

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Dave Klotzle, City Engineer/Public Works Director   
Prepared by: Al Gali, Assistant Engineer 

**DATE:** October 7, 2011 (CC Meeting of 10/19/11)

**SUBJECT:** Consider Resolution Authorizing the City Manager to Request a Cooperative Work Agreement for Bicycle Transportation Account Funds for Capital Improvement Project 8012, Princeton Avenue Widening.

**BACKGROUND**

On November 19, 2008, the City Council authorized the City Manager to sign a Bicycle Transportation Account (BTA) application for FY 2009/10 to fund the bikeway portion of Capital Improvement Project (CIP) 8012, "Princeton Avenue Widening." On September 14, 2009, the City received award in the amount of \$206,323.00 in BTA funding; \$18,756.00 for bikeway design and \$187,567.00 for construction. On October 7, 2009, the City Council approved the BTA funding agreement between the City and the California Department of Transportation (Caltrans) including the requirement for the City to provide ten-percent in matching funds and that the project be completed by April 1, 2012. The BTA funding is reimbursement based. To date, the City has been reimbursed \$15,532.43 for bikeway design costs.

**DISCUSSION**

At the time of the BTA funding approval, construction of the project was anticipated to occur in FY 2010/11. Since that time, the City has acquired most of the necessary right-of-way and easements for the project. However, several acquisitions remain in process, thus delaying the project. The BTA funding requirement for the project to be completed by April 1, 2012 will not be met. On September 29, 2011, the City received notice from Caltrans that the City may lose any unspent BTA funds if the project completion deadline is not met. To extend the funding expiration date, the City may request a Cooperative Work Agreement (CWA) through the Caltrans, who will send the request to the State Department of Finance for consideration. The CWA can extend the BTA funding up to a maximum of eight (8) years from the original date of appropriation. The City's CWA request is to extend

the BTA funding for two years to June 30, 2014. This will allow for the completion of right-of-way acquisition, construction and submittal of all required final reports and invoices. If granted, the CWA is a one-time extension only. No additional extensions will be allowed. The State Department of Finance is anticipated to make a decision on the CWA request by March 30, 2012.

**FISCAL IMPACT**

Upon approval of the CWA, the City would retain the \$206,323.00 in BTA funding for the project. If the CWA is not approved, the City would forfeit \$188,567.00 in unspent BTA funds for construction. It is anticipated that the total \$18,756.00 in BTA funding for the bikeway design will be reimbursed before the current deadline of April 1, 2012.

**STAFF RECOMMENDATION**

Adopt Resolution No. 2011 - \_\_\_\_\_.

Attachment:  
Resolution

RESOLUTION NO. 2011 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING THE REQUEST FOR A COOPERATIVE WORK AGREEMENT FOR BICYCLE TRANSPORTATION ACCOUNT FUNDS FOR PRINCETON AVENUE BIKEWAY

WHEREAS, on November 19, 2008, the City Council adopted Resolution No. 2008-2773 approving the application for grant funds from the State Bicycle Transportation Account for Princeton Avenue Bikeway; and

WHEREAS, on September 14, 2009, the City was awarded \$206,323.00 from the State Bicycle Transportation Account (BTA) Fund on a reimbursement basis, for the design and construction of the Princeton Avenue Bikeway Project (Project); and

WHEREAS, on October 7, 2009, the City Council approved an agreement between the City and the California Department of Transportation for Bicycle Transportation Account Project – Princeton Avenue Bikeway; and

WHEREAS, said agreement requires that the Project be completed by April 1, 2012 or any unspent BTA funds would be forfeited; and

WHEREAS, the Project has encountered unforeseen delays in the City obtaining the necessary right-of-way such that the Project will not be completed by April 1, 2012; and

WHEREAS, the City can request a Cooperative Work Agreement from Caltrans to extend the Project completion deadline and retain the unspent BTA funds.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Manager or his designee is authorized to request a Cooperative Work Agreement from Caltrans to extend the Project completion deadline to June 30, 2014.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 19<sup>th</sup> day of October, 2011.

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Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk