MAINTENANCE AND SERVICING
EXCESS FUNDS
POLICY MEMORANDUM
Revised July 2019
This Maintenance & Servicing (M&S) Policy Memorandum contains guidelines for the M&S Excess Funding Program:

M&S FOR EXCESS FUND PROJECTS FUNDING PROGRAM (Excess M&S)

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MAINTENANCE AND SERVICING EXCESS FUNDS (MS&E)

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1. MAINTENANCE AND SERVICING (M&S) DEFINITIONS

As required in the Propositions, maintenance and servicing monies may be used to offset increased maintenance and servicing costs resulting from a Proposition-funded project only.

"Maintenance" and "servicing" costs are as defined in the Landscaping and Lighting Act of 1972 (Section 22500 et seq. of the Streets and Highways Code) as follows:

**Section 22531. Maintain or Maintenance**

"Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

**Section 22538. Service or Servicing**

"Service" or "servicing" means the furnishing of:

- Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
- Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

2. MAINTENANCE AND SERVICING EXCESS FUNDS PROGRAM (M&SE)

Excess Funds have been declared since Fiscal Year 1998-99. All of the Excess Funds made available from FY 1999-2000 through FY 2012-2013 have been for capital outlay projects only. This is due to the mandatory requirement to expend 80% of the assessment revenue for capital outlay projects in the first 20 years. This restriction expired at the end of fiscal year 2012-13. As a result, the directive in Proposition A of 1996 to allocate 20% of the Available Excess Funds for maintenance and servicing of Excess Fund grant-funded projects can be implemented. The following procedures and guidelines will be used for allocation of Maintenance and Servicing Funds for Excess Fund funded projects. For the purposes of this program, the fiscal year period starts on July 1st and ends on June 30th.
3. GOOD STANDING POLICY
An agency is considered in Good Standing status if it is in compliance with all RPOSD grant administration requirements. Agencies with a RPOSD grants or grants that are not in compliance with all applicable grant administration requirements are not in Good Standing. Agencies who fail to comply will lose Good Standing status and eligibility to receive future funding. Good Standing is required of all grantees in order have claims (payment requests) processed and receive any grant funds from RPOSD.

All Grantees applying for MS&E funding must remain in Good Standing throughout the entire process in order to receive reimbursement of MS&E funds.

4. YOUTH EMPLOYMENT GOAL
An agency that has not met its Proposition A Youth Employment Goal is not eligible for Maintenance and Servicing Excess Funds.

5. ELIGIBLE AGENCIES
Only agencies eligible to receive M&S funds under the 1996 Proposition will be eligible for M&SE. Allocation of funds or assignment of funds to agencies not entitled to this funding program versus agencies eligible for M&SE should be taken into consideration before funding. Time is of the essence in this program.

Inquiries, correspondence and should be addressed to:

(Name of Grants Officer), Grants Officer
Los Angeles County Regional Park and Open Space District
1000 S. Fremont Ave., #40 A-9 East, Ground floor
Alhambra, CA 91803
6. POLICIES, PROCEDURES AND REQUIREMENTS

All policies, procedures and requirements promulgated for the ORIGINAL M&S FUNDING PROGRAM under Proposition A of 1996 will be followed except for the following:

