

COMMUNITY SPACES MATCHING GRANT PROGRAM

Grant Guidelines



Santa Rosa Creek Greenway, 2001 Matching Grant Program Project

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INTRODUCTION

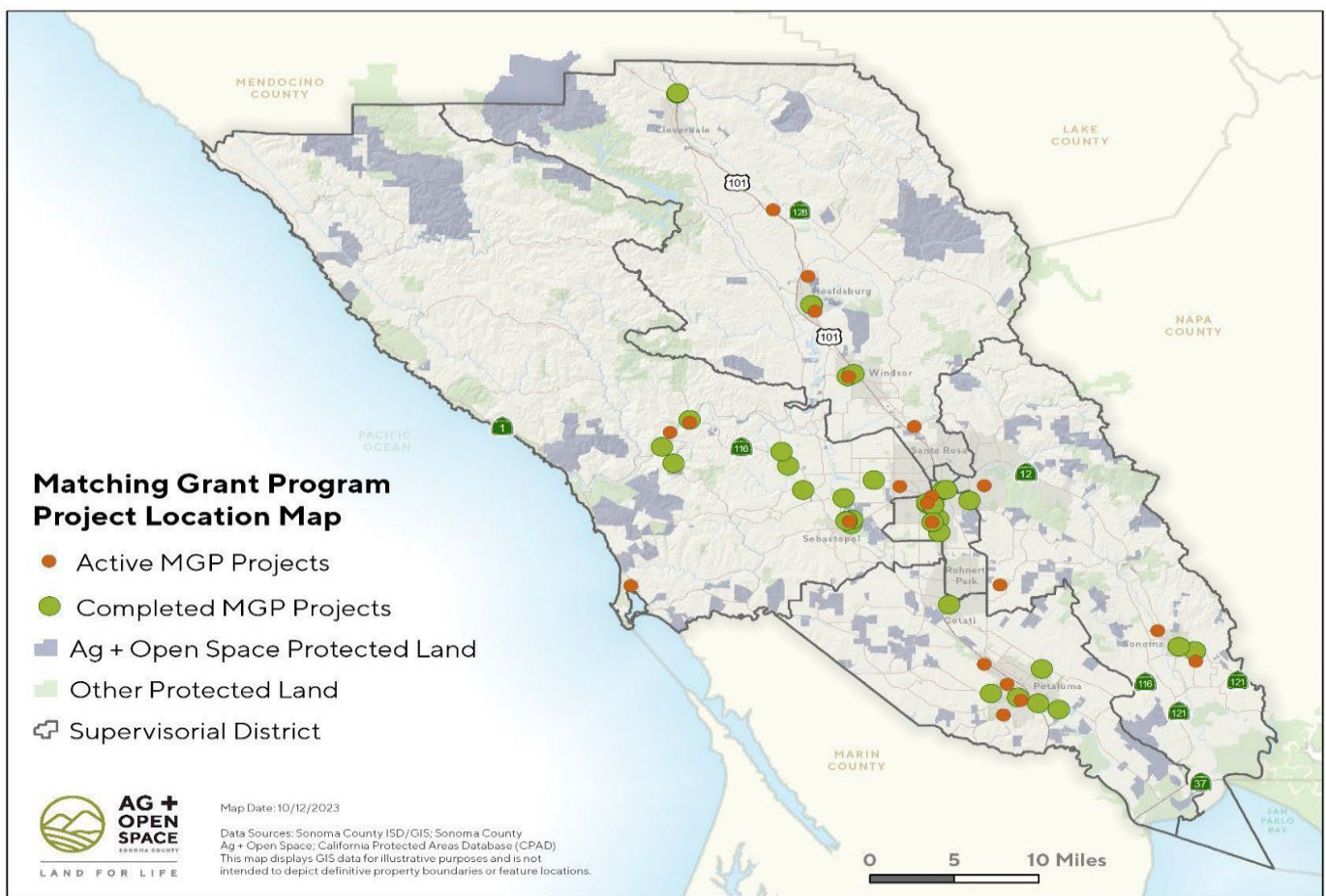
ABOUT AG + OPEN SPACE

Ag + Open Space is a county special district established by Sonoma County voters in 1990 to work proactively with local communities and residents to permanently protect the diverse agricultural, natural resource, recreational, and scenic open space lands of Sonoma County for future generations. Ag + Open Space is responsible for the perpetual protection of more than 125,000 acres of land within Sonoma County, including over 550 acres in Community Spaces Matching Grant Program projects, and more than 750 acres in pending projects currently in development. A quarter-cent sales tax approved by voters in 1990 and reauthorized in 2006 provides funding for protection of these natural open space lands.

ABOUT THE COMMUNITY SPACES MATCHING GRANT PROGRAM

Ag + Open Space’s authorizing language enables the agency to operate a grant program that provides funding for community driven projects that secure, develop, and protect open spaces within and near incorporated areas and other urbanized and residential areas in Sonoma County.

By centering community in open space, the Community Spaces Matching Grant Program (CSMGP) aims to bring open space benefits to Sonoma County’s diverse and unique communities, especially those that have been historically underserved. These projects have the potential to help transform and enrich communities by providing places to recreate, hold public gatherings, connect and learn about the natural world, grow local food, restore habitats and vital waterways, sequester carbon, and provide cooling during excessive heat.



