

AN ORDINANCE TO AMEND THE FY2022 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING, IF AWARDED, FROM THE GEORGIA DEPARTMENT OF NATURAL RESOURCES' RECREATIONAL TRAILS PROGRAM FOR EXPENSES RELATED TO RAINBOW FOREST ACCESS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Grants Special Revenue Fund to provide grant funding, if awarded, from the Georgia Department of Natural Resources' Recreational Trails Program for expenses related to Rainbow Forest access. Said Operating budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:

Increase:

Georgia Department of Natural Resources	\$73,000
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EXPENDITURES:

Increase:

Leisure Services	
Capital Expenses	\$73,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Rainbow Forest
Resolution**

WHEREAS, the Unified Government of Athens-Clarke County supports the grant application made to the Georgia Department of Natural Resources for the Recreational Trail Grant Program, understanding the application is to construct an 8' wide concrete connector trail from the North Oconee River Greenway to the Rainbow Forest Public Art Installation located on the segment near Martin Luther King Jr Parkway, and

WHEREAS, the Unified Government of Athens-Clarke County recognizes the twenty (20) percent match requirement for the Recreational Trail grant program, and has secured the matching funds

NOW, THEREFORE, BE IT RESOLVED, if the Unified Government of Athens Clarke County is awarded a grant by the Georgia Department of Natural resources, the Unified Government of Athens-Clarke County agrees to accept the grant award, and may enter into an agreement with the State of Georgia for the above referenced project. The Unified Government of Athens Clarke County will comply with all applicable laws, environmental requirements, and regulations as stated in the grant agreement, and

PASSED AND ADOPTED BY THE MAYOR AND COMMISSION OF THE UNIFIED GOVERNMENT OF ATHENS CLARKE-COUNTY THIS 5th DAY OF OCTOBER 2021.

KELLY GIRTZ - MAYOR

ATTEST:

JEAN SPRATLIN - CITY CLERK

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM**

SUBJECT: SPLOST 2020 Project 20 - Park Improvements - Sub-Project #1 – Rainbow Forest Access, Project Concept and Grant Application

DATE: ~~September 1, 2021~~ September 22, 2021

BUDGET INFORMATION:

REVENUES:

\$	615,000	1,065,000	SPLOST 2020 - FY22 (Tier 2) (Tier 2-3)
\$	73,000		Recreational Trail Program (RTP) Grant
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\$	688,000	1,138,000	Total Available funding

EXPENSES:

CAPITAL:

\$	487,000	907,000	Designated Sub-Projects in FY22 (Tier 2-3)
\$	50,000	80,000	Designated Misc. Fees, Testing, PM Fees (Tier 2-3)
\$	50,000	60,000	Designated Contingency for all Sub-Projects in FY22 (Tier 2-3)
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\$	101,000	91,000	Available for SP #1 - Rainbow Forest Access

FUNDING SOURCES: SPLOST 2020 Project 20, Recreational Trail Program Grant

COMMISSION ACTION REQUESTED ON: October 5, 2021

PURPOSE:

To request that the Mayor and Commission:

- a. Approve the Proposed Project Concept SPLOST 2020 Project 20 - Park Improvements, Sub-Project #1 – Rainbow Forest Access as shown in **Attachment #1**;
- b. Approve an application for a \$73,000 grant through the Recreational Trails Program from the Georgia Department of Natural Resources, and accept funding if awarded **(Attachment #3)**;
- c. Affirm the resolution in support of the Rainbow Forest Access project **(Attachment#2)**;
- d. ~~Approve the budget ordinance to~~ Authorize the use of up to \$18,000 from the SPLOST ~~2021~~ 2020, Project 20 funding as a match in support of this grant, if awarded **(Attachment #3)**; and
- e. Authorize Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On February 7, 2017, the Mayor and Commission (M&C) voted to approve the update to the Greenway Network Plan which included a list of fifteen high -priority projects, which included what is now known as SPLOST 2011 – Project 9, Sub-Projects #7, 8, 9, 10, & 11.
2. On November 7, 2017, the voters of Athens-Clarke County approved the TSPLOST 2018 Program Referendum, which included the Project 05 Oconee Rivers Greenway Project.
3. On December 4, 2017, the Planning subcommittee of the Oconee Rivers Greenway Commission (ORGC) recommended the Oak/Oconee Street Connector and MLK Riverside Trail segments (now split into Sub-Projects #7, 8, 9, 10, & 11) as priorities to move forward for the 2018 TSPLOST implementation process.
4. On December 7, 2017, M&C approved an ordinance establishing TSPLOST 2018 Capital Project Budgets, which included the Project 05 Oconee Rivers Greenway Project.
5. On December 12, 2017, the ORGC voted to recommend the Oak/Oconee Street Connector (Proposed Sub-Project #7) and MLK Riverside Trail segments (Proposed Sub-Projects #8 - as priorities to move forward for the 2018 TSPLOST implementation process.
6. On January 16, 2018, the ORGC issued a letter to the Mayor and Manager's Office that recommended the TSPLOST 2018 Project 05 priorities as follows:
 - Oak Oconee Bridge Underpass (in coordination with Georgia DOT)
 - Riverside Trail - MLK Parkway between College Avenue and North Avenue
 - Riverside Trail - North Oconee River Park between North Avenue and East Broad Street
7. On January 22, 2018, staff met with the citizen members of the Oconee Rivers Greenway Project User Group and developed a list of proposed sub projects out of the ORGC's recommended priority trail segments.
8. On February 6, 2018, the Athens Cultural Affairs Commission (ACAC) offered a recommendation that consolidated the public art funding across the various TSPLOST 2018 Project 5 sub projects in order to fund one large piece of art. This recommendation was ultimately approved by Mayor and Commission.

