



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: WRAG 23-018

February 02, 2023

Introduced: 1/27/2023

Current Status: Agenda Ready

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Matter Type: WR General Agenda

1. Consider finding that emergency repairs are necessary to maintain service essential to the public health, safety or welfare at the Pajaro Levee pursuant CEQA Guideline 15269(b); and
2. Consider ratifying the agreement between Monterey County Water Resources Agency and Don Chapin Company, Inc. for services in the amount of \$500,000 retroactive to January 2, 2023, for a term to expire June 30, 2026, to provide equipment, materials, labor, and repairs to the Pajaro River Levee in support of operations due to the atmospheric storm events; and
3. Authorize the General Manager to execute amendments to the agreement of up to \$100,000 for future emergency response work at the Pajaro Levee.

RECOMMENDATION:

It is recommended that the Monterey County Water Resource Agency Board of Directors:

1. Find that emergency repairs are necessary to maintain service essential to the public health, safety or welfare at the Pajaro Levee pursuant CEQA Guideline 15269(b); and
2. Ratify the agreement between Monterey County Water Resources Agency and Don Chapin Company, Inc. for services in the amount of \$500,000 retroactive to January 2, 2023, for a term to expire June 30, 2026, to provide equipment, materials, labor, and repairs to the Pajaro River Levee in support of operations due to the atmospheric storm events; and
3. Authorize the General Manager to execute amendments to the agreement of up to \$100,000 for future emergency response work at the Pajaro Levee.

SUMMARY/DISCUSSION:

The Pajaro River Levee is a Federal Flood Control Facility completed by the U.S. Army Corps of Engineers in 1949. The Monterey County Water Resources Agency (MCWRA) is the Non-Federal Sponsor (NSF) for the portion of the levee system on the Monterey County side of the Pajaro River, Pajaro River's left bank, and is responsible for maintenance, monitoring, and operations of the left bank levee.

During the atmospheric river and the recent storms occurring from Dec 27, 2022, through January 17, 2023, an Emergency Purchase Order (EPO) was procured through the Office of Emergency Services to secure a contractor to provide additional equipment, flood fighting materials, labor, and repairs to the Pajaro Levee. The Don Chapin Company, Inc. (Don Chapin) was secured as the contractor to

provide those services on a Time & Materials (T&M) basis.

MCWRA staff and Don Chapin installed $\pm 3,000$ linear feet of floodwall prior to forecasted high flow events in early January 2023. MCWRA staff and Don Chapin also: pre-deployed and stockpiled flood fighting materials onsite at the Pajaro Levee and nearby staging area; provided additional labor/staff for monitoring duties during high water events; repaired levee damage incurred during storm events; and provided manpower for emergency response during highwater event to assist in emergency repairs.

The total cost of effort Don Chapin expended on this contract is not yet know, but is currently being tallied. It is anticipated that the majority of the contract amount requested has been expended. Additional work at the Pajaro Levee, related to the recent storms, is being planned. Staff will update the Board as information on needed repair projects become available.

California Environmental Quality Act ("CEQA") Guidelines Section 15269(b) categorically exempts specific actions necessary to prevent or mitigate an emergency to maintain services essential to the public health, safety or welfare. (14 C.C.R. § 15269(b)). Here, the services of the Don Chapin included, but are not limited to installing $\pm 3,000$ linear feet of floodwall prior to forecasted high flow events, providing additional labor/staff for monitoring duties during high water events; repairing levee damage incurred during storm events; and providing manpower for emergency response during highwater event to assist in emergency repairs. Pursuant to CEQA Guidelines section 15269(b), these emergency repairs by Don Chapin to the Pajaro Levee were and are necessary to maintain the public health, safety, and welfare.

OTHER AGENCY INVOLVEMENT:

County of Monterey, Office of Emergency Services (OES), FEMA, U.S. Army Corps, CA
Department of Water Resources (DWR), Cal OES

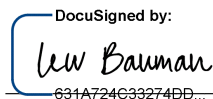
FINANCING:

There is sufficient appropriation in the Adopted FY22-23 Budget Unit 112-9300-WRA002-8484 to fund this agreement.

FEMA has indicated that it will reimburse 100% of expenses of debris clearing and emergency protective measures completed by February 25, 2023 and reimburse 75% for projects completed thereafter. Reimbursements from FEMA and others agency are not expected to occur in Fiscal Year 2022-23, the MCWA is currently exploring financing options such as a cashflow loan from the County. Agency staff is in the process of refining damage and repair costs caused by the storm. When the refined cost estimates are available, the Agency will return to the Board for appropriation increases in Agency Fund 112-9300-WRA002-8484 if needed.

Prepared by: Mark Foxworthy, Assoc. Water Resources Engineer, (831) 755-8984

Approved by:

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Lew Bauman, Interim General Manager, (831) 755-4860

Attachments:

1. Emergency Purchase Order Approval Email
2. Services Agreement with Don Chapin Company
3. Board Order