



# TOWN OF FAIRFAX

## STAFF REPORT

### September 6, 2017

**TO:** Mayor and Town Council

**FROM:** Garrett Toy, Town Manager

**SUBJECT:** Receive Status Report on the Town's efforts to repair damage caused by the winter storms

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#### **RECOMMENDATION**

Receive and file report.

#### **DISCUSSION**

At the August 16, 2017, Special Council meeting, the Council received the Town Manager's oral report on the disaster recovery process regarding winter storm damage. The Council requested the Town Manager to present a similar report at its September meeting. Attached is a written update on the Town's efforts to repair damage caused by the winter storms as well as our efforts to secure reimbursement from FEMA for the incurred and estimated cost of repairs.

#### **FISCAL IMPACT**

Refer to Status Report

#### **ATTACHMENT**

Status Report

## STATUS REPORT ON STORM RECOVERY EFFORTS

September 6, 2017

### Background

In January and February 2017, severe rainfalls caused significant damage to numerous Town roadways and some properties. In February and April, the President declared the January and February storms federal disasters, respectively, allowing the Town to seek funding from FEMA for disaster recovery costs. FEMA and CalOES (California Office of Emergency Services) together will cover 93.75% of the eligible costs. The local share is 6.25%

In March 2017, the Council declared a local emergency waiving the local public bidding requirements for 300 Tamalpais, 345 Forrest, and 92 Madrone roads (approximate locations). However, the Town must follow the applicable federal regulations for bidding projects if the Town wants those projects to remain eligible for federal reimbursement.

Staff has been working with FEMA to properly categorize and describe the damage related to the January and February storm events. It is important to note that FEMA has very defined classifications for permanent and temporary/emergency repairs.

FEMA has recently completed its field inspections and written descriptions of the damage. The next step is for FEMA to prepare project worksheets based on the preliminary costs estimates prepared by the Town. After the project worksheet is prepared, the Town and FEMA must sign off on the sheets which then becomes the final project approval. Please note the Town can proceed ahead with a project prior to this final approval, but the Town does run a slight risk that the project could be denied funding by FEMA headquarters.

The total cost for storm damage to the Town will most likely exceed \$1,000,000. Assuming no reimbursement for the Forrest Avenue and Peri Park slide repair projects (total approx. \$400,000), we anticipate the Town would be eligible to be reimbursed approximately \$550,000.

### Status by Project

The following are the list of projects as identified by FEMA:

#### Debris Removal & Emergency Protective Measures

Debris removal are for costs incurred by the Town for clean-up activities (e.g., fallen trees) during and after the storms. Emergency Protective Measures are for those costs incurred to prepare for the storm and to protect property during and after the storm (e.g., tarping a hillside). These two categories do allow the Town to submit for reimbursement for certain staff regular and overtime costs attributed to the storms. We have submitted for reimbursement of over \$90,000 in out-of-pocket costs and approximately \$30,000 in eligible staff regular and overtime costs.

#### 300 Tamalpais Rd. (approximate location)

Tamalpais Road was closed at this location in February due to storm damage. It was reopened for light vehicle traffic on July 10th. Initially, we thought the repair would be less than the FEMA threshold (\$150,000) for public bidding of projects. However, it was later determined with the preliminary design that the project would exceed the \$150,000 threshold and would be required

to be publically bid out. The bids were opened on August 28<sup>th</sup>. The apparent low bid is approximately \$190,000 which is within the engineer's estimate. Bid award is scheduled for Council consideration at its September 6<sup>th</sup> meeting.

#### 345 Forrest Ave (approx. location)

Forrest Avenue has been closed in that location since February. Staff was initially working with FEMA to secure reimbursement for the repair of the road. However, FEMA indicated the project did not qualify for FEMA funding because of the road's classification by Caltrans. Instead, the Town would need to apply for emergency relief funding from the Federal Highway Administration (FHWA). Staff has applied to Caltrans, who administers the FHWA program, for emergency relief funds.

In July, under the Town Manager's report, staff reported that we would be bidding out the Forrest Avenue project to keep the Town's options open. Federal guidelines require this project to be formally bid out. Bids were available July 20<sup>th</sup>. Bid opening was Thursday, August 10<sup>th</sup>. The Town only received one bid for approximately \$400,000 which was \$140,000 higher than the engineer's estimate.

At the Council's August 2<sup>nd</sup> meeting, staff reported that Caltrans had not made any decisions regarding Forrest Avenue and that if funding were allocated to the project, the project would need to follow Caltrans's normal project approval process. Failure to comply with the process would make the project ineligible for reimbursement. The approval process would at a minimum take several months, which would result in the project being delayed until the spring. Caltrans staff recently reported the project is on the Caltrans list submitted to the FHWA for approval, but has yet to be signed off on by FHWA.

The Council indicated they would most likely proceed with the project and not wait for the FHWA funding.

At a special Council meeting on August 16<sup>th</sup> to consider the project, the Council rejected all bids. After considering the staff report and residents' comments, Council authorized staff to redesign the road from 24 ft. to 18 ft. with a bid alternate design to have a portion of the road be 24 ft. to accommodate one parking space.

#### 92 Madrone (approx. location)

Madrone Road has been limited to light vehicle traffic since February due to storm damage. Staff tried to get estimates from firms to repair, but only received one quote. We are working with FEMA to confirm that we can award the contract if no other estimates were received and it is under the FEMA public bidding threshold. The estimated cost is approximately \$125,000.

#### 35 Berry Trail (approx. location)

The Town removed the debris caused by a mudslide. During the clean-up, the asphalt path was damaged. While the mudslide repair is not eligible, the damage to the trail caused by equipment to clean up the trail is eligible. The estimate repair cost is \$5,000 to \$6,000.

#### 183 Tamalpais (approx. location)

The road was damaged by the winter storms. The project is currently under design. The estimated cost based on preliminary design is \$40,000 including design costs.

#### 46 Canyon (approx. location)

The road was damaged by the winter storms. The Town had to install emergency protection measures (e.g., rip rap) in the creek to prevent further damage. The project is currently under design. The estimated cost based on preliminary design is \$55,000 including design costs.

#### Headwall scour behind 6 Bridge Court (approx. location)

This culvert in the creek was severely scoured (i.e., undermined) by the winter storms. The project is currently in technical review by FEMA. FEMA has questioned the ownership of the culvert even though the Town has maintained it for years. The Town and County of Marin's research would seem to indicate the construction of the culvert may have predated the incorporation of the Town. It is premature to estimate cost at this time.

#### Crest and Scenic pothole repair (approx. location)

Portions of the roads were damaged by the storms. The Town has received 3 bids on the project and will be moving forward with the pothole repair. The estimated total repair cost for both roads is approximately \$25,000.

#### Sir Francis Drake/Willow

The Town installed video traffic detectors at this intersection (approx. cost \$14,000) since the in-ground loop detectors failed due to the weather. This project was deemed not eligible for FEMA reimbursement unless we repaired the loop detectors and removed the video detectors. However, the permanent repair of the loop detectors is not eligible for FEMA funding, but we would need to apply to FHWA for emergency relief funding.

#### Mudslide Behind Peri Park (approx. location)

The damage caused by a mudslide is not considered eligible by FEMA because it did not technically damage a Town facility (e.g., the ballfield). At FEMA's recommendation, the Town applied to CalOES for a Hazard Mitigation Grant. CalOES denied the application and believes the project should be eligible for current FEMA disaster assistance. Staff has requested a determination memo from FEMA and will appeal the decision. There is no timeframe for this project. The estimated cost for repair will exceed \$100,000.