1. Only agencies that have utilized Excess Funds Grant Program will be eligible for the M&SE.
2. Only Excess Fund projects that are fully or partially funded with Excess Funds and that have been completed and closed are eligible for M&S funds under this funding program except when the entire grant contains other funding sources from Prop A, example, the grant is a combination of Prop A 1992, Prop A 1996, Sale of Property (SOP) and Excess Fund. As long as there is Excess Fund component, the agency has the option to utilize its budget for the entire project to claim against M&SE funds, or to segregate the other funding sources to claim against the regular M&S fund.
3. The M&SE funds will not be accumulated for each agency but can be accumulated for each category. Each category has an assigned sub-fund. The categories are: Big Five M&SE, County M&SE and City M&SE. Each year, the M&SE will be disbursed pro-rata based on payment requests submitted by a deadline to be announced by the District. If payment requests submitted exceeded the total new M&SE, then unspent M&SE from the prior year will be reduced to fill the required funds to fully pay for the submissions at the discretion of the District. The goal for the District is to spend all M&SE declared for that year and any remaining funds. (See additional guidelines on this.)
4. No Projects under development or completed but not yet closed will be eligible to either advance funding of this M&S program nor will funds be reserved for future funding of uncompleted projects.
5. No M&SE will be reserved for the unallocated/uncommitted Excess funds from the prior years and current year.
6. Transfer or assignment of M&SE funds will not be allowed except when 2 agencies have a joint project funded by Excess Funds in the same grant.
7. Effective 7/1/2015, extraordinary expenses incurred from this day on will now be eligible for reimbursement under this program.
8. For Extraordinary M&SE requests paid as an advance to an eligible agency, the work must commence upon receipt of the funds and must be completed by the end of the fiscal year the funds were received in. Any unspent funds must be returned to the District no later than the end of the fiscal year (June 30th) they were received.
9. For Extraordinary M&SE requests paid as an advance to an eligible agency, a project timeline must be submitted along with cost estimates, invoices, proof of payment and/or other documentation. Requests with timelines indicating the work to be completed beyond the end of fiscal year (June 30th) the funds are received are ineligible.
10. Employment of At Risk Youth while encouraged, will not be a mandatory requirement for release of M&SE funds, except if the agency still has not completed its Youth Employment Goal under the 1992 and 1996 Propositions A.
11. If for some reason the budget element submitted for consideration is not acceptable or rejected, the grantee will have the opportunity to correct the deficiency but only up to the extent of the original amount submitted for consideration. It can be reduced but cannot be increased.
7. ADDITIONAL REQUIREMENTS

1. Only a listing of budgeted expenses will be required subject to audit or verification when the Grant Officer goes on a site visit or when an outside contract auditor comes to audit.

2. Effective 7/1/2015 extraordinary expenses can be claimed against this funding program.

3. Budgets and claims must go through review and approvals by the Grant Officer, Grant Assistant Supervisor, Grant Supervisor, Administrative Supervisor, the Finance Section and the District Administrator. The request should have final approvals from all approvers before disbursement can be finalized. If rejected or denied by any one of the approvers, this particular request will be ineligible for payment creating a situation where unspent funds will be rolled over to the following year unless deficiency in the requirement is resolved as soon as possible at the discretion of the District Administrator.

4. Decision for conflicts if any will be made by the District Administrator or in his/her absence, by a consensus of two out of the three section heads.

5. Closed grants that have a combination funding of 1992, 1996 and Excess Fund will be reviewed based on the Project number assigned to the funding. The agency has the option to use budget for the entire project to claim against M&SE funds or segregate the other funding sources to claim against the regular M&S fund. This way, if needed, the Project number assigned to the Excess funding source will be used to calculate M&SE and the 1992 and 1996 funding source portion can claim against the regular M&S. If the Agency decides to claim the entire project against M&SE, it should be accommodated.

6. Grantees can claim both regular M&S and M&SE using the same budget for Excess funded projects as long as the projects are closed. Since the M&SE is disbursed on a first come first served basis, it will be to the advantage of the grantee to claim M&SE first before the regular M&S. The claim for both can be done but the total should be up to the full amount of the payment request only. Double dipping will not be allowed. For example, if the entire project is claimed against M&SE and the prorated amount is less than the claim, the balance not received from M&SE can be claimed against the regular M&S.

7. Processing of claims for M&SE should be the same as the regular M&S. The only difference is, we will use a different fund, a different distribution rate for each agency and the agency will not accumulate the M&SE in their individual sub-funds. There will be a separate fund with sub-funds for the different categories to disburse this M&SE.
8. DISBURSEMENT OF M&S FUND FOR EXCESS FUND PROJECTS

Although it is the intent of the District to provide equitable distribution of M&S Funds for Excess funded projects, past experience in administering the regular Prop A M&S showed that some agencies utilize maintenance funds more than others. Under the M&SE program, the District will provide equal chances for eligible grantees to claim M&SE funds equal to the portion of their allocation for the current year based on submitted budget and as calculated by formula indicated above. Thus, it will be to the benefit of the grantee to submit requests as soon as they get notice that the funds are available.

If unspent M&SE funds remain as of June 30 of each year, the unclaimed funds will be rolled over to the following year and will serve as basis for the distribution of funds (both new M&SE plus prior year M&SE).

