

State of California  
The Natural Resources Agency  
Baldwin Hills Conservancy  
**GRANT PROCEDURES**

Section 1. Introduction and Definitions

1.0. *Purpose.* These procedures serve the dual purposes of advising grant applicants and providing guidance to staff with respect to the review, approval, processing, and monitoring of Baldwin Hills Conservancy grants. This document serves as an aid to interpretation, but does not constitute an exercise of discretion otherwise vested by law in the Baldwin Hills Conservancy. Nothing contained herein shall be construed to prohibit the exercise of discretion where such action would otherwise be lawful. The ultimate test with respect to any grant is compliance with applicable statutes and the policy discretion vested in the Conservancy.

1.1. *Role of Grants.* The Conservancy is a small state agency with specialized expertise. Based on its personnel resources and management infrastructure, the Conservancy does not implement, by itself, all of the projects necessary to carry out the provisions of the Act. As a policy matter, the Conservancy generally pursues many of its acquisitions, projects, and programs through grants to local agencies, nonprofit organizations, and other eligible applicants.

1.2. *Definitions.* Unless otherwise indicated by their context, the following definitions apply:

“Act” shall mean the Baldwin Hills Conservancy Act.

“Applicant” shall mean any entity that has submitted or intends to submit a grant application to the Conservancy.

“Attorney General” shall refer to the Office of the Attorney General within the California Department of Justice.

“Staff Counsel” shall refer to that employee of the Conservancy.

“Conservancy” shall mean the Baldwin Hills Conservancy.

“Executive Officer” is that official of the Conservancy.

“Grant Agreement” shall mean a contract between a Grantee and the Conservancy.

“Grantee” shall refer to an applicant to whom the Conservancy has awarded a grant.

“Local Agency” has the same meaning as in Public Resources Code Section 5780.1(e) (within the Recreation and Park District Law).

“Nonprofit organization” is defined in Section 32553 (3) of the Act.

Section 2. Grant Programs and Pre-Application Consultation

2.0. *Authority for grants.* The Conservancy may award grants to carry out the purposes of the Act. The Conservancy may award grants to entities that are eligible under the Act, including local agencies and nonprofit organizations pursuant to Sections 32568 and 32569.

2.1. *Grant cycle.* The Conservancy operates on a fiscal-year by fiscal-year grant cycle. The Conservancy accepts grant applications at any time, but may not award grant funds for an application unless the Conservancy has been appropriated with sufficient unencumbered grant funds for the application in question. The Conservancy does not anticipate funding for a particular fiscal year and will proceed with consideration of grant applications only after the Governor has signed the budget for the fiscal year in question. The Legislature appropriates funds from bond acts on an annual basis; a legislative appropriation is valid for a three year period.

2.2. *Pre-consultation with Staff.* The Conservancy advises applicants to confer with Conservancy staff regarding a potential project prior to submitting an application; such communication may avoid unnecessary costs of grant application preparation. Applicants are advised and should be aware that, in addition to the requirements of the Act, additional statutory and regulatory requirements may apply to various funding sources and to the project itself. An applicant should conduct research about legal requirements that may apply to the grant project and must advise the Conservancy if it becomes aware of any laws or regulations that would apply to the project. During the pre-application period, Conservancy staff will provide advice to would-be applicants as to the potential suitability of their projects and may also provide recommendations on approaches and modifications that may improve the likelihood that the Conservancy board would approve an application for a grant. If requested, Conservancy staff will estimate the priority that the grant application would likely be assigned considering the Conservancy's work program. An applicant should be aware, however, that notwithstanding staff comments and recommendations, all decisions regarding grant applications are at the discretion of the Conservancy board. Prior to submission all applicants should contact:

David McNeill, Executive Officer  
[david.meneill@bhc.ca.gov](mailto:david.meneill@bhc.ca.gov)  
(323) 290-5270

### Section 3. Application Process

3.0 *Submission of Application.* As the initial, formal step in the grant application process, the applicant shall submit an original and one copy of a fully completed grant application form (see Exhibit A) to:

David McNeill,  
Executive Officer  
5120 West Goldleaf Circle, Suite 290  
Los Angeles, CA 90056

In lieu of extra hard copies, applications may be submitted via electronic mail in PDF format addressed to [david.mcneill@bhc.ca.gov](mailto:david.mcneill@bhc.ca.gov) , provided that a fully executed original is mailed or delivered to the above address. All applicants must have a contact e-mail address that is regularly monitored. Primary communication regarding the status of an application will be *via* electronic mail. If an applicant does not have any access to email or is unable to use email due to a disability, the applicant should notify the Conservancy in order to develop an alternative communication protocol.

