



Legislation Text

File #: 24-022, **Version:** 1

Adopt a Resolution to Approve and Authorize the City Manager to Accept an Emergency Relief Grant in the Amount of \$2,365,453 from the Federal Highway Administration; to Execute a Project Specific Supplement Agreement with the Federal Highway Administration; to Appropriate \$2,094,125 into account 150-38-834; and to Authorize the Use of Match Funds in the Amount of \$271,318, for the Lake Chabot Road Erosion Repairs, Project No.: 2023.4020

COUNCIL PRIORITY

- Infrastructure

SUMMARY & RECOMMENDATIONS

Staff recommends the following:

- Authorize the City Manager to Accept \$2,365,453 Emergency Relief Funds
- Authorize the City Manager to execute a Project Specific Supplemental Agreement with FHWA
- Appropriate \$2,094,125 into account 150-38-834
- Authorize the Use of Match Funds in the amount of \$271,318 from account 210-38-834

BACKGROUND

The New Year's Eve storm in 2023 caused significant erosion at two locations along Lake Chabot Road. At location A, a downslope slide eroded the hillside below the road, creating a void and undermining the pavement edge. At location B, the upslope hillside failed, causing falling boulders and soil to deposit onto the roadway below. The eroded hillside is located immediately below two residential properties at 1700 and 1728 Astor Court. As a safety measure, Lake Chabot Road was closed to vehicular access due to the compromised structural support to the roadway at location A and the potential hazards of debris and rocks falling at location B.

Temporary measures are in place until permanent repairs can be undertaken. These include placement of weighted plastic sheeting to prevent further erosion, installation of traffic control signs and equipment to allow safe pedestrian and bicycle use of the roadway, addition of access gates for use by maintenance and emergency vehicles only, and the exploration of options to allow vehicle use with alternating one-way access at the erosion site. Currently bicycles and pedestrians are permitted to use the roadway.

Given the urgency posed by the erosion below the two properties, repair plans for location B were promptly developed. Grant applications were submitted to the Federal Emergency Management Agency (FEMA) with an aggressive schedule aiming to complete repairs to location B before the 2023 winter rainy season contingent upon grant funding authorization.

Initially, it was anticipated that FEMA would provide grant funding for the Lake Chabot Road repairs. However, after FEMA representatives assessed the site and evaluated the scope of the damages, it

was determined that the Federal Highway Administration (FHWA) was the appropriate federal agency for the emergency funding. An application was then submitted to FHWA's Emergency Relief Program, resulting in approved funding in the amount of \$2,365,453.

Analysis

Due to the erosion damage affecting a qualifying roadway, a Damage Assessment Form detailing estimated repair costs was submitted to CalTrans, which serves as the local administrator for FHWA. FHWA subsequently authorized an Emergency Relief Grant in the amount of \$2,365,453, with FHWA covering 88.53% (\$2,094,125), and the City being responsible for the remaining match of 11.47% (\$271,318).

Although FHWA has approved repair funds and authorized commencement of design work, federal funding is not currently available. However, Caltrans has allowed the work to proceed with the use of the State's Advanced Construction (AC) funds. When federal funds become available, the AC funds will automatically be converted to federal funds. At that time, FHWA will issue a Project Specific Supplemental Agreement for the City's execution.

As the proposed repairs will involve enhancements that go beyond the original pre-storm condition, the project must comply with the National Environmental Policy Act (NEPA).

Current Agency Policies

- Maintain and enhance San Leandro's infrastructure

Applicable General Plan Policies

- **Policy T5.3 Maintenance (Streets and highways).** Regularly maintain City streets and traffic control devices to ensure that streets operate safely and efficiently.
- **GOAL EH-1 (Environmental Hazards).** Reduce the potential for injury, property damage, and loss of life resulting from earthquakes, landslides, floods, and other natural disasters.
- **Policy EH-1.3 (Environmental Hazards).** Off-Site Impacts of Hillside Development. Ensure that development within landslide-prone or geologically hazardous areas does not contribute to higher hazard levels on adjacent or nearby properties.

Previous Actions

- On September 5, 2023, by Resolution No. 2023-123, the City Council declared the continuance of a Public Contract Code Section 22050 emergency for the Lake Chabot Road upslope repair.
- On July 17, 2023, by Resolution No. 2023-107, the City Council declared a Public Contract Code Section 22050 emergency for the Lake Chabot Road upslope repair.
- On April 3, 2023, the City Council by Resolution No. 2023-033 proclaimed a local emergency related to persistent storm events.

Committee Review and Actions

- On July 5, 2023, Engineering and Transportation (E/T) Department staff presented an update on the stability of Lake Chabot Road and an emergency repair scheme for the storm damaged upslope embankment at the City Council Facilities and Transportation Committee meeting. The presentation included the need to repair the upslope erosion as an emergency before the next winter storms and the request for additional appropriation to fund the emergency repair and the design of a repair for the downslope erosion. The committee expressed support for both the emergency repair and design effort for the downslope erosion repair.
- On February 7, 2023, Engineering and Transportation (E/T) Department staff presented a summary of storm damage to the hillsides above and below Lake Chabot Road at the City Council Facilities and Transportation Committee meeting. The presentation included repair schemes and possible options for short- and long-term measures to reopen the road to vehicular traffic, and/or to pedestrian & bicycle use only.

Environmental Review

- The project, being federally funded, shall meet compliance with the National Environmental Policy Act (NEPA). If other than a Categorical Exclusion/Categorical Exemption is determined, then the City shall comply with mitigation measures that may be prescribed.

Fiscal Impacts

The project cost is estimated as follows:

Completed Emergency Work	\$ 82,652
Maintenance of Temporary Repairs	\$ 180,000
Temporary Repairs	\$ 100,000
Environmental Compliance	\$ 160,000
Design, Bid & Award	\$ 345,000
Construction Contract	\$1,658,241
Construction Management & Inspection	\$ 248,736
<u>Construction Contingencies</u>	<u>\$ 166,000</u>
Total	\$2,940,629

Budget Authority

The project is funded as follows:

<u>Account No.</u>	<u>Resolution/Appropriation Date</u>	<u>Amount</u>
190-38-834	FY 21-22 ARPA Grants	\$1,000,000
210-38-834	Res. 2023-107, July 17, 2023	\$450,000
Subtotal Current Appropriation		\$1,450,000

Additional appropriation requested by this action:

<u>Account No.</u>	<u>Source</u>	<u>Amount</u>
150-38-834	General Funds	\$2,094,125

Total Appropriation:	\$3,544,125
-----------------------------	--------------------

ATTACHMENTS

A - Draft Resolution

B - Approved FHWA Damage Assessment Form (Lake Chabot Road)

PREPARED BY: John O'Driscoll, Associate Engineer, Public Works Department - Engineering and Transportation Division