The M&SE will be disbursed based on the following steps:

1. A list of closed Excess Fund projects partially or fully funded with Excess Funds will be created as of June 30th of each year and the grantee agencies from this list will be eligible to apply for M&SE.
2. The District will send notification letters to the grantees on the list advising them to submit requests for payments if they are interested in receiving M&SE.
3. There will be a deadline for submission of the budgets and claims.
4. All the budgets submitted will be gathered and reviewed by the Grant Officers for eligibility for funding, consistent with the process for the Original M&S Program.
5. After approval by the Grant Officer, the District will prepare a list of grantees eligible for M&SE and the amount requested by each grantee.
6. A grantee may or may not receive the full amount it requested.
9. ELIGIBLE & INELIGIBLE EXPENDITURES

<table>
<thead>
<tr>
<th>Eligible</th>
<th>Ineligible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project elements (per project description) paid for with Prop A Funds</td>
<td>Projects not paid for with Prop A Funds</td>
</tr>
<tr>
<td>Project elements not paid for with Prop A grant funds but was part of</td>
<td>Maintenance and servicing of projects not funded from the Propositions.</td>
</tr>
<tr>
<td>entire project. For example: in a Prop A pool rehabilitation grant</td>
<td></td>
</tr>
<tr>
<td>project the pool pump was paid for with other funds. Replace the pool</td>
<td></td>
</tr>
<tr>
<td>pump is eligible for M&amp;S.</td>
<td></td>
</tr>
<tr>
<td>Increased staff costs necessary for the usual operation and maintenance</td>
<td>Direct charges for management, clerical, personnel and other administrative</td>
</tr>
<tr>
<td>of the facility.</td>
<td>expenses incurred by the agency.</td>
</tr>
<tr>
<td>Cost of the staff member needed to open, schedule and oversee (i.e.,</td>
<td>Additional staff to run recreational programs, such as coaches, karate</td>
</tr>
<tr>
<td>operate) a new recreation building.</td>
<td>instructors, etc.</td>
</tr>
<tr>
<td>Lifeguards, Maintenance Workers,</td>
<td>Recreation Leaders, Cashiers, etc.</td>
</tr>
<tr>
<td>An agency’s direct overhead rates as applied to wages, services and</td>
<td>Purchase of supplies for office, programming or public information</td>
</tr>
<tr>
<td>supplies. *Must be shown as a percentage of the total expenditure such</td>
<td>materials.</td>
</tr>
<tr>
<td>as supplies or a staff maintenance worker's hourly rate.</td>
<td></td>
</tr>
<tr>
<td>Replacement of equipment included in the original project description</td>
<td>Purchase of fixed assets or capital outlay equipment.</td>
</tr>
<tr>
<td>(e.g. swimming pool pump).</td>
<td></td>
</tr>
<tr>
<td>Lighting, Security Systems</td>
<td>Police patrols or other security patrols.</td>
</tr>
<tr>
<td>Graffiti removal</td>
<td>Rewards for information on vandalism of the facility.</td>
</tr>
<tr>
<td>The costs of using maintenance equipment; rental rate or a set hourly</td>
<td>Travel and field inspection expenses of agency personnel.</td>
</tr>
<tr>
<td>rate that reflects such factors as depreciation, maintenance and repair</td>
<td></td>
</tr>
<tr>
<td>of the equipment, replacement parts and fuel.</td>
<td></td>
</tr>
<tr>
<td>Contracts with maintenance providers (e.g. conservation corps, weed</td>
<td>Penalties, interest, and similar costs levied against an agency by a</td>
</tr>
<tr>
<td>abatement, etc.)</td>
<td>contractor or a provider of product or service.</td>
</tr>
<tr>
<td></td>
<td>Liability and injury claims filed against the agency, whether or not the</td>
</tr>
<tr>
<td></td>
<td>cause of action stems from alleged improper maintenance and servicing of</td>
</tr>
<tr>
<td></td>
<td>Proposition-funded projects.</td>
</tr>
</tbody>
</table>
10. M&SE Budgets

An eligible agency may apply for maintenance and servicing excess funds upon approval of:

1) M&SE budget that has been submitted to show the increased costs of maintaining the facility acquired, developed, improved or refurbished with Proposition grant funds, and/or

2) Request for unanticipated/extraordinary M&S costs (see page 16)

Funds for Anticipated Expenditures (Annual Budget)

Reimbursable expenditures will vary greatly depending upon the type and scope of the project. For instance, rehabilitation of an existing recreation building may result in no ongoing increases in maintenance costs, but construction of a new building will result in new maintenance costs eligible to be paid with District funds.

