

Agenda Report

September 20, 2010

TO: Honorable Mayor and City Council

FROM: Public Works Department

**SUBJECT: AUTHORIZATION OF SUBMITTAL OF GRANT APPLICATIONS AND
ADOPTION OF RESOLUTIONS FOR COMPETITIVE GRANT
PROGRAMS**

RECOMMENDATION

It is recommended that the City Council:

1. Find that the authorization to apply for grants is exempt from CEQA pursuant to Section 15262, Feasibility and Planning Studies;
2. Adopt a resolution authorizing an application for the Environmental Enhancement and Mitigation Grant Program 2010-2011 as provided by Streets and Highways Code Section 164.56 in the amount of \$350,000 for Urban Forestry Revitalization Project;
3. Adopt a resolution authorizing an application for the Recreational Trails Program in the amount of \$200,000 for the Eaton Wash Phase I Trail Improvement Project;
4. Adopt a resolution authorizing an application for the Habitat Conservation Fund Program in the amount of \$100,000 for the Lower Arroyo Trailhead project at the Parker Mayberry Bridge; and
5. Adopt a resolution authorizing an application for the Land and Water Conservation Fund Program in the amount of \$ 25,000 for the Brenner Park Facility Improvements Project.

HAHAMONGNA WATERSHED PARK ADVISORY COMMITTEE RECOMMENDATION:

At their special meeting of February 23, 2010, the Hahamongna Watershed Park Advisory Committee voted unanimously to support the City of Pasadena's Competitive Grant Opportunities Plan.

RECREATION AND PARKS COMMISSION RECOMMENDATION:

At their special meeting on March 9, 2010 and regular meeting on September 7, 2010, the Recreation and Parks Commission voted unanimously to support the City of Pasadena's Competitive Grant Opportunities for the Competitive Grant Opportunities.

BACKGROUND

On February 23, 2010, staff took a preliminary Competitive Grant Opportunities Plan to the Hahamongna Watershed Park Advisory Committee based on grant information available at the time. On March 9, 2010, staff took a preliminary Competitive Grant Opportunities Plan to the Recreation and Parks Commission based on grant information available at the time. On September 7, 2010, staff revised some recommendations for the best fit to receive grant funding after procedural guides were available for this year's grant cycle. Also, staff needed the City Council approval to apply for three grant applications submitted in March and April 2010. The three grant applications were approved by the City Council on April 19, 2010.

To be competitive, the City must identify projects that meet the specific criteria for each grant opportunity. At the same time, it is staff's intent to equitably distribute funding across the City. These two goals are sometimes difficult to reconcile when the grant criteria is narrowly focused. Staff evaluated all priority projects and selected those determined to have the best opportunity to receive funding.

Environmental Enhancement Mitigation Program Grant

The State of California Natural Resources Agency is accepting fiscal year 2010-2011 applications for the Environmental Enhancement Mitigation Program (EEMP) grant. This program, as provided by Streets and Highways Code Section 164.56, authorizes the allocation of up to \$10 million each year for grants to mitigate the environmental impacts of modified or new public transportation facilities, and the grant cap is currently \$350,000 per project. The deadline for submitting the application for funding is October 1, 2010.

Through the California Department of Transportation (Caltrans), grants are awarded to local communities for projects that offset vehicular emissions of carbon dioxide through the planting of trees and irrigation, and for the restoration and enhancement of natural areas and wildlife habitats near transportation improvement projects. The Public Works Department has been awarded these funds many times in the past. Staff is requesting a total of \$350,000 for the Urban Forestry Revitalization project to plant trees at various locations along city streets and in the Arroyo Seco.

No matching funds are required for this grant. Local and community support is viewed favorably, which can be in the form of volunteer labor and community involvement in the project. Several local community organizations and volunteer groups currently

participate in tree and native planting projects. It is anticipated that these organizations will continue this work as part of this project.

