



Midpeninsula Regional
Open Space District

**THIS ITEM WAS APPROVED BY THE BOARD OF DIRECTORS ON APRIL 25, 2018.
ALL CHANGES TO THE REPORT ARE BELOW IN BOLD.**

THIS ITEM IS RETURNING FOR A REQUIRED ROLL CALL VOTE

R-18-38
Meeting 18-15
April 25, 2018

AGENDA ITEM 5

AGENDA ITEM

Roll call vote to authorize the District to enter into a Grant Agreement with the Santa Clara Valley Water District for the Webb Creek Bridge Replacement

ACTING GENERAL MANAGER'S RECOMMENDATION

Adopt a resolution **by roll call vote** confirming an application for the Safe, Clean Water Priority D3 Grant Program, affirming that sufficient funds are available to complete this work, and authorizing the General Manager to execute the grant agreement with the Santa Clara Valley Water District to receive \$149,500 for replacement of the Webb Creek Bridge.

SUMMARY

The grant agreement with the Santa Clara Valley Water District for the Webb Creek Bridge was approved at the April 25, 2018 Board of Directors meeting. However, the Santa Clara Valley Water District requires a roll call vote. The item is returning to the Board on May 9, 2018 for Board consideration and vote by roll call. The Safe, Clean Water and Natural Flood Protection Program is a competitive 15-year grant program to ensure uninterrupted water resource services in Santa Clara County. Five priority funding areas are available and competitive grants are awarded through staggered application cycles. Midpeninsula Regional Open Space District (Midpen) staff applied for the Priority D3 New Access to Trails grant for replacement of the Webb Creek Bridge. On March 13, 2018, the Santa Clara Valley Water District (SCVWD) Board of Directors approved this grant application in the amount of \$149,500 to fund the bridge replacement. Adoption of a resolution by the Board of Directors (Board) is required to meet the grant requirements and execute the grant agreement.

DISCUSSION

Santa Clara Valley Water District's Measure B, the Safe, Clean Water and Natural Flood Protection Program, was approved by voters in 2012. This 15-year program was established to provide a long-term safe and reliable water supply within Santa Clara County. Under this program, the D3 New Access to Trails grant was formed to provide new access to creekside trails and open space within Santa Clara County. Projects eligible for funding must be located within Santa Clara County, create new public access where it did not previously exist, and

establish either a new creekside trail or an important trail link to a creekside trail network. In this grant round a total of \$571,000 in grants was available, with a maximum award of \$200,000.

Midpen staff submitted a grant application for the Webb Creek Bridge replacement in the most recent D3 Grant funding round, requesting \$149,500 for construction costs. Webb Creek bisects the westside “Redwood Loop Trail” within Bear Creek Redwoods (BCR) Open Space Preserve. Replacing the existing bridge is necessary to safely open this trail to the public, as well as maintain safe access for patrol, maintenance and emergency vehicles given that the current bridge does not allow for vehicular access. The new bridge will be wider, longer, have drilled reinforced concrete pier foundations and abutments, as well as a concrete deck and timber rails. Additionally, in Phase II of the BCR Preserve Plan, the Webb Creek Bridge will be part of a regional trail linkage, allowing access through BCR from the Los Gatos Creek Trail to the Skyline area.

On March 13, 2018, the SCVWD Board of Directors approved funding for this project. Currently, Midpen has two other funding agreements with SCVWD. The first grant was awarded in 2016 for restoration of Hendry’s Creek, also through the D3 Grant Program, for a total of \$484,650. Last June, SCVWD and Midpen entered into a Memorandum of Understanding (MOU) for invasive species removal at BCR. This MOU will provide \$200,000 a year for five years to fund invasive species removal at BCR and other Midpen preserves.

Grant Requirements

Midpen must adhere to the grant agreement set forth by SCVWD, including completing the project within three years. Midpen is required to submit regular projects updates to SCVWD as part of grant reimbursement requests and will maintain proper financial accounting. In addition, Midpen will post signs acknowledging the source of the funds, publically acknowledge the funds in at least one newsletter or other news source, and invite SCVWD to participate in public ceremonies associated with the project.

