

Agenda Report

TO: CITY COUNCIL

DATE: OCTOBER 27, 2008

FROM: CITY MANAGER

SUBJECT: AUTHORIZATION OF SUBMITTAL OF GRANT APPLICATIONS AND ADOPTION OF RESOLUTIONS FOR THE URBAN STREAMS RESTORATION AND THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAMS

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt a resolution authorizing an application for the Proposition 84, California River Parkway Grant Program/Urban Streams Restoration Grant Programs in the amount of \$1,262,950 to implement the Berkshire Creek Improvement Project in Hahamongna Watershed Park (CIP Project #77508 #77509); and
2. Adopt a resolution authorizing an application for the Proposition 84, California River Parkway Grant Program/Urban Streams Restoration Grant Programs in the amount of \$2,575,000 to implement the Upper Arroyo Seco Stream Sustainability Project (CIP Project #1040).

BACKGROUND:

The Resources Agency and the California Department of Water Resources have jointly released the guidelines and application for the California River Parkway and the Urban Streams Restoration grant programs. Funding for both programs is available through the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 - Proposition 84.

The California River Parkway Grant Program is administered by the Resources Agency and is a competitive grant program for river parkways projects. Approximately \$30.9 million will be available this year for projects based on the state fiscal year appropriation. The competitive grants are available to cities, counties, districts, state agencies and nonprofit organizations with management responsibilities over public land. There is no match requirement for this grant. Selected projects shall protect and restore riparian and riverine habitat; and directly improve the quality of life in California

by providing important recreational, open space, wildlife, flood management, water quality, and urban waterfront revitalization benefits to communities in the State.

The Urban Streams Restoration Program is administered by the Department of Water Resources and provides grants for a variety of activities including: creek cleanup, eradication of exotic or invasive plants; re-vegetation efforts; bioengineering bank stabilization projects; channel reconfiguration to improve stream geomorphology and aquatic habitat function; acquisition of parcels critical for flood management; and coordination of community involvement in projects.

Approximately \$9.1 million will be available this year for this program. This grant program requires that the project have two applicants – one public agency and one citizen group or non-profit. The primary manager for the Upper Arroyo Seco Stream Sustainability Project will be the Water and Power Department; the co-applicant will be the Arroyo Seco Foundation.

The implementation of the Berkshire Creek project in Hahamongna Watershed Park was selected due to it being partially funded and meeting the majority of the above stated program goals. The project will greatly restore and enhance a riparian oak woodland canyon that is currently severely deteriorated and impacted by excessive flows from the Berkshire Avenue storm drain. The floor of this small canyon will be raised 12 feet, to its original elevation, by importing materials from the flood control basin.

Restoration will include installation of a Continuous Deflection Separator unit at the storm drain outlet to remove trash and preclude other solids from entering the creek in order to improve water quality. Habitat restoration will also include extensive removal of non-native vegetation throughout the project area and the restoration of significant areas of coast live oak woodland, Southern willow scrub and coastal sage scrub. Once these natural repairs and modifications are completed, the quality of the habitat in the canyon will be significantly enhanced and the canyon bottom will function as an aesthetically pleasing creek. The quality of the water flowing into the Hahamongna basin and the Arroyo Seco stream course will be greatly improved. The project's trails will be restored to allow passage over the creek via a small recreational bridge crossing. The primary manager for the Berkshire Creek project will be the Department of Public Works.

The implementation of the Upper Arroyo Seco Stream Sustainability Project will naturalize the City's diversion of the Arroyo Seco stream to the Hahamongna basin. Water at the point of diversion will be allowed to pond behind a newly designed inflatable or retractable dam. When flows are high the dam will be positioned to allow flood waters and sediment to freely flow past the dam. A fish ladder will be incorporated into the design to enhance the aquatic habitat at this segment of the Arroyo Seco stream. Habitat restoration will include the removal of an extensive amount of non-native vegetation to be replaced with plantings that will support the native riparian plant community. This project will greatly benefit the implementation of the many other downstream projects in the adopted Hahamongna Watershed Park Master Plan such as the improvements planned to the spreading basins that will be

managed collaboratively by both departments. This project will greatly increase the amount of water diverted to the spreading basins thereby increasing the amount of water captured and allowed to percolate into the ground. This particular project will be managed by the Water and Power Department.

