



**TO:** Mayor and Councilmembers

**FROM:** Charles W. Ebeling, Director of Public Works

**CONTACT:** Gerald Comati, Interim Deputy Public Works Director

**SUBJECT:** Ekwill Street and Fowler Road Extensions Project EEMP Grant

**RECOMMENDATION:**

Adopt Resolution No. 19-\_\_\_ entitled "A Resolution of the City Council of the City of Goleta, California, Approving the Application for Grant Funds for the Environmental Enhancement and Mitigation (EEM) Program for the Ekwill Street and Fowler Road Extensions Mitigation Project"

**BACKGROUND:**

Each year the California Resources Agency releases a grant application for the Environmental Enhancement and Mitigation (EEM) Program. This program funds mitigation and environmental enhancement work for related transportation projects. The program is provided by California Streets and Highways Code Section 164.56 (Article XIX, Section 1, of the State Constitution), which authorizes the California Legislature to allocate up to \$7 million each fiscal year from the Highway Users Tax Account (Motor Vehicle Revenues, Section 2100).

This program, as provided by California Streets and Highways Code Section 164.56 (Article XIX, Section 1, of the State Constitution), authorizes the legislature to allocate up to \$7 million each fiscal year from the Highway Users Tax Account (Motor Vehicle Revenues, Section 2100).

The Ekwill Street and Fowler Road Extensions project is one of the City's highest priority transportation projects and when complete will open up circulation in Goleta Old Town, improve traffic operations at the Hollister Avenue interchange with State Route 217, relieve congestion on Hollister Avenue, and provide enhanced bicycle and pedestrian access in Goleta Old Town. The project does result in permanent and temporary riparian impacts, primarily as a result of the Ekwill Street crossing of Old San Jose Creek. Overall the project will impact approximately one and a half acres of riparian habitat which in turn will require a little less than five acres of mitigation.

## **DISCUSSION:**

This year the City of Goleta Public Works Department is intending to submit a grant application for approximately \$500,000 to cover the cost of installing riparian plantings to mitigate the impacts from the Ekwil Street and Fowler Road Extensions Project. The sites for the proposed mitigation project are:

- 0.51 acre along Fowler Road Drainage Ditch and Old San Jose Creek, within the Coastal Zone and adjacent to the Project Site
- 0.29 acre along Old San Jose Creek near the east end of proposed Ekwil Street, near the Coastal Zone and adjacent to the Project Area
- 3.98 acres along Devereux Creek and its northwestern tributary on Ellwood Mesa, within the Coastal Zone and off-site

This mitigation is costly in terms of installation, maintenance and monitoring. The Ekwil-Fowler project is primarily funded through the State Transportation Improvement Program (STIP), however, due to limited STIP funds, the City is contributing Development Impact Fee (DIF) funding at all phases of the project including construction. Securing grant funding for the mitigation work will reduce the amount of DIF participation required.

This year, the City of Goleta Public Works Department would like to submit a grant application for approximately \$500,000 for the cost of installing riparian plantings to mitigate the impacts from the Ekwil-Fowler Project. The sites for the proposed mitigation project are described above. The construction for the Ekwil-Fowler Project is scheduled to commence at the end of 2020. Construction of the mitigation project can commence any time after this date in parallel with the Ekwil-Fowler construction project.

As part of the EEM Grant Application, a Resolution from the City of Goleta is required authorizing City Staff to apply for the grant.

## **ALTERNATIVES:**

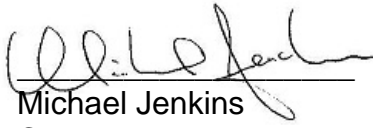
The Council may elect not to approve the resolution authorizing City Staff to apply for the EEM grant. If this occurs, the City will not be able to file a complete grant application and the opportunity to secure EEM grant funding for the Ekwil-Fowler Project would be lost for fiscal year 2019-2020. In addition, not securing grant funding will mean that the City would have to contribute more DIF funds toward mitigation work required in the Ekwil-Fowler Project.