9. On February 26, 2018, the TSPLOST Citizens Oversight Committee confirmed that the Project Concepts for Sub-Projects #7, 8, 9, 10 & 11 on the Oconee Rivers Greenway Project were consistent with the Initial Project Statement of TSPLOST 2018, Project 05.
10. On March 6, 2018, M&C approved the Project Concept for Sub-Project #8, connecting the existing greenway at College Avenue/ MLK to North Avenue/ MLK, and designated Sub-Project #8 as appropriate for public art.
11. On July 3, 2018, M&C approved the Preliminary Plans for Sub-Project #8, authorized staff to enter into the final design, bid & award phase, and authorized acquisition of rights-of-ways/ easements as required for the project.
12. On March 5, 2019, M&C approved a construction contract to build Sub-Project #8, connecting the existing greenway at College Avenue/MLK to North Avenue/MLK.
13. On October 10, 2019, a dedication was held for the Greenway Extension (Sub-Project #8), connecting the existing greenway at College Avenue/MLK to North Avenue/MLK.
14. On February 24, 2020, the ACAC finalized a recommended art location site along the new greenway extension adjacent to MLK.
15. On July 7, 2020, the M&C approved the ACAC recommended location for Public Art on Dr. Martin Luther King Jr Parkway as part of the TSPLOST 2018, Project 05 - Oconee Rivers Greenway Project and approved the ACAC's recommended budget for Public Art as part of the TSPLOST 2018, Project 05 - Oconee Rivers Greenway Project in the amount of \$55,000.
16. On October 12, 2020, the ACAC released a call for art for the TSPLOST 2018 Project 05 - Oconee Rivers Greenway Project - Dr. Martin Luther King Jr Parkway. The call was posted on the ACAC's page on the ACCGov's website and the ACAC's website.
17. On January 4, 2021, the ACAC received 34 proposals for the art at as part of the TSPLOST 2018 Project 05 - Oconee Rivers Greenway Project - Dr. Martin Luther King Jr Parkway.
18. On January 25, 2021, the ACAC convened the art selection panel, which named the top three proposed artists. These artists were sent some follow-up questions regarding maintenance and safety.
19. On March 22, 2021, the ACAC selected the proposal For the Rainbow Forest as the most appropriate or TSPLOST 2018 Project 05 - Oconee Rivers Greenway Project- Dr. Martin Luther King Jr Parkway.

20. On May 4, 2021, Mayor and Commission approved ACAC recommendation for the Rainbow Forest.
21. On August 1, 2021, construction began on the Rainbow Forest and was completed August 19, 2021.
22. On August 19, 2021, a Ribbon Cutting and Dedication Ceremony was held for the Rainbow Forest.
- ~~23. On September 13, 2021, staff met with the Athens Cultural Affairs Commission (ACAC) to review the Proposed Project Concept. The ACAC vote [to be determined] to approve the Proposed Project Concept.~~
24. On September 13, 2021, staff met with the Athens Cultural Affairs Commission (ACAC) to review the Proposed Project Concept. The ACAC voted to approve the Proposed Project Concept and provide a letter of support for the proposed grant application.
25. On September 20, 2021, staff met with the SPLOST Oversight Committee (SOC) to review the Proposed Project Concept. The SOC voted to approve the Proposed Project Concept.
26. On September 21, 2021, staff met with the Oconee Rivers Greenway Commission (ORGC) to review the Proposed Project Concept. The ORGC voted to provide a letter of support for the proposed grant application.

