



# City of Palo Alto

## City Council Staff Report

(ID # 7408)

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**Report Type: Consent Calendar**

**Meeting Date: 11/14/2016**

**Summary Title: Resolution to Accept Rubberized Pavement Grant**

**Title: Adoption of a Resolution to Authorize the City Manager to Submit Application(s) and Related Agreement(s) for the California Department of Resources Recycling and Recovery (CalRecycle) Rubberized Pavement Grant Program**

**From: City Manager**

**Lead Department: Public Works**

### **Recommendation**

Staff recommends that Council adopt a resolution (Attachment A) to authorize the City Manager or his designee to submit a rubberized pavement grant application to the California Department of Resources Recycling and Recovery (CalRecycle) and to sign related program agreements and amendments.

### **Background**

The California Department of Resources Recycling and Recovery (CalRecycle) administers a program to provide opportunities to divert tires from landfill disposal, prevent illegal tire dumping and promote markets for recycled-content tire products. The Rubberized Pavement Grant Program is designed to promote markets for recycled-content surfacing products derived from California-generated waste tires. The Rubberized Pavement Grant Program provides competitive grants to local governments and is aimed at encouraging first-time or limited users of rubberized pavement in two project categories, Rubberized Asphalt Concrete Hot-Mix (RAC) and Rubberized Chip Seal (Chip Seal). Eligible projects must use a minimum of 3,500 tons of RAC which meets American Society of Testing and Material (ASTM) standards for Asphalt-Rubber Binder.

The City received CalRecycle grants in 2011 and 2015 in the amounts of \$250,000 and \$63,000, respectively. These grants have supplemented the cost to install

rubberized pavement on two of the City's busiest arterials, Alma Street and Middlefield Road. City Council approved a previous grant application and resolution in March 2011 ([ID#1432](#)). CalRecycle allows resolutions to be valid for a term of five years.

### **Discussion**

Staff submitted an RAC grant application in October 2016. For the application to be deemed complete, an updated resolution must be attached by November 29, 2016. The grant funds will supplement the Capital Improvement Program (CIP) Street Maintenance Program PE-86070. CalRecycle will send award notifications in January 2017 and grant funds must be expended by April 2019. Staff is currently in design for the last segment of a three-year project to resurface Middlefield Road and Alma Street with rubberized asphalt. The Fiscal Year 2017 project will start in spring 2017. RAC material is more expensive than normal asphalt concrete as it is a recycled product, but may prove to be more durable, flexible and provide a longer life span than the typical 20-year life span of asphalt concrete. The \$88,200 grant request will help pay for a portion of the rubberized asphalt. Since the City has received previous RAC grants, the reimbursement rate is capped at \$14 per ton. The FY 2017 Alma Street and Middlefield Road Resurfacing project is estimated to use 6,300 tons of RAC.

### **Resource Impact**

If a supplemental grant is awarded to the City, staff will return to Council to approve an adjustment to the Fiscal Year 2017 capital budget to increase the CIP project budget and recognize reimbursement revenue. The grant requires City expenditures of funds, which will be reimbursed by the state. No net impact on the General Fund or Infrastructure Reserve is expected. The remaining funds for the project are included in the Adopted Fiscal Year 2017 CIP Budget, Street Maintenance Program, PE-86070 (page 264).

Staff will submit the application, administer agreements and amendments, and submit for reimbursements periodically during the project as required by the grant conditions.

### **Policy Implications**

This grant program is consistent with the City of Palo Alto's Comprehensive Plan and does not represent any changes to existing City policies.

**Environmental Review**

Street resurfacing projects are categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301(c) of the CEQA Guidelines, as repair, maintenance and/or minor alteration of existing facilities and no further review is necessary.

**Attachments:**

- Attachment A: CalRecycle Resolution(DOCX)

ATTACHMENT A  
NOT YET APPROVED

Resolution No. \_\_\_\_\_

Resolution of the Council of the City of Palo Alto Authorizing the City Manager to Submit Application(s) and Sign Related Agreement(s) for the California Department of Resources Recycling and Recovery (CalRecycle) Rubberized Pavement Grant Program.

WHEREAS, pursuant to Public Resources Code sections 48000 et seq., 14581, and 42023.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS, in furtherance of this authority CalRecycle is require to establish procedures governing the administration of the payment programs; and

WHEREAS, CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

NOW, THEREFORE, the Council of the City of Palo Alto does RESOLVE as follows:

SECTION 1. The Council authorizes the submittal of application(s) to CalRecycle for Rubberized Pavement Grants for which the City of Palo Alto is eligible.

SECTION 2. The City Manager, or his/her designee is hereby authorized and empowered to execute in the name of the City of Palo Alto all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

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NOT YET APPROVED

SECTION 3. These authorizations are effective for five (5) years from the date of adoption of this resolution.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Senior Assistant City Attorney

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Director of Public Works