PERMANENT PUBLIC OPEN SPACE PROTECTION

In exchange for Community Spaces Matching Grant Program funding, awarded projects convey to Ag + Open Space a conservation easement, and where public access is a component of the project, a recreation covenant is also often required. These legal agreements provide permanent protection of the land and ensure these projects create and retain specified long-term open space for Sonoma County residents. Conservation easements and recreation covenants are perpetual and run with the land forever despite changes in property ownership.

COMMUNITY IMPACT

The CSMGP has funded projects in all nine of the County's incorporated cities and numerous unincorporated residential areas. CSMGP projects include parks, trails, urban farms, community gardens, greenways, nature preserves, and wetland and other waterway restoration and access. To date, Ag + Open Space has accepted 72 projects into the CSMGP, dedicating more than \$57 million in grant funds. In turn, project partners have leveraged and pledged over \$50 million in matched contributions, significantly increasing Sonoma County's urban open space benefits and the return on Matching Grant Program investment. See *Appendix A-1* for an MGP All Projects Map.

A. SUMMARY

1. PURPOSE OF MGP GUIDELINES

These Guidelines document the Community Spaces Matching Grant Program's voter intent, application process, project acceptance, grant implementation, and compliance requirements as approved by the Board of Directors. Ag + Open Space encourages potential and active applicants to contact our staff with questions and [sign up](#) to receive Ag + Open Space updates to ensure receipt of grant notifications and other opportunities.

2. CONTACT INFORMATION

GRANT COORDINATOR

Contact: Pamela Swan

Email: MatchingGrant@sonoma-county.org

Phone: 707-565-7348

3. KEY LINKS

- [Ag + Open Space and Matching Grant Program website](#)
- [Pre-application](#)
- [Full Application](#)
- [MGP Web Map](#) – link to support applicants in documenting project area and metrics

4. ELIGIBLE APPLICANTS

- Public agencies
- Federally recognized tribes
- Nonprofit organizations with 501(c)(3) status
- Non-federally recognized tribes and community-based organizations may apply with a 501(c)(3) sponsor

See Section C. Application Requirements for more details

5. ELIGIBLE PROJECTS & ACTIVITIES

The Matching Grant Program has three categories of eligible project types:

- 1) Acquisition
- 2) Improvement
- 3) Acquisition/Improvement combination projects

Eligible activities include:

- **Acquisition** – Purchase of land for community-based projects, including:
 - **Public access to open space and outdoor recreation and education amenities**, including urban parks, trails, greenways, athletic fields and access to rivers and other waterways.
 - **Farmland that provides urban greenspace and access to locally grown food and fiber**, which may include opportunities for the public to experience farming and agricultural production.
 - **Restoration and/or enhancement of significant natural areas**, including oak woodlands, marshes, wetlands, riparian corridors, and other critical habitat areas.

- **Improvement** – Projects include, but are not limited to:
 - Implementation and/or construction of new site improvements for outdoor public recreation and education including public access to open spaces and parks, trails, trailheads, picnic and staging areas, athletic fields and outdoor classrooms.
 - Development of connections between communities, public parks, or public lands within and adjacent to urban areas. Preference given to projects that are part of a planned or existing regional trail system.
 - Restoration and/or enhancement of significant natural areas, including oak woodlands, marshes, wetlands, uplands, riparian corridors and other critical habitat areas.
 - Construction of new site improvements necessary for urban agricultural uses, including garden beds, picnic areas, and wildlife-friendly livestock fencing.

- **Combination Acquisition/Improvements**
 - Projects that include elements of both project types.

For additional Eligible Project details, see Appendix A-4. for eligible CSMGP project activities.

6. INELIGIBLE PROJECTS

Projects not eligible not for the CSMGP include:

- Projects that involve acquisition of property via power of eminent domain.
- Projects replacing existing or former facilities or amenities with the same function or purpose.
- Projects that fulfill mitigation requirements for development projects.
- Acquisition of, or interest in, land that restricts access to specific persons.
- Projects on property Ag + Open Space owns.
- Projects that are eligible for or have received Ag + Open Space Initial Public Access Operation and Maintenance (IPAOM) funding.
- Projects that implement conditions of approval for unrelated development.

7. FUNDING AVAILABILITY

In order to provide flexibility in addressing emerging community open space issues, the amount of funding authorized may vary based on the quantity and quality of applications received and total funding accrued and obligated to date.

8. FUNDING REQUEST AMOUNTS

There are no maximum or minimum CSMGP grant amounts. Applications will be reviewed and scored using robust evaluation criteria, and funding decisions will be based on the merits of the project and in consideration of the agency's available revenue, obligated funds, and other priority projects. Thus, applicants are encouraged to consider grant funding requests accordingly.

