

## REPORT TO CITY COUNCIL

**DATE:** MARCH 24, 2021

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** NATHAN HAMBURGER, CITY MANAGER

**BY:** JESSICA FORTE, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

**SUBJECT:** REQUEST TO APPROVE RESOLUTION NO. 21-1970, AUTHORIZING THE EXECUTION OF PROGRAM SUPPLEMENT NO. W22 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 00590S, WITH THE STATE OF CALIFORNIA, FOR THE PROJECT LRSPL-5435(018) – CITY OF AGOURA HILLS LOCAL ROADWAY SAFETY PLAN

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This report seeks City Council approval to authorize the Mayor to execute Program Supplement No. W22 (Agreement) to the Administering Agency-State Agreement for State Funded Projects No. 00590S with Caltrans for the City of Agoura Hills Local Roadway Safety Plan. Specifically, the Agreement outlines the responsibilities of each agency to complete the project, reporting requirements, and reimbursement of eligible project expenditures from the State-Only funding for the Local Roadway Safety Plan (LRSP) Program.

In September of 2020, the City applied for LRSP funding and in January 2021, was notified that the project had been accepted and could request allocation of funding from Caltrans. The LRSP project to develop a local road safety plan totals \$40,000; this includes \$36,000 of Caltrans LRSP Program funding and the required \$4,000 local match, for which a portion of the City's local Measure R funding will be allocated. Staff submitted the request for allocation later in January, Caltrans notified the City that the allocation had been approved in February, and a Program Supplement was provided by Caltrans for execution on March 11.

The City of Agoura Hills Local Roadway Safety Plan (Plan) will focus on identifying opportunities to improve traffic safety on roadways in the City using solutions from the engineering, education, enforcement, and emergency services toolboxes. The Plan will produce a document that provides the City with an implementation program to follow and update as projects are completed and new data becomes available. The key part of the Plan is the implementation program, which will provide the City with regular maintenance measures, identification of potential funding sources, and potential updates to City design standards to better align with safety best practices. Having a Local Roadway Safety Plan in place positions the City for additional funding sources as they become available.

The work will be performed as a task order to the City's on-call Traffic Engineering contract with Kimley-Horn and Associates, Inc., with work to begin immediately upon execution of the Caltrans supplement agreement. The plan is anticipated to take 6 months to prepare and will be presented for review by the Public Works Subcommittee in the fall of 2021.

As with the City's previous projects with Caltrans, an inter-agency agreement is required for any project funded by State funding, such as the LRSP Program. In order to obtain the LRSP funds from Caltrans for the project, staff is requesting the City Council approve Resolution No. 21-1970, which authorizes the Mayor to execute Program Supplement No. W22 for the City of Agoura Hills Local Roadway Safety Plan.

The proposed resolution has been reviewed by the City Attorney and approved as to form.

### **RECOMMENDATION**

Staff respectfully recommends the City Council to approve Resolution No. 21-1970, authorizing the Mayor to execute Program Supplement No. W22 to the Administering Agency-State Agreement for State Funded Projects No. 00590S with Caltrans for Project No. LRSPL-5435(018), the City of Agoura Hills Local Roadway Safety Plan.

Attachments: Resolution No. 21-1970  
Program Supplement No. W22 for Project No. LRSPL-5435(018)

**RESOLUTION NO. 21-1970**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT NO. W22 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 00590S, WITH THE STATE OF CALIFORNIA, FOR THE PROJECT LRSPL-5435(018) – CITY OF AGOURA HILLS LOCAL ROADWAY SAFETY PLAN**

**WHEREAS**, the City of Agoura Hills desires to develop a Local Roadway Safety Plan, referred herein as “Project”; and

**WHEREAS**, the City of Agoura Hills desires to be responsible for managing the scope, cost, schedule, and quality of work activities for the Project; and

**WHEREAS**, the State of California is agreeable to City’s proposal to develop and manage the work for the Project; and

**WHEREAS**, the State of California has prepared Program Supplement No. W22 to Administering Agency-State Agreement No. 00590S for State Funded Project, that defines the terms and conditions under which the Project is to be delivered, reporting requirements, funding and reimbursement; and

**WHEREAS**, the City of Agoura Hills must enter into Program Supplement No. W22 so that the State funds can be encumbered for the Project; and

**WHEREAS**, the City Council of the City of Agoura Hills wishes to delegate authorization to execute the signing of Program Supplement No. W22 to the Mayor.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Agoura Hills does hereby authorize the Mayor to execute the Program Supplement No. W22 to the Administering Agency-State Agreement for State Funded Projects No. 00590S with Caltrans for Project No. LRSPL-5435(018), the City of Agoura Hills Local Roadway Safety Plan.

