



Staff Report

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN ALL PERMIT APPLICATIONS, AGREEMENTS, AND OTHER ENTITLEMENTS RELATED TO THE US HIGHWAY 101 BICYCLE/PEDESTRIAN BRIDGE PROJECT, CITY CONTRACT NO. 433 AND TO ENTER INTO A COOPERATIVE AGREEMENT WITH REVISED FUNDING SUMMARY BETWEEN THE STATE OF CALIFORNIA AND CITY OF BELMONT

Honorable Mayor and Council Members:

Summary

Staff recommends that City Council adopt a resolution authorizing the City Manager to sign all permit applications, agreements, and other entitlements related to the Highway 101 Bicycle/Pedestrian Bridge Project, and to execute a revised Cooperative Agreement between the State of California and the City of Belmont.

Background

On February 24, 2009, the City Council approved the execution of a revised cooperative agreement with the State of California for the U.S. Highway 101 Bicycle/Pedestrian Bridge Project, City Contract Number 433. Since then, staff has applied for Federal Stimulus Funding for this project. The State of California has recently informed staff that there is a possibility of allocating approximately \$4,593,000 to this project. If the funding is allocated, the cooperative agreement has to be revised to show the new funding summary. In addition, as the project approval is being finalized, various permit applications, agreements, and other entitlements need to be signed quickly in order to meet the funding deadlines. In order to avoid potential delay due to any questions by other agencies as to authority to sign these documents, it is recommended the City Manager be clearly authorized to sign any necessary applications or other documents..

Discussion

Per the revised Cooperative Agreement, the City is the sponsor of the project and is responsible for the design, construction and construction management. The State will perform material testing, inspection and general contract administration at the City's expense. The City Attorney has reviewed the Cooperative Agreement and has no legal comments.

The current estimate for the bicycle and pedestrian bridge is \$7,923,000 for construction and construction management services. The City will have the following funding for the project if the Stimulus Funding is approved:

<u>Secured Funding Sources</u>	<u>Amount</u>
• SAFETEA-LU	\$2,663,304
• Environmental Enhancement and Mitigation (EEM)	\$350,000
• Bicycle Facility Program (BFP)	\$57,000
Total grant funding secured:	\$3,070,304
• Federal ARRA Transportation Enhancement (State)	\$2,493,000
• Federal ARRA Transportation Enhancement (Region)	\$2,100,000
Total grant funding:	\$7,663,304

The City needs to provide a minimum of \$519,392 of local match to fund the project. Additionally, the EEM grant was based on 4.28% of the previous estimated project cost of \$8,185,000 with a not-to-exceed grant amount of \$350,000. The current project cost estimate is \$7,923,000. If the current estimate is accurate, the total grant from the EEM will only be \$339,104. The City fund required to offset the EEM fund is \$10,896. Moreover, there is also City support cost not directly funded by the grant for the duration of the project construction. The following is a summary of local funding required for the project:

• Minimum local match for grants	\$519,392
• City fund required to off-set EEM	\$10,896
• City support cost	\$30,000
• Right-of-way and utility	\$220,000
Total local funding needed:	\$780,288

The cooperative agreement will be revised with a new funding summary after the amount of the Federal Stimulus Funds are finalized and allocated. In addition, the City is applying permits, which are also referred to as agreements by certain agencies, for this project from different agencies including Caltrans, Regional Water Quality Control Board, Bay Conservation and Development Commission's (BCDC) and is applying for other approvals from State Lands Commission, Caltrans and the funding agencies. In order to satisfy the stringent stimulus fund requirements, all these applications must be approved before June 2009. Staff requests the City Council to give authority to the City Manager to sign all permit applications, agreements, and other entitlements related to this project so that the process can be expedited and there is no question regarding authorization to approve.

