

*This Agenda contains a brief general description of each item to be considered. Copies of the Staff reports or other written documentation relating to each item of business referred to on the Agenda are on file in the Office of the City Clerk and are available for public inspection. Any person who has a question concerning any of the agenda items may call the City Manager at (310) 603-0220, ext. 200.*

Procedures for Addressing the Council

IN ORDER TO EXPEDITE CITY COUNCIL BUSINESS, WE ASK THAT ALL PERSONS WISHING TO ADDRESS THE COUNCIL FILL OUT A FORM PROVIDED AT THE DOOR, AND TO TURN IT IN TO THE CITY CLERK PRIOR TO THE START OF THE MEETING. FAILURE TO FILL OUT SUCH A FORM WILL PROHIBIT YOU FROM ADDRESSING THE COUNCIL IN THE ABSENCE OF THE UNANIMOUS CONSENT OF THE COUNCIL.



**AGENDA  
City Council Regular Meeting  
TO BE HELD ON**

**October 3, 2017**

**Duly Posted 9/29/2017**

**COUNCIL CHAMBERS- 11330 BULLIS RD, LYNWOOD, CA 90262  
6:00 PM**

- 1. CALL TO ORDER**
- 2. CERTIFICATION OF AGENDA POSTING BY CITY CLERK**
- 3. ROLL CALL OF COUNCIL MEMBERS**

**Maria T. Santillan-Beas** - Mayor Maria T. Santillan-Beas will participate via teleconference from Camino Real, Camino Real Puebla Ageleopolis, Boulevard Atlixcayotl Km.5, Franccionamiento La Vista, 72810 Puebla, MX 52 222 303 1800

**Jose Luis Solache** - Mayor Pro Tem Jose Luis Solache will participate via teleconference from Camino Real, Camino Real Puebla Ageleopolis, Boulevard Atlixcayotl Km.5, Franccionamiento La Vista, 72810 Puebla, MX 52 222 303 1800

**Salvador Alatorre**  
**Aide Castro**  
**Edwin E. Hernandez**

**4. PLEDGE OF ALLEGIANCE**

**5. INVOCATION**

**PUBLIC ORAL COMMUNICATIONS**

(Regarding Agenda Items Only)

**NON-AGENDA PUBLIC ORAL COMMUNICATIONS**

THIS PORTION PROVIDES AN OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL ON ITEMS WITHIN THE JURISDICTION OF THE COUNCIL AND NOT LISTED ON THE AGENDA. IF AN ITEM IS NOT ON THE AGENDA, THERE SHOULD BE NO SUBSTANTIAL DISCUSSION OF THE ISSUE BY THE COUNCIL, BUT COUNCIL MAY REFER THE MATTER TO STAFF OR SCHEDULE SUBSTANTIVE DISCUSSION FOR A FUTURE MEETING. (The Ralph M. Brown Act, Government Code Section 54954.2 (a).)

**CITY COUNCIL ORAL AND WRITTEN COMMUNICATION**

**CONSENT CALENDAR**

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR WILL BE ACTED UPON BY ONE MOTION AFFIRMING THE ACTION RECOMMENDED ON THE AGENDA. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS PRIOR TO VOTING UNLESS MEMBERS OF THE COUNCIL OR STAFF REQUEST SPECIFIC ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION.

**6. Road Repair and Accountability Act of 2017**

**Comments:**

On April 28, 2017 the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. Beginning November 1, 2017, the State Controller (Controller) will deposit various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). Pursuant to Streets and Highways Section 2034(1)(1), prior to receiving RMRA funds from the State Controller in a fiscal year, a city or county must submit to the California Transportation Commission (CTC) a list of projects proposed to be funded with RMRA funds pursuant to an adopted city budget, which may include pertinent budget amendments. This list is due to the CTC on October 16, 2017. (PW)

**Recommendation:**

Staff recommends that the City Council adopt the attached resolution entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD AMENDING THE FY18 BUDGET TO INCLUDE A LIST OF LOCAL STREETS AND ROADS TO BE FUNDED UNDER THE ROAD REPAIR AND ACCOUNTABILITY ACT FUND (FUND 2101.45.32140); APPROVING THE APPROPRIATION OF FUNDS FOR THE PROJECT LISTED IN THE LIST OF LOCAL STREETS AND ROADS; AND AMENDING THE FY18 REVENUE ESTIMATE FOR THE ROAD REPAIR

AND ACCOUNTABILITY ACT”.

**ADJOURNMENT**

THE NEXT REGULAR MEETING WILL BE HELD ON OCTOBER 17, 2017 AT 6:00P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL, 11330 BULLIS ROAD, CITY OF LYNWOOD, CALIFORNIA.



# AGENDA STAFF REPORT

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**DATE:** October 3, 2017

**TO:** Honorable Mayor and Members of the City Council

**APPROVED BY:** Alma K. Martinez, City Manager

**PREPARED BY:** Raul Godinez II, P.E., Director of Public Works / City Engineer  
Lorry Hempe, Public Works Special Projects Manager

**SUBJECT:** Road Repair and Accountability Act of 2017

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## **Recommendation:**

Staff recommends that the City Council adopt the attached resolution entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD AMENDING THE FY18 BUDGET TO INCLUDE A LIST OF LOCAL STREETS AND ROADS TO BE FUNDED UNDER THE ROAD REPAIR AND ACCOUNTABILITY ACT FUND (FUND 2101.45.32140); APPROVING THE APPROPRIATION OF FUNDS FOR THE PROJECT LISTED IN THE LIST OF LOCAL STREETS AND ROADS; AND AMENDING THE FY18 REVENUE ESTIMATE FOR THE ROAD REPAIR AND ACCOUNTABILITY ACT".

## **Background:**

On April 28, 2017 the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. To address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system, SB 1 increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years.

Beginning November 1, 2017, the State Controller (Controller) will deposit various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of this new RMRA funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 9000(b) for basic road

counties pursuant to Streets and Highways Code (SHC) Section 2032(n) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system.

Based on an early estimate, the City is projected to receive \$418,116 in FY18. The City will not see a full year of funding from these new taxes until FY19. An estimated full year of funding for the City is \$1,245,500.

### **Discussion and Analysis:**

RMRA is a significant new investment in California's transportation systems per year. RMRA increases the annual local streets and road funds allocated through the Highway Users Tax Account, allocating funds from new taxes through the new RMRA Account. RMRA must be used for projects that include road maintenance and rehabilitation, safety projects, railroad grade separations, traffic control devices, complete street components, including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and storm-water capture projects in conjunction with any other allowable project.

RMRA funds may also be used to satisfy a match requirement in order to obtain state or federal funds for eligible projects.

Receipt of RMRA funds requires the City to do the following:

- Develop and submit a list of projects to the California Transportation Commission (CTC) each fiscal year.
- Develop and submit a project expenditure report the CTC each fiscal year.
- Comply with all requirements including reporting requirements for RMRA funds.
- Sustain a maintenance of effort (MOE) by spending at least the annual average of its general fund expenditures during FY10, FY11 and FY12 for street, road and highway purposes.

The recommended actions under the proposed resolution for adoption address the requirements on the submittal of list of projects to the CTC

#### RMRA FY18 Project List Submittal

Pursuant to SHC Section 2034(1)(1), prior to receiving RMRA funds from the State Controller in a fiscal year, a city or county must submit to the California Transportation Commission (CTC) a list of projects proposed to be funded with RMRA funds pursuant to an adopted city budget, which may include pertinent budget amendments. This list is due to the CTC on October 16, 2017.