ENVIRONMENTAL IMPACT:

The Berkshire Creek project proposal is a project of the adopted Arroyo Seco Master Plans and has been evaluated by the Master Environmental Impact Report (MEIR) for the Arroyo Seco Master Plans, the Notice of Determination (NOD) filed with the Los Angeles County Clerk. Further environmental review is currently underway for this project since it is partially funded under a 2006 grant and as part of a larger environmental review for the implementation of several adjacent projects.

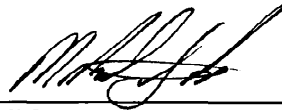
The appropriate environmental review of the Upper Arroyo Seco Stream Sustainability Project will need to be undertaken if grant funds are awarded. Completing the CEQA process prior to the award of the funds is not a requirement of these grant programs.

FISCAL IMPACT:

The total cost of the Berkshire Creek project is \$2,540,000 and is included as part of the Arroyo Seco Master Plans and the adopted CIP but is partially unfunded (CIP Project #77508 and Project #77509). The Berkshire Creek project currently has \$1,277,050 appropriated toward the project, and the additional funding being requested (\$1,262,950) will allow completion of the Berkshire Creek project in its entirety.

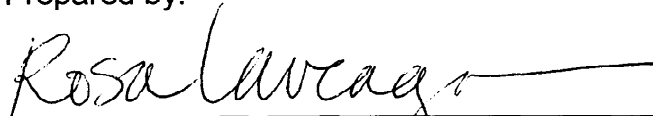
The total cost of the Upper Arroyo Seco Stream Sustainability Project is \$2,725,000 and is included in the CIP (Project #1040). The Water and Power Department will provide \$150,000 in matching funds from the CIP for the project, making the total grant request \$2,575,000.

Respectfully submitted,



MICHAEL J. BECK
City Manager

Prepared by:



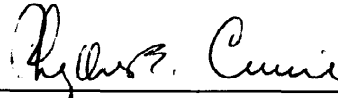
Rosa Laveaga, Arroyo Seco Project Supervisor
Parks and Natural Resources Division, PW Dept.

Approved by:



Martin Pastucha, Director
Department of Public Works

Concurrence:



Phyllis Currie, General Manager
Department of Water & Power

Exhibits

Exhibit A: Location of Projects

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
APPROVING THE APPLICATION FOR THE PROPOSITION 84 CALIFORNIA
RIVER PARKWAYS PROGRAM FOR THE IMPLEMENTATION OF THE
BERKSHIRE CREEK PROJECT IN HAHAMONGNA WATERSHED PARK**

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the State Resources Agency require a Resolution certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the State; and

WHEREAS, the City of Pasadena, if selected, will enter into an Agreement with the State of California to carry out the project

NOW, THEREFORE, BE IT RESOLVED that the City of Pasadena:

1. Approves the filing of an application for implementation of Berkshire Creek project in Hahamongna Watershed Park;
2. Certifies that the City understands the assurances and certification in the application; and,
3. Certifies that the City or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements; or will secure the resources to do so; and,
4. Certifies that the City will comply with all provisions of Section 1771.5 of the California Labor Code; and,
5. Certifies that the project will comply with any laws and regulations including, but not limited to, the *California Environmental Quality Act* (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained; and,

6. Appoints the City Manager or the Director of Public Works as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2008, by the following vote:

AYES:

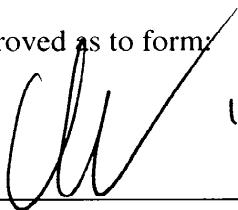
NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:



6/23/18

Nicholas George Rodriguez
Assistant City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA APPROVING THE APPLICATION FOR PROPOSITION 84 URBAN STREAMS RESTORATION GRANT PROGRAM, CONDITIONALLY ACCEPTING GRANT IF OFFERED, AND DESIGNATING CONTRACT MANAGER AND FISCAL AGENT FOR THE IMPLEMENTATION OF THE BERKSHIRE CREEK PROJECT IN HAHAMONGNA WATERSHED PARK

WHEREAS, the California Department of Water Resources, Division of Planning and Local Assistance, Urban Streams Restoration Program has announced the availability of funds for grants; and

WHEREAS, said grants are intended to help solve flooding and erosion problems in a way that provides environmental *enhancement*; and

WHEREAS, the Arroyo Seco Foundation has proposed to *co-sponsor* a grant application with City of Pasadena (“City”); and

WHEREAS, City has concluded that the project proposed for funding with the grant funds is environmentally beneficial, and City will comply with all requirements of CEQA prior to implementation of the project.

WHEREAS, City considers the prospects of receiving a grant to be reasonably likely.

NOW, THEREFORE, BE IT RESOLVED that the City of Pasadena:

1. Approves the filing of an application for implementation of the Berkshire Creek project in Hahamongna Watershed Park;
2. Certifies that the City understands the assurances and certification in the application; and,
3. Certifies that the City or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements; or will secure the resources to do so; and,
4. Certifies that the City will comply with all provisions of Section 1771.5 of the California Labor Code; and,
5. Certifies that the project will comply with any laws and regulations including, but not limited to, the *California Environmental Quality Act* (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained; and,

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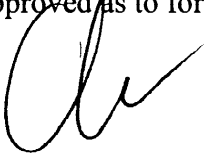
NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:

 6/23/08

Nicholas George Rodriguez
Assistant City Attorney

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
APPROVING THE APPLICATION FOR THE PROPOSITION 84 CALIFORNIA
RIVER PARKWAYS PROGRAM FOR THE IMPLEMENTATION OF THE
UPPER ARROYO SECO STREAM SUSTAINABILITY PROJECT**

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the State Resources Agency require a Resolution certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the State; and

WHEREAS, the City of Pasadena, if selected, will enter into an Agreement with the State of California to carry out the project

NOW, THEREFORE, BE IT RESOLVED that the City of Pasadena:

1. Approves the filing of an application for implementation of the Upper Arroyo Seco Stream Sustainability Project;
2. Certifies that the City understands the assurances and certification in the application; and,
3. Certifies that the City or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements; or will secure the resources to do so; and,
4. Certifies that the City will comply with all provisions of Section 1771.5 of the California Labor Code; and,
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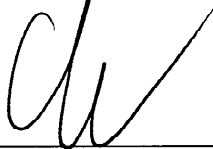
NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:

 10/23/08

Nicholas George Rodriguez
Assistant City Attorney

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
APPROVING THE APPLICATION FOR THE PROPOSITION 84 URBAN
STREAMS RESTORATION GRANT PROGRAM FOR THE
IMPLEMENTATION OF THE UPPER ARROYO SECO STREAM
SUSTAINABILITY PROJECT**

WHEREAS, the California Department of Water Resources, Division of Planning and Local Assistance, Urban Streams Restoration Program has announced the availability of funds for grants; and

WHEREAS, said grants are intended to help solve flooding and erosion problems in a way that provides environmental *enhancement*; and

WHEREAS, the Arroyo Seco Foundation has proposed to *co-sponsor* a grant application with City of Pasadena Department of Water and Power (“City”); and

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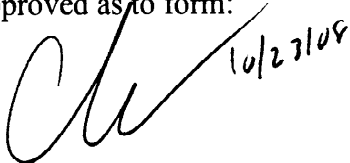
NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:

Handwritten signature of Nicholas George Rodriguez in black ink, with the date 10/23/08 written next to it.

Nicholas George Rodriguez
Assistant City Attorney