

NIAGARA COUNTY LEGISLATURE

FROM: Legislator Andrea McNulty DATE: 5/6/2008 RESOLUTION # IL-044-08

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes 0
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

**APPROVAL OF THE PROCEDURES FOR THE RECREATION/TOURISM FUND
(RTFC)(GREENWAY)(AD HOC COMMITTEE)**

WHEREAS, the County of Niagara under the Host Communities Relicensing Settlement Agreement dated June 27, 2005 (HCRSA) will to receive annually (under section 7) on July 1st, the sum of \$390,000.00 of Greenway money, and

WHEREAS, section 7 of the HCRSA established the Recreation Tourism Fund under the Host Community Standing Committee (HC Committee) pursuant to section 7 of the HCRSA, and

WHEREAS, the "HC Committee" has been formed and is putting in place Protocols Procedures for the approval of projects in compliance with the HCRSA section 7, and

WHEREAS, those protocols and section 7 of the HCRSA established by the HC Committee require a sponsorship for a project from one of the Host Communities for a project to be brought before the HC Committee, and

WHEREAS, the County in order to review which project(s) it should sponsor before the "HC Committee" established the Recreation Tourism Fund Ad Hoc Committee ("RTFC"), and

WHEREAS, the "RTFC" has approved procedures that it should follow for applications received for selection and funding, and

WHEREAS, the "RTFC" as designated by the Chairman of the Legislature, recommends and requests approval of the procedure process and requirements as part of any application before it, now, therefore, be it

RESOLVED, that the Niagara County Legislature approve the following procedures and requirements:

PURPOSE

This committee, from projects submitted to Niagara County for sponsorship, shall:

1. Review and hear presentations of applicant.
2. Decide if projects fit within Greenway footprint within the County of Niagara.
3. Select and recommend to the Legislature.
 - a. Projects for submission to the Host Community Greenway Standing Committee.
 - b. Amount of funding and how to be provided to applicant.

Note: Geographical areas of the County not already contained within (1) the other six Host communities, and (2) the other Greenway Standing Communities in Niagara County may be given preference. This would not exclude pertinent projects in those areas and would further not exclude joint projects from being considered by the County for sponsorship.

REVIEW AND SELECTION

Any project, submission or request to be submitted with County sponsorship to the Host Community Standing committee from the Greenway Recreation Tourism Fund shall first be presented to the RTFC Committee for its initial review.

The committee requires that any local not-for-profit or non-municipal government applicant approach the committee through the local Village, Town or City government. This will assist in assuring the committee that the project fits into the local or overall required plan and has the support of that community.

While projects submitted first to the Niagara River Greenway Commission or Greenway Standing Committee after the committee is formed may not preclude the project from being considered by Niagara County; the Committee shall not be governed by any other opinion and may consider the applicant's move for such submission as one of attempting to use outside influence.

Approval of a project for sponsorship requires the RTFC to review the selected project or projects for consistent with the Greenway Plan. If the plan or commission is terminated, (and/or a guideline in determining consistency) then the Committee shall ensure that the proposed project:

- (i) entails the construction and/or rehabilitation of parks, recreation, and related facilities; or
- (ii) has been proposed for the purpose of redefining the Niagara River front, promoting tourism, enhancing the environment, and advancing the economic revitalization of the Niagara River Greenway within Niagara County.

FUNDING

Recommendation to the Legislature shall include proposed amount of funding for each project:

1. Total amount of recommended funding on phase(s) presented for sponsorship.
2. Recommended funding schedule.

PROCEDURE

The Committee, upon notification a project has requested County sponsorship, shall establish a date for presentation within 30 days of the chairpersons receipt of the same.

The applicant shall have submitted 8 copies of the written materials to the Chairman of the Niagara County Legislature for immediate delivery to the chairperson of the RTFC. The chairperson shall distribute to its members at least 5 days before the review meeting unless the RTFC waives this requirement.

The approval or rejection with notice shall be no more than 30 business days after the application presentation and may be sooner.

