

W. S. F. G.

AGENDA COVER MEMO

Date: June 9, 2010
To: Lane County Board of Commissioners
Dept.: Public Works/Parks Division
Presenter: Todd Winter, Parks Manager
Agenda Item Title: IN THE MATTER OF AUTHORIZING THE FRIENDS OF BUFORD PARK TO APPLY FOR AND ACCEPT GRANT FUNDING ON BEHALF OF THE LANE COUNTY PARKS DIVISION FROM THE ROBERT J. TRULASKE FAMILY FOUNDATION TO SUPPORT PLANT PROPAGATION AND NATIVE HABITAT RESTORATION WITHIN THE HOWARD BUFORD RECREATION AREA.

I. MOTION

Authorize the Friends of Buford Park to apply for and accept grant funding on behalf of the Lane County Parks Division from the Robert J. Trulaske Family Foundation in the amount of \$13,200 to support plant propagation and native habitat restoration within the Howard Buford Recreation Area.

II. DISCUSSION

A. Background

Since 2002, Friends of Buford Park & Mt. Pisgah (FBP) has worked in cooperation with Lane County Parks to restore native habitat and propagate native plants for use in public restoration projects. Lane County Parks has historically had few resources to contribute to habitat restoration projects. Filling this gap, FBP has searched for grant funds, interagency partnerships, and private funding to support restoration work within the Howard Buford Recreation Area (HBRA).

The Robert J. Trulaske Family Foundation was founded in 2006 in O' Fallon, Missouri. The foundation is dedicated to philanthropy and volunteerism.

B. Analysis

The Friends of Buford Park (FBP), receiving no Lane County funding, seeks resources from agencies and grants to fund native plant propagation and restoration efforts. FBP has been awarded a funding opportunity of \$13,200 from the Robert J. Trulaske Family Foundation. According to FBP, the purpose of this grant is to support "plant propagation and native habitat restoration" in HBRA. The Trulaske Foundation has asked FBP to apply \$6,000 of the award to pay off

a loan on an RTV, which has been a piece of equipment used in HBRA restoration efforts. The remaining \$7,200, according to FBP, will fund nursery operations and could be used to plant natives grown in the nursery in "the Mt. Pisgah area." The grant award document from the foundation states, "Grant funds may be used to pay for personnel and contracted services identified in the project budget."

The *GRANT AGREEMENT* does not identify Lane County as the property owner of HBRA or make any specific reference to HBRA; it refers only to "the Mt. Pisgah Area."

- 1) What is the match requirement? There is no match requirement for Lane County.
- 2) Will the grant require expenditures for material, services, or capital not paid for by the grant? The grant will require no additional expenditures by Lane County.
- 3) Will the grant funds be fully expended before County funds need to be spent? Yes. It is not foreseen that any County funds will be required for this grant award.
- 4) How will the administrative work of the grant be covered? The FBP will assume responsibility for grant administration except for the ongoing oversight by Lane County for all FBP administered grants. Funding for oversight by Lane County will likely be reimbursed by FBP.
- 5) Have the grant stakeholders been informed of the grant sunseting policy? N/A
- 6) What accounting, auditing, and evaluation obligations are imposed by the grant conditions? The County imposes conditions for acceptance of grants to include, at a minimum, annual reporting. Section 6 of the grant agreement specifies that FBP "furnish the foundation with a written report with respect to the project financed by the Grant, including a summary of funds expended, project outcomes and lessons learned....The final report must include all expenditures made from grant funds and the progress made toward the goals of the Grant."
- 7) How will the department cover accounting, auditing, and evaluation obligations? The Department provides oversight for grants administered by FBP. FBP will be required to reimburse the County for any direct administrative costs after initial review and acceptance and any additional oversight obligation will be incidental to current obligations.
- 8) Are there any restrictions against applying the County full cost indirect charge? There are no administrative costs awarded by the Trulaske Foundation. Any direct or indirect County administrative costs shall be the responsibility of FBP.
- 9) Are there unique or unusual conditions that trigger additional county work effort or liability? None known.

C. Alternatives

- 1) Authorize Lane County Parks and the Friends of Buford Park to accept a grant award from the Robert J. Trulaske Family Foundation in the amount of \$13,200 to support plant propagation and native habitat restoration in the Mt. Pisgah area;
- 2) Do not authorize the grant application and or acceptance of this grant award.