9. MATCH

The CSMGP recommends a match contribution of 50%, with applicants contributing a 50-cent match for every CSMGP dollar. If an applicant is unable to meet this requirement, and is serving an [economically disadvantaged community](#), they may submit a written variance request describing why they are unable to provide the recommended match. In such cases, Ag + Open Space may approve a grant request secured by a smaller match contribution. For more detail on match requirements, see *Appendix A-3. Full Application, section 5. Readiness*.

10. SCHEDULE

The Community Spaces Matching Grant Program uses a **Rolling Application Model**, thus applicants can submit a pre-application once the applicant/s successfully complete the pre-application provisions described below. The Grant Coordinator will utilize pre-application information to assist the applicant in determining whether the project meets the Eligibility Criteria; identifying what additional information may be needed prior to submitting a full application; and ascertaining whether the project has complexities that may impact the project or other issues. Once applications are received, Staff will provide an estimated timeline for application review.

11. GRANT WORKSHOPS

A recorded Grant Workshop providing an overview of the application process is included on the Ag + Open Space website in English with Spanish translation. Please contact the Grant Coordinator with related questions or should you want a Grant Workshop held in your community or agency.

B. APPLICATION PROCESS

To best serve Sonoma County residents and increase equity and accessibility for underserved communities in particular, Ag + Open Space has moved to rolling application submissions, pre-award application support, reduced application requirements, and institutionalizing program outreach and evaluation to expand access and gain community feedback for program improvements.

1. ROLLING APPLICATION PROCESS

Applications will be accepted on a rolling, continuous basis. Thus, applicants may apply anytime once they successfully complete the conditions described below.

a. Pre-Application

The rolling application is a two-step process. First, applicants will complete and submit a brief Pre-Application. The purpose of the Pre-Application is to:

- Establish relationships with applicants early in the application process to support the development of urban open space projects aligned with the CSMGP goals.
- Determine eligibility and assess project readiness.
- Provide an opportunity for applicants serving economically disadvantaged communities to request application technical assistance.

As noted above, the Pre-Application includes an opportunity for applicants to request pre-award technical assistance for projects serving an economically disadvantaged community. Application technical assistance may include but is not limited to preliminary project design, planning, site assessment, application review, mapping/GIS, CEQA and permitting guidance, and real estate support. Staff will assess these requests and work with applicants to determine how to provide needed assistance. The value of technical assistance will not exceed \$15,000 per application.

A Staff Committee will review pre-applications for eligibility and will work with applicants to determine if additional information is needed prior to submitting a full application. If, upon review of the Pre-Application a project is found to be eligible and complete, Ag + Open Space staff will invite the applicant to complete a Full Application.

Additionally, if an eligible Pre-Application includes a request for technical assistance, and related conditions are met, staff will link applicants with pre-award technical assistance providers to assist in the completion of their full application.

b. Full Application

The second step in the rolling application process is completion of a Full Application. As noted above, applicants will be invited to submit a Full Application once the proposed project is determined to be eligible and project ready. Building upon the Pre-Application eligibility requirements, the Full Application provides an opportunity for the applicant to share the proposed project goals, plan, funding, and impacts. *See C. Application Requirements below.*

Applicants are required to acknowledge in an authorized resolution their review of the Program Guidelines, including all appendices (*see A-6 Resolution Template*). This requirement is intended to provide additional transparency regarding the long-term nature of Matching Grant Program projects, the pre-conditions required for funds disbursement including compliance with CEQA provisions, and the scope of grant compliance.

C. APPLICATION REQUIREMENTS

All project applications must meet the following minimum eligibility requirements:

1. ELIGIBLE APPLICANT REQUIREMENTS

Eligible applicants include:

- **Public Agencies**
- **Nonprofit Organizations** with 501(c)(3) status, must include:
 - Evidence of IRS qualification
 - Articles of Incorporation
- **Federally recognized tribes**
- **Non-federally recognized tribes and other community-based organizations** with a fiscal 501(c)(3) sponsor

Organizations that are not eligible to apply may develop a sub agreement with an eligible organization to serve as an eligible applicant. For acquisition projects, the eligible applicant/s must include the organization that will acquire the property. Project property owners must be the applicant or co-applicant for improvement projects.

2. PROJECT TYPE REQUIREMENTS

Acquisition Projects

Applications for acquisition projects must provide information on the following:

- a. Confirmation of willing seller (e.g. purchase and sales agreement or letter of intent)
- b. Status of negotiations with seller;
- c. Appraisal¹ or opinion of value
- d. Agreements related to ownership, use, or maintenance (leases, licenses, easements, etc.);
- e. Documentation of historical and current property uses;
- f. Documentation of title conditions or other property restrictions impactful on project completion;
- g. Required project approvals (City, County planning, Board, Councils);
- h. Required permits and/or zoning requirements;

¹ For Ag + Open Space staff review only. Staff will not keep appraisal copy, which shall remain confidential unless otherwise disclosed by applicant or other third parties.