Recreational Trails Program (RTP) Grant

The State of California Natural Resources agency is accepting fiscal year 2010-2011 applications for the Recreational Trails Program (RTP) grant. This program, as provided by the Federal Highway Administration (FHWA) under A Legacy for Users (SAFETEA-LU) Title 23, United States Code, Section 206, authorizes the allocation of grants for non-motorized and motorized projects. Project funding is subject to the availability of federal funds. The competitive grants are available to cities, counties, districts, state agencies, federal agencies, and nonprofit organizations with management responsibilities over public land. This grant requires a 12 percent local match which is proposed to come from funds available in the approved CIP budget. There is no grant cap per project. The deadline for submitting the application for funding is October 1, 2010.

The Public Works Department has been awarded these funds in the past. Staff is requesting a total of \$200,000 for the Eaton Canyon and Eaton Wash Trail Improvement Plan Project.

Habitat Conservation Fund Grant

The Habitat Conservation Fund (HCF) Grant Program is accepting fiscal year 2011-2012 applications. This program, as provided by the California Wildlife Protection Act of 1990, authorizes the allocation of approximately \$2 million dollars annually to provide trails and other programs which bring urban residents into park and wildlife areas. There is no grant cap per project. This grant requires a dollar for dollar match (50 percent State, 50 percent local). The match must come from a non-State source. The required match for the Lower Arroyo Trailhead project at the Parker Mayberry Bridge is proposed to come from the existing Capital Improvement Program project (CIP), Lower Arroyo Trail Restoration Improvements. This project has Proposition A funding that can serve as the local match. The deadline for submitting the application for funding is October 1, 2010.

Through California Department of Parks and Recreation (DPR), grants are awarded to local cities, counties, and districts. The Public Works Department has been awarded these funds in the past. Staff is requesting a total of \$100,000 under the Trails Category for the Lower Arroyo Trailhead project at the Parker Mayberry Bridge to address the safe access of the bridge by trail users at this promontory trail overlook.

Land and Water Conservation Fund Grant

The Land and Water Conservation Fund (LWFC) Grant Program is accepting fiscal year 2010-2011 applications. This program, as provided by Congress under Public Law-88-578, authorizes the allocation of \$1,740,430 for grants to acquire land and develop facilities for public outdoor recreation purposes. The program is administered nationally through the National Park Service. These funds have been provided annually since

July 1, 1964, and will continue through January 2015. There is no grant cap per project. This grant requires a dollar for dollar match (50 percent State, 50 percent local). The required match for the improvements at Brenner Park of \$28,000 is proposed to come from the Tournament of Roses, Community Benefit Fund. The deadline for submitting the application for funding is November 1, 2010. The Public Works Department has been awarded these funds in the past. Staff is requesting up to \$25,000 for improvements to Brenner Park.

The City has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide. The projects proposed herein meet the City Council's objectives to address the City's physical, economic, social, and environmental concerns as well as strategies and policies for achieving them. Among these concerns are providing for the recreational and open space needs of its residents.

COUNCIL POLICY CONSIDERATION:

The following Council policies would be advanced under the proposed action:

- City Council Three Year Goals
 - Improve, Maintain and Enhance Public Facilities and Infrastructure – Item 1
- The Hahamongna Watershed Park Master Plan adopted by the City Council on February 1, 2010
- The Lower Arroyo Master Plan adopted by the City Council in September 2003
- Green Space, Recreation and Parks Element Objective 13, "Develop recreation programming to promote community and families".
- Green City Action Plan environmental stewardship policies adopted by the City Council in September 2006:
 - Action 10 – Accessible Park/Open Space
 - Action 12 – Protection of Habitat Corridor
 - Action 20 – Protection of City's Water Sources
 - Action 21 – Reduce Untreated Wastewater Discharge
- General Plan Cultural and Recreational Element Goal 1.0, "Provision of a wide range of recreational facilities and services as a means of improving the quality of life for all Pasadena residents"

ENVIRONMENTAL ANALYSIS:

An Initial Study and mitigated negative declaration was prepared for the Lower Arroyo Trailheads project at the Parker Mayberry Bridge and filed with the Los Angeles County Clerk in December 2007.