D. Recommendation

While the grant award does not specify HBRA or identify Lane County as the owner of the park, FBP has provided documented assurance that these funds will only be used within HBRA, staff recommends alternative 1.

E. Timing

Board of County Commissioners and CAO authorization for this grant would allow for immediate acceptance of the grant award.

III. Attachments

- 1) Grant Agreement
- 2) Grant Award Letter
- 3) FBP Letter
- 4) Funded RTV photos

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON

ORDER NO.

) IN THE MATTER OF APPROVING THE
) USE OF GRANT FUNDS FROM THE
) ROBERT J. TRULASKE FAMILY
) FOUNDATION TO SUPPORT PLANT
) PROPAGATION AND NATIVE HABITAT
) RESTORATION WITHIN THE HOWARD
) BUFORD RECREATION AREA

WHEREAS, Since 2002, Friends of Buford Park & Mt. Pisgah (FBP) has worked in cooperation with Lane County Parks to restore native habitat and propagate native plants for use in public restoration projects; and

WHEREAS, Lane County Parks has historically had few resources to contribute to habitat restoration projects; and

WHEREAS, FBP has searched for grant funds, interagency partnerships, and private funding to support restoration work within the Howard Buford Recreation Area (HBRA); and

WHEREAS, Continued operation of a native plant nursery and continued habitat restoration serve the interests of the County and the public; and

WHEREAS, FBP has accepted a grant from the Robert J. Trulaske Family Foundation in the amount of \$13,200 to support plant propagation and native habitat restoration within the Howard Buford Recreation Area;

NOW THEREFORE, IT IS HEREBY ORDERED that Lane County approves the use of the grant from the Robert J. Trulaske Family Foundation in the amount of \$13,200 to support plant propagation and native habitat restoration within the Howard Buford Recreation Area, subject to appropriate supervision by Lane County Parks Division.

Effective date: _____ day of June, 2010.

Bill Fleenor, Chair,
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 6-10-10 Lane County

OFFICE OF LEGAL COUNSEL

ROBERT J. TRULASKE, JR. FAMILY FOUNDATION

GRANT AGREEMENT

This is an Agreement between the **Robert J. Trulaske, Jr. Family Foundation** (the "Foundation") and **Friends of Buford Park and Mt. Pisgah** (the "Grantee") for a grant in the amount of **\$13,200** to the Grantee (the "Grant").

The following conditions are attached to the distribution of the Grant:

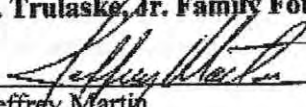
1. The Foundation's Board of Directors approved the Grant to be used specifically for the following: of the total grant amount, \$7,200 is for plant propagation and native habitat restoration in the Mt. Pisgah area, and \$6,000 is for the payment of long-term liabilities. Of the grant amount, \$6,000 may be used exclusively for the payment of personal and contracted services including the volunteer coordinator, the stewardship assistant, the stewardship consultant and the stewardship crew. Of the grant amount, \$6,000 may be used specifically for the payment of the RTV Loan listed on the statement of financial position as of December 31, 2009.
2. All expenditures made by the Grantee from the Grant must be used only within the terms and conditions set forth herein.
3. The Grantee must furnish the Foundation with any information concerning a change or a proposed change in Grantee's status as an organization described in Section 501(c)(3) of the Code and a "publicly supported organization" within the meaning of Section 509(a)(1) or Section 509(a)(2) of the Code.
4. If the Grantee's status under either Section 501(c)(3) or Section 509(a) of the Code changes, the Foundation reserves the right to have all unspent portions of the Grant returned immediately to the Foundation.
5. If any funds cannot be used or committed for the specified purpose of the Grant, the Grantee must immediately contact the Foundation to discuss alternative uses for the funds acceptable to the Foundation or arrange for the return of the funds to the Foundation. The Foundation shall be entitled to recover funds that are not used for the specified purpose of the Grant or a purpose approved by the Foundation.
6. The Foundation requires the Grantee to furnish the Foundation with a written report with respect to the project financed by the Grant, including a summary of funds expended, project outcomes and lessons learned. The report may include copies of any pictures, news releases, or original publications directly resulting from the Grant that will help the Foundation assess impact. The report must be received by the Foundation no later than eight months from the date of the award letter. The date of the award letter is April 15, 2010. The final report must include all expenditures made from Grant funds and the progress made toward the goals of the Grant.
7. The Grant reports must be on file at the Foundation before any additional grants to the Grantee will be considered. The records of such receipts and expenditures must be maintained by the Grantee for at least four years from when the use of Grant funds is completed and available to the Foundation at reasonable times.
8. No portion of these funds will be used for any purpose other than the purposes stated in this Grant Agreement. Further, no portion of these funds will be used to carry on propaganda or otherwise attempt to influence legislation, to influence the outcome of a public election, to carry on a voter registration drive, to make a grant that does not comply with Sections 4945(d)(3) or (4) of the Code, or to finance an activity for any purpose other than the charitable and educational purposes stated in Section 170(c)(2)(B) of the Code.
9. The Grantee may release information regarding the Grant to the media only with written permission of the Foundation. The Grantee has the permission of the Foundation to list the Foundation as a donor unless otherwise specified. Any media release concerning the Grant must be approved by the Foundation in advance of the release. The Grantee shall provide the Foundation with copies of any media release or other publicity by the Grantee concerning the Grant. The Foundation encourages the Grantee to draw media attention in support of the Grantee's mission and work.
10. Any violation of the conditions set forth herein will permit the Foundation to terminate any and all further distributions to the Grantee whether or not such distributions have been previously promised or pledged.