- i. CEQA compliance (e.g. type of CEQA review based on potential impacts of applicable exemptions);
- j. Visual depiction (conceptual design) of project with description of type and total area of impervious/hardscape surface, if relevant;
- k. Location map indicating project site in relation to major geographic features (cities, highways, roads) as well as nearby protected and public lands if possible;
- l. Site map aerial image of project site with existing elements clearly marked (e.g. property boundary, access points, streets, waterways, existing structures, proposed improvements, project phases);
- m. Parcel Map with project parcels highlighted: <https://common1.mptsweb.com/mbap/sonoma/asr>
- n. Public outreach for input and comment on project design (meeting agendas, outreach plan, public comments summary)

Improvement Projects

Applications for improvement projects (public recreation and access, agriculture, restoration), must provide the following:

- a. Documentation of site control (ownership, management, agreements);
- b. Visual depiction (conceptual design) of project and/or construction/restoration plans with description of type and total are of impervious/hardscape surface, if relevant;
- c. Location map indicating project site in relation to major geographic features (cities, highways, roads) as well as nearby protected and public lands if possible;
- d. Site map aerial image of project site with existing elements clearly marked (e.g. property boundary, access points, streets, waterways, existing structures, proposed improvements, project phases);
- e. Parcel Map with project parcels highlighted: <https://common1.mptsweb.com/mbap/sonoma/asr>
- f. Agreements related to ownership, use, or maintenance (leases, licenses, easements, etc.);
- g. Documentation of historical and current property uses;
- h. Documentation of title conditions or other property restrictions impactful on project completion;
- i. Required project approvals (City, County planning, Board, Councils);
- j. Required permits and/or zoning requirements;
- k. Required review by other agencies;
- l. CEQA compliance (e.g. type of CEQA review based on potential impacts of applicable exemptions)
- m. Public outreach for input and comment on project design (meeting agendas, outreach plan, public comments summary).

Combined Acquisition/Improvement Projects

Applications for combined Acquisition/Improvement projects must provide required information for both project types, as merited.

3. AUTHORIZATION

Applicants must have the support of their governing body as evidenced by a formal resolution issued by the body. A sample resolution is in the *Appendix A-6*, and must include the following:

- a. Authorization to apply for a Matching Grant Program grant;
- b. Explanation or analysis of how proposed project is consistent with the applicable General Plan;
- c. CEQA status or determination, if it has been made;
- d. Acknowledgment that applicant understands the match requirements and has or will have sufficient funds for match, completion, and operation and maintenance of proposed project;
- e. Acknowledgment applicant has reviewed, understands, and agrees to the provisions contained in the MGP Guidelines, including the Appendices;
- f. Delegation of authority to conduct all negotiations, submit and sign documents²;
- g. g. Agreement to comply with all applicable federal, state, and local laws, ordinances, rules, regulations and guidelines.

² Including but not limited to, the application, conservation easement, recreation covenant, matching grant agreement, any irrevocable offer of dedication, amendments, reimbursement requests, etc., necessary for project completion.

4. LOCATION

Projects should be located within or near incorporated Sonoma County cities or in an unincorporated community. Matching Grant Projects are generally within a half-mile of existing urban growth boundaries, urban service areas, or community census blocks with a population of greater than 100. If a project falls outside this parameter, the applicant may describe the location and the communities the project will serve and how. Ag + Open Space has developed an [MGP Web Map](#) that applicants may use to determine whether a project falls within a mapped Matching Grant Program Area.

5. FISCAL REVIEW

To determine an applicant's fiscal solvency, a review of financial information is conducted during the Pre-Application process. Using commonly accepted accounting methods, applicants should qualify as a low-risk auditee and a going concern, able to operate for the long-term. For more information, see the fiscal review tab in *Appendix A-5, Evaluation Matrix*.

6. LONG TERM PROJECTS

Matching Grant Program open space projects are long-term, place-based community assets. In exchange for public funding, all projects must provide long-term community benefits including perpetual protections via conservation easements and/or affirmative requirements through recreation covenants. Preference will be given to projects that ensure human and environmental benefits for 30 years or more.

7. COMPLETE APPLICATIONS

Applications must provide all required documentation in the form requested, if specified. Ag + Open Space will reject incomplete applications if, in staff's determination, the deficiencies would make it unfair to allow the applicant to supplement their application.

Note: as discussed in Section B. Application Process, prior to submitting a full application, applicants serving economically disadvantaged communities, who otherwise do not have access to the services and resources required to submit a full application, may request application Technical Assistance.

D. EVALUATION CRITERIA

Ag + Open Space uses the evaluation criteria below to evaluate MGP applications. These criteria are aligned with the agency's authorizing language, the [Vital Lands Initiative](#), and are approved by its Board of Directors. Application evaluation criteria scoring serves as a guideline for funding recommendations, with the final funding determinations made by the Board of Directors. See *Appendix A-5. Evaluation Matrix* for more information on project evaluation.