General Plan/Vision Statement

The installation of bicycle pathways comply with the General Plan:

Circulation Element Goal #10: *“To provide a system of hiking and riding trails, pedestrian paths, bicycle paths and lanes to: a) Provide recreation, particularly scenic, quiet, leisurely neighborhood walks and rides; b) Furnish easy access to trails from individual properties; c) Permit safe, pleasant travel among parts of the community; d) Connect local areas within the City to through trails and paths and regional trail and path systems.”*

Fiscal Impact

Per the cooperative agreement, the City shall pay Caltrans \$75,300 prior to contract bid advertisement for construction material testing, inspection and project administration cost. The local match of \$780,288 for the construction of the project will be from Street Improvements Capital Improvement Project CCN-433 (Measure A/Grants) Account 234-3-730-3091-9030. Staff is discussing with the staff of the San Mateo County Transportation Authority of possible Measure A funds as a funding source for the local match that will include Street and Redevelopment Agency funds, as specified in the FY 2010 budget. Staff is also discussing with Caltrans staff of possible using any of the Federal funds for City staff support if there is any saving of the grant fund from the construction.

Public Contact

Posting of City Council agenda.

Recommendation

It is recommended that City Council approve the issuance of a \$75,300 check to the State of California prior to bid advertisement and authorize the City Manager to sign all permit applications agreements, and other entitlements and to execute the revised Cooperative Agreement between the State of California and the City of Belmont for the U.S. Highway 101 Bicycle/Pedestrian Bridge project.

Alternatives

1. Take no action.
2. Refer back to staff for further information.
3. Deny approval

Attachments

- A. Resolution

Respectfully submitted,

Gilbert Yau, PE
Senior Civil Engineer

Karen Bormann, PE
Interim Director of Public Works

Jack R. Crist
City Manager

Staff contact:
Gilbert Yau
Senior Civil Engineer
(650) 595-7467
gyau@belmont.gov

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
AUTHORIZING THE CITY MANAGER TO SIGN ALL PERMIT APPLICATIONS,
AGREEMENTS AND OTHER ENTITLEMENTS RELATED TO THE US HIGHWAY
101 BICYCLE/PEDESTRIAN BRIDGE PROJECT AND TO ENTER INTO A
COOPERATIVE AGREEMENT WITH REVISED FUNDING SUMMARY BETWEEN
THE STATE OF CALIFORNIA AND CITY OF BELMONT**

WHEREAS, the City of Belmont desires to build a bicycle/pedestrian bridge crossing U.S. Highway 101; and,

WHEREAS, the City of Belmont has completed the design and will invite bids for construction of the project as soon as it obtains sufficient funding commitments; and,

WHEREAS, the City is applying several permits and other approvals from different governmental agencies which requires permit applications, agreements; and other entitlements and,

WHEREAS, the City of Belmont has entered into a Cooperative Agreement with the State of California for the design, construction and maintenance of the U.S. Highway 101 Bicycle/Pedestrian Bridge in February 2009; and,

WHEREAS, Caltrans has informed the City of Belmont that there is a possibility of allocating approximately \$4,593,000 in Stimulus Funding for this project; and,

WHEREAS, the cooperative agreement has to be revised to show the new funding summary if the stimulus funding is allocated; and,

WHEREAS, Caltrans will invoice the City of Belmont for a lump sum of \$75,300 prior to contract bid advertisement for construction material testing, inspection and project administration; and,

WHEREAS, staff has prepared this Resolution for City Council approval to fulfill a requirement of the revised Cooperative Agreement with the State of California for the proposed project.

WHEREAS, staff has prepared this Resolution for City Council approval to authorize the City Manager to approve other applications related to the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont:

- 1) Authorizes the City Manager to execute a Cooperative Agreement between the State of California and the City of Belmont for the U.S. Highway 101 Bicycle/Pedestrian Bridge Project with a revised funding summary after the amount of qualified Federal Stimulus Funding is known and allocated.
- 2) Approves the issuance of a \$75,300 check to the State of California before the bid advertisement.
- 3) Authorizes the City Manager to sign all permit applications agreements, and other entitlements related to this project.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on May 26, 2009 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont