

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: August 22, 2023

SUBJECT: Adopt Resolution to Approve the Administering Agency - State Agreement - Master Agreement No. 08-5459S21 with the State of California, Department of Transportation

PREPARED BY: Julie Tarrant, Principal Management Analyst

RECOMMENDATION: That the City Council adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA TO APPROVE THE ADMINISTERING AGENCY - STATE AGREEMENT - MASTER AGREEMENT NO. 08-5459S21 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ALL PERTINENT PROGRAM SUPPLEMENT AGREEMENTS FOR STATE FUNDED PROJECTS

BACKGROUND: On March 8, 2011, City Council adopted Resolution No. 11-24 to approve the Administering Agency-State Agreement for State-Funded Projects, Master Agreement No. 00325S. Periodically, the Legislature of the State of California may enact new legislation by which certain State Funds are made available for use on local transportation related projects public entities qualified to act as recipients of these state funds. Before State Funds will be made available for projects, the Administering Agency and State are required to enter into an agreement to establish terms and conditions applicable to public entities when receiving State Funds.

Relevant to the City's grant award of \$1,502,000 in Active Transportation Program-Senate Bill 1 (ATP-SB1) program funds for the Santa Gertrudis Creek Phase II – Margarita Road Undercrossing from the California Transportation Commission (CTC), we are required to enter into a new Master Agreement, Administering Agency-State Agreement for State Funded Project, Agreement No. 08-5459S21. The Master Agreement has been revised to incorporate the various changes in regulations and policies, as defined in the Local Assistance Program Guidelines (LAPG) and/or in

the current CTC Guidelines, for use on local authorized transportation related projects as a local administered project(s).

In addition to the Master Agreement, Administering Agency - State Agreement for State Funded Project, Agreement No. 08-5459S21, this Agreement shall have no force or effect with respect to any program project unless and until a project-specific Program Supplement to the Agreement for State funded projects has been fully executed by both State and Administering Agency.

Therefore, the Administering Agency agrees to execute the project-specific Program Supplement Agreement No's. 00000A212 and 00000A213, for State Only Funds in the amount of \$1,462,000, and \$40,000, respectively. The Program Supplement Agreement (PSA) sets out special covenants and a condition for the Administering Agency to receive State Funds for designated projects. The PSA also show these State fund that have been initially encumbered for the Project, along with the match funds to be provided by the administering Agency. Execution of the PSA by all parties shall cause Administering Agency to adopt all terms of the Master Agreement, as though fully set forth therein in the PSA.

FISCAL IMPACT: The Santa Gertrudis Creek Phase II – Margarita Road Undercrossing project is identified in the City's Capital Improvement Program for Fiscal Years 2024-28. Adequate funds are available to include ATP-SB1 program funds in the amount of \$1,502,000, and Measure S. There is no fiscal impact to approve and execute the Master Agreement and Program Supplement Agreements.

ATTACHMENTS:

1. Resolution
2. Master Agreement No. 08-5459S21
3. Program Supplement Agreement No. 00000A212
4. Program Supplement Agreement No. 00000A213