

DATE: April 29, 2019
TO: RMC Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 20: Consideration of Resolution for a grant amendment to the City of Pomona for the Phil and Nell Soto Park (RMC 17018)

PROGRAM AREA: Urban Lands
PROJECT TYPE: Development
JURISDICTION: City of Pomona
PROJECT MANAGER: Marybeth Vergara

RECOMMENDATION: That the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) approve a grant augmentation for the Phil and Nell Soto Park in the amount of \$140,000 and a timeline extension from September 30, 2019 to January 31, 2020. The current grant for this project is \$1,010,000. This increase would bring the total budget for this grant to \$1,150,000.00 (RMC 17018).

PROJECT DESCRIPTION:
 Exhibit A – Letter from City of Pomona
 Exhibit B – Amended Task List and Timeline
 Exhibit C – Amended Budget

Phil and Nell Soto Park is a development of a new recreational passive community park that incorporates the history of the City of Pomona and features amenities including walking trails, butterfly and bird habitats, and bioswale systems. The City envisions a green and tranquil place of respite on this site with recreational and education benefits to the surrounding community, as well as numerous features to enhance degraded natural habitat and promote the conservation of water and energy. Construction on the project started in October 15, 2019, but the City has experienced additional unforeseen earthwork/grading, soil remediation due to an unknown petroleum/diesel fuel underground storage tank, and construction design changes on top of 22 days of weather-related delays. The City is requesting an extension of time to complete the construction of the project and to allow sufficient time to close out the RMC Grant through January 2020 and a budget augmentation of \$140,000 for the additional construction work. (Exhibit A – Letter from City of Pomona)

BACKGROUND: The RMC has provided a total amount of \$2,520,000 for the acquisition and development of this park project. Phil and Nell Soto Park was previously known as Jefferson Park, and the RMC provided a \$1,510,000 grant (RMC 08103) for the acquisition of this 1.76-acre park located in a high-density disadvantaged community in the City of Pomona. At the September 26, 2016 RMC Board meeting, the Governing Board approved the RMC Proposition 1 Grant Program (2015) Tier 1 and Tier 2 Grant Recommendations and preliminary authorized grant distributions of up to \$20,261,564 (Resolution 2016-23). The RMC approved a grant of \$1,010,000 for the development of the park (RMC 17018).

The City of Pomona initiated the project in the summer of 2017 after the City council awarded a construction grant to CEM Construction. The city was also successful in its efforts to obtain additional grant funds from the State's Urban Greening Program in the amount of \$1,390,069.

Once the project began, there were additional costs that have significantly impacted the project budget including:

- Additional grading and adjusting of final grading plan: \$45,000
- Removal of an unknown diesel fuel underground storage tank (UST): \$55,000
- Adjustment of reinforced Block Wall along westerly side of the park: \$40,000

See the attached letter submitted by the City of Pomona describing these additional costs in further detail, attached as Exhibit A: Letter from City of Pomona.

The cost for the above additional work needed for the construction of Phil and Nell Soto Park amounts to \$140,000. The total construction cost for this project was \$2,398,200, but the additional construction work will bring the total construction cost to \$2,538,200 (Exhibit C).

The City is also requesting an extension of time to complete the construction of the project and to allow sufficient time to close out the RMC Grant through January 2020. See the attached Exhibit B- Tasklist & Timeline.

Phil and Nell Soto Park will bring a significant new passive recreational open space resource to a highly urbanized, park-poor area – one that has a high proportion of youth and one that is burdened by low income health disparities. It is identified in the City's General Plan as well as in the regional Watershed Management Plan, demonstrating its importance as both a local and a regional priority. The approved park design was developed from the RMC's "Project Development Plan Guide", while also incorporating community design input obtained at community workshop meetings.

The proposed park elements include a walking trail around the site perimeter, fitness stations, picnic areas, a central trellised gazebo with public seating, and informal open meadow area. Native plants will also be featured throughout the park and will include a butterfly habitat and bird sanctuary. Interpretive signage will feature information on the area's history and the flora/fauna present on the site, providing an educational benefit to park users and the larger community. The project design includes numerous best management practices relating to water efficiency, energy efficiency, conservation of materials, and conservation of resources.

Phil and Nell Soto Park will be a show piece of the Pomona park system. Unless the additional funding is secured, any further additional costs for construction will need to be accounted for by removing project features currently in the design plans.