**PASSED, APPROVED, AND ADOPTED** this 24<sup>th</sup> day of March 2021, by the following vote to wit:

AYES:            ()  
NOES:            ()  
ABSTAIN:        ()  
ABSENT:         ()

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Denis Weber, Mayor

ATTEST:

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Kimberly M. Rodrigues, MMC  
City Clerk

**PROGRAM SUPPLEMENT NO. W22**  
to  
**ADMINISTERING AGENCY-STATE AGREEMENT**  
**FOR STATE FUNDED PROJECTS NO 00590S**

**Adv Project ID**                      **Date:** March 10, 2021  
0721000135                      **Location:** 07-LA-0-AGRH  
**Project Number:** LRSPL-5435(018)  
**E.A. Number:**  
**Locode:** 5435

This Program Supplement, effective \_\_\_\_\_, hereby adopts and incorporates into the Administering Agency-State Agreement No. 00590S for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of \_\_\_\_\_ and is subject to all the terms and conditions thereof. This PROGRAM SUPPLEMENT is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. \_\_\_\_\_ approved by the ADMINISTERING AGENCY on \_\_\_\_\_ (See copy attached).

The ADMINISTERING AGENCY further stipulates that as a condition to the payment by the State of any funds derived from sources noted below encumbered to this project, Administering Agency accepts and will comply with the Special Covenants and remarks set forth on the following pages.

**PROJECT LOCATION:** CITY OF AGOURA HILLS, DEVELOPE A LOCAL ROADWAY SAFETY PLAN.

**TYPE OF WORK:** DEVELOPE A LOCAL ROADWAY SAFETY PLAN.

Estimated Cost	State Funds		Matching Funds	
	STATE	LOCAL	LOCAL	OTHER
\$40,000.00	\$36,000.00	\$4,000.00		\$0.00

**CITY OF AGOURA HILLS**

By \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_  
Attest \_\_\_\_\_

**STATE OF CALIFORNIA**  
**Department of Transportation**

By \_\_\_\_\_  
**Chief, Office of Project Implementation**  
**Division of Local Assistance**  
Date \_\_\_\_\_

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Jessamine Pelos

Date 3/10/2021                      \$36,000.00

**SPECIAL COVENANTS OR REMARKS**

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement are available only upon the passage of the State Budget Act containing these STATE funds.
2. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

3. ADMINISTERING AGENCY agrees to comply with the requirements in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (applicable to Federal and State Funded Projects).
4. This PROJECT is funded with State-Only funding from the Local Roadway Safety Plan (LRSP) Program. ADMINISTERING AGENCY agrees to develop an LRSP under this PROJECT.

The ADMINISTERING AGENCY agrees to follow all relevant State laws and requirements including the California Environmental Quality Act (CEQA).

This PSA allows reimbursement of eligible PROJECT expenditures to the ADMINISTERING AGENCY for which the LRSP State funds are allocated. The effective State allocation date establishes the eligibility date for the ADMINISTERING AGENCY to start reimbursable work. Any work performed prior the effective allocation date is not eligible for reimbursement from the LRSP funds.

ADMINISTERING AGENCY agrees that LRSP funds available for reimbursement will be

**SPECIAL COVENANTS OR REMARKS**

limited to the amount allocated and encumbered by the STATE consistent with the scope of work in the STATE approved application. Funds encumbered may not be used for a modified scope of work after a project is awarded unless approved by the Statewide LRSP Coordinator prior to performing work.

ADMINISTERING AGENCY agrees to the program delivery and reporting requirements. The study and the LRSP must be completed within thirty-six (36) months of the funding allocation. The Final Report of Expenditure, the final invoice and the LRSP report must be submitted to the DLAE within six (6) months of the report completion.