

City of Culver City, California
Agenda Item Report

Meeting Date: 05/03/2010		Item Number: C-4	
CITY COUNCIL AGENDA ITEM: (1) Adoption of a Mitigated Negative Declaration; (2) Adoption of a Resolution Approving the Final Plans and Specifications; and (3) Authorization to Advertise for Bids for the Ballona Creek Bikeway and Landscaping Project (Overland Avenue to Pedestrian Bridge), P-900 - American Recovery and Reinvestment Act (Federal Stimulus Funds), Federal Aid Project No. ESPL-5240 (021).			
Contact Person/Dept.: Lee Torres/PW		Phone Number: 310-253-5623	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Agenda and Meetings – City Council (04/28/10) and Santa Monica Mountains Conservancy (04/22/10); (USPS) All property owners and occupants within 300-ft radius of the project site, all attendees of the July and August 2007 community workshops and those persons who submitted verbal or written comments at the December 8, 2003 Council discussion of the Ballona Creek Focus Special Study; Los Angeles County Department of Public Works, County of Los Angeles Public Library, Culver City Unified School District, Mountains Recreation and Conservation Authority, Santa Monica Bay Restoration Commission and Ballona Creek Renaissance (04/19/10).			
Department Approval: Charles D. Herbertson (04/22/10)		City Attorney Approval: Carol Schwab (by H. Baker) (04/27/10)	
Chief Financial Officer Approval: Jeff Muir (by N. Kimball) (04/28/10)		City Manager Approval: P. Lamont Ewell (04/28/10)	
<u>RECOMMENDATION:</u> That the City Council: 1. Adopt a Mitigated Negative Declaration based on the Initial Study finding that the project will not have a significant adverse impact on the environment provided certain mitigation(s) are implemented; and, 2. Adopt a Resolution approving the final plans and specifications for the Ballona Creek Bikeway and Landscaping Project (Overland Avenue to Pedestrian Bridge), P-900, Federal Aid Project No. ESPL-5240 (021); and, 3. Authorize advertising for bids for the Ballona Creek Bikeway and Landscaping Project (Overland Avenue to Pedestrian Bridge), P-900, Federal Aid Project No. ESPL-5240 (021).			

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BACKGROUND/ DISCUSSION:

The planning and design services for the Ballona Creek Bikeway and Landscape Project were funded by Proposition 50 Grant Funds, which were obtained through the Santa Monica Mountains Conservancy. On July 9, 2007, Lawrence R. Moss & Associates (Design Team) was approved by City Council to provide planning and design services on this project.

During the planning process, Staff and the Design Team conducted public outreach via workshops with the local community. The workshops provided the community with a forum to voice opinions, to have an active role in the planning process, and assist Staff and the Design Team in refining the conceptual design.

The Ballona Creek Bikeway and Landscaping Project intends to transform the bike path by enhancing and utilizing the following improvements:

- Removal and rehabilitations of plantings along the Julian Dixon Public Library and adjacent County service roadway.
- Installation of a decomposed granite (DG) pedestrian path and planting of drought tolerant and Southern California native plants appropriate to the creek habitat and installation of a low-volume water conserving irrigation system from Overland Avenue to the Pedestrian Bridge. (Some existing trees in this area would be retained in place).
- Removal of the concrete embankment along the upslope side of the bike path (between the bike path and the school properties) and replacement with a DG pedestrian path, retaining wall and terraced landscaping utilizing drought tolerant and Southern California native plants appropriate to the creek habitat and low-volume water conserving irrigation systems.
- Installation of new, enhanced fencing between the service roadway and creek channel and between the bike path and creek channel.
- Installation of a new, enhanced entry gate at the service roadway entrance to the creek located off of Overland Avenue and adjacent to the library building.
- Repavement of the bike path from Overland Avenue to the Pedestrian Bridge.
- Installation of pedestrian lighting, emergency "call-boxes," and security cameras from Overland Avenue to the Pedestrian Bridge.
- Installation of educational displays regarding the creek and the project.
- Installation of drainage devices and a bio-swale to capture storm run-off.

City Staff and the Design Team also worked closely with staff from Culver City Unified School District, County of Los Angeles Public Works Department, and

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County of Los Angeles Public Library throughout the planning and design process to address their concerns. All three impacted agencies have supported the proposed project and have provided assistance in the approval and permitting process. All necessary permits or rights-of-entries will be secured prior to construction.

Staff and the Design Team have finalized the construction specifications and plans. A complete set of plans and specifications is available for review at the City Clerk's Office in City Hall.