FISCAL INFORMATION: Today's action represents a budget increase of \$140,000 bringing the new total grant amount to \$1,150,000.00. The RMC will be funding these grant projects from the \$30 million allocation to the Conservancy in Chapter 6 of Proposition 1 as provided for competitive grants multi-benefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state (Section 79731(f)).

RMC Resolution 2016-05 approved review of forty-four grant applications submitted for the Rivers and Mountains Conservancy Proposition 1 Grant Program. At its July Board meeting on July 25, 2016, the RMC Board approved the San Gabriel and Lower Los Angeles Proposition 1 (2015) Tier 1 and Tier 2 Grant Recommendations (Resolution 2016-13). At its September Board meeting on September 26, 2016, the RMC approved the RMC Proposition 1 Grant Program

(2015) Tier 1 and Tier 2 Grant Recommendations and authorizing grant distributions of \$20,261,564 (Resolution 2016-23).

LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES: The Rivers and Mountains Conservancy (RMC) statute provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (a) To acquire and manage public lands within the Lower Los Angeles River and San Gabriel River watersheds, and to provide open-space, low-impact recreational and educational uses, water conservation, watershed improvement, wildlife and habitat restoration and protection, and watershed improvement within the territory.
- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.
- (c) To acquire open-space lands within the territory of the conservancy.

Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (b) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.
- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32614: The conservancy may do all of the following:

- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties for the purposes set forth in Section 32602.
- (f) Recruit and coordinate volunteers and experts to conduct interpretive and recreational programs and assist with construction projects and the maintenance of parkway facilities.

Further, Section 32614 provides that: The conservancy may do all of the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources projection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may undertake those projects with prior notification to the legislative body of the local agency that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
 - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
 - (2) The conservancy approves the terms under which the interest in land is acquired.
 - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
 - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
 - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
 - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.
- (c) Any deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to this section shall be recorded and shall set forth the executor interest or right of entry on the part of the state.

79731 (f): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the sum of thirty million dollars (\$30,000,000) and section 79735 (a) of the funds authorized by Section 79730, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, for projects to protect and enhance an urban creek, as defined in subdivision (e) of Section 7048, and its tributaries pursuant to Division 22.8 (commencing with Section 79508....

THE CITY OF POMONA

Public Works Department

April 16, 2019

Marybeth Vergara-Garcia, MPP
Project Analyst
Rivers & Mountains Conservancy
100 N. Old San Gabriel Canyon Road
Azusa, CA 91702



Subject: Phil & Nell Soto Park, Agreement RMC17018
Request for Additional Grant Funds – Rev. 1

On August 6, 2018, the Pomona City Council awarded a construction contract to CEM Construction ("Contractor") in the amount of \$2,297,151 for the Phil & Nell Soto Park construction. The City issued a notice to proceed to the Contractor with a construction start date of October 15, 2019. With the construction duration of 160 working days the initial construction completion, not including the 90-day maintenance period, was June 7, 2019. Since the start of construction the Contractor has experienced at least 22 days of weather-related delays and have performed additional work resulting in a revised completion in August 2019 (with the 90-day maintenance completion is in November 2019).

As of the end of March 2019 the Contractor has completed approximately 30% of the construction. The Contractor has completed the clearing and grubbing, removals, grading, installed most of the underground conduits and some utilities work, and have poured most of the footings for the overhead structures (gazebo and trellis), pilasters, and retaining walls.

During the course of construction of this new park project the City has experienced the following additional costs that have significantly impacted the project budget.

1. Grading. When construction started more earthwork/grading was needed at the site than was expected/estimated, which has increased the cost of grading related activities by approximately \$45,000 above the contract amount. The City managed to reduce the cost of this work to the above figure by adjusting the final grades – thereby reducing the grading and the extra costs for excavation and exporting excess soil.

2. Underground Storage Tank (UST). While installing underground utilities for this park project the Contractor encountered a previously unknown UST filled with diesel fuel. The City secured and paid a second contractor to perform testing and remove the petroleum product from the UST, and to remove and dispose of the emptied storage tank. Unfortunately, the testing revealed that petroleum/diesel fuel associated with the tank was also found in the soils underlying the tank to a depth of approximately 20 feet. Therefore, the City was also required to pay additional costs to investigate the extent of the contaminated soil, and remove and legally dispose of this soil. In total the City will spend approximately \$55,000 in testing/reports and additional contractor work, to remove and dispose of the UST and its contents, perform needed testing, and legally remove and dispose of related contaminated soils.

3. Block wall. During the block wall construction it was determined that the wall footing needed to be increased in size and additional reinforcement constructed for the block wall that extends

most of the length of the westerly side of the park project. This additional work is expected to be completed at an estimated cost of \$40,000.

The cost for the above additional work needed for the construction of Phil & Nell Soto Park amounts to \$140,000 (6.1% of the contract amount).

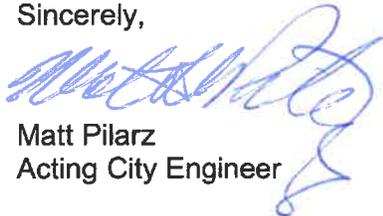
The construction of this project is being funded by available City funds as well as two grants: one from Urban Greening and one from the Rivers and Mountains Conservancy. The City has closely managed the construction of this project to allow for and make room for the additional costs detailed above. The City has managed the costs of this project to-date by:

- securing and awarding a very competitive Prime Contractor bid,
- eliminating the use of the outside resources,
- identifying construction items that can be reduced or eliminated,
- retaining a minimum consultant staff to support the City during construction, and
- negotiating with the Contractors involved to provide the work needed at reduced costs.

Therefore, all of the above additional costs are expected to be paid for with the funding and grants mentioned above and currently available. However, the above additional costs have exhausted the limit for contingency funding able to be wrung-out of the budget for this project.

Consequently, unless additional funding is secured, any further additional costs for the construction of Phil & Nell Soto Park will need to be accounted for by eliminating project features that have been designed by the project architects and incorporated in the overall design of the park. Staff is reaching out to the Rivers and Mountains Conservancy with a request for additional contingency funding for this project.

Sincerely,



Matt Pilarz
Acting City Engineer

Agreement Number: RMC17018

**Exhibit B – (Supplied by Grantee)
Work Plan – Tasklist and TimeLine**

| Task Number | Activity Description | Timeline |
|--------------------|--|--------------------------------|
| 1 | Mobilization | October 2018 |
| 2 | Site clearing, clearing and grubbing | October 2018 – December 2018 |
| 3 | Grading and excavation | November 2018 – December 2018 |
| 4 | Erosion control and Stabilization | October 2018 – August 2019 |
| 5 | Utilities (sewer, storm drain, water, dry utilities) | November 2018 - June 2019 |
| 6 | Construct Structures | January 2019 – June 2019 |
| 7 | Construct Street improvements | June 2019 – July 2019 |
| 8 | Park Amenities | May 2019 – August 2019 |
| 9 | Irrigation | March 2019 – June 2019 |
| 10 | Landscaping | June 2019 – August 2019 |
| 11 | 90-day maintenance period | September 2019 – November 2019 |
| 12 | Project completed | January 2020 |
| 13 | Close-out site visit by RMC | January 2020 |