## **FISCAL IMPACTS:**

The City is required to perform mitigation for this project under permit requirements. If the application is successful, this grant would reduce the City's expenses on the project by \$500,000. There is no required match for this grant, but the City is already paying for the design costs related to the mitigation project with DIF funds.

**Legal Review By:**

**Approved By:**

  
Michael Jenkins  
City Attorney

  
Michelle Greene  
City Manager

**ATTACHMENT:**

1. Resolution No. 19-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California, Approving the Application for Grant Funds for the Environmental Enhancement and Mitigation (EEM) Program for the Ekwill Street and Fowler Road Extensions Mitigation Project"



## **ATTACHMENT 1**

Resolution No. 19-\_\_ entitled “A Resolution of the City Council of the City of Goleta, California, Approving the Application for Grant Funds for the Environmental Enhancement and Mitigation (EEM) Program for the Ekwill Street and Fowler Road Extensions Mitigation Project”



**RESOLUTION NO. 19-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
GOLETA, CALIFORNIA, APPROVING THE APPLICATION FOR  
GRANT FUNDS FOR THE ENVIRONMENTAL ENHANCEMENT  
AND MITIGATION (EEM) PROGRAM FOR THE EKWILL STREET  
AND FOWLER ROAD EXTENSIONS MITIGATION PROJECT**

**WHEREAS**, the Legislature and Governor of the State of California have enacted Section 164.56 of the California Streets And Highways Code, which is intended to provide grant funds to local, state and federal agencies and nonprofit entities for projects to enhance and mitigate the environmental impacts of modified or new public transportation facilities; and

**WHEREAS**, the California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures and criteria, and is required to submit to the California Transportation Commission a list of recommended projects from which the grant recipients will be selected; and

**WHEREAS**, said procedures established by the California Natural Resources Agency require a resolution certifying the approval of an application by the City of Goleta's City Council before submission of said application to the State; and

**WHEREAS**, the City of Goleta will be applying for an Environmental Enhancement and Mitigation Program (EEMP) for the Ekwil Street and Fowler Road Extensions Project Mitigation Project (Project); and

**WHEREAS**, the City of Goleta, if selected, will enter into an agreement with the State of California to carry out the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF GOLETA, AS FOLLOWS:**

**SECTION 1.**

Approves the filing of an application for the Ekwil Street and Fowler Road Extensions Mitigation Project; and

**SECTION 2.**

Certifies that City of Goleta understands the assurances and certification in the application; and

**SECTION 3.**

Certifies that City of Goleta will have sufficient funds to operate and maintain the Ekwill Street and Fowler Road Extensions Mitigation Project consistent with the land tenure requirements; or will secure the resources to do so; and

**SECTION 4.**

Certifies that City of Goleta will comply with the provisions of Section 1771.5 of the State Labor Code; and

**SECTION 5.**

If applicable, the City of Goleta certifies that the project will comply with any laws and regulations including, but not limited to, the *California Environmental Quality Act* (CEQA), legal requirements for building codes, health and safety codes, and disabled access laws, and that prior to commencement of construction all applicable permits will have been obtained; and

**SECTION 6.**

Certifies that City of Goleta will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and

**SECTION 7.**

Appoints the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.

**SECTION 8.**

The City Clerk shall certify to the passage and adoption of this resolution and enter in into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of June 2019.

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PAULA PEROTTE  
MAYOR

ATTEST:

APPROVED AS TO FORM:

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DEBORAH S. LOPEZ  
CITY CLERK

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MICHAEL JENKINS  
CITY ATTORNEY



STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA    )  
CITY OF GOLETA                 )       ss.

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO  
HEREBY CERTIFY that the foregoing Resolution No. 19- was duly adopted by  
the City Council of the City of Goleta at a regular meeting held on the 4<sup>th</sup> day of  
June, 2019 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

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DEBORAH S. LOPEZ  
CITY CLERK