

Draft RIRE Public Comment Responses – July – August 2019

| Topic/Page | Comment | Response |
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| Sample Ballot Language | Add sample eligible ballot language to the guide. | “sample language” in the guide may not clearly or directly be interpreted in various cases such that prospective applicants may inadvertently self-select out |
| Revenue Enhancement Measure | Define “revenue enhancement measure” | Revenue enhancement is now defined as a tax measure. |
| Definition of “aimed at” | <p>“Aimed at” if measure has main emphasis on park recreational infrastructure with smaller or other components for other services, that these should not disqualify measure for RIRE funding.</p> <p>“Aimed at” look at how funds have been distributed from a more omnibus measure and consider a percentage level of commitment – at 33% or 50% and above...</p> <p>As long as parks are called out in an omnibus measure, it should count as “aimed at”, because that’s how they pass their measure for funding for the most part – as a measure requiring simple majority passage. Added, park spending history in the area can be used to validate.</p> <p>PRC does not read, “exclusively” “aimed at” and does not note an exact dollar amount or % of</p> | <p>“Aimed at” does not mean “exclusively” but it does mean purposefully directed towards. Omnibus measures do not meet this requirement.</p> <p>For the purposes of the Program, “Aimed at” means that the measure must identify activities related to parks, and park-related lands and infrastructure as its sole purpose, rather than providing funding for a range of park and non-park-related improvements.</p> <p>Measures must qualify on the basis of the language submitted to the voters. Evidence of how the funds have been used is not relevant, because the statute addresses the language of the measure, not the use of the funds raised by it.</p> |

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| | <p>revenue dedicated to park infrastructure.</p> <p>Measures that create funding for cap outlay and infrastructure but don't specify parks should qualify if the agency can show some funds went to parks.</p> <p>The narrow interpretation of the PRC may create bias. Some agencies are unable to pass measures only funding parks due to political and voter type so they include park funding in a measure that also funds other services to get more votes and allow it to pass.</p> <p>PRC doesn't say the measure needs to be "exclusively" aimed at parks, so measures funding many services should be able to qualify.</p> | |
| <p>Clarify that measures can be for parks and recreation</p> | <p>Add Park and recreational infrastructure on page 4 under "Eligible Recipients", end of first sentence - add the words "and recreational"</p> | <p>Done.</p> |
| <p>Measures should be eligible if they include recreational operation and maintenance as well as recreational infrastructure.</p> | <p>Clarify if measure can include maintenance and cap outlay or if it must be only cap outlay. Measures should be able to contain both maintenance and cap outlay.</p> | <p>A measure can be both for recreational infrastructure as well as recreational operation and maintenance, as long as it identifies activities related to parks, and park-related lands and infrastructure as its sole purpose, rather</p> |

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| | | than providing funding for a range of park and non-park-related activities. |
| Eligible Projects | Where the voting area is a subset of the jurisdiction, projects should be eligible for funding if located anywhere within the jurisdiction, not just within the voting area. | The purpose of the measure is to reward the specific voting area that approved a measure, accordingly, where only a subset of the jurisdiction voted on a measure, projects must be located within the area that voted on the measure. Further, statute states that grant funds must be spent “for the purposes of the measure”; since the measure raised funds for a particular geographic area, it is required that grant funds be spent in the same area. |
| Eligible jurisdictions | If a measure specifies how funds are to be distributed to other jurisdictions, should that make those jurisdiction eligible for a separate allocation? For example, a countywide measure provides specific allocations to cities within the county – do the County and the individual cities each receive an allocation? | No, only the entity that is the initial recipient of the funds receives an allocation. |
| Proof of spending | Agencies should be required to prove they have spent funding generated by the measure on parks, even if the measure language includes parks. How will OGALS verify that grant funds are spent for | Local jurisdictions are contractually obligated to follow the law. The guide requires that funds awarded pursuant to the RIRE program are spent for recreational infrastructure, within the |

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| | the “purposes of the measure.” | area that voted on the measure. |
| Eligible dates | The eligible dates should go back further because cities were more comfortable asking for funding prior to 2008. | The period in which eligible measures had to have been passed is defined by the statute. |
| Broader definition of population | <p>Include an algorithm to include tourism for allocation and population served</p> <p>The allocations should be based on total people served rather than the population. For instance if the funding would benefit tourists, it should include the number of tourists that would be brought in from the funded project. There are tourism numbers available from the local tourism board for any city. Small cities should be able to include these numbers.</p> | <p>No reasonable way to determine this.</p> <p>Allocations are based on the population of the area that voted on the measure; which may be smaller than the entire jurisdiction, if only a geographic subset of the jurisdiction voted on the measure.</p> |
| Minimum population | Is there a minimum population level for a district to be eligible? | No, any local agency that passed a qualifying measure during the statutory period is eligible. |
| Add minimum allocation. | On p. 4, add the following to the end of the Allocations paragraph: “Maximum allocation will be \$_____.” | All of the allocations will be in the final version of the guide. |
| Timeline for public access for land acquired using grant funds | Consider allowing that acquired parkland have public access within 5 years of acquisition/final payment (instead of 3 years) | Grantees that need additional time to meet this requirements may submit a request to OGALS. |

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| Tree palettes | Are there mandated tree palettes? | No. |
| Deed restriction | <p>The deed restriction should be allowed to be filed prior to final payment rather than prior to first payment.</p> <p>Filing of deed restriction should be done later in the grant process – maybe prior to final payment since scope is incorporated into the deed restriction via Exhibit B and populates the deed restriction document itself. If a Project’s scope is changed, then a revised deed restriction would need to be filed.</p> | Grantees may request changes to deed restriction process. |