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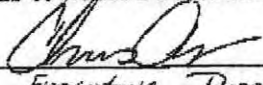
Acknowledgement of your acceptance of the terms and conditions set forth in this Agreement must be made by a duly authorized officer of the Grantee as provided below on the enclosed counterpart of this Agreement and such executed copy must be returned to the Foundation.

ACCEPTED AND AGREED TO:

Robert J. Trulaska, Jr. Family Foundation

By:  Date: 4/28/10
Jeffrey Martin
Grants Manager

Friends of Buford Park and Mt. Pisgah

By:  Date: 5/3/2010
Executive Director
Name, Title

Robert J. Trulaske Jr. Family Foundation

Trulaske Family Office * 2001 East Terra Lane * O'Fallon, MO 63366-4434

Tel: 636-240-2400 * Fax: 636-240-8997
 jmartinfo@sbcglobal.net

April 28, 2010

Mr. Chris Orsinger, Executive Director
 Friends of Buford Park and Mt. Pisgah
 P. O. Box 5266
 Eugene, Oregon 97405

Dear Mr. Orsinger,

I am pleased to advise you that the Trustees of the Robert J. Trulaske, Jr. Family Foundation met recently and voted to award a grant to the Friends of Buford Park and Mt. Pisgah in the amount of \$13,200. The purpose of this grant is to support plant propagation and native habitat restoration in the Mt. Pisgah area. Grant funds may be used to pay for personnel and contracted services identified in the project budget. Of the total grant amount, \$6,000 may be used to pay off long-term liabilities incurred by the RTV loan.

Under the terms of the Foundation, recipients must be tax exempt under section 501(c)(3) of the IRS code and not a private foundation within the meanings of section 509(a) of the code. No funds granted may be used for political purposes or in any way to influence legislation.

We ask that you acknowledge receipt of this grant and indicate your acceptance of the terms discussed by signing the enclosed letters of agreement and returning one. Please send it to the attention of Jeffrey Martin at the following address: Trulaske Family Office, 2001 East Terra Lane, O'Fallon, MO 63366-4434. Unless specified otherwise, the check will be sent upon receipt of the signed agreement.

We look forward to receiving your grant report in the next eight months. The report should account for how the money was used, evaluation of outcomes, and lessons learned. In the meantime, you have our very best wishes for continued success.