1. PROGRAM INTENT

The Community Spaces Matching Grant Program is described in the voter approved [Ag + Open Space 2006 Expenditure Plan](#), which calls for a matching grant program for "urban open space and recreation projects within and near incorporated areas and other unincorporated areas of Sonoma County." The measure supports projects that bring the experience of open space to populous areas of the County through the creation of minimally developed recreational, education and community gatherings spaces and that also offer natural resource restoration and enhancement and/or access to local food and fiber production. A description of the criteria used to evaluate applications' consistency with Program Intent follows below.

a) Creation and/or Improvement of Community Open Space

The goal of the CSMGP is to create or improve open space land to enable public recreation, agriculture, and restoration or enhancement of natural resources. Projects that add *new* land to the County's open space portfolio are preferred, especially in locations where little or no open space currently exists. Projects that will

improve (develop, restore, etc.) existing open spaces are also eligible, though slightly less competitive than projects that create new open space opportunities.

b) Additional Authorizing Language Priority Alignment

Projects will also be evaluated using the following criteria to determine how well they align with the objectives of the Matching Grant Program:

- i. **Links communities to open spaces** via trails or other open space connections. Preference for projects that include existing and planned regional trail connections.
- ii. **Implements restoration** techniques to reinstate or enhance natural and native habitats.
- iii. **Constructs outdoor public community gathering space** in a natural setting. Preference for projects where none currently exists.
- iv. **Develops new, outdoor, recreational opportunities.** Preference for projects located where none currently exist.
- v. **Constructs amenities to provide opportunities for public education** about the natural world and agriculture.
- vi. **Protects and/or improves open space in communities significantly impacted by fire and/or flood**
- vii. **Protects and/or improves climate resilience**, such as mitigating urban heat, reducing flood or fire risk, increasing water storage capacity, promoting food security, and/or preserving native biologic diversity.
- viii. **Protects, creates, or enhances public access to the Russian River, Pacific Ocean, or other waterways.**
- ix. **Protects native plant and/or animal species;**
- x. **Protects farmland** that provides urban greenspace and access to local agriculture and provides opportunities for food and/or fiber production.

2. NEED

Extent to which the project fulfills well-identified and high priority needs within the project's geographic area and community, including:

- a. **Projects with significant community-based support** for identified public and/or environmental needs. Examples of support include documented letters of support, events, workshops, etc.
- b. **Projects with public sector support** that are included in or that clearly further policies of at least one adopted plan, such as a General Plan, specific plan, master plan, park plan, etc.
- c. **Projects located where CSMGP funds are limited.** In an effort to distribute resources to under-served areas, projects are preferred in areas (measured by census tract) where no CSMGP projects have been awarded in previous three funding cycles.
- d. **Projects in areas lacking publicly accessible open space**, as identified in the [Sonoma County Parks and Open Space Analysis](#). This is measured by project locations not within a 10-minute walk to a public open space or park.

3. COUNTY STRATEGIC PRIORITIES

Extent to which project is aligned with key [Sonoma County Strategic Plan](#) priorities of racial equity and social justice, and climate action and resiliency.

- a. Project is located in an environmentally vulnerable community, with high rates of pollution impact as measured by CalEnviro Screen 4.0 (top 25% census tracts). See the CalEnviro Screen 4.0 map in the [MGP Web Map](#).
- b. Project is located in an area with lower health and well-being, as measured in the Portrait of Sonoma County, Human Development Index (HDI) which measures key health, education and income scores (lower than county average HDI 6.19 by census tract). See the Portrait of Sonoma map in the [MGP Web Map](#).
- c. Project is located in an economically disadvantaged community, as measured by [Sonoma County Median Income](#) (less than 80% of county median income). See the Economically Disadvantaged Communities map in the [MGP Web Map](#).
- d. Project is located in a community sensitive to climate change impacts, as measured by relative impact of climate change and identified in the Environmental Justice and Safety Element of the General Plan. Ag + Open Space will conduct this analysis.

4. PLANNING & DESIGN³

Extent to which project employs sound planning and design aligned with CSMGP goals.

- a. **Demonstrated understanding of process for implementation including permitting requirements.** The proposed project must be based on sound planning to ensure successful implementation and long-term operation. Applicants will briefly outline the planning and design process to date, including steps needed to comply with applicable jurisdiction's (e.g., city, County) general plan and relevant specific plan, area plan, creek plan, habitat plan, and other planning documents as required. The project must comply with the Federal Americans with Disabilities Act (ADA), the California Environmental Quality Act (CEQA), and all other local, state, and federal environmental and permitting requirements. Applicants that have completed or initiated some or all planning tasks and have prepared visual designs will be most competitive.
- b. **Limiting impervious surfaces.** Evaluation will include a review of any proposed structures as well as impervious or hardscape surfaces. Projects where 25% or less of the land is covered by structures or impervious or hardscape surfaces will be the most competitive.
- c. **Proximity to city or community.** Projects should be located within or near a Sonoma County incorporated city or an unincorporated residential community. Applicants will be asked to briefly describe proximity and transit options.
- d. **Use of natural elements.** Projects should incorporate natural elements in their open space design, e.g. grassy areas, trees, vegetation, waterways, etc.
- e. **Compliance with the Americans with Disabilities Act (ADA).** Project design should include ADA considerations and steps taken to embody ADA design and compliance.
- f. **Demonstrated understanding of potential project challenges.** Applicant should be able to explain possible impediments to project completion and how they will be addressed, which may include but are not limited to title restrictions, toxins on property, and significant cultural and historic resources.