#### *Duncan Avenue Street Improvement (from Imperial Highway to Beechwood Avenue)*

This year the City updated its Pavement Management Program (PMP). The PMP provides current data on the City's street network and provides cost-effective maintenance strategies to maintain a desirable level of pavement performance on a network scale while optimizing the

maintain a desirable level of pavement performance on a network scale, while optimizing the expenditure of limited fiscal resources. The current replacement value of the City's pavement network is \$133 million. There is approximately 7 million square feet of pavement in the arterial and collector streets; 11 million square feet of pavement in local streets; and 980,642 square feet of pavement in the alleys.

The design for Duncan Avenue from Imperial Highway to Beechwood Avenue (CIP No. 4011.67.907) is complete. It may require certain updating since the design was completed in 2015. This project is a good candidate for the use of the RMRA Funds.

Under the PMP, sections of Duncan Avenue from Imperial Highway to Beechwood Avenue, received a Pavement Condition Index (PCI) of 6 to 14. PCI is a condition rating that ranges from 100 (a new pavement section or recently overlaid or reconstructed) to 0 for a section that has structurally failed and deteriorated dramatically. Section of Duncan Avenue from Imperial Highway to Beechwood Avenue received a PCI condition of "very poor" to "failed"

The design of a section of Duncan Avenue is funded under Measure R. The design, prepared by JMC2 needs updating. The estimated FY18 RMRA funding is \$418,116. RMRA Funding can be used for this street project. We can go out to bid for construction in FY18.

Below is a proposed revised Project Budget:

<b>Project Budget                      Duncan Avenue Street Improvement Project                      (from Imperial Highway to Beechwood Avenue)                      (CIP No. 4011.67.907)</b>	
<b>Expenditures</b>	<b>Amount</b>
Construction	\$403,000
Design (to complete and update)	\$12,000
Contingency @ 10%	\$40,300
Labor Compliance	\$15,000
CEQA	\$3,000
Other Expenses	\$4,030
Water Infrastructure	\$63,360
Inspection / Project Management (10%)	\$40,300
Administrative (5%)	\$20,150
<b>Total</b>	<b>\$601,140</b>
<b>Funding Sources</b>	<b>Amount</b>
RMRA (Fund 2101.45.32140)	\$418,116
Measure R (Fund 2352)	\$119,664
Water Fund (Fund 6051)	\$63,360
<b>Total</b>	<b>\$601,140</b>

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Maintenance of Effort

RMRA contains a local agency maintenance of effort (MOE) requirement that applies to funds allocated through the RMRA. The MOE requirement was established to ensure that new road funds do not supplant existing levels of city and county general fund revenue spending on streets and roads.

The MOE for the receipt of RMRA funds states that a city must maintain general fund spending for street, road, and highway purposes at no less than average FY10, FY11 and FY12 years. For the City, the early estimated MOE is \$666,594 per year. The annual discretionary general fund spending to meet this MOE requirement does not have to be spent only on RMRA qualifying expenses but expended for street, road, and highway purposes.

Staff at this time needs to identify available General Fund revenues to meet the MOE requirement. A subsequent report will be submitted for consideration on the October 17, 2017 City Council Agenda on the MOE regarding the eligible funding sources to meet the MOE and a proposed plan of finance for the MOE.

**Fiscal Impact:**

Staff recommends the following amendments to the FY18 Budget to comply with the RMRA requirements for the receipt of RMRA funds:

1. RMRA Revenues - Revise the Gas Tax- RMRA Revenue Budget (Account 2101.45.32140):

Gas Tax Fund (Fund 2101)	Change From FY18 Revenues	Change To FY18 Revenues
32140 Road Maintenance Rehab	\$409,660	\$418,116