Submit a separate budget for each facility in the Grant Management System. The District will notify the agency when the budget or budgets have been approved (Sample budget on Page 11).

An agency may submit a claim based on an approved budget for costs that will be incurred during the current or the next fiscal year. The exact period of time covered by the payment must be clearly indicated on the claim (annual, quarterly, etc.).

At the end of the covered period, if any of the funds paid have not been expended as set out in the approved budget, the agency shall inform the District. An adjustment will then be made to the next payment to credit the unused funds from the previous period to the new request.

The District may request supporting documentation of the exact expenditures covering any such payment previously made. See page 15 for accounting requirements.
### Sample Budget Form in GMS

#### Maintenance and Servicing Costs

- **Cost information PRIOR to project completion:**
  - **Fiscal year PRIOR to project completion:** From [Year] to [Year]
  - **Cost to operate and maintain facility/location prior to completion:** $0.00

- **Total maintenance costs AFTER project completion:**
  - **Eligible expense period mm/yyyy:** From [Month] [Year] to [Month] [Year]
  - **Total estimated cost to operate and maintain this facility/location for the identified expense period:** $0.00

- **Explanation of increased maintenance and servicing costs:**

#### Reimbursable

<table>
<thead>
<tr>
<th>Category</th>
<th>BEFORE Project Completion</th>
<th>CURRENT Expense Period</th>
<th>INCREASE</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Services &amp; Supplies</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Overhead</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
</tbody>
</table>

#### Non-Reimbursable

<table>
<thead>
<tr>
<th>Category</th>
<th>BEFORE Project Completion</th>
<th>CURRENT Expense Period</th>
<th>INCREASE</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Services &amp; Supplies</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Overhead</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Programs</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
</tbody>
</table>

#### Revenue

Revenue generated at this facility/location.

<table>
<thead>
<tr>
<th>Category</th>
<th>BEFORE Project Completion</th>
<th>CURRENT Expense Period</th>
<th>INCREASE</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td></td>
</tr>
</tbody>
</table>

#### Net Reimbursable

Maximum amount eligible for reimbursement is the lesser of Reimbursable or Net Operating Expense.

- **Reimbursable:** $0.00
- **Non-reimbursable:** $0.00
- **Total Operating Expense (Reimbursable + Non-Reimbursable):** $0.00
- **Revenue:** $0.00
- **Net Operating Expense (Total Operating Expense - Revenue):** $0.00

### Extraordinary Costs

To edit this section, select “Save” at the top of the screen, then click “Add” on the right side of this section.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
</tbody>
</table>

### Supporting Documents

Upload approved maintenance and servicing budget for this facility/location. For reimbursement of extraordinary expenses, MAS grantees should provide applicable quotes, invoices, cancelled checks, a memo stating what work was completed and relevant boundary map(s). To edit this section, select “Save” at the top of the screen, then click “Add” on the right side of this section.

<table>
<thead>
<tr>
<th>Description</th>
<th>Document Upload</th>
</tr>
</thead>
</table>
11. MS&E CLAIMS

All claims must be submitted through the online Grants Management System (GMS).

The claim must be in conformance with an approved annual budget.Claims, except for extraordinary maintenance expenses, will not be processed without a District-approved budget submitted in the GMS. There will be no need to attach proof of expenditures to receive payment for eligible expenditures that are consistent with the approved budget. See page 11 for example of Maintenance and Servicing Budget. The Maintenance and Servicing Request Form is available on the website.

Receipt of Payments
M&SE is a two-step budget/claim process through GMS. Budget approvals will take up to two weeks after the budget application deadline. Claim approvals will take up to two weeks after claim submission deadline.

Sample Claim Form in GMS

[Image of Sample Claim Form in GMS]
12. EMPLOYMENT OF YOUTH

Emphasis is placed in both Propositions on the employment of youth in park improvement projects. A Youth Employment Goal (YEG) has been calculated for all agencies. Agencies may meet this goal by employing youth on grant funded projects, in the maintenance of facilities acquired, improved or rehabilitated with Proposition A funds or in projects or programs funded by agency discretionary funds. Programs such as Summer Youth Employment (SYEP), for example, are not eligible because the agency is required to spend these funds on youth employment.