5. READINESS

Applicants will be evaluated using the following criteria to determine project status and applicant's ability to successfully launch, complete and steward the project for the long term. In addition to providing a detailed project schedule, the readiness of an application will be evaluated on the following:

a. Project Workplan, Schedule & Budget

The Full Application includes a workplan table where applicants will describe the tasks, timeline, milestones and budget for the project. This table will provide sufficient information for the applicant to demonstrate they have considered all steps necessary for project completion and can do so within the CSMGP timeframes, See Section E. Project Completion.

- i. **Tasks:** Project tasks should align with eligible activities and reflect those needed to complete the project, which may include community engagement, funding, pre-acquisition and/or improvement planning and analysis, design, permitting, CEQA, improvements, and operating activities.
- ii. **Schedule:** Project schedule should outline the project workflow, be timely, and highlight necessary project development steps.
- iii. **Budget and Match:** Project budget should be reasonable and demonstrate how the combined grant and partner match will provide sufficient funds to complete the proposed project as described in the project application. The applicant's match may include both direct contributions and in-kind services and materials, but must comply with the following provisions:

³Note: If a project involves development of, or change in use of a property, or if significant changes are proposed to existing improvements, applicants will be responsible for coordination with all applicable jurisdictions and agencies to determine which land use entitlements or permits may be necessary to implement the project prior to disbursement of grant funding. Applicants are encouraged to contact these agencies in advance of Full Application submittal.

1. No more than half (50%) of total match can be satisfied through operations and maintenance costs (O&M), nor may O&M costs for more than 10 years be claimed.
2. Individually or combined, no more than twenty-five percent (25%) of the total grant or match may be for project administration and or planning design, environmental compliance & permitting.

Applicants must itemize matching funds, including all anticipated in-kind contributions, in the project budget. The matching funds must be currently available or receivable in a timely manner.

Applicants are to provide supporting documentation for matching funds represented as secure in the submitted budget (e.g. grant contracts). If some or all of the matching funds are not yet secure, the applicant can indicate when they anticipate securing these funds and once received or not awarded, promptly inform Ag + Open Space Grant Coordinator.

a. Project Sustainability

As CSMGP projects are intended to bring long-term (30+ years) benefits for Sonoma County communities, applications will be reviewed for applicant's ability to operate, maintain, and financially support the project for the long-term. Applicants will be asked to identify project completion challenges related to their project's land transactions and development, and how they will be addressed. Applications will be reviewed for the identification of project impediments and recommended mitigations.

b. Performance on previous and/or current MGP Projects

In some cases, an CSMGP applicant that has previously received CSMGP funding may apply for a new CSMGP project. An applicant's failure to perform on prior CSMGP projects is considered by Ag + Open Space when evaluating a new application. While such an application may be eligible for funding, Ag + Open Space may condition future funding on successful completion of current projects or other remedies.

c. Project Partial Funding

Frequently, the CSMGP funding requests surpass funding available, and/or are greater than staff, advisory bodies, and/or Board of Directors deem reasonable. Thus, applicants are asked if their projects are scalable, and if partial funding is an option. This application question is not scored.

E. EVALUATION PROCESS, ACCEPTANCE AND APPROVALS

1. EVALUATION PROCESS

Upon receipt of Full Applications, Ag + Open Space staff and advisory bodies will review applications based on how well they meet the Evaluation Criteria using the Evaluation Matrix, *Appendix A-4* for more detail. During this period, staff may request a site visit or clarifying information from applicants.

Ag + Open Space staff will make initial funding recommendations to the full Advisory Committee and Fiscal Oversight Commission, and ultimately the Board of Directors. As noted above, application scoring serves as a guideline for the advisory bodies' funding recommendations, and informs the Board of Directors, who have the authority to make final funding determinations.

2. ACCEPTANCE

Based upon the CSMGP project funding recommendations presented, funds available, and other potential Board considerations, the Board of Directors determines which projects, with recommended funding amounts, are accepted into the CSMGP. Acceptance into the CSMGP "starts the clock" for project completion timelines as described in *Section F. Grant Administration & Compliance*, below.

3. APPROVAL

Like many public grant funding sources, the CSMGP is a reimbursement grant program. Prior to disbursement of funds,

accepted projects must be "approved," which requires that legal agreements and preconditions must be negotiated and executed. Therefore, following acceptance into the MGP, staff begin to negotiate the terms of the matching grant agreement, conservation easement, and in some cases a recreation covenant (refer to Section F below for more information) with Grantees. Once legal agreements are negotiated successfully, Ag + Open Space's Fiscal Oversight Commission reviews individual projects and their agreements prior to presentation to the Board of Directors for final grant approval. Once a project's legal agreements are fully executed by the Board of Directors and Grantee, and projects are considered approved, funding is then available for reimbursement, in accordance with the CSMGP agreement terms.

As noted above, a project could be recommended for partial funding. The Full Application includes a question where applications indicate if they are willing to accept less funding than requested. If the applicant agrees to less funding than requested, a revised project description, budget and timeline will be required prior to Board approval of the award.

F. GRANT ADMINISTRATION AND COMPLIANCE

As described above, after the Board of Directors accepts a project into the CSMGP, Ag + Open Space staff collaborate with grantees to prepare the following required components, which must receive Board of Directors' approval prior to final execution of CSMGP documents and disbursement of funds.