1. RMRA Project List Submittal - Amend the Project Budget for Duncan Avenue (CIP No. 4011.67.907):

<b>Project Budget                      Duncan Avenue (from Imperial Highway to Beechwood Avenue)                      (CIP No. 4011.67.907)</b>			
Project Budget From:		Project Budget To:	
\$7,297		\$601,140	
Funding Source From:	Amount	Funding Sources To:	Amount
Measure R (Fund 2352)	\$7,297	RMRA (Fund 2101.45.32140)	\$418,116
		Measure R (Fund 2352)	\$119,664
		Water Fund (Fund 6051)	\$63,360

	<b>Total</b>	<b>\$7,297</b>		<b>Total</b>	<b>\$601,140</b>
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**Coordinated With:**

Finance Department  
City Attorney's Office

**ATTACHMENTS:**

- Description**
- ▣ **Resolution**
- ▣ **Exhibit A**



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD AMENDING THE FY18 BUDGET TO INCLUDE A LIST OF LOCAL STREETS AND ROADS TO BE FUNDED UNDER THE ROAD REPAIR AND ACCOUNTABILITY ACT FUND (FUND 2101.45.32140); APPROVING THE APPROPRIATION OF FUNDS FOR THE PROJECT LISTED IN THE LIST OF LOCAL STREETS AND ROADS; AND AMENDING THE FY18 REVENUE ESTIMATE FOR THE ROAD REPAIR AND ACCOUNTABILITY ACT**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (RMRA) (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, RMRA increases the annual local streets and road funds allocated through the Highway Users Tax Account (Gas Tax), allocating funds from new taxes through the new RMRA Account; and

**WHEREAS**, based on an early estimate, the City is projected to receive \$418,116 in FY18 and \$1,245,500 in FY19 from RMRA; and

**WHEREAS**, pursuant to Streets and Highways Code Section 2036, a city receiving an apportionment of RMRA funds is required to sustain a maintenance of effort (MOE) by spending at least the annual average of its general fund expenditures during the 2009–10, 2010–11, and 2011–12 fiscal years for street, road, and highway purposes from the city’s general fund; and

**WHEREAS**, pursuant to Streets and Highways Code Section 2034(1)(1), prior to receiving RMRA funds from the State Controller in a fiscal year, a city must submit to the California Transportation Commission (CTC) a list of projects proposed to be funded with RMRA funds pursuant to an adopted city budget, which may include pertinent budget amendments; and

**WHEREAS**, RMRA requires a city to provide a public record which illustrates that projects proposed for RMRA funding through the Local Streets and Roads Program have been included in an adopted city or county operating budget; and

**WHEREAS**, an example of an acceptable public record include an excerpt from the city’s amended operating or capital improvement budget including the relevant list of projects, or the staff report specifying the projects to be included, as well as an adopting resolution or meeting minutes documenting approval at a regular public meeting.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNWOOD DOES HEREBY FIND, PROCLAIM, ORDER, AND RESOLVE AS FOLLOWS:**

**Section 1.** The City Adopted Budget for FY18 is amended to incorporate the project listed under Exhibit A “Local Streets and Roads Project List” planned to be funded with Road Maintenance and Rehabilitation Account revenues.

**Section 2.** The City Council approves the following appropriation to the Duncan Avenue Street Improvement Project (CIP. No. 4011.67.907), the project listed under Exhibit A “Local Streets and Roads Project List”:

<b>Appropriation From:</b>	<b>Amount of Appropriation for the FY18 Budget</b>	<b>Appropriation To:</b>
RMRA (Fund 2101.45.32140)	\$418,116	Duncan Avenue Street Improvement Project (CIP No. 4011.67.907)
Measure R (Fund 2352)	\$119,664	
Water Fund (Fund 6051)	\$63,360	
<b>Total</b>	<b>\$601,140</b>	

**Section 3.** Authorize the amendment to the FY18 Budget revenues for RMRA as follows:

	Change From FY18 Revenues	Change To FY18 Revenues
Gas Tax Fund (Fund 2101)		
32140 Road Maintenance Rehab	\$409,660	\$418,116