Exhibit B - (Supplied by Grantee)
Work Plan - Budget/Expenditure Tracking

City of Pomona
Phil and Nell Soto Park
Cost Estimate

| BID ITEM | PLAN REF | Exhibit B - (Supplied by Grantee) DESCRIPTION | Quantity | Unit | Unit Price | Total Price | RMC | URBAN GREENING |
|---------------------------------------|----------|---|----------|------|--------------|----------------------|----------------------|----------------------|
| MOBILIZATION | | | | | | | | |
| 001 | | Mobilization | 1 | LS | \$ 44,649.00 | \$ 44,649.00 | \$ 44,649.00 | \$ - |
| 002 | | General Conditions | 1 | LS | \$ 22,324.50 | \$ 22,324.50 | \$ 22,324.50 | \$ - |
| 003 | | Project Funding Sign | 1 | LS | \$ 2,000.00 | \$ 2,000.00 | \$ - | \$ 2,000.00 |
| Mobilization Subtotal | | | | | | \$ 68,973.50 | \$ 66,973.50 | \$ 2,000.00 |
| CIVIL ENGINEERING ITEMS | | | | | | | | |
| 005 | 1-29 | C-1.3 Excavation, remove and replace curbs and gutters, provide erosion control, install water meter and backflow device, export debris | | | | \$ 77,074.59 | \$ 77,074.59 | \$ - |
| 016 | 30-39 | C-1.4 Install drain pipes, catch basins, filtration, and grates | | | | \$ 77,346.95 | \$ 77,346.95 | \$ - |
| Civil Engineering Subtotal | | | | | | \$ 154,421.54 | \$ 154,421.54 | \$ - |
| DEMOLITION | | | | | | | | |
| 026 | 1-16 | L-1.0 Remove existing fence, paving, wall & footing, 40 trees and roots, vegetation & mulch | | | | \$ 38,302.89 | \$ 38,302.89 | \$ - |
| Demolition Subtotal | | | | | | \$ 38,302.89 | \$ 38,302.89 | \$ - |
| CONCRETE AND PAVING | | | | | | | | |
| 037 | | L-2.0 Aggregate paver base, concrete paving, integrated color paving | 33,775 | SF | \$15.73 | \$ 531,272.72 | \$ - | \$ 531,272.72 |
| 040 | | L-2.5 Aggregate paver base, concrete paving, integrated color paving | 2,464 | SF | \$13.66 | \$ 33,666.03 | \$ - | \$ 33,666.03 |
| 066 | | L-2.1 Granite Cobble Bio-swale | 4,170 | SF | \$8.50 | \$ 35,445.00 | \$ - | \$ 35,445.00 |
| | | Finish/Graffiti Sealer | | | | \$ 21,491.39 | \$ - | \$ 21,491.39 |
| Concrete & Paving Subtotal | | | | | | \$ 621,875.14 | \$ - | \$ 621,875.14 |
| MASONRY | | | | | | | | |
| 067 | | L-2.0 Masonry | | | | \$ 173,193.47 | \$ 173,193.47 | \$ - |
| Masonry Subtotal | | | | | | \$ 173,193.47 | \$ 173,193.47 | \$ - |
| FENCING AND RAILING | | | | | | | | |
| 075 | 20 | L-2.0 42" High T.S. Fence | 720 | L.F. | \$56.56 | \$ 40,719.89 | \$ 40,719.89 | \$ - |
| 076 | 39 | L-2.0 Handrail at Concrete Steps | 13 | L.F. | \$37.21 | \$ 483.70 | \$ 483.70 | \$ - |
| Fencing & Railing Subtotal | | | | | | \$ 41,203.59 | \$ 41,203.59 | \$ - |
| STRUCTURES | | | | | | | | |
| 077 | 9 | L-2.5 Open Shade Hexagon Structure with 6 Columns | 1 | LS | \$70,356 | \$ 70,356.00 | \$ - | \$ 70,356.00 |
| 078 | 27 | L-2.0 Open Trellis Shade Structure with 4 Columns | 2 | EA | \$35,178 | \$ 70,356.00 | \$ - | \$ 70,356.00 |
| 079 | 28 | L-2.0 Bridge with 4 Cobble Veneer Pilasters | 3 | EA | \$41,943 | \$ 125,829.00 | \$ - | \$ 125,829.00 |
| Structures Subtotal | | | | | | \$ 266,541.00 | \$ - | \$ 266,541.00 |
| SITE AMENITIES | | | | | | | | |
| 080 | 35 | L-2.0 2 8' Picnic Tables, 2 drinking fountains, 4 trash receptacles, bike rack, 10 boulders, 12 bollards, 12 benches, 11 stone slab benches, interpretive signs and structures, 4 par course stations, 2 doggie stations. | | | | \$ 136,849.19 | \$ 136,849.19 | \$ - |
| Site Amenities Subtotal | | | | | | \$ 136,849.19 | \$ 136,849.19 | \$ - |
| ELECTRICAL | | | | | | | | |
| 097 | | 12 spot lights, 2 wall wash lights, 9 tree uplights, 10 down lights, 31 14' pole lights, electrical service panel | | | | \$ 193,330.17 | \$ 193,330.17 | \$ - |
| Electrical Subtotal | | | | | | \$ 193,330.17 | \$ 193,330.17 | \$ - |
| LANDSCAPE IRRIGATION | | | | | | | | |
| 104 | | L-3.0 Netafim TL CV6-12 | 42907 | S.F. | \$1.29 | \$ 55,150.51 | \$ - | \$ 55,150.51 |
| 105 | | L-3.0 Rainbird RWS-M-B-C-1400 Series Bubblers with lat. pipe | 139 | EA | \$47.36 | \$ 6,582.35 | \$ - | \$ 6,582.35 |
| 106 | | L-3.0 Rainbird XB0-10PC Vine Emitters | 18 | EA | \$27.06 | \$ 487.08 | \$ - | \$ 487.08 |
| 107 | | L-3.0 Hunter Pros-12-PRS40-CV-MP Series Rotator w/ pipe | 58 | EA | \$60.89 | \$ 3,531.33 | \$ - | \$ 3,531.33 |