1. Grantee Acceptance Letter

Following acceptance into the CSMGP by the Board of Directors, a Grant Acceptance Letter is sent to the grantee requesting agreement and signature from an authorized signatory acknowledging the project funding amount and the conditions of acceptance into the program.

2. Matching Grant Agreement

Grantees accepted into the CSMGP must enter into a matching grant agreement (i.e. a contract) with Ag + Open Space. Contract provisions related to Ag + Open Space policy and CSMGP program standards are not negotiable (except in rare circumstances), but contract provisions related to individual project requirements can be and are negotiated to suit the applicant's project circumstances. By submitting an application, applicants acknowledge they have reviewed the entire Guidelines package, including the Community Spaces Matching Grant Agreement templates, as provided in the Appendices, and that if accepted into the program, they will enter into an agreement substantially in this form. The CSMGP Agreement will define the project and identify which project components will be paid by Ag + Open Space and which will be paid with match funds.

In the event a CSMGP project property is sold or transferred to another eligible party, subsequent owners are subject to the Matching Grant Agreement terms. Sample templates for CSMGP Agreements for acquisition and improvement projects can be found in the *Appendices A-7 and A-8*. The additional legal agreements described below are CSMGP Agreement sub-agreements.

3. Conservation Easement

In exchange for CSMGP funding, a key condition is the grantee's conveyance of a **conservation easement (CE)** to Ag + Open Space. The conservation easement is a legal agreement between the landowner and Ag + Open Space that permanently protects its conservation and open space values for the public by limiting the use of the land to specific open space uses. The CE is drafted and negotiated in collaboration with the grantee and is tailored to the unique intended uses and conservation values, based on the property's features and project acquisition and/or improvement goals.

It is important to note that the CE runs with the land forever and is documented in the property's title. In order to ensure the identified conservation easement values remain protected, Ag + Open Space monitors all conservation easements every twelve to eighteen months for the duration of the Agreement. Additionally, should the current owner sell or transfer the property, subsequent owners are subject to the same CE terms. All CEs must be approved by Ag +

Open Space's Board of Directors and recorded with the County Recorder. A sample conservation easement template can be found in the *Appendix A-9*.

4. Recreation Covenant

If a primary goal of the project is to provide outdoor recreation and public access, the grantee will be required to convey a **recreation covenant** (RC) to Ag + Open Space, in addition to a conservation easement. The recreation covenant ensures the project property will be open to the public in perpetuity and provides remedies in the event public access is not provided within agreed timeframes. The RC must be approved by Ag + Open Space's Board of Directors and recorded with the County Recorder.

In general, the recreation covenant requires that the property is available to the public for outdoor recreation and education in a manner consistent with the conservation easement. Further, the property must be continuously used, maintained, and operated as a public park, open space preserve or other recreational open space. In the event the RC terms are not fulfilled, remedies may include Ag + Open Space require that grantees convey an irrevocable offer of dedication to the agency of the fee interest and/or a 25-year recreational lease of the property (see recreation covenant template in the *Appendix A-10*).

5. Property Appraisal

For **acquisition projects**, grantees must provide Ag + Open Space an independent appraisal demonstrating the property's fair market value (FMV). Ag + Open Space cannot provide funds beyond the appraised FMV. The appraised date of value must be within one year of Fiscal Oversight Commission approval of the project. Ag + Open Space prefers completion of an appraisal with a full application submittal. However, it is acceptable to submit an opinion of value from an appraiser rather than a full appraisal with the application. Appraisals one year or older at the time the Fiscal Oversight Commission conducts its review must be updated at grantee's expense. The grantee is responsible for coordinating the appraisal process and related expenses. All appraisals must comply with Ag + Open Space's Appraisal Guidelines and Standards (See *Appendix A-11*).

6. Schedule for Project Completion

For **acquisition projects**, grantees must complete the acquisition of the project property and expend Ag + Open Space's grant funds and provide matching funds within **three years** from the date the Board of Directors accepts the project into the CSMGP.

For **improvement projects**, grantee must expend Ag + Open Space's grant funds within **five years** from the date the Board of Directors accept the project into the CSMGP.

For **combination acquisition and improvement projects**, grantees must expend Ag + Open Space's grant funds related to acquisition within 3 years from the date the Board of Directors accept the program into the CSMGP. Funds related to improvement must be expended within 5 years of acceptance into the program.

Matching funds for operations and maintenance (O&M), limited to 50% of total match, can be utilized for up to **ten years** from the date the Board accepts the project into the CSMGP.

Ag + Open Space may consider one request for a time extension up to two years, only if the grantee demonstrates reasonable progress on the project and proof that the extension will result in successful completion of the project.

7. Payment of Grant Funds

For **acquisition projects**, once a grantee has met the CSMGP Agreement conditions for reimbursement of funds, funding will be deposited into an escrow account. This typically occurs prior to purchase; however, in some cases, Ag + Open Space may reimburse an applicant for property acquisition prior to executing a CSMGP agreement. In most cases, the acquisition is completed in a single escrow in which the applicant takes fee title to the property while conveying a conservation easement to Ag + Open Space. Grantees are responsible for opening an escrow account, and Ag + Open Space and the applicant each prepare their respective escrow instructions.