**Section 4.** This resolution shall take effect immediately upon its adoption.

**Section 5.** The City Clerk shall certify as to the adoption of this City Council Resolution.

**PASSED, APPROVED and ADOPTED this 3<sup>rd</sup> day of October, 2017.**

\_\_\_\_\_  
Maria T. Santillan-Beas, Mayor

**ATTEST:**

\_\_\_\_\_  
Maria Quiñonez, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Noel Tapia, City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Alma K. Martinez, City Manager

\_\_\_\_\_  
Raul Godinez II, P.E.,  
Director of Public Works/City Engineer

**Senate Bill (SB) 1 Proposed Project List Form**

**Part 1: General Information**

**Local Streets and Roads Program**

**\* Agency Name:** (Select from dropdown list)

**LoCode:**

Lynwood	5250
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**\* Agency Address:**

**\* City:**

**\* ZIP Code:**

11330 Bullis Road	Lynwood	CA	90262
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**\* Agency Contact:**

**\* Agency Contact Title:**

Lorry Hempe	Public Works Special Projects Manager
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**\* Agency Contact Phone No.:** (i.e. 1234567890)

**\* Agency Contact Email Address:**

(310) 603-0220	lhemp@lynwood.ca.us
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**Funding for Fiscal Year:**

FY	17/18
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**\* Budget Support Documentation:?**

Please briefly describe the budget support documentation being provided.

Adopting resolution to document budget amendment approval to the City's Capital Improvement Program.
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**Average Network PCI:**

67
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**Measurement Date:**

(Month)	(Year)
06	2017

**Additional Information: ?**

The overall condition of the City of Lynwood's pavement network has a weighted average PCI of 67.2 based on the surface area of each segment (includes alleys). The weighted PCI for the City without alleys included is 69.1.
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**Project Flexibility:**

Pursuant to SHC Section 2034(a)(1), this project list shall not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities, so long as the projects are consistent with SHC Section 2030(b). After submittal of the project list to the Commission, in the event a city or county elects to make changes to the project list pursuant to the statutory provision noted above, formal notification of the Commission is not required. However, the Project Expenditure Report form that is due to the Commission by October 1st each year, will provide an opportunity for jurisdictions to annually communicate such changes to the Commission as part of the regular reporting process.

**\* Required information**

**Part 2: Project Information**

**Local Streets and Roads Program**

\* Required

Proposed Project (PP#)	LoCode	* Project Title	Project ID (if any)	Project Type ?		* Project Description ?	* Project Location ?	* Estimated Completion Date		* Estimated Useful Life (# of Yr)		Legis	
				Type (Select from dropdown list)	Explanation (if "Other" is selected, please explain) ?			Pre-Construction (mm/yyyy)	Construction (mm/yyyy)	Min.	Max.	State Sen	
PP01	5250	Duncan Ave.	67.907	Road Maintenance & Rehabilitation		Rehabilitation of street pavement, damaged curbs and gutters, driveway approaches, sidewalks, wheelchair ramps, pavement striping and signage.	Duncan Ave. from Imperial Hwy. to Beechwood Avenue	10/2017	10/2019	20	30	33	
PP02	5250												
PP03	5250												
PP04	5250												
PP05	5250												
PP06	5250												
PP07	5250												
PP08	5250												
PP09	5250												
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PP39	5250												
PP40	5250												
PP41	5250												

**\* Required**

Proposed Project (PP#)	LoCode	ative District(s)				Additional Project Elements (Does the project include element(s) as described in SHC 2030 (c)-(f)? (Select Y/N from dropdown list) ?				
		ate	State Assembly			Sustainability ?	Technologies ?	Climate Change ?	Complete Streets Elements ?	Description of Elements
PP01	5250		63			Yes	No	No	No	To the extent possible will try to use materials that lowers GHG
PP02	5250									
PP03	5250									
PP04	5250									
PP05	5250									
PP06	5250									
PP07	5250									
PP08	5250									
PP09	5250									
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