**Exhibit B - (Supplied by Grantee)
Work Plan - Budget/Expenditure Tracking**

**City of Pomona
Phil and Nell Soto Park
Cost Estimate**

| BID ITEM | PLAN REF | Exhibit B - (Supplied by Grantee) DESCRIPTION | Quantity | Unit | Unit Price | Total Price | RMC | URBAN GREENING |
|--|----------|--|----------|------|------------|------------------------|------------------------|------------------------|
| 108 | L-3.0 | 1 1/2" FEBCO 825YA | 1 | EA | \$2,841.30 | \$ 2,841.30 | \$ - | \$ 2,841.30 |
| 109 | L-3.0 | 3/4" FEBCO 825YA | 1 | EA | \$1,082.40 | \$ 1,082.40 | \$ - | \$ 1,082.40 |
| 110 | L-3.0 | Wilkins 500 Series Pressure Regulator | 1 | EA | \$676.50 | \$ 676.50 | \$ - | \$ 676.50 |
| 111 | L-3.0 | NIBCO T-585 Brone Full-Port Ball Valve In Round Box | 8 | EA | \$202.95 | \$ 1,623.60 | \$ - | \$ 1,623.60 |
| 112 | L-3.0 | CALSENSE FM-1.25B 1 1/4" Flow Sensor | 1 | EA | \$338.25 | \$ 338.25 | \$ - | \$ 338.25 |
| 113 | L-3.0 | Superior 3000 1 1/2" Master Valve | 1 | EA | \$405.90 | \$ 405.90 | \$ - | \$ 405.90 |
| 114 | L-3.0 | Rainbird 33 DLRC 3/4" Quick Coupler | 12 | EA | \$162.36 | \$ 1,948.32 | \$ - | \$ 1,948.32 |
| 115 | L-3.0 | Netafim TLSOV 17mm Manual Flush Valve | 48 | EA | \$20.30 | \$ 974.16 | \$ - | \$ 974.16 |
| 116 | L-3.0 | Rain Bird XCZ-100-PRB-COM 1" Globe Valve | 22 | EA | \$162.36 | \$ 3,571.92 | \$ - | \$ 3,571.92 |
| 117 | L-3.0 | Rain Bird 100-PEB-PRS-D 1" Globe Valve w/ Pressure Regulator | 8 | EA | \$202.95 | \$ 1,623.60 | \$ - | \$ 1,623.60 |
| 118 | L-3.0 | Rain Bird 100-PEB-PRS-D 1 1/2" Globe Valve w/ Pressure Regulator | 4 | EA | \$243.54 | \$ 974.16 | \$ - | \$ 974.16 |
| 119 | L-3.0 | Main Line | 1222 | LF | \$6.09 | \$ 7,440.15 | \$ - | \$ 7,440.15 |
| 120 | L-3.0 | Drinking Fountain Main Line | 396 | LF | \$3.38 | \$ 1,339.47 | \$ - | \$ 1,339.47 |
| 121 | L-3.0 | Sleeves | 143 | LF | \$4.06 | \$ 580.44 | \$ - | \$ 580.44 |
| 122 | L-3.0 | Automatic Irrigation Controller | 1 | LS | \$6,088.50 | \$ 6,088.50 | \$ - | \$ 6,088.50 |
| Landscape Irrigation Subtotal | | | | | | \$ 97,259.93 | \$ - | \$ 97,259.94 |
| LANDSCAPE PLANTING | | | | | | | | |
| 123 | L-4.0 | 15 Gallon Trees, double staked | 63 | EA. | \$185.00 | \$ 11,655.00 | \$ - | \$ 11,655.00 |
| 125 | L-4.0 | 15 Gallon Dwarf Citrus Trees | 16 | EA. | \$175.00 | \$ 2,800.00 | \$ 2,800.00 | \$ - |
| 126 | L-4.1 | 1 Gallon | 5275 | EA. | \$8.79 | \$ 46,390.99 | \$ - | \$ 46,390.99 |
| 127 | L-4.1 | 5 Gallon | 452 | EA. | \$23.00 | \$ 10,396.45 | \$ - | \$ 10,396.45 |
| 128 | L-4.0 | 5 Gallon Boston Ivy | 18 | EA. | \$23.00 | \$ 414.02 | \$ - | \$ 414.02 |
| 129 | L-4.1 | Meadow Mix Hydroseed | 12105 | EA. | \$0.34 | \$ 4,094.52 | \$ - | \$ 4,094.52 |
| 130 | L-4.1 | Zoysia Sod | 8569 | S.F. | \$1.62 | \$ 13,912.63 | \$ - | \$ 13,912.63 |
| 131 | L-4.1 | Bouteloua Sod | 8569 | S.F. | \$1.62 | \$ 13,912.63 | \$ - | \$ 13,912.63 |
| 132 | L-4.1 | 3" Shredded Mulch at Shrub Planter Areas | 42387 | S.F. | \$0.34 | \$ 14,337.40 | \$ - | \$ 14,337.40 |
| 133 | | 90 Day Maintenance Period | 68481 | S.F. | \$0.14 | \$ 9,265.48 | \$ - | \$ 9,265.48 |
| Landscape Planting Subtotal | | | | | | \$ 127,179.11 | \$ 2,800.00 | \$ 124,379.12 |
| MISCELLANEOUS CONSTRUCTION ITEMS | | | | | | | | |
| | | Construction Management | | | | \$ 80,427.00 | \$ 80,427.00 | |
| | | Inspection | | | | \$ 111,205.52 | | \$ 111,205.52 |
| | | Utilities | | | | \$ 40,214.00 | \$ 40,214.00 | |
| | | Fees | | | | \$ 55,602.76 | | \$ 55,602.76 |
| | | Additional Grading | | | | \$ 45,000.00 | \$ 45,000.00 | |
| | | Underground Storage Tank | | | | \$ 55,000.00 | \$ 55,000.00 | |
| | | Block Wall Footing Extension | | | | \$ 40,000.00 | \$ 40,000.00 | |
| Miscellaneous Construction Subtotal | | | | | | \$ 427,449.28 | \$ 260,641.00 | \$ 166,808.28 |
| TOTALS | | | | | | | | |
| TOTAL CONSTRUCTION | | | | | | \$ 2,346,578.81 | \$ 1,067,715.35 | \$ 1,278,863.48 |
| Contingency | | | | | | \$ 191,621.19 | \$ 82,284.65 | \$ 111,205.52 |
| GRAND TOTAL | | | | | | \$ 2,538,200.00 | \$ 1,150,000.00 | \$ 1,390,069.00 |