Environmental Determination

Pursuant to the California Environmental Quality Act (CEQA) guidelines, a Mitigated Negative Declaration and Initial Study have been prepared. The project has been determined to have less than significant impacts on the community and environment provided a certain mitigation related to Biological Resources is implemented.

As proposed, 14 existing trees would be removed to accommodate project improvements. These trees to be removed consist of 7 Cypress, 6 Eucalyptus, and 1 Podocarpus. Although each of these trees is non-native, they are of adequate height and foliage to attract nesting birds. Activities that result in removal or destruction of an active nest would violate the federal Migratory Bird Treaty Act (MBTA) which protects nesting birds. Removal of unoccupied nests would not represent a violation of the MBTA.

Nesting activity typically occurs from February 15 to August 15. The removal of the existing trees during the breeding season is considered a potentially significant impact of the proposed project. However, to ensure that removal of the existing trees do not impact nesting birds, mitigation measure BIO-1 is recommended for inclusion in the project. (See attachment 3). This measure provided in the Mitigated Negative Declaration-Initial Study (revised) dated April 5, 2010, would reduce potential impacts to migratory bird species to a less than significant level.

The project is consistent with the Municipal Code, the Open Space (OS) Zone, and with the City's General Plan.

FISCAL ANALYSIS:

In February 2009, as part of American Recovery and Reinvestment Act (ARRA – Stimulus Funds) signed into federal law, Culver City was allocated \$1,196,174 of Highway Funds. Of this amount \$126,174 were designated as partial funding for the Ballona Creek Bikeway and Landscaping Project (Overland Avenue to Pedestrian Bridge), \$670,000 were designated for the Washington Boulevard Pavement

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Rehabilitation Project, and \$400,000 were designated for the Culver Boulevard Pavement Resurfacing (the latter two projects were completed last year). The City also received additional competitive ARRA - Stimulus funds (transportation enhancement) for the Ballona Creek Bikeway and Landscaping Project in the amount of \$350,000.

Environmental Enhancement and Mitigation Program Grants

On November 9, 2009, the City Council approved the submittal of a grant application for the Environmental Enhancement and Mitigation Program (EEMP) Roadside Recreation Program administered by the State of California's Natural Resources Agency and California Department of Transportation (Caltrans).

The EEMP was established by the State Legislature in 1989. It offers a total of \$10 million each year for grants to local, state, and federal governmental agencies and to non-profit organizations for projects to mitigate the environmental impacts caused by new or modified public transportation facilities.

Although the City was not initially successful in receiving these grant funds, the project did rank highly, but just below the funding cutoff line. On March 22, 2010, the City was notified of the possibility of receiving EEMP funds in the amount of \$349,911 due to another project dropping off the approved project list. On April 14, 2010, the California Transportation Commission approved the \$349,911 EEMP grant to be used for the construction of the Ballona Creek Bikeway and Landscaping Project.

Estimated Project Expenses	
Ballona Creek Bikeway and Landscaping Project	\$859,000
Construction Inspection Services & Geotechnical Construction Services	\$40,000
Total Estimated Project Expenses	\$899,000

Available Funds	
ARRA (Stimulus) Fund - Ballona Creek Bikeway and Landscaping Project	\$476,174
Environment Enhancement and Mitigation Program Grant	\$349,911
Development Impact Fee	\$25,000
Available Funds	\$851,085

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Depending on the actual bid results, an additional \$50,000 to \$75,000 may be required to fully fund the construction of this project.

When the request to award a contract is brought to the City Council in July, if necessary, a budget amendment will be requested at that time to appropriate the ARRA (Stimulus) and EEMP grant funding and other sources of funding for this project.

ATTACHMENTS:

1. Location Map
2. Final Construction Plans and Specifications (To conserve resources, these documents are not attached but are on file with City Clerk's office)
3. Mitigated Negative Declaration and Initial Study
4. Proposed Resolution

MOTIONS:

That the City Council:

1. Adopt a Mitigated Negative Declaration based on the Initial Study finding that the project will not have a significant adverse impact on the environment provided a certain mitigation is implemented; and,
2. Adopt a Resolution approving the plans and specifications for Ballona Creek Bikeway and Landscaping Project (Overland Avenue to Pedestrian Bridge), P-900, Federal Aid Project No. ESPL-5240 (021); and,
3. Authorize the advertising for bids for the Ballona Creek Bikeway and Landscaping Project (Overland Avenue to Pedestrian Bridge), P-900, Federal Aid Project No. ESPL-5240 (021).