

RESOLUTION NO. 2009-15

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT
ACCEPTING THE TRANSFER OF PROPOSITION 40 GRANT FUNDS
IN THE AMOUNT OF \$600,000 FROM THE COUNTY OF SAN BERNARDINO**

WHEREAS, the Phelan Pinon Hills Community Services District (“the District”) is a Community Services District organized and operating pursuant to Government Code 61000 et seq.

WHEREAS, the District is authorized by Government Code Section 61116(a) to “accept any revenue, money, grants, goods, or services from any federal, state, regional, or local agency or from any person for any lawful purpose of the district.”

WHEREAS, under Government Code Section 61100(e), a lawful purpose of the District includes the acquisition, construction, improvement, maintenance, and operation of park and recreation facilities within its jurisdictional boundaries.

WHEREAS, pursuant to Resolution No. 2994 of the Local Agency Formation Commission of the County of San Bernardino (“LAFCO”), the District is the successor agency to County Service Area 9, County Service Area 56 Improvement Zone F-1, and County Service Area 70 Improvement Zones L and P-4 (collectively, the “CSAs”).

WHEREAS, Condition No. 6 of LAFCO Resolution No. 2994 expressly states that the District is authorized to acquire, construct, improve, maintain, and operate park and recreation facilities as an active power within the boundaries of the former CSAs.

WHEREAS, the People of the State of have enacted the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 (“Proposition 40”) which provides funds for the Per Capita Grant Program for grants to eligible applicants (“the Program”).

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the Program within the State, setting up necessary procedures.

WHEREAS, said procedures established by the California Department of Parks and Recreation require the grantee to certify by resolution the approval of application(s) before submission of said application(s) to the State.

WHEREAS, the California Department of Parks and Recreation previously awarded Proposition 40 grant funds in the amount of \$100,000 to the former CSAs for the construction of a park in the community of Pinon Hills, including basketball court and fixtures, tire swing, tether ball courts, and fencings (“the Park Construction Project”).

WHEREAS, the California Department of Parks and Recreation previously awarded additional Proposition 40 grant funds in the amount of \$500,000 to the former CSAs for the park improvements within the communities of Phelan and Pinon Hills (“the Parks Improvement Project”).

WHEREAS, the District, as successor to the former CSAs, wishes to receive Proposition 40 grant funds in the total amount of \$600,000 to finance the completion of the Park Construction Project and the Parks Improvement Project.


WHEREAS, the District, as grantee of such Proposition 40 funds, will enter into a Contract with the State of California for the Park Construction Project and the Parks Improvement Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Phelan Pinon Hills Community Services District hereby:

1. Approves the filing of an application for local assistance Proposition 40 grants funds available under the Program.
2. Certifies that the District has or will have sufficient funds to operate and maintain the Park Construction Project and the Parks Improvement Project.
3. Certifies that the District has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide.
4. Certifies that the Park Construction Project and Parks Improvement Project will conform to the recreation element of any applicable city or county general plan.
5. Appoints the District's General Manager as full-time manager of the District's park and recreation operations and as agent of the District's Board of Directors, as the governing body of the District, to conduct all negotiations and execute and submit all documents, including but not limited to applications, agreements, payment requests, and so on, which may be necessary for the completion of the Park Construction Project and the Parks Improvement Project.

PASSED AND ADOPTED by the Board of Directors of the Phelan Pinon Hills Community Services District at a regularly scheduled meeting held on November 4, 2009, by the following vote:

AYES:	Directors:	Johnson, Fahrlender, Anderson
NOES:	Directors:	
ABSENT:	Directors:	Morrisette, Roberts
ABSTAIN:	Directors:	



Vice President, Board of Directors

ATTEST:

Debbie Bishop
Secretary, Board of Directors