allocation Method:**

Ordinance 3586 states that the allocation method for funds available through this program shall be designed in concert with the cities, towns, and applicable special districts. The allocation method was developed over the past six months by staff and elected officials of these entities, including seven of the eight applicable special districts. These representatives developed and agreed to the following allocation method:

Of the total funds available to this program annually:

- 73.55% shall be allocated to cities and towns. This amount shall be divided among the 11 municipalities on a per capita basis.
- 26.45% shall be allocated to the applicable special districts. Half of this amount shall be divided equally among the eight districts. The remaining half shall be divided on a per capita basis among the districts.

**Disbursement Estimates:**

Estimates projecting the total amount of annual disbursements will be sent to all participants before the start of each year to inform the creation of their work plans. See Attachment B for the first disbursement estimates.

**Issue:**

Some special districts dispute the eligibility of the Firehouse Community Park Agency (FCPA ) – a joint powers agency (JPA) formed by two special districts, the Bolinas Public Utility District (BPUD) and the Bolinas-Stinson Union School District – to receive funds from the Measure A City, Town, and Applicable Special District Program. The FCPA implements BPUD’s authority to provide public park and recreation services. The effect of including the FCPA among eligible special districts is to reduce the amount of funding available to the seven other districts. County Counsel has reviewed the matter and confirmed FCPA’s eligibility.

Recommended actions 1 and 4 above are the result of collaboration by Marin County Parks, County Counsel and the special districts to resolve this matter. Specifically, the Resolution calls on your board to:

- a. designate those special districts eligible to receive funds from the Measure A City, Town, and Applicable Special District Program for the next nine years, until Measure A expires. No other entities, even if formed during the time Measure A is in effect, would be eligible during this time period; and
- b. limit the population basis of the FCPA (the number used to determine FCPA’s per capita share of the Measure A funds available to special districts) to that of the Bolinas Public Utility District – which is the only one of FCPA’s two “parent” districts with the power to provide park and recreation services. Limiting the FCPA’s population basis in this manner prevents special districts or JPAs serving small populations from joining with districts serving larger populations – but that don’t provide park and recreation services – for the sole purpose of getting a larger portion of the per capita funds based on the population served by both entities.

**FISCAL IMPACT:**


Funding for cities, towns and applicable special districts will be provided by Ordinance 3586, and will have no impact on the county general fund budget. The total amount provided to cities, towns and applicable special districts will vary depending on fluctuations in annual tax revenues.

**REVIEWED BY:**

- Dept. of Finance             N/A
- County Counsel             N/A
- Human Resources         N/A
- County Administrator     N/A

External Affairs Coordinator Kevin Wright is the principal author of this report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'RM', is written over the text 'Respectfully submitted,'.

Ronald Miska  
Deputy Director

RM:KW:kbl