

RESOLUTION NO. 038-2021

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Resolution to Authorize the Director of Transportation, or Designee, the Delegated Authority to Execute a Reimbursable Agreement for Federal Lands Access Program Funding for the Fallen Leaf Road Pavement Rehabilitation and Recreational Access Project

WHEREAS, the Federal Highway Administration's (FHWA's) Federal Lands Access Program (FLAP) provides funds for work on public highways, roads, bridges, trails, and transit systems that are located on, are adjacent to, or provide access to Federal Lands, and FHWA's Central Federal Lands Highway Division (CFLHD) administers the FLAP and works with each of the states under its jurisdiction to administer the call for projects; and

WHEREAS, the El Dorado County Department of Transportation (Transportation) is preparing to submit a grant application for FLAP funding for pavement rehabilitation of an approximately 2 mile segment of Fallen Leaf Road extending from its intersection with State Route 89 to its intersection with the Tahoe Mountain Road; and

WHEREAS, Fallen Leaf Road provides a critical connection for forest visitors to access the Tahoe National Forest and serves as a critical link for forest management and fire protection access to the Tahoe National Forest. Fallen Leaf Road also provides access to the Angora Highlands subdivision which proved critical during the 2007 Angora Fire. Fallen Leaf Road provides direct motorized access to a variety of public recreation opportunities, including hiking, biking, back country camping, boating, fishing, cross-country skiing, and equestrian use, such as Fallen Leaf Lake, Angora Lakes, Fallen Leaf Lake Marina, Stanford Sierra Camp and Desolation Wilderness; and

WHEREAS, the pavement condition of Fallen Leaf Road is deteriorating as a result of traffic loading and harsh winter weather conditions; and without rehabilitation, a safe paved roadway access for recreation, forest management and fire protection could be jeopardized; and

WHEREAS, the FLAP requires a minimum non-federal match of 11.47%; and non-State agency applicants are required to submit an Access Program Resolution from the grant applicant's governing body that must include the following:

- a) certification that governing body will provide sufficient maintenance funding for a period of 20 years or the life of constructed facility, whichever is greater; and
- b) commitment that the governing body will endorse that funds will be made available, and identify timing of availability.

WHEREAS, the California Programming Decisions Committee (PDC) will solicit project applications with the intent of developing a 5 to 7 year program, and the deadline for application is May 27, 2021; and

WHEREAS, the FLAP short-list is anticipated to be issued in the summer of 2021 by PDC/CFLHD. Applicants who receive a short-list notification will be required to provide a maximum of \$10,000 within 45

days of the notification for CFLHD to complete development of a more accurate project scope, schedule, and budget; and

WHEREAS, to ensure the ability to meet the 45-day deadline to execute a Reimbursement Agreement after project selection notification, it is necessary to delegate authority to the Director of Transportation, or designee, to authorize execution of maximum \$10,000 Reimbursable Agreement within 45 days of project selection notification; and

WHEREAS, CFLHD anticipates announcing the funded program in the summer of 2022. If the PDC and the applicant agree with CFLHD's project scope and cost, then a subsequent project Reimbursable Agreement will be required within 60 days from approval of funding; and

WHEREAS, if awarded funding, Transportation anticipates construction will begin in approximately four years from the date of award, with project completion in the fall of 2028; and

WHEREAS, the County wishes to submit a grant application and related documents to the FHWA/CFLHD for consideration of a FLAP grant of \$2,534,715 based on a total estimated cost of \$2,863,115 for which a non-federal match of 11.47% is required, a local match of \$343,200, with a maximum \$10,000 reimbursable agreement, that equals a total County contribution of \$328,400.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors

- a) delegates the authority to the Department of Transportation Director, or designee, to authorize execution of the maximum \$10,000 Reimbursable Agreement, subject to prior County Counsel approval, within 45 days of project short-list notification;
- b) will provide additional non-federal funding up to the maximum of \$10,000 towards the Reimbursable Agreement in the summer of 2021 upon notification that the County is on the FLAP short-list to complete development of a more accurate scope of work, schedule, and budget;
- c) endorses that the remaining 11.47% matching funds estimated at \$328,400 will be available between the years 2022 and 2025 or until project completion, upon PDC and applicant agreement to the project scope, schedule, and budget, and upon entry into a subsequent project Reimbursable Agreement;
- d) will provide sufficient maintenance funding for a period of 20 years or the life of the constructed facility, whichever is greater; and is making the commitment to endorse that maintenance funds will be made available upon completion of improvements authorized by the 2021 FLAP grant, with completion of the project anticipated in the fall of 2028.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 4th day of May, 2021, by the following vote of said Board:

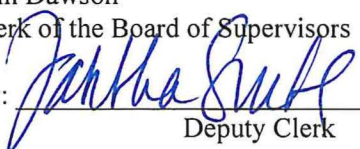
Ayes: Hidahl, Turnboo, Thomas, Parlin, Novasel

Attest:

Noes: None

Kim Dawson
Clerk of the Board of Supervisors

Absent: None

By: 
Deputy Clerk


John Hidahl
Chair, Board of Supervisors