The attached resolution (Attachment 1) authorizes the Acting General Manager to sign the resolution certifying that sufficient funds are available to execute this project (as required by SCVWD) and to execute the grant agreement.

FISCAL IMPACT

The Safe, Clean Water Priority D3 grant will represent a positive fiscal impact for Midpen, for a total of \$149,500, beginning in FY2018-19. Total project costs from FY2017-18 forward are estimated to be \$610,600, of which SCVWD will contribute 25%. Midpen will contribute the remaining balance through its Measure AA funds.

The following table outlines the MAA21-009 Webb Creek Bridge Replacement budget and costs-to-date.

	<i>FY2016-17</i>	<i>FY2017-18</i>	<i>FY2018-19</i>	<i>Total</i>
MAA21-009 Budget		\$194,600	\$424,000	\$610,600
Prior-Year Spend:	\$66,014			\$66,014
FY2017-18 Spent-to-Date (<i>as of 4/11/18</i>):		\$43,794	\$0	\$43,794
Encumbrances:		\$82,793	\$0	\$82,793

Budget Remaining:		\$68,013	\$424,000	\$492,013
Grant income from this agreement:		\$0	\$149,500	\$149,500
Amount Funded through MAA:	\$66,014	\$194,500	\$274,500	\$342,513

BOARD COMMITTEE REVIEW

This item was not previously reviewed by a Board Committee.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Submitting grant applications to secure funding is not subject to the California Environmental Quality Act. Replacement of the Webb Creek Bridge will be consistent with the Bear Creek Redwoods Preserve Plan EIR, which the Board certified on January 25, 2017 (R-17-15).

NEXT STEPS

With Board approval, Midpen will adopt the proposed resolution and execute the grant agreement. Near-term next steps for the project include:

- Award a construction contract (April 25, 2018, separate Agenda Item)
- Begin bridge replacement (June 2018)
- Complete bridge replacement (November 2018)
- Open the western side of BCR to public access (Spring 2019)

Attachments:

1. Resolution verifying Midpen's grant application for the Safe, Clean Water Priority D3 Grant Program

Responsible Department Head:

Stefan Jaskulak, CFO/Director of Administrative Services

Jane Mark, AICP, Planning Manager

Prepared by:

Melanie Askay, Grants Specialist

Gretchen Laustsen, Planner III

Contact person:

Melanie Askay, Grants Specialist

RESOLUTION NO. 18-__

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPROVING THE APPLICATION FOR GRANT FUNDS UNDER THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM OF 2012 AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE GRANT AGREEMENT

WHEREAS, the Santa Clara Valley Water District has enacted the **2018** Safe Clean Water Priority D3 Grant Program, which provides funds for cleanup, education, outreach and watershed stewardship activities;

WHEREAS, the Santa Clara Valley Water District’s Civic Engagement Unit has been delegated the responsibility for the administration of the grant program, setting up necessary procedures; and

WHEREAS, said procedures established by the Santa Clara Valley Water District require Grantee’s Governing Body to certify by resolution the approval of Grantee to apply for and accept grant program funds; and

WHEREAS, Midpeninsula Regional Open Space District (“MROSD”) will enter into a Grant Agreement with the Santa Clara Valley Water District;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Midpeninsula Regional Open Space District hereby:

1. Approves the submission of an Application for grant funds from Priority B7 of the Safe, Clean Water and Natural Flood Protection Program
2. Approves the acceptance of grant funds from Priority D3 of the Safe, Clean Water and Natural Flood Protection Program, upon approval of grant funding for the Project by appropriate authorities;
3. Certifies that MROSD has or will have sufficient funds to operate and maintain the Project(s);
4. Certifies that MROSD will review and agree to the Special Provisions, General Provisions, Financial Provisions and Insurance Requirements contained in the Agreement; and
5. Authorizes the General Manager or designee 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 Project.

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2018, at a regular meeting thereof, by the following roll call vote:

* * * * *

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

Secretary
Board of Directors

President
Board of Directors

APPROVED AS TO FORM:

General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

District Clerk