

County of Santa Clara
Parks and Recreation Department



24-1867

DATE: February 6, 2024 (Item No. {{item.number}})

TO: Board of Supervisors

FROM: Don Rocha, Director, Parks and Recreation Department

SUBJECT: Fourth Amendment to the All-Inclusive Playground Grant Funding Agreement with the City of Mountain View

RECOMMENDED ACTION

Approve Fourth Amendment to the All-Inclusive Playground Grant Funding Agreement with the City of Mountain View relating to construction of the Magical Bridge Playground at Rengstorff Park, with no change to the grant award amount and match requirement, extending the deadline for the playground to be opened to the public by October 31, 2024, revising Grant Scope to reflect the portion of the project to be completed and submitted for reimbursement during the reimbursement eligibility period, that has been reviewed and approved by County Counsel as to form and legality. (LA-1)

FISCAL IMPLICATIONS

There is no impact to the County General Fund associated with this action.

CONTRACT HISTORY

At the May 8, 2018 meeting of the Board of Supervisors (Item No. 54), the Board approved an All-Inclusive Playground (AIPG) grant award amount of \$1,700,000 to the City of Mountain View (City) for the construction and development of the Magical Bridge all-inclusive playground, located in Mountain View at 201 S. Rengstorff Avenue.

On October 2, 2019, the City of Mountain View and the County of Santa Clara (the “Parties”) entered into a First Amendment to the Funding Agreement to revise the Grant Scope/Cost Estimate to reflect the full design costs as a match-funded deliverable.

On January 15, 2021, the Parties entered into the Second Amendment to the Funding Agreement to extend the three-year grant performance period by 24 months, to May 8, 2023, due to unforeseeable project delays related to Covid-19.

On October 10, 2022, due to the prolonged duration of the Covid-19 pandemic, resulting in additional unforeseeable delays, the Parties entered into the Third Amendment to the Funding Agreement to extend the grant performance period by an additional 12 months, such that the grant performance period would total six years and run from May 8, 2018 through May 8, 2024 (Attachment 2).

REASONS FOR RECOMMENDATION AND BACKGROUND

Due to additional project delays, the City of Mountain View's Playground Project (Project) is not expected to be fully completed and open to the public by the end of the six-year grant performance period and is instead expected to be fully completed and open to the public in October 2024. The City is requesting a modification to the scope of work to allow them the opportunity to fully expend the grant before the maximum six-year grant term expires on May 8, 2024. The City must fully complete the project by October 31, 2024, or shall return all County grant funds.

The revised Grant Scope/Cost Estimate form attached to this Fourth Amendment reflects the portion of the Project that Grantee aims to complete and submit for grant fund reimbursement under the Funding Agreement prior to the end of the reimbursement eligibility period on May 8, 2024.

The revisions to the grant scope do not change the previously agreed scope of the full Project, the amount (\$1,700,000) of awarded grant funding, or the dollar-for-dollar Grantee match requirement. Grantee's total cash contribution still meets or exceeds the AIPG Program's dollar-for-dollar match requirement and has in fact increased because the total Project cost has risen to over six million dollars.

Program History

On February 28, 2017, the Board of Supervisors directed Administration to create an All-Inclusive Playground Grant Program to provide grants to local cities, school districts, non-profits and/or other governmental entities interested in building all-inclusive playgrounds in their communities located within Santa Clara County. For Fiscal Year 2018, a cumulative total of up to \$10 million in matching funds was allocated among supervisorial districts with up to \$2 million available in each supervisorial district. Each district could award one or more grant projects to create regionally-serving playgrounds that include elements that make the playground accessible for wheelchair users as well as non-wheelchair users with disabilities, including but not limited to people with Autism Spectrum Disorder, Sensory Challenges, Visual and Auditory Impairments, and Cognitive, Developmental and Physical Disabilities. All \$10 million in funding was awarded for FY 2018.

On September 11, 2018, the Board approved \$10 million in funding for AIPG Program Two allocated from the General Fund Contingency Reserve, with \$2 million allocated in each Supervisorial District.

A total of twenty-four (24) AIPG awards were made between May 8, 2018 and March 24, 2020. The agreement for the 24th project, awarded on March 24, 2020, was executed on September 4, 2020.

At the September 1, 2020 meeting of the Board of Supervisors (Item No. 26), the Board approved a new delegation of authority relating to the AIPG Program that would expand the existing delegations of authority under which the AIPG agreements were executed in order to facilitate any necessary amendments to those agreements resulting from delays associated with the COVID-19 pandemic.

At the June 7, 2022 meeting of the Board of Supervisors (Item No. 103), the Board approved an amended delegation of authority to allow the County Executive, or designee, to amend the Board-approved grant agreements with AIPG grantees to extend the agreement term to a maximum of six years.

CHILD IMPACT

The recommended action will have no/neutral impact on children and youth.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

CONSEQUENCES OF NEGATIVE ACTION

The Grant Funding Agreement with the City of Mountain View would not be amended.

STEPS FOLLOWING APPROVAL

Upon execution, please notify April Smith, Senior Management Analyst, Parks & Recreation Department.

ATTACHMENTS:

- Attachment 1 – CoMV AIPG Fourth Amendment
- Attachment 2 – CoMV AIPG Third Amendment Executed Oct 2022