3.1 *Contents of Application.* An application must include a detailed scope of work, including a list of specific tasks, a detailed budget, a timeline for project implementation (including a completion date for each task), any preliminary project plans, and a detailed description of the need for the grant. Under rare circumstances the Conservancy may consider advance fund requests. Applicant must provide a written justification of the advance amount and demonstrate the fiscal capacity to successfully implement the project as a part of the application process. The Conservancy may require that, as part of the application process, the applicant certify compliance with specified applicable laws or that the applicant will obtain necessary approvals as part of the project. The Conservancy may also require that an applicant indemnify the Conservancy for potential liability. Where a request is made in an acquisition application, the Conservancy may approve, at its discretion and where the applicant provides sufficient justification, reimbursement of acquisition-related costs that preceded the grant start date.

3.2 *Initial Review.* The Executive Officer shall perform initial review of grant applications and shall append to the grant application file a check-list of required approvals/submittals. With respect to any approval or certification required by these procedures, the Conservancy may rely on the signature or initial of the applicant as evidence that the applicant has or will comply. If there has not been staff pre-consultation, the Conservancy recommends that an applicant engage in consultation with the Conservancy to determine whether any concerns or deficiencies in the application exist. If an application is deemed incomplete, the applicant will be notified at the e-mail address supplied in the application.

3.3 *Legal Review.* Applications will be reviewed by the Staff Counsel for consistency with the Act and applicable grant requirements and General Obligation Bond Law.

3.4 *Policy Review.* The Executive Officer will review applications for consistency with the Conservancy work program. Consistency with the Conservancy strategic plan and related work programs (prepared pursuant to Public Resources Code section 32568 and pursuant to subdivisions (b) and (c) of Section 1 of Chapter 752, Statutes of 1999) will be included in staff consideration of the priority that should be assigned to the grant application. As part of the policy review, an applicant may be requested to submit additional information about any part of its project.

3.5 *Recommendation by Executive Officer.* The Executive Officer will review the application, the legal and policy documents prepared under sections 3.3 and 3.4 above, and other pertinent information about the project, and with the assistance of an ad hoc

committee of board members, determine whether to agendize the grant application for consideration by the Conservancy board. In the event that the Executive Officer decides to agendize an application, he or she shall prepare a written recommendation. In the event that the Executive Director decides not to agendize an application, an applicant may appear at the Conservancy board meeting and comment on the Executive Officer's decision during the public comment period.

*3.5. Staff Report and Agendizing the Grant Application for board Consideration.* Where the Executive Officer and ad hoc committee has determined that an application should be agendized for consideration by the Conservancy board, Conservancy staff will prepare a staff recommendation by the Executive Officer and a proposed resolution to be considered by the Conservancy board. Conservancy staff shall then agendize the grant application for consideration by the Conservancy board at a Conservancy board meeting.

*3.6. Notification to proceed.* All grant materials shall state that no grantee may proceed without explicit notification from the Conservancy. The Executive Officer will issue such notice only when approval has been given by the Staff Counsel with respect to consistency with the act and bond funds, and in all cases only after approval by the Conservancy. Any work done by a grantee after the start date but prior to the notification to proceed, shall be exclusively at the risk of the grantee. There are no exceptions to this rule.

*3.7. Grant documentation and billing.* All grant documentation shall be maintained by the Executive Officer. Each grant shall identify a Conservancy staff contact person that should be contacted when an applicant has a question about the grant. However, unless otherwise indicated, all grant payment issues shall be resolved by the Executive Officer and all inquiries should be so directed. Grantees are referred to Exhibit B for specific instructions with respect to billings.

