

Agenda Report

October 28, 2013

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: ADOPT RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 07-5064R FOR WINDSTORM RECOVERY, VARIOUS LOCATIONS IN THE CITY OF PASADENA

RECOMMENDATION:

It is recommended that the City Council:

1. Find the project proposed herein to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Class 1), subsection (c). This exemption includes minor alterations of existing public facilities (including streets) involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, and there are no environmental reviews;
2. Authorize the City Manager to execute the Program Supplement Agreement for Windstorm Recovery, Various Locations in the City of Pasadena; and
3. Adopt a resolution approving Program Supplement Agreement No. 094-N to Administrating Agency-State Agreement No. 07-5064R between the City of Pasadena and the State of California, for State reimbursement of costs for Windstorm Recovery, Various Locations in the City of Pasadena, Federal Aid Project No. ER-20W0(001).

BACKGROUND:

On the evening of November 30 through December 1, 2011, the City of Pasadena experienced unprecedented hurricane force winds that caused major damage throughout the City. All of the 325 miles of City streets were impacted by storm debris, including downed electrical wires, 50 broken or damaged traffic signals, 430 damaged street lights, 2,100 fallen or damaged trees, and 10,000 square feet of uplifted or broken sidewalk. The City utilized employees, contractors, and mutual aid from neighboring

agencies to clear the debris and restore access and power to residents. The total cost of response, recovery and damage to City facilities was estimated at \$14.5 million dollars.

The windstorm did not qualify for a Federal Emergency Management Agency (FEMA) disaster declaration to offset costs. The California Governor's Office of Emergency Services (Cal OES), the state's recovery agency, did declare a disaster but was unable to provide funding due to the state's budget crisis. However, the Emergency Relief program of the Federal Highway Administration (FHWA) is providing some assistance, allowing for 100% reimbursement for clearance of major streets and partial reimbursement for permanent restoration on major streets. The portion of City's damage that is eligible for FHWA reimbursement is \$1,522,593.

The State of California, acting through the California Department of Transportation (Caltrans), is administering the FHWA funds. These funds are paid to the City of Pasadena pursuant to the provisions of the revised Administering Agency-State Agreement No. 07-5064 (City of Pasadena Agreement No. 16,298) entered into by the parties on April 3, 1997. Through this revised Agreement, Program Supplements thereafter are indicated as 07-5064R. To obtain funds for a project, it is necessary to execute a supplemental agreement for the project after it has been approved for funding by Caltrans and FHWA.

On October 8, 2013, the Department of Public Works received the Program Supplement Agreement for the Construction of Windstorm Recovery Project. The Program Supplement Agreement must be executed by the City and returned to Caltrans within 60 days. The deadline to return the executed Program Supplement, including a copy of the City's adopted resolution, is December 3, 2013.

COUNCIL POLICY CONSIDERATION:

The project is consistent with the City Council's goal to improve, maintain and enhance public facilities and infrastructure. It also supports the Public Facilities Element of the General Plan by maintaining public facilities to enhance the quality of life of the community.


ENVIRONMENTAL ANALYSIS:

City of Pasadena infrastructure projects are typically categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in Section 15301 (c), Existing Facilities, of the California Code of Regulations Title 14, Chapter 3. This exemption includes minor alterations involving negligible expansion of use beyond that previously existing. Caltrans approved the Categorical Exemption form for this project on September 18, 2012.

FISCAL IMPACT:

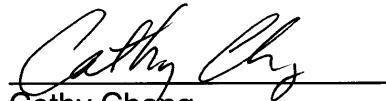
Approval of the Program Supplement Agreement No. 094-N to Administering Agency-State Agreement No. 07-5064R will enable the City to obtain federal reimbursement of eligible costs. The reimbursement will be Federal Highway Administration (FHWA) Emergency Relief funding of \$1,522,593 for construction costs. A separate agenda report will recommend that these funds reimburse charges to the Preventive Maintenance – Asphalt Streets FY 2011 – 2015 CIP project (budget account 73901) and Pedestrian Accessibility FY 2011-2015 CIP project (budget account 73903) that were incurred during the windstorm. There are no matching funds required from the City.

Respectfully submitted,



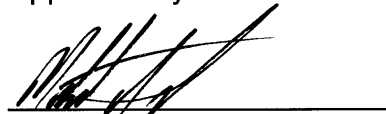
SIOBHAN FOSTER
Director of Public Works

Prepared by:



Cathy Chang
Principal Engineer

Approved by:



MICHAEL J. BECK
City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA APPROVING PROGRAM SUPPLEMENT AGREEMENT 07-5064R FOR WINDSTORM RECOVERY, VARIOUS LOCATIONS, FEDERAL AID PROJECT NO. ER-20W0

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

1. That Program Supplement Agreement 094-N to administer City-State Agreement 07-5064R between the City of Pasadena and the State of California for state reimbursements of costs for the recovery of windstorm costs in Various Locations, Federal Aid Project No. ER-20W0, presented herewith, is approved;
2. That the City Clerk is authorized and directed to execute the Certificate on the Supplement showing the City's approval of said Supplement.

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2013, by the following vote:

AYES:

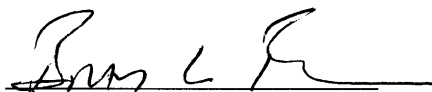
NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:



Brad L. Fuller
Assistant City Attorney