*Only direct project management costs are eligible; no overhead/indirect costs are reimbursable. In-service payroll may not include a "billable rate" or administrative cost allocation.

*All invoices and receipts for all project expenditures from all funding sources will be retained and made available in the event of any future State Audits.

April 29, 2019 – Item 20

RESOLUTION 2019-17

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING A GRANT AMENDMENT TO THE CITY OF POMONA FOR THE DEVELOPMENT OF THE PHIL AND NELL SOTO PARK (RMC17018)

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (“Proposition 1”) and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for capital outlay and local assistance multi-benefit grants for ecosystem and watershed protection and restoration projects; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The proposed project meets an objective of the California Water Action Plan for more reliable water supplies, restoration of important species and habitat, more resilient and sustainably managed water infrastructure; and

WHEREAS, The proposed project meets the goals of reducing greenhouse gas emissions consistent with AB 32; and

WHEREAS, The proposed project is consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan; and

WHEREAS, The proposed project protects land and water resources; and

WHEREAS, The grantee has requested a grant from Proposition 1, Section 79731 (f) of the Water Code; and

WHEREAS, This action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

Therefore be it resolved that the RMC hereby:

- 1 FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.

Resolution No. 2019-17

- 2 FINDS that the Proposition 1 RMC Grant Program is consistent with the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (“Proposition 1”), which provides funds for the RMC grant program.
- 3 FINDS the proposed project meets at least one of the purposes of Proposition 1.
- 4 FINDS the proposed project meets at least one of the three objectives of the California Water Action Plan.
- 5 FINDS that the proposed action is consistent with the San Gabriel and Lower San Gabriel and Los Angeles River Watershed and Open Space Plan as adopted by the Rivers and Mountains Conservancy;
- 6 FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 7 ADOPTS the staff report dated April 29, 2019, amending the budget and task list, and extending the timeline from September 30, 2019 to January 31, 2020.
- 8 AUTHORIZES a grant of Proposition 1 funds to the following grantee: City of Pomona, Development of the Phil and Nell Soto Park (RMC 17018) to increase the grant by \$140,000 to a total not to exceed amount of \$1,500,000.

~ End of Resolution ~

Passed and Adopted by the Board of the
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
CONSERVANCY on April 29, 2019.

Motion _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Frank Colonna, Chair

ATTEST: _____
David Edsall
Deputy Attorney General