#### Section 4. Grant Monitoring and Audit

*4.0. Grant Monitoring.* All approved grants are subject to monitoring and audit. By submitting an application, an applicant/grantee agrees to provide reasonable access to the Conservancy for monitoring and auditing purposes. Additionally, an applicant/grantee must retain all grant application and project materials for a period of seven (7) years after the project has been certified as complete pursuant to Section 5 below. As part of the Conservancy's on-going grant monitoring, grantees are required to submit quarterly project status reports. Project status reports shall include a detailed description of the status of the project and compliance with project milestones. In addition, the Conservancy may request copies of all contracts, subcontracts, and work product. Finally, the Conservancy conducts in-house audits of a representative sample of grants on a two year cycle; by submitting an application, an applicant/grantee understands and agrees that its project may be audited as part of this audit.

#### Section 5. Final Certification and Post Grant Monitoring

5.0. *Final certification of acquisition projects.* For land acquisition projects, the Conservancy may make full payment of the grant amount into escrow, provided, however, that the grant and escrow documents shall require that the escrow agent submit a copy of the final escrow closing statement and the deed to the Staff Counsel before disbursing funds to the seller. The grant file shall reflect the final certification by the Staff Counsel that an acquisition has been completed.

5.1. *Final certification of non-acquisition grants.* For projects that do not involve land acquisition, prior to final payment, the Conservancy project manager for the project shall certify completion of the project. For a project that involves development, the project manager shall issue such certification only after having conducted a site visit to verify completion. For a project that involves planning and design or education and interpretation, before certifying project completion, the project manager shall personally review the planning documents or the interpretation materials and/or program results prepared by the applicant. No special form of certification is required other than the check off or signature of the project manager.

5.2. *Post-grant monitoring.* Many grants impose ongoing, continuing responsibilities and obligations on the grantee, including, in many cases, a requirement that the applicant/grantee adequately and appropriately maintain the project. On a periodic, continuing basis, the Conservancy project manager will recommend to the Executive Officer a list of those grants that should be subjected to post-grant monitoring and the Executive Officer shall adopt or approve a list of grants that for post-grant monitoring. The Executive Officer shall prioritize for post-grant review those projects with high dollar value grants and those with unusual or problematic implementation.

5.3. *Procedure for post-grant monitoring.* The Executive Officer will determine the appropriate method of post-grant monitoring on a case by case basis. For a particular project, post-grant monitoring may include, but not be limited to, site visits, review of program materials, review of visitor satisfaction surveys, and constituent/visitor polling to ensure that the project is being implemented and grant funds are being utilized in accordance with the grant application as approved by the Conservancy. The Conservancy may charge the cost of post-grant monitoring against the bond fund from which the initial grant was made. Where site visits are required, the applicant/grantee shall be given reasonable notice (not less than 48 hours) and afforded an opportunity to accompany the Conservancy monitoring officer during the site visit.

5.4. *Report of post-grant monitoring.* For projects subjected to post-grant monitoring, a post-grant monitoring report shall be filed in the original grant file. If the monitoring officer determines that substantial deficiencies exist in the grantee's performance this fact shall be reported to the Executive Director.

5.5. *Procedure upon finding of substantial deficiency.* The Executive Officer shall review any finding of substantial deficiency made by a grant monitoring officer pursuant to Sec 5.4 and if he or she sustains such finding, then the Executive Officer shall send, or cause to be sent, an "informal request for compliance" to the applicant/grantee detailing the

specific deficiency(s) as identified in the post grant monitoring report and provide a schedule for the applicant/grantee to remediate the deficiency(s).

5.6. *Notice of Non-Compliance.* If the grantee has not cured the deficiency(s) identified in a post grant monitoring report within the time schedule provided by the Conservancy in the informal request for compliance, the Executive Officer shall issue a Notice of Non-Compliance to the grantee. Simultaneously with such notice, the Executive Officer shall agendaize action on this item at the next regular meeting of the Conservancy and shall provide notice to the Attorney General and to the grantee. The Conservancy reserves the right to take any and all available legal action against an applicant/grantee that has not cured a deficiency within the required time frame, including, without limitation, seeking available remedies through litigation.