For maintenance of eligible projects, an agency may employ youth directly or contract with youth providers for maintenance crews to perform periodic routine maintenance or extraordinary maintenance projects. In such cases, the costs of youth employment are eligible for reimbursement by the District and the expenditures also help the agency to meet its Youth Employment Goal.

An agency that does not meet its Youth Employment Goal is subject to a restriction of its Maintenance and Servicing funds to ensure that the agency fulfills its YEG. Further information on the District’s employment of youth requirements can be provided by the agency’s Grant Officer.
13. PROPOSITION REQUIREMENTS

Section 23 (b) of the 1996 Proposition provides: "On an annual basis, fifteen percent (15%) of all proceeds of the Additional Assessment and the 1992 Assessments (or such greater percentage of the proceeds of the Additional Assessment and the 1992 Assessment, not to exceed twenty percent (20%), as determined by the Board) shall be set aside and designated as the maintenance and servicing amount, and shall be used only to maintain and service capital outlay projects funded by the District pursuant to the 1992 Order and this resolution. Such maintenance and servicing amount of the Additional Assessment and the 1992 Assessment shall be allocated each year as follows:

· (1) to the County (for the benefit of the Department of Parks and Recreation, or the Department of Beaches and Harbors, or any other applicable department as determined by the Board), an amount obtained by multiplying the aggregate amount of such maintenance and servicing funds to be allocated for such year by a fraction, the numerator of which is the number of parcels of land in the unincorporated area of the County and the denominator of which is the total number of parcels of land in the County;

· (2) to the Santa Monica Mountains Conservancy, or any other agency designated by it to manage properties acquired pursuant to this resolution, (the 1996 Proposition) or the 1992 Order by the Conservancy or any joint powers entity to which the Conservancy is a party which has acquired properties pursuant to the 1992 Order or this resolution, a percent of the total maintenance and servicing funds that equals the percent of the total capital outlay funds that are allocated to and/or to be expended by the Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority pursuant to Section 3 of this resolution; and

· (3) except as provided in the next paragraph, to each incorporated city within the District, an amount obtained by multiplying the maintenance and servicing funds remaining after the allocations described in the preceding clauses (1) and (2) by a fraction, the numerator of which is the number of parcels of land in such city and the denominator of which is the total number of parcels of land in the incorporated areas of the County.

· Of the maintenance and servicing funds allocated to the County in this resolution, (the 1996 Proposition) and the 1992 Order, the Department of Beaches and Harbors shall be allocated an amount obtained by dividing the total amount of funds allocated to the Department of Beaches and Harbors in this resolution and the 1992 Order by the total amount of funds allocated for specific identified projects and for per parcel grants to the Department of Parks and Recreation in the resolution and the 1992 Order.

· On an annual basis, one million seven hundred thousand dollars ($1,700,000) shall be deducted from the maintenance and servicing funds allocated to the City of Los Angeles in this resolution, (the 1996 Proposition) and the 1992 Order, and such amount shall be used to pay debt service on bonds, notes or other evidences of indebtedness issued to fund the project described in Section 8 (b) 2.V.x. of the 1992 Order.

· In the event of an inconsistency between this Section (23. (b) of the 1996 Proposition) and Section 23 of the 1992 Order, this Section shall prevail."


Pursuant to Section 24 (a) of the 1996 Proposition, additional funding is made available each year by a calculation of excess revenues over expenditures from the prior year to be determined by an independent audit of a Financial Consultant. "In each year, 80% of the available excess as identified in the Plan of Revenue and Expenditures approved by the Board shall be allocated by the Board pursuant to this section and in accordance with the following schedule (to the extent permitted by applicable law and not inconsistent with the other provisions of this resolution). 80% shall be allocated for capital projects and 20% shall be allocated for maintenance and servicing of those capital projects."

Additionally, Section 21 (a) of the 1996 Proposition provides that "... In any year, a recipient agency may utilize an amount not more than one percent (1%) of the funds which it is eligible to receive under subsection (b) of Section 23 for reimbursement of accounting and bookkeeping costs as applicable overhead to pay for compliance with the District's accounting and reporting requirements." Normally, this will be included as part of the agency’s overhead rate on its eligible maintenance and servicing costs.

