

Marin County Flood Control and Water Conservation District

FLOOD CONTROL ZONE 7 ADVISORY BOARD

JUNE 21, 2022

STAFF REPORT

Item 1. Approval of Meeting Minutes: September 14, 2021

Attachment 1: September 14 Draft Minutes

https://www.marinwatersheds.org/sites/default/files/2022-06/Minutes_Zone%207_AB_091422_DRAFT.pdf

Recommended Action: Approve minutes.

Item 2. Open Time for Items Not on the Agenda

Comments will be heard for items not on the agenda (limited to three minutes per speaker).

Item 3. Zone 7 FY 2022-23 Baseline Budget

On June 21, 2022, District staff recommended that the Board of Supervisors adopt a baseline budget for Fiscal Year 2022-2023 similar to the previous year. Baseline budgets are meant to be consistent from year to year and therefore do not include major project and other one-time expenses. Any special project expenses are presented to the advisory board for review. The board's recommendation will be sought for project expenditure budget adjustments before presenting them to the District Board of Supervisors. The Baseline budget as well as some proposed adjustments can be viewed here:

https://www.marinwatersheds.org/sites/default/files/2022-06/Proposed%20Baseline_0.pdf

Item 4. Levee Upgrade Project Update

The District had planned on starting construction in fall of 2022, but the District's quality management process triggered by the engineer's cost estimate of \$12M in February shifted the project scope to focus exclusively on design completion. Staff continue to track opportunities for project funding.

As the new estimate exceeds available funding, the District initiated a "value engineering" process. Value engineering is an industry best practice approach used when a significant cost increase develops during a project. The process will look at the original project purpose and work through all stages of the project to determine the most cost-effective path forward that still meets the original desired project outcome.

To support project design, the District released a request for qualifications and proposals (RFQ/RFP) for engineering design services in April. While up to six firms indicated interest, only one proposal from CSW Stuber Stroeh (CSW) was received for

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approximately \$600,000. The District is in cost negotiations with CSW and the plan is to bring a contract agreement to the District Board of Supervisors at their July 12 meeting. Both preliminary and final design products would be presented through the www.santavenetialevee.org site, and community meetings.

Following the construction cost estimate increase, the District submitted a scope of work and budget change request to the Federal Emergency Management Agency (FEMA) to reallocate \$1,515,170 from the original \$3,235,180 allocation that had previously been designated for construction. The new request to FEMA is to support the additional design, environmental compliance, and public outreach activities. The California Office of Emergency Services (Cal OES), the state agency administering the FEMA Hazard Mitigation Grant Program (HMGP), expects FEMA to respond to the District's scope of work and budget change request within 60 days of submittal or by mid-July 2022.

If FEMA approves the District's scope of work and budget change, 75% of the consultant's services cost will be recoverable through the HMGP. The remaining 25% would be paid from Flood Control Zone 7 funds. In the event FEMA denies the District's scope change request, 100% of the cost of design services would be borne by Flood Zone 7. The deadline for the completion of grant reimbursable design services under the existing FEMA grant is November 14, 2022,

Easement acquisition is not included in the FEMA grant scope. The Board of Supervisors authorized \$1M in American Rescue Plan Act funds that for continued easement compensation on a voluntary basis.

When the original grant application, which had included construction funding, was submitted in 2017, Cal OES capped eligible projects at \$4 million. Fortunately, this cap no longer applies and the amount of available funding in each grant round can be higher than \$4M.

In terms of the FEMA process, the Santa Venetia levee project has a high benefit-to-cost ratio, meaning that the cost of creating the flood protection is low compared to the value of the properties that would be protected. The benefit-to-cost ratio is expected to make the project competitive in the next round of FEMA grant. Grant funding will become available each time a Major Federal Disaster is declared in California, which has occurred multiple times per year since 2017 (unfortunately due to devastating fires, floods, and the pandemic).

Staff continues to track State and Federal grant funding sources. In the meantime, District staff will continue to pursue permanent easements from residents along Gallinas Creek on a voluntary basis. Those easements will help to ensure that the District can maintain the existing levee system

While the District welcomes voluntary negotiations with interested property owners, it reiterates that it has no present intention to condemn or acquire the interests using eminent domain. Should that option be pursued in the future, the District will follow the

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required procedures to provide offers and notices to those property owners from whom property interests are needed.

The most recent direction from Cal OES has been to complete easement acquisition prior to applying for grant funding for construction. We are working with FEMA to better understand their specific requirements, particularly with regards to temporary construction easements.

The budget adjustments being proposed today are for a contract to provide engineering design services and maintenance of the existing timber reinforced berm (TRB) structure only.

A draft timeline provided by CSW in their proposal is included below:

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Task	2022				
	Jul	Aug	Sep	Oct	Nov
1. Existing Conditions					
Data Review					
Mapping					
Geotechnical Investigation					
Public Meeting		*			
2. Preliminary Engineering					
Alternative Design Development					
Public Meeting			*		
3. Construction Documents					
Right-of-Way Plan (easements)					
Operations & Maintenance Manual					
FEMA Grant Support					
Bid Package Preparation					
Public Meeting				*	

Recommended Action: Recommend a budget adjustment of up to \$600,000 for an agreement with CSW to conduct public meetings, engineering and geotechnical design services and other technical activities for the Gallinas Levee Upgrade Project.

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Item 5. Annual and Preventive Maintenance Work Program

All activities below are part of the baseline budget proposed for the Zone for FY 2022-23.

a. Pump Stations – Individual pumps and motors are scheduled for major maintenance on a six-year interval at each of the zone's pump stations. Major preventive maintenance is scheduled this summer at Pump Station No. 3. With this pump station now more than 40 years old, we anticipate potentially spending up to \$50,000 in contracting costs for refurbishment and, potentially, replacement with a new pump. Any replaced pumps would be reinstalled by October 15.

All of the pumps in the zone are checked monthly during the summer and more frequently during the winter season, even if there is a dry period. Each year before the rainy season each pump station's electrical components are tested and engine maintenance is conducted.

b. Vegetation Maintenance – The District completed fire fuel reduction vegetation activities this summer on properties where the Zone has easements, agreements, and/or fee title to perform these activities. During late summer and early fall, the Conservation Corps North Bay typically performs vegetation maintenance for the purpose of increasing flow conveyance capacity in the channels in Zone 7.

c. Levee Maintenance

The District plans to perform maintenance activities on the existing TRB during Summer 2022. Activities include repairs to the TRB at select parcels where the wall materials are deteriorating, and/or significant tidal seepage is occurring. Utilizing the baseline budget, a geotechnical engineering firm (GEI) is providing designs to mitigate the seepage. Cost of construction is estimated to be \$150,000 for up to 5 parcels, which is outside of the baseline budget.

Recommended Action: Recommend a budget adjustment of up to \$150,000 for repairs to the TRB and portions of the earthen levee experiencing seepage.

Item 6. Schedule Next Meeting

Staff will contact the advisory board to schedule meetings when preliminary design and/or budget adjustments are needed.