FACTS & ISSUES:

1. Currently, there is no formal access for people to the Rainbow Forest, the latest public art installation along the North Oconee River Greenway.
2. Leisure Services Department Park Planning staff have developed a concept for the Rainbow Forest Access that is accessible, barrier free and meets the Outdoor Recreation Access Route guidelines as outlined in the Architectural Barriers Act, a set of accessibility guidelines followed by the federal government.
3. Leisure Services staff is working closely with staff from the Office of Sustainability to ensure that the restoration areas associated with the GOSP grant in the project area are protected. This will include the installation of fencing and gates in mutually approved areas. Any areas that are impacted by construction will be appropriately restored under the guidance of the Office of Sustainability.

4. The Recreational Trails Program (RTP) from the Georgia Department of Natural Resources provides an opportunity to pursue grant funding for enhanced connectivity for barrier free access to park amenities.
5. The RTP is a reimbursement grant that funds 80% of the project cost with ACCGov providing 20% matching through funds or approved in kind sources. The total project cost including due diligence and contingency is not projected to exceed \$91,000. Staff propose that if \$73,000 is awarded by the grant, the \$18,000 ACCGov match would come from the SPLOST 2020 Project 20 – Park Improvements.
6. The RTP grant requires a resolution of support adopted within the past five years. The resolution of support can be found in **Attachment #2**.
7. Under the Georgia DNR RTP Grant Process, Phase I grant applications are due November 1st, 2021 with awards announced in February 2022. The Phase II application period closes on March 31, 2022 - final awards announced in the fall of 2022. If awarded the grant, construction could start in winter of 2023.
- ~~8. On September 20, 2021, the SPLOST Oversight Committee will review the proposed Project Concept for Sub-Project #1 Rainbow Forest Access to confirm compliance of the proposed concept with the Initial Project Statement of SPLOST 2020 Project 20 Park Improvements. The agenda report will be revised to include and action and comments of the Committee prior to consideration by the Mayor and Commission on October 5, 2021.~~
- ~~9. On September 21, 2021, staff will meet with the Oconee Rivers Greenway Commission (ORGC) to pursue approval of the project. The agenda report will be revised to include any actions and comments of the Committee prior to consideration by the Mayor and Commission on October 5, 2021.~~
10. This recommendation is consistent with the following Mayor and Commission Strategic Commitment:
 - Healthy, Livable, Sustainable Athens-Clarke County

OPTIONS:

1. Mayor and Commission:
 - a. Approve the Proposed Project Concept SPLOST 2020 Project 20 - Park Improvements, Sub-Project #1 – Rainbow Forest Access as shown in **Attachment #1**;

- b. Approve an application for a \$73,000 grant through the Recreational Trails Program from the Georgia Department of Natural Resources, and accept funding if awarded **(Attachment #3)**;
 - c. Affirm the resolution in support of the Rainbow Forest Access project **(Attachment#2)**;
 - d. ~~Approve the budget ordinance to~~ Authorize the use of up to \$18,000 from the SPLOST ~~2021-2020~~, Project 20 funding as a match in support of this grant, if awarded **(Attachment #3)**; and
 - e. Authorize Mayor and appropriate staff to execute all related documents.
2. Mayor and Commission do not approve of the grant, resolution, and matching funds.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, c, d, & e

DEPARTMENT: Leisure Services

Prepared by: Melinda Cochran Davis, Assistant Director
Kent Kilpatrick, Director



Kent Kilpatrick

Date: 09/01/2021

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c, d, & e



Manager

September 14, 2021
Date:

