



Legislation Text

---

File #: 21-0657, Version: 1

---

**REQUEST FOR CITY COUNCIL ACTION**

DATE: 07/07/2021

TO: Honorable Mayor and City Council Members

FROM: Community Services Department

**SUBJECT:**

Deed Restrictions for Tehachapi and Cresta Verde Parks for Proposition 68 Per Capita Grant Requirements.

**EXECUTIVE SUMMARY:**

The City of Corona filed two grant applications for the replacement of playground equipment at Tehachapi and Cresta Verde Parks for the California Department of Parks and Recreation Proposition 68 Per Capita Grant Program. To fulfill the grant requirements, the City must record Deed Restrictions on each property ensuring their continued use as recreation assets.

**RECOMMENDED ACTION:**

**That the City Council** authorize recording deed restrictions for Tehachapi and Cresta Verde Parks.

**BACKGROUND & HISTORY:**

The Proposition 68 Per Capita Program (Program) authorized \$185 million of funding statewide for cities, counties and districts based upon population for the acquisition of open space, park development, and improvements to local parks. The total funds that the City can receive for this Program is \$280,981. On October 16, 2019, the City Council adopted Resolution No. 2019-089, approving the submittal of applications to the California Department of Parks for the Proposition 68 Per Capita Grant Program for Cresta Verde and Tehachapi Park Playground Replacements. Funding will be used to remove the existing playgrounds at Cresta Verde and Tehachapi Parks, which are past their useful life and do not have replacement parts available. The grant monies will fund the purchase and installation of new playground equipment and install rubberized surfacing at these parks.

As a condition of receiving Program funds, a 20 percent match is required for projects that do not serve a severely disadvantaged community. A severely disadvantaged community as defined by Public Resources Code §80061(c) as having a median household income less than 60% of the

statewide average. Cresta Verde Park does not require a 20% match as the area around it meets the requirements, however, Tehachapi Park does require a match. Funding for the 20% match for Tehachapi Park will come from the General Fund and is already appropriated in the budget.

**ANALYSIS:**

The Program Procedural Guidelines require that the Grantee record a Deed Restriction on the property title. The Deed Restriction restricts the title to the property and safeguards the property for purposes consistent with the Program grant for the duration of the grant performance period. The purpose of the Program is to encourage the rehabilitation of existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors. The primary purpose of any project must be public recreation. As per the grant terms and agreement, the Deed Restriction indicates that the City of Corona agrees to operate and maintain the property for the duration of the grant performance period for the purposes of the grant; that is, the City will maintain the parks as recreation assets and that no other use, sale, or other disposition or change of the use of the property to one not consistent with its purpose shall be permitted. The property may only be transferred to another entity if the successor entity assumes the obligations imposed under the grant agreement and with the approval of the State. The property may not be used as security for any debt or mitigation, without the written approval of the State, provided that such approval shall not be unreasonably withheld as long as the purposes for which the grant was awarded are maintained. All facilities shall be open to members of the public generally, except as noted under the special provisions of this project contract or under provisions of the enabling legislation and/or grant program. Payments will not be made under the Program until a Deed Restriction has been filed on the properties. The Deed Restrictions shall be in effect until June 30, 2048.

**COMMITTEE ACTION:**

The original projects for playground replacements at Tehachapi and Cresta Verde Parks utilizing Proposition 68 Per Capita funding were taken to the Public Services Committee on October 2, 2019, and the Parks and Recreation Commission on October 9, 2019, and received recommendations to proceed.

**FINANCIAL IMPACT:**

The grant has already been accepted and will be reimbursed after expenses are invoices. The recording of the deed restrictions will satisfy the grant requirements and maintain the City's eligibility for the grant, otherwise funds will not be reimbursable.

**ENVIRONMENTAL ANALYSIS:**

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action simply authorizes the recording of two Deed Restrictions against City owned property at Cresta Verde and Tehachapi Parks, and there is no possibility that adopting this resolution will have a significant effect on the environment. Therefore, no

environmental analysis is required. Staff previously filed Notices of Exemption with the County of Riverside for these two projects.

**PREPARED BY:** TRACY MARTIN, UTILITIES PROJECT MANAGER

**REVIEWED BY:** ANNE K. TURNER, COMMUNITY SERVICES DIRECTOR

**Attachments:**

1. Exhibit 1- Resolution No. 2019-089
2. Exhibit 2- Deed Restriction - Tehachapi Park
3. Exhibit 3- Deed Restriction - Cresta Verde Park