The other projects listed in this recommendation are subject to project-level CEQA review at that time when the City undertakes detailed design, prepares the appropriate plans and specifications, and the project is considered for implementation.

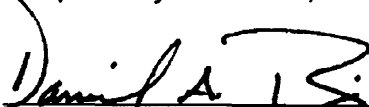
FISCAL IMPACT:

The City has the potential to gain \$675,000 in grant funding for park improvements and street tree planting in the upcoming months. With the financial resources available in the state and locally being very limited, these competitive programs offer the City the best opportunity to continue the rebuilding efforts for our urban forestry and parks. Staff is seeking support for these grant applications in order to provide a source of funds for these projects of community importance. The four grants have a total local match requirement of \$152,000 as follows:

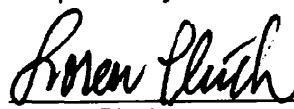
- Environmental Enhancement Mitigation Program grant does not require a match.
- Recreation Trails Program grant match amount is \$24,000.
- Habitat Conservation Fund grant match amount is \$100,000.
- Land and Water Conservation Fund grant match amount is \$28,000.

All of the local matches are included in the Adopted FY 2011 CIP in the form of Residential Impact Fees, Proposition A (Parks) funding and Tournament of Roses, Community Benefit funding. The City has the funds necessary to operate and maintain the projects in perpetuity. Ongoing maintenance costs are included in the Department of Public Works Operating Budget.

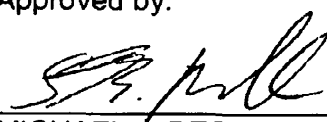
Respectfully submitted,


MARTIN PASTUCHA
Director

Prepared by:


Loren Pluth
Project Manager
Department of Public Works

Approved by:


MICHAEL J. BECK
City Manager

Attachments:

Attachment A – EEM Project Resolution for the Urban Forestry Revitalization Project

Attachment B – RTP Project Resolution for the Eaton Wash Phase I Trail Improvement Project.

Attachment C – HCF Project Resolution for the Lower Arroyo Trailhead project at the Parker Mayberry Bridge

Attachment D – LWCF Project Resolution for the Benner Park Facility Improvements Project

Resolution No: _____

RESOLUTION OF THE CITY OF PASADENA APPROVING THE APPLICATION TO THE RESOURCES AGENCY FOR GRANT FUNDS FOR THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM UNDER THE SECTION 164.56 OF THE STREETS AND HIGHWAYS CODE FOR THE URBAN FORESTRY REVITALIZATION PROJECT

WHEREAS, the Legislature of the State of California has enacted AB 471 (Chapter 106 of the Statutes of 1989), which is intended to provide \$10 million annually for a period of 10 years for grant funds to local, state and federal agencies and nonprofit entities for projects to enhance and mitigate the environmental impacts of modified or new public transportation facilities; and

WHEREAS, the Natural Resources Agency has established the procedures and criteria for reviewing grant proposals and is required to submit to the California Transportation Commission a list of recommended projects from which the grant recipients will be selected; and

WHEREAS, said procedures and criteria established by the Natural Resources Agency require a resolution certifying the approval of application by the applicant's governing body before submission of said application to the State, and

WHEREAS, the application contains assurances that the applicant must comply with; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the Environmental Enhancement and Mitigation Project;

NOW, THEREFORE, BE IT RESOLVED THAT THE PASADENA CITY COUNCIL:

1. Approves the filing of an application for the Environmental Enhancement and Mitigation Program for the Urban Forestry Revitalization Project in Pasadena; and
2. Certifies that the City will make adequate provisions for operation and maintenance of the Project; and

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

Adopted at the regular meeting of the City Council on the ____ day of _____, 20__, by the following vote:

AYES:

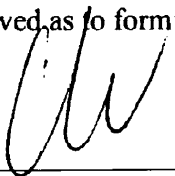
NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:

 9/7/10

Nicholas George Rodriguez
Assistant City Attorney

Resolution No: _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
APPROVING THE APPLICATION TO APPLY FOR GRANT FUNDS
FROM THE RECREATIONAL TRAILS PROGRAM FOR THE EATON
WASH PHASE I TRAIL IMPROVEMENT PROJECT**

WHEREAS, the "Safety, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" provides funds to the State of California for Grants to federal, state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail Projects; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of Application(s) before submission of said Application to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California to complete the Project(s);

NOW, THEREFORE, BE IT RESOLVED THAT THE PASADENA CITY COUNCIL:

1. Approves the filing of an Application for the Recreational Trails Program; and
2. Certifies that the Project is consistent with the City's general plan or the equivalent planning document; and
3. Certifies that the City has or will have available prior to commencement of any work on the Project(s) included in this Application, sufficient funds to operate and maintain the Project(s); and
4. Certifies that the City has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
5. Appoints the City Manager or Director of Public Works as agent of the City to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the Project.

6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Adopted at the regular meeting of the City Council on the _____ day
of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN;

MARK JOMSKY, City Clerk

Approved as to form:



9/7/10

Nicholas George Rodriguez
Assistant City Attorney

Resolution No: _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
APPROVING THE APPLICATION AND RESOLUTION TO APPLY FOR
GRANT FUNDS FROM THE HABITAT CONSERVATION FUND
PROGRAM FOR THE LOWER ARROYO TRAILHEAD PROJECT AT THE
PARKER MAYBERRY BRIDGE**

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the HCF Program, setting up necessary procedures governing project application under the HCF Program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the City to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the City will enter into a contract with the State of California to complete the project(s);

**NOW, THEREFORE, BE IT RESOLVED THAT THE PASADENA CITY
COUNCIL:**

1. Approves the filing of an application for the Habitat Conservation Fund Grant Program; and
2. Certifies that the City has or will have available, prior to commencement of any work on the project included in this application, the required match and sufficient funds to complete the project; and
3. Certifies that the City has sufficient funds to operate and maintain the project(s); and
4. Certifies that the City has reviewed, understands, and agrees to the provisions contained in the contract shown in the grant administration guide; and

5. Delegates the authority to the City Manager or Director of Public Works to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.

Adopted at the regular meeting of the City Council on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:

 9/17/10

Nicholas George Rodriguez
Assistant City Attorney

RESOLUTION NO: _____

RESOLUTION OF THE CITY OF PASADENA APPROVING THE APPLICATION FOR THE LAND AND WATER CONSERVATION FUND FOR THE BRENNER PARK FACILITY IMPROVEMENTS PROJECT

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund Grant-In-Aid program, providing Matching funds to the State of California and its political subdivisions for acquiring lands and developing Facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing Applications by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of Applications and the availability of eligible Matching funds prior to submission of said Applications to the State; and

WHEREAS, the proposed Brenner Park Facility Improvements Project is consistent with the most recent *California Outdoor Recreation Plan (CORP)*; and

WHEREAS, the Project must be compatible with the land use plans of those Jurisdictions immediately surrounding Project;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF PASADENA CITY COUNCIL:

1. Approves the filing of an Application for Land and Water Conservation Fund assistance; and
2. Agrees to abide by SECTION 6(F)(3) of Public Law 88-578 which states "No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."

3. Certifies that the City has Matching funds from eligible source(s) and can finance 100 percent of the Project, which up to half may be reimbursed; and
4. Certifies that the Project is compatible with the land use plans of those jurisdictions immediately surrounding the Project; and
5. Appoints the City Manager or Director of Public Works as agent of the City to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned Project.

Adopted at the regular meeting of the City Council on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN;

MARK JOMSKY, City Clerk

APPROVED AS TO FORM:



Nicholas George Rodriguez
Assistant City Attorney