The criteria for projects is as follows:

1. Consistency with the Niagara Greenway Plan
2. Operation and maintenance plan feasibility
3. Engineering Feasibility
4. Certification effectiveness
5. Availability of matching funds
6. Economic viability
7. Environmental soundness
8. Clear benefits

This Committee, to be consistent with the procedures and application requirements required by its Host Community Standing Committee, will request the applicants to comply with the following:

FORMAT FOR PROPOSED PROJECT SUBMISSIONS

All proposed project submissions shall contain at least the following information:

1. Contact information for applicant, including description of applicant, resume and biography of applicant's principals.
2. Description of project, including location, physical features and current use of property and benefits.
3. Statement as to the consistency of project with Greenway Plans and how applicant fees the project is consistent, or if the Greenway Plan has been terminated, the criteria described in purpose above and with State and Federal laws or regulations.
4. Project costs, broken down into categories such as administrative, planning, property acquisition, engineering, construction, operation, maintenance, debt service, statutory and regulatory compliance, liability/indemnification, auditing and sources of funding. (Specifically, the cost of auditing and monitoring by the HC Standing Committee shall be estimated and included in project costs).
5. Operations and maintenance plan or explanation as to why operations and maintenance plan not needed for propose project.

Once, the project is accepted for consideration, (1) the project will be compared with others if available and (2) if selected, then to be prioritized. The committee shall within 30 days or less of approval advise applicant if selected for sponsorship and/or percent of funding to be recommended and forwarded to full Legislature for its consideration and approval

The applicant should be aware of and address the following points the committee will review:

- Facility usage, regional use by visitors, plans to attract regional visitors
- Fits into a local and/or regional plan
- Has sponsors and local support
- Provide access
- Remediates contaminated property(i.e., brownfield)
- Provides adequate parking
- Provides dedicated bike trails
- Improves connectivity to the Greenway or regional trails systems
- Improves the integrity of the Greenway system
- Creates or strengthens gateway elements for the Greenway
- Incorporates sound stormwater management practices
- Consistent with way-finding signage in Erie County
- Recreation/tourism fund leverages other dollars (i.e., grants)
- Consideration given to funding for long-term operations and maintenance
- Improves access to waterfront resources
- Protects or restores natural resources
- Contributes to heritage, cultural, ecological, or agricultural tourism
- Involves creating interpretive signage for notable places
- Restoration of existing heritage or buildings.

The applicant should keep in mind the following Greenway goals:

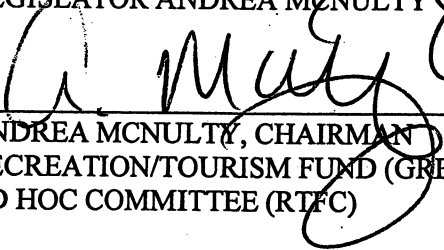
- **Improve Access**
- **Make Connections**
- **Protect & Restore Environmental Systems**
- **Celebrate History and Heritage**
- **Spark Revitalization and Renewal**
- **Promote Long Term Sustainability**
- **Extend Olmstead's Legacy**

and be it further

RESOLVED, the procedures and requirements outlined above be utilized as recommended.



LEGISLATOR ANDREA MCNULTY



ANDREA MCNULTY, CHAIRMAN
RECREATION/TOURISM FUND (GREENWAY)
AD HOC COMMITTEE (RTFC)

Proposed Applications

Not-for-Profits
Non Government Entities

Local Government Entities
Not Part of Host Communities

Niagara County Projects

Niagara County
Ad Hoc committee
Recreation Tourism Fund (RTFC)

Step 1 {Application Submitted

Application Review Period

Comment [hsj1]: Maximum Ten (10) days to call meeting

Step 2 {Applicant Presentation

Applications Accepted for
Consideration or Denied

{Applications Compared

Applications Prioritized

{Selection for Notice to
Applicants of Acceptance

Selection for percentage of support
or Amount of funding

{Project forwarded to full
Legislature for vote

Comment [hsj2]: Maximum Thirty (30) days to deny or send to legislature.

Application Submitted with
Sponsorship to Host Community
Standing Committee