

Reso

RESOLUTION NO. 5252

A RESOLUTION OBLIGATING FUNDS TO LAND AND WATER CONSERVATION FUND PROJECT

REGION 3 PARISH St. Charles PROJECT NO. 22-00876

WHEREAS, the St. Charles Parish Council is interested in acquiring lands and/or developing outdoor recreational facilities on the following described project for the enjoyment of the citizenry of said Parish and the State of Louisiana:

PROJECT TITLE AND DESCRIPTION:

KILLONA PARK:

The St. Charles Parish Council, St. Charles Parish, Louisiana, proposes improvements to an existing park site to include restrooms, concession stand, two bleachers, two pavilions, side line fencing, one back stop, play equipment, batting cage, renovate existing basketball court, upgrade an existing ball field, and install a LWCF sign.

ANY WIRING COVERED IN THIS PROJECT, OR WIRING DONE IN THE FUTURE ON THIS SITE, WILL BE PLACED UNDERGROUND.

NOW, THEREFORE, be it resolved by the Parish Council of St. Charles Parish, State of Louisiana, that said Council does agree to obligate the funds or services stipulated below to satisfactorily complete the following project and thus become eligible for Land and Water Conservation Fund financial aid of 50% of the estimated or actual allowable cost, at the completion of said project. Said Council also states that sufficient funds are on hand, as of this date, to fund said project.

NOW, THEREFORE, be it resolved that such project and funds or services shall be authorized as follows:

Table with 4 columns: TOTAL ESTIMATED Cost, TOTAL ESTIMATED Federal, TOTAL ESTIMATED Sponsor's, SPONSOR'S COST BREAKDOWN (Cash, Services). Values: \$300,000.00, \$150,000.00, \$150,000.00, \$150,000.00.

AND, be it further resolved that the St. Charles Parish President is hereby authorized and directed to make application to the Louisiana Office of State Parks, Division of Outdoor Recreation, to seek federal financial assistance on this project for them, and be further authorized to take the necessary action to complete such project and sign such documents as are required.

AND, be it further resolved that this resolution and plan approved by said Council, be forwarded to the Louisiana Office of State Parks for the purpose of obtaining such financial aid.

DATED this 21st day of February, 2005. Introduced by and seconded by

This is to certify that the foregoing is a true and correct copy of RESOLUTION duly and legally adopted by St. Charles Parish Council at a legal meeting held on this 21st day of February 2005

Barbara Jacob-Juchter (Name/Title) Council Secretary

LOUISIANA DEPARTMENT OF CULTURE RECREATION AND TOURISM
OFFICE OF STATE PARKS
DIVISION OF OUTDOOR RECREATION

LAND AND WATER CONSERVATION FUND STATE PROJECT AGREEMENT

Project
Sponsor St. Charles Parish Council Parish St. Charles Region 3
Federal No. 22-00876 Project Name Killona Park
Project Cost \$300,000.00 Approved funds \$150,000.00 Project Period 01/13/05-12/31/08

The undersigned political subdivision of the State of Louisiana does hereby agree and accept the same responsibility and obligations as set out in the herein described project and to the same extent and in the same manner, including all federal requirements, as does the State of Louisiana.

PROJECT SCOPE (Description of project)

The St. Charles Parish Council, St. Charles Parish, Louisiana, proposes improvements to an existing park site to include restrooms, concession stand, two bleachers, two pavilions, side line fencing, one back stop, play equipment, batting cage, renovate existing basketball court, upgrade an existing ball field, and install a LWCF sign.

ALL UTILITY LINES WILL BE PLACED UNDERGROUND.

The State of Louisiana hereby promises to obtain federal monies for that portion of the project referred to as "federal funds", to accept such funds from the United States and disburse same to participant or its fiscal agent that portion of the total obligation that is the United States 'share. It is understood by the parties hereto that this agreement shall not obligate State of Louisiana funds for the project costs described herein. It is further understood that in the event federal funds are not available for this project within a period of one year from the date of this agreement that this agreement is null and void. The participant hereby promises, in consideration of the promises made by the State herein, to execute the project stage described in accordance with the terms of this agreement, it being understood that incurred costs will not be reimbursed without written approval that such federal funds have been encumbered.

The following are hereby incorporated into this agreement: 1) General Provisions as set out in the L&WCF Manual; and 2) Project application and attachments.

The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:

Compliance with Executive Order 12432 as described in Attachment #1.

Compliance with OMB Circular A-133 which requires annual audits while project is active and a final audit upon completion.

LOUISIANA DEPARTMENT OF CULTURE, RECREATION AND TOURISM
OFFICE OF STATE PARKS
DIVISION OF OUTDOOR RECREATION

MAINTENANCE AGREEMENT

REGION 3 PARISH St. Charles
POLITICAL SUBDIVISION (Project)

St. Charles Parish Council

PROJECT NUMBER 22-00876

DATE January 31, 2005

WHEREAS) it is desirable to provide maintenance of recreation facilities established under the provisions of the Land and Water Conservation Fund Act, Now be it resolved that (Government Unit-Project Sponsor) St. Charles Parish Council will hereinafter provide the necessary maintenance as follows:

The property shall be maintained so as to appear attractive and inviting to the public. Sanitation and sanitary facilities shall be maintained in accordance with applicable state and local public health standards. Properties shall be kept reasonably safe for public use. Fire prevention, lifeguard and similar activities shall be maintained at levels reasonable to prevent loss of the lives of users. Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their estimated lifetime so as to prevent undue deterioration and not to discourage public use on the following described project:

The **St. Charles Parish Council, St. Charles Parish, Louisiana, proposes improvements to an existing park to include restrooms, concession stand, two bleachers, two pavilions, side line fencing, one back stop, play equipment, batting cage, renovate existing basketball court, upgrade an existing ball field, and install a LWCF sign.**

AND, be it further provided that the (Government Unit-Project Sponsor) St. Charles Parish Council will keep the facility open to the general public at reasonable hours and times of the year consistent with the type of facility and will further obtain approval in writing from the Louisiana Office of State Parks, Division of Outdoor Recreation, before any change from the original recreational use is effected on the above described project.

AND, be it further provided that the sponsoring unit of government (project sponsor) agrees that the benefit to be derived by the State from the full compliance by the project sponsor with the terms of this agreement is the preservation, protection, and the net increase in the quality of public outdoor recreation facilities and resources which are available to the people of the Unit and of the State, and such benefit exceeds to any immeasurable and unascertainable extent the amount of money furnished by the State (through the Land and Water Conservation Fund) by way of assistance under the terms of this agreement. The project sponsor agrees that payment by the project sponsor to the State of an amount equal to the amount of assistance extended under this agreement by the State would be inadequate compensation to the State for any breach by the project sponsor of this agreement. The project sponsor agrees, therefore, that the appropriate remedy in the event of a breach by the project sponsor of this agreement shall be the specific performance of this agreement.

DATED this 23rd day of February, 2005

Governmental Unit: St. Charles Parish Council

(Project Sponsor)

Governmental Unit:

Albert D. Lopez
(Co-Sponsor)

Chairman:

10/18/00

Albert D. Lopez
Parish President

Clerk:

Barbara Jean Duber
Council Secretary