



Monterey County

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Board Report

Legistar File Number: 16-1278

November 15, 2016

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Matter Type: General Agenda Item

- a. Approve and authorize the Auditor-Controller to amend the FY16-17 Adopted Budget by increasing appropriations in the amount of \$317,727 for County Service Area 50 - Rioway Tract, Fund 077, Appropriation Unit RMA073, where the financing source is Unassigned Fund Balance, to fund grading for the Lower Carmel River Notch Expansion, emergency notch opening (if necessary due to potential flood threat); and, a permanent easement along the Rio Road Tie-Back Levee (4/5th vote required);
- b. Ratify payment of \$150,000 for the permanent easement from Resource Management Agency, Fund 401, Appropriation Unit RMA004 to be reimbursed by County Service Area 50 - Rioway Tract when appropriations become available; and
- c. Authorize the Auditor-Controller to transfer an amount not to exceed \$150,000 in FY16-17 from the County Service Area 50 - Rioway Tract, Fund 077, Appropriation Unit RMA073, to Resource Management Agency, Fund 401, Appropriation Unit RMA004 to reimburse the payment for the permanent easement (4/5th vote required).

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Auditor-Controller to amend the FY16-17 Adopted Budget by increasing appropriations in the amount of \$317,727 for County Service Area 50 - Rioway Tract, Fund 077, Appropriation Unit RMA073, where the financing source is Unassigned Fund Balance, to fund grading for the Lower Carmel River Notch Expansion, emergency notch opening (if necessary due to potential flood threat); and, a permanent easement along the Rio Road Tie-Back Levee (4/5th vote required);
- b. Ratify payment of \$150,000 for the permanent easement from Resource Management Agency, Fund 401, Appropriation Unit RMA004 to be reimbursed by County Service Area 50 - Rioway Tract when appropriations become available; and
- c. Authorize the Auditor-Controller to transfer an amount not to exceed \$150,000 in FY16-17 from the County Service Area 50 - Rioway Tract, Fund 077, Appropriation Unit RMA073, to Resource Management Agency, Fund 401, Appropriation Unit RMA004 to reimburse the payment for the permanent easement (4/5th vote required).

SUMMARY/DISCUSSION:

In fiscal year 2015-16, weather forecasts predicted the potential for an El Niño weather pattern, heavy precipitation, and possible flooding. As a result, a preemptory project, the Lower Carmel Valley River Notch Expansion, was recommended for completion as quickly as possible to allow more flow to access the south overbank of the lower Carmel River in the event of a large storm capable of flooding the developed north overbank area, including County Service Area 50 - Rioway

Tract (CSA 50). Phase 1 of this project was completed in January 2016 and increased the water storage capacity in the event that the notch would need to be opened. However, by the end of the wet weather season no potential flooding event had occurred, and the notch was not opened. River Notch Expansion invoices totaling \$79,799 for FY 2015-16 work were not received from the contractor in time to process in FY 2015-16, resulting in an unbudgeted FY 2016-17 expenditure.

In light of the uncertain weather patterns in the upcoming wet weather season, CSA 50 Advisory Committee has requested that funding for the notch expansion be included in the FY 2016-17 budget. Since the preliminary grading has been completed, the only cost would be for the actual notch opening and only in the event of a large storm that would result in flooding. Staff estimates needing an additional \$47,800 to open the notch and provide other outside maintenance services.

Additionally, a permanent easement for the Rio Road Tie-Back levee was recently negotiated in the amount of \$150,000. The levee is critical to flood protection at the western edge of CSA 50. Procurement of the permanent easement is necessary to perfect County's legal rights to the easement and to ensure county access and the ability to provide necessary maintenance. Funding of the permanent easement by CSA 50 was approved by their Advisory Committee on October 11, 2016. County was legally required to make the payment for the permanent easement prior to obtaining Board approval for the use of the CSA funds; accordingly, the Board is asked to ratify payment from Fund 401 - Facilities Maintenance Fund appropriations and to authorize reimbursement of that fund by CSA 50, Fund 077.

Finally, additional funding of \$40,128 is necessary to complete the environmental review and design associated with the stormwater improvement project that will be partially funded with an EPA grant. Initial estimates for the environmental review were low, and additional funding is necessary. It is anticipated that the grant will be finalized by the end of December 2016 and the design will begin in March 2017.

OTHER AGENCY INVOLVEMENT:

This matter was reviewed and approved by the Budget Committee on October 26, 2016.

FINANCING:

The recommended action will increase appropriations in Fund 077, Appropriation Unit RMA073 from \$208,597 to \$526,324, an increase of \$317,727, funded by estimated FY2016 Unassigned Fund Balance of \$757, 450 leaving an estimated Fund Balance of \$354,824.

There is a temporary impact to the Facilities Maintenance Fund, as the easement payment in the amount of \$150,000 was funded by Resource Management Agency, Fund 401, Appropriation Unit RMA004 until a reimbursement from CSA 50, Fund 077 is authorized.

Prepared by: Lynette Redman, Management Analyst III, 796-6038

Approved by: Shawne Ellerbee, Deputy Director of Administrative Services

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A - CSA 50 Budget Summary

Attachment on file with the Clerk of the Board