For **improvement projects**, once a grantee has met the executed CSMGP Agreement condition, they may submit invoices to Ag + Open Space for reimbursement. Reimbursement will be based upon an approved workplan that includes the project schedule, tasks, milestones, and budget for reimbursable deliverables and expenses. See *Appendices A-12* for reimbursement and *A-13* for workplan templates.

8. Living Wage & Prevailing Wage

The grant recipient shall comply with any and all federal, state, and local laws – including, but not limited to the County of Sonoma Living Wage Ordinance and California Prevailing Wage affecting the services provided by this agreement. It is the responsibility of the Awardee to seek independent legal counsel as to the applicability of any and all federal, state, and local laws.

County of Sonoma Living Wage Ordinance - Without limiting the generality of the foregoing, the grant recipient expressly acknowledges and agrees that this agreement may be subject to the provisions of Article XXVI of Chapter 2 of the Sonoma County Code, requiring payment of a living wage to covered employees. Noncompliance during the term of the agreement will be considered a material breach and may result in termination of the agreement or pursuit of other legal or administrative remedies. The link to the Living Wage Ordinance is: <http://sonomacounty.ca.gov/CAO/Living-Wage-Ordinance/>

Prevailing Wage - Pursuant to Section 1720 and Section 1771 of the Labor Code, the work described in this RFP may be subject to the payment of prevailing wages and will be subject to compliance monitoring and enforcement by the California Department of Industrial Relations (DIR). Grant recipients and all subcontractors performing work that requires payment of prevailing wages shall be registered and qualified to perform public work pursuant to Labor Code section 1725.5 as a condition to submitting a proposal to this RFP. Prevailing wage requirements are further detailed in Article 9 of the Sample Agreement (attachment A).

For more information about prevailing wage please visit: <https://www.dir.ca.gov/public-works/prevailing-wage.html>

9. Reporting

Approved Community Spaces Matching Grant Program projects are subject to a scheduled reporting process. For **acquisition projects**, a copy of the recorded deed(s) must be submitted to Ag + Open Space within 45 days after closing to support the disbursement of Ag + Open Space funds and document the contribution of matching funds. For **improvement projects**, once the matching grant agreement is executed, **regular performance reports** demonstrating project progress, description of expenses, and identified challenges based on the approved **work plan** are required. Invoices shall be submitted with the report. Grantees will be required to submit a **final report** demonstrating project completion consistent with the requirements of the matching grant agreement and approved work plan. Sample [Project Performance Reports](#) are included in the *Appendices A-14*.

10. Ag + Open Space Recognition

Grantee shall erect or incorporate into a permanent sign or signs on the Property acknowledging Ag + Open Space's financial participation in the project. Details of signage requirements are included in the Community Spaces Matching Grant Agreement templates in the Appendices. Ag + Open Space should also be consulted and invited to any ribbon-cutting or project opening ceremonies. Details of Project Recognition and Signage requirements are included in the Matching Grant Agreement templates in the Appendices.

11. Accounting Requirements

Grantee must maintain an accounting system for the project that is in accordance with generally accepted accounting procedures and standards; and as such:

- Accurately reflects responsible fiscal transactions, with necessary controls and safeguards.
- Provides an audit trail, including original source documents for transactions, such as purchase orders, cash receipts, progress payments, invoices, timecards, and all evidence of payment.
- Provides accounting data so the total cost of the project and each individual component can be readily determined and isolated.

12. Fiscal Monitoring

Projects will be subject to compliance monitoring by Ag + Open Space. Compliance monitoring may include examination of books, papers, accounts, documents, or other records of the applicant as they relate to the project for which the funds were granted.

13. Project Monitoring

Once a conservation easement is conveyed to Ag+ Open Space, staff will conduct monitoring of the property every 12 to 18 months to ensure compliance with the matching grant agreement and conservation easement, and other agreement terms.

14. Records Retention

The project records and related financial records must be retained and accessible to Ag + Open Space for no less than five years after the project is completed.

APPENDICES

Below are the appendices links for key documents and templates for the grant application, compliance process, as well, context information, and sample included as sample and/or template documents and other reference documents.

- A-1 [Matching Grant Program All Projects Map](#)
- A-2 [Pre-Application](#)
- A-3 [Full Application](#)
- A-4 [Example Eligible Project Activities and Funding Eligibility](#)
- A-5 [Evaluation Matrix](#)
- A-6 [Board Resolution Sample](#)
- A-7 [Matching Grant Program Agreement – Acquisition](#)
- A-8 [Matching Grant Program Agreement – Improvement](#)
- A-9 [Conservation Easement Template](#)
- A-10 [Recreation Covenant Template](#)
- A-11 [Ag + Open Space Appraisal Guidelines and Standards](#)
- A-12 [Project Reimbursement Template](#)
- A-13 [Work Plan Template](#)
- A-14 [Project Performance Report Template](#)
- A-15 [Ag + Open Space Expenditure Plan](#)