

Agenda Report

TO: CITY COUNCIL

DATE: April 2, 2007

FROM: CITY MANAGER

SUBJECT: RESOLUTION CONSENTING TO THE ESTABLISHMENT OF THE PORTION OF OAK GROVE DRIVE BRIDGE OVER FLINT CANYON WASH AND THE PORTION OF OAK GROVE DRIVE BRIDGE OVER ARROYO SECO CHANNEL WITHIN THE CITY OF PASADENA, AS PART OF THE SYSTEM OF HIGHWAYS OF THE COUNTY OF LOS ANGELES

RECOMMENDATION

It is recommended that the City Council adopt a resolution consenting to the establishment of the portion of Oak Grove Drive Bridge over Flint Canyon Wash and the portion of Oak Grove Drive Bridge over Arroyo Seco Channel within the City of Pasadena, as part of the System of Highways of the County of Los Angeles.

BACKGROUND

The City of Pasadena's Capital Improvement Program includes bridge projects at Oak Grove Drive over the Arroyo Seco Channel and at Oak Grove Drive over Flint Canyon Wash. Both of these projects must be completed to address seismic deficiencies, and are being managed by the Los Angeles County Department of Public Works. The County of Los Angeles Board of Supervisors adopted a Resolution on June 4, 2002, declaring the bridges located on Oak Grove Drive over Flint Canyon Wash and on Oak Grove Drive over Arroyo Seco Channel, to be part of the County System of Highways for the limited purpose of performing a seismic safety retrofit of these bridges.

Sections 1700-1702 of the California Streets and Highways Code provide that the City may consent to the County's Request for Jurisdiction by Resolution. If the City passes a Resolution granting the County of Los Angeles Request for Jurisdiction, said Resolution will meet the requirements of Sections 1700-1702. In order for the County to undertake the subject bridge retrofit, the bridges must be under County jurisdiction during construction.

On June 4, 2002, the County, as the lead agency for inspecting and retrofitting all non-State highway bridges within Los Angeles County, pursuant to the California

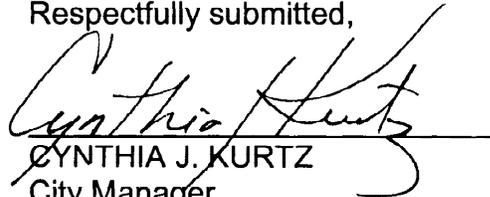
Environmental Quality Act (CEQA), found the projects to seismic retrofit the bridges on Oak Grove Drive over Flint Canyon Wash and on Oak Grove Drive over Arroyo Seco Channel to be statutory exempt from the provisions of CEQA. The County requested that the City of Pasadena concur with their environmental findings as described in the attached resolution.

On September 19, 2005 the Pasadena City Council approved a resolution authorizing and approving the assignment of the City's Federal Surface Transportation (STP) funds to the County as credit towards the City's financial share of the project costs.

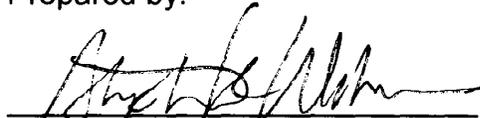
FISCAL IMPACT

The City's financial share of the project costs were transferred to the County from Capital Improvement Program Budget 73967, Oak Grove Drive Bridge over Arroyo Seco, and Capital Improvement Program Budget 73975, Oak Grove Drive Bridge over Flint Canyon. Approval of the County of Los Angeles' Request for Jurisdiction is a prerequisite for the County to perform the seismic retrofit of the subject bridges, and there will be no additional fiscal impact.

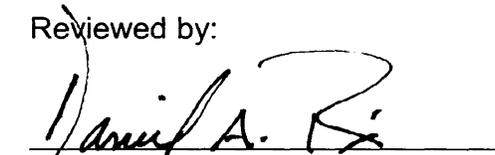
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

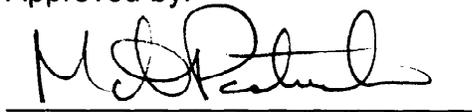
Prepared by:


Stephen K. Walker
Principal Engineer

Reviewed by:


Daniel A. Rix
City Engineer

Approved by:


Martin Pastucha, Director
Department of Public Works

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
CONSENTING TO THE ESTABLISHMENT OF THE PORTION OF OAK GROVE
DRIVE OVER FLINT CANYON WASH AND THE PORTION OF OAK GROVE DRIVE
OVER ARROYO SECO CHANNEL, WITHIN THE CITY OF PASADENA, AS PART
OF THE SYSTEM OF HIGHWAYS OF THE COUNTY OF LOS ANGELES

WHEREAS, the County of Los Angeles Board of Supervisors on
June 4, 2002, duly adopted two Resolutions declaring bridges
located on Oak Grove Drive over Flint Canyon Wash in the Cities
of Pasadena and La Canada Flintridge and on Oak Grove Drive over
Arroyo Seco Channel in the City of Pasadena to be a part of the
County System of Highways for the purpose of performing a
seismic retrofit of the Bridges at the aforementioned locations,
as provided in Sections 1700 to 1702 inclusive of the Streets
and Highways Code of the State of California; and

WHEREAS, said Board of Supervisors by said Resolution
requested this Council to give its consent to allow the County
to perform seismic safety retrofit of the Bridges (Retrofit
Work), within the City of Pasadena; and

WHEREAS, it is the intent of the County of Los Angeles
Board of Supervisors to perform Retrofit Work, provided the
consent of the governing body of the City shall first be given
under the terms herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the
City of Pasadena as follows:

SECTION 1. Consent to Inclusion in County Highway System -
This City Council does hereby consent to include the bridges as
part of the System of Highways of the County of Los Angeles as
provided in Sections 1700 to 1704 inclusive of the Streets and
Highways Code of the State of California, for the limited
purpose of performing a seismic safety retrofit of the bridges
at the aforementioned locations.

SECTION 2. Indemnification - That the City of Pasadena shall fully indemnify, defend, and hold the County of Los Angeles harmless in connection with any and all claims, liability, injury as defined by Government Code Section 810.8, or damage relating to the bridges that is not caused directly by County's Retrofit Work.

SECTION 3. Roadway Maintenance - The City of Pasadena will remain the owner of the bridges and will remain responsible for all roadway maintenance activities on the portion of Oak Grove Drive over Flint Canyon Wash and Oak Grove Drive over Arroyo Seco Channel prior to the start of construction by the County or following the completion and field acceptance of said construction. Following completion of construction and County's field acceptance of the Retrofit Work, the City of Pasadena accepts ownership and full responsibility for all roadway maintenance, including the Retrofit Work.

SECTION 4. Environmental Documentation - The City Council does hereby consent to adopt and concurs with the environmental findings pursuant to the California Environmental Quality Act that have been adopted by the County in connection with the Retrofit Work.

SECTION 5. Warranty for Retrofit Work - The County hereby assigns all of its right, title, and interest to the unexpired portion of a one-year warranty granted to the County by the construction contractor performing the Retrofit Work following completion of construction of the Retrofit Work and field acceptance of said construction by County. The City agrees to accept said assignment as its sole remedy against the County in connection with defects relating to said Retrofit Work.

Adopted at the _____ meeting of the City Council
on the _____ day of _____ 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JANE L. RODRIGUEZ
City Clerk

Approved as to form:

 3/14/07

NICHOLAS GEORGE RODRIGUEZ
Assistant City Attorney