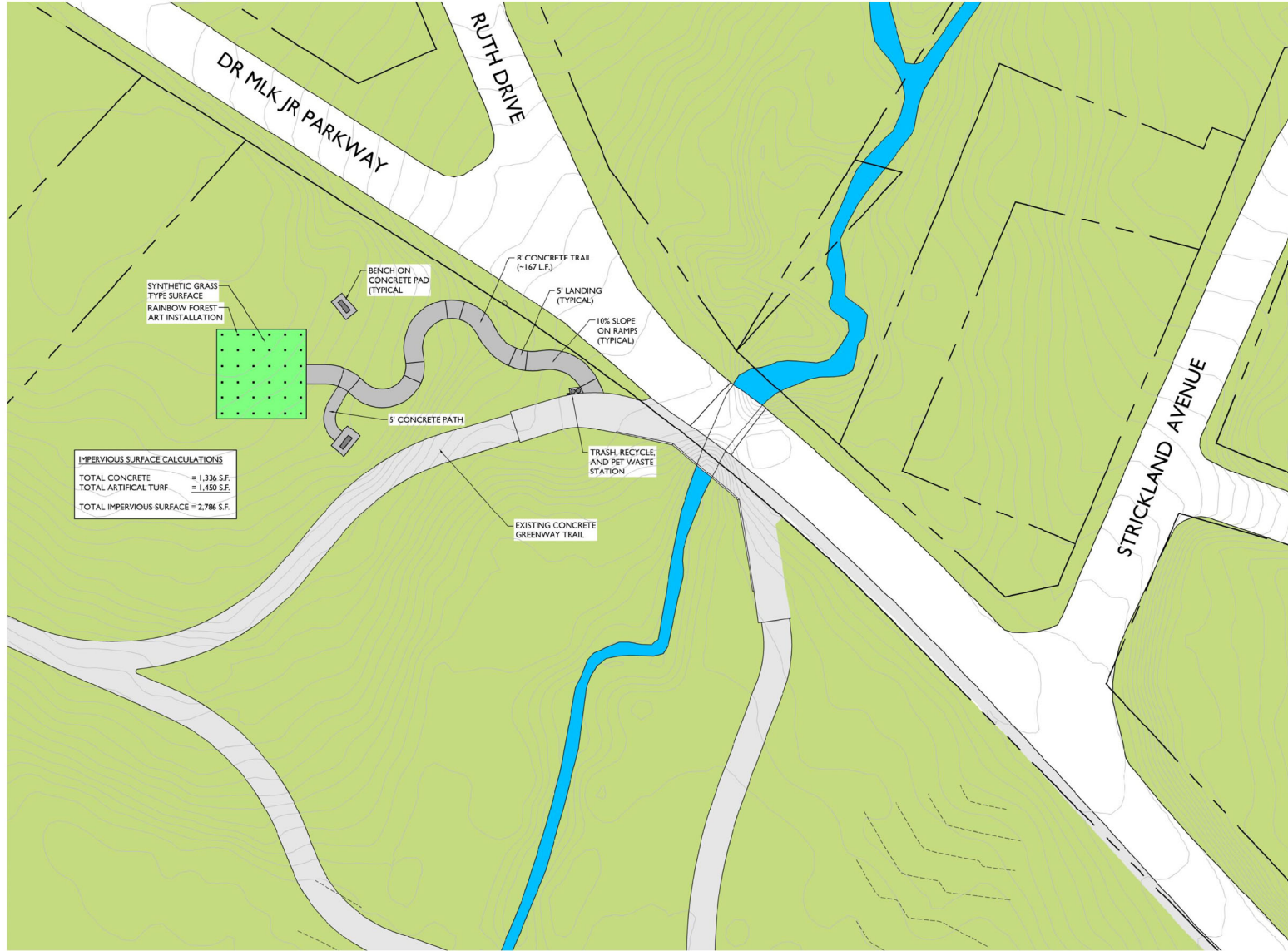
ATTACHMENTS:

Attachment #1: Conceptual Layout

Attachment #2: Rainbow Forest Resolution

Attachment #3: Budget Ordinance

<input type="checkbox"/> MASTER PLAN <input type="checkbox"/> PRELIMINARY STUDY <input checked="" type="checkbox"/> DESIGN DEVELOPMENT <input type="checkbox"/> CONSTRUCTION	<input type="checkbox"/> GRAPHIC REQUEST <input type="checkbox"/> SIGN REQUEST <input checked="" type="checkbox"/> EASIMENT DEVELOPMENT <input type="checkbox"/> COMMITTEE MATERIALS	<input checked="" type="checkbox"/> CONCEPTUAL DESIGN <input type="checkbox"/> PRELIMINARY DESIGN <input type="checkbox"/> FINAL DESIGN <input type="checkbox"/> AS-BUILT	<input checked="" type="checkbox"/> FOR STAFF REVIEW <input type="checkbox"/> FOR PUBLIC INPUT <input type="checkbox"/> FOR PERMIT REVIEW <input type="checkbox"/> FOR CONSTRUCTION	<input checked="" type="checkbox"/> UNRENDERED <input type="checkbox"/> INCLUDE / EXCLUDE FUNDING YEAR: 2021	<input type="checkbox"/> CAPITAL BUDGET <input type="checkbox"/> GRANT APT / DONATION PROJECT / ACCOUNT # N/A	<input type="checkbox"/> APPROVED BY MAYOR & COMMISSION <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A HMC APPROVAL DATE MONTH / DD / YYYY	<input type="checkbox"/> DRAFT <input type="checkbox"/> WORKING <input type="checkbox"/> ARCHIVED DATE: AUGUST 23, 2021	EXISTING PARK OPEN TO THE PUBLIC
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ACC LEISURE
SERVICES DEPARTMENT
PROJECT NO: NOTR - 2021019
DRAWN BY: TM
CHECKED BY: HC

REVISION

DATE	DESCRIPTION	INIT.

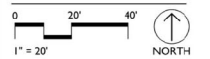
Rainbow Forest

Accessible Trail Improvements
MLK Jr. Avenue - Athens, GA

STAMP

PREPARED BY

ACC Office of
Park Planning
315 Peach Street, Athens, GA 30601
Phone: 706.413.3001



SHEET TITLE:
CONCEPTUAL LAYOUT

SHEET 1 of 1
LI.1