Sincerely,



Jeffrey Martin
 Grants Manager

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Jeanne Trulaske

Treasurer

John Bechtold

Secretary

Michael Newmark

Sarah Trulaske

Meghan Trulaske

Si Kincaid

Jay Sarver

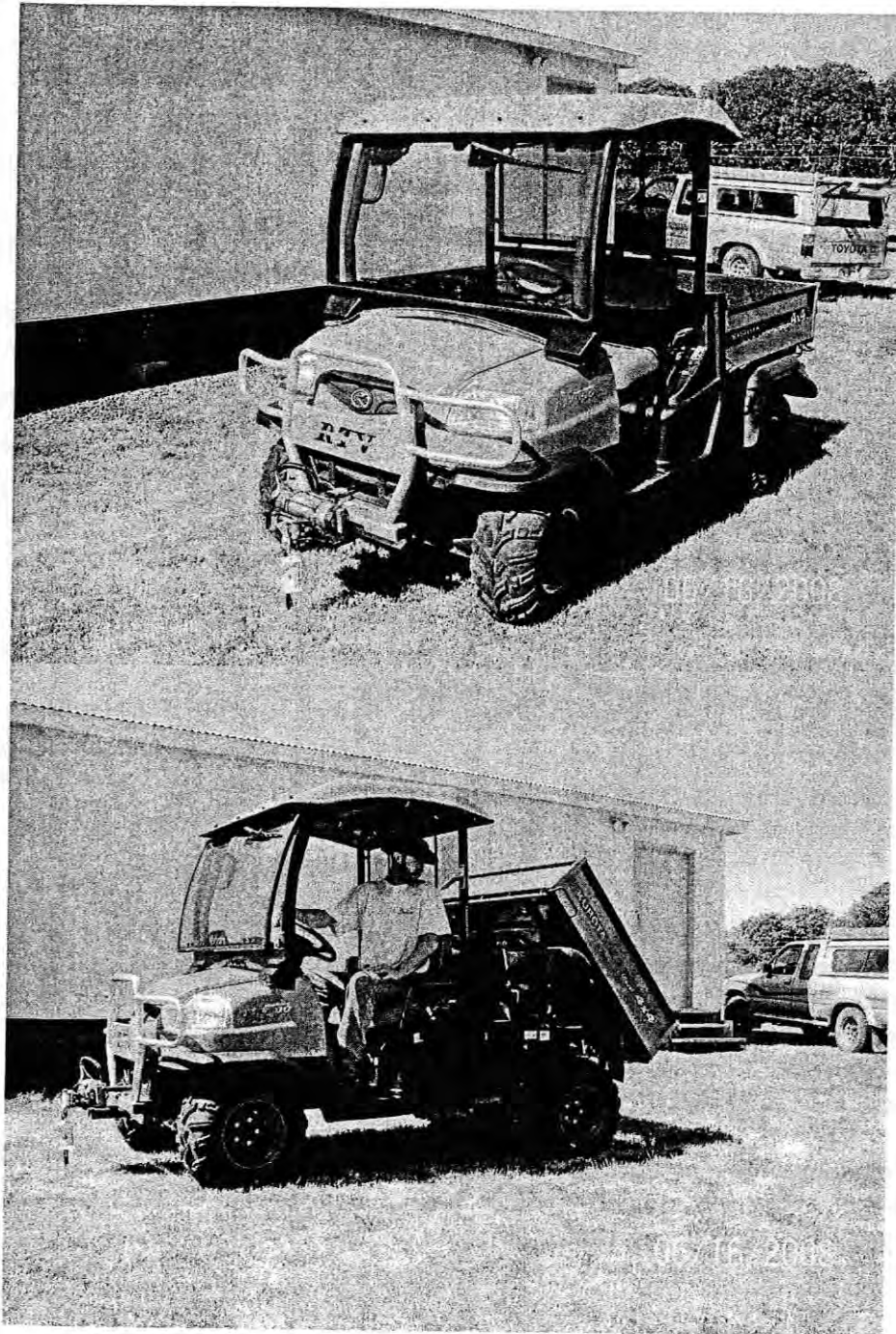
Jerry Thomasson

Grants Manager

Jeffrey Martin

Attachment 2 – Trulaske Grant

Funded RTV photos



Friends of Buford Park & Mt. Pisgah

Post Office Box 5266 • Eugene, Oregon 97405 • 541-344-8350 • www.bufordpark.org • office@bufordpark.org

Chris Orsinger
Executive Director

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May 17, 2010

Howard Schussler
Lane County Public Works
3040 N. Delta Highway
Eugene, Oregon 97408

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George Rode

Dear Howard,

Per your request, this letter confirms that Friends of Buford Park & Mt. Pisgah will expend the \$13,200 grant from the Robert J. Trulaske Family Foundation to retire a loan on a Kubota RTV, to propagate native plants at our native plant nursery and to restore native habitat on Lane County's Howard Buford Recreation Area.

We appreciate Lane County's support and collaboration on park improvement projects at Buford Park.

Sincerely,



Chris Orsinger
Executive Director



MISSION: Protect and enhance native ecosystems and compatible recreation in the Mt. Pisgah area.