As specified under Sections 23 (b) and (c) of the 1992 Proposition and Section 23(b) of the 1996 Proposition, Los Angeles County, the Santa Monica Mountains Conservancy and all cities, are entitled to a share of the benefit assessment revenues allocated for maintenance and servicing of Proposition-funded improvement projects.

14. ACCOUNTING REQUIREMENTS

Effective January 1, 2005, each Agency is required to maintain satisfactory financial accounts, documents, and records for the Project’s maintenance and servicing and to make them available to the District for auditing at reasonable times. Agency also must retain such financial accounts, documents, and records for five years following Project’s maintenance and servicing period for which expenses have been incurred.

15. LONG TERM GRANT OBLIGATIONS - MAINTENANCE AND OPERATION

Grant-funded property must be maintained and operated in perpetuity. Reasonable public access to Grant-funded property, including the provision of parking and public restrooms, must also be provided in perpetuity, except where that access may interfere with resource protection.

Grant-funded property must be open to members of the public generally, except as noted under the special provisions of the Project Agreement.

Grant-funded property must be open and accessible to the public in perpetuity, without discrimination as to race, color, sex, sexual orientation, age, religious belief, national origin, marital status, physical or mental handicap, medical condition, or place of residence, to the extent consistent with the provisions of the 1992 and 1996 Propositions and of the Project Agreement.

Additionally, the Grantee, or any other agency or organization operating the Grant-funded property, is prohibited from discriminating against or providing preferential treatment to any person or organization seeking to use such facility based on the place of residence of such person or the members of such organization. This prohibition extends in perpetuity and includes, but is not limited to, charging fees that
differentiate between residents and non-residents or that grant preferential treatment to city residents with regard to reservations or registration.

**16. UNANTICIPATED AND/OR EXTRAORDINARY EXPENSES**

Some maintenance expenses occur infrequently or cannot be anticipated in advance in the M&S Budget. Therefore, in addition to or in place of the annual budgeted expenses, an agency may claim eligible extraordinary expenses as they occur. The extraordinary expense must be related to the grant-funded project. Grantees are advised to work closely with their Program Manager to ensure eligibility of and to obtain prior District approval of the extraordinary expense(s).

For reimbursement of extraordinary expenses, M&S grantees must provide quotes, invoices, cancelled checks and a memo stating what work was completed.

For advance payments, grantees must submit a request and a cost estimate. Expenses must be incurred as soon as the agency receives the funds. Once the work is complete and the vendor is paid, grantees must provide invoices and cancelled checks. After the final costs have been documented, and prior to submitting additional M&S payment requests, the agency must submit documentation of the exact costs incurred. The District will be unable to approve further payment requests until complete documentation supporting the advance is received.

**Examples of Extraordinary Maintenance Expenses:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Example #1 New Local Park</th>
<th>Example #2 Renovation</th>
<th>Example #3 Pool Addition</th>
<th>Example #4 Expansion</th>
<th>Example #5 Renovation of Existing Pool</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Calamities, Disasters, and Acts of God</td>
<td>Strong winds blew down fencing around playground equipment</td>
<td>Termite infestation of several beams of the picnic shelter</td>
<td>Pool filter and fill lines damaged by earthquake</td>
<td>Facility is hit by lightning, causing damages that need repair</td>
<td>A tree fell and damaged the bath house</td>
</tr>
<tr>
<td>Man-made Destruction (Vandalism, Theft, Negligence, Accidents)</td>
<td>Vandal destroyed playground equipment</td>
<td>One of the brick planters is hit by a car and must be rebuilt</td>
<td>Maintenance worker accidentally drops ladder, breaking a pool pump connection</td>
<td>Vandal broke glass windows</td>
<td>Vandal destroyed shower heads and restroom fixtures</td>
</tr>
<tr>
<td>Gradual Physical or Functional Deterioration, Obsolescence</td>
<td>Old playground equipment needs to be replaced for safety reasons</td>
<td>Replacement of decaying gazebo, replacement of recreation building roof</td>
<td>15-year old drainpipes need replacement, heater breaks, pool cover needs to be replaced</td>
<td>Gym floor needs resurfacing, air conditioner breaks down, building needs repainting</td>
<td>A more efficient automatic chlorinator became available that will pay for itself</td>
</tr>
</tbody>
</table>