



Legislation Details (With Board Report)

**File #:** 18-354      **Name:** Increase Appropriations for Elkhorn Tide Gate Repair

**Type:** General Agenda Item      **Status:** Consent Agenda

**File created:** 3/23/2018      **In control:** Board of Supervisors

**On agenda:** 4/3/2018      **Final action:**

**Title:** Authorize the Auditor-Controller to increase appropriations in the amount of \$175,932 in the FY 2017-18 Adopted Budget for the Capital Projects Fund 402-3000-8468-RMA014, where the financing source is uncommitted fund balance 402-3101, to fund Phase I and II of the Elkhorn Tide Gate Repair. 4/5th Vote Required

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Completed Board Order

Date	Ver.	Action By	Action	Result
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Authorize the Auditor-Controller to increase appropriations in the amount of \$175,932 in the FY 2017-18 Adopted Budget for the Capital Projects Fund 402-3000-8468-RMA014, where the financing source is uncommitted fund balance 402-3101, to fund Phase I and II of the Elkhorn Tide Gate Repair. 4/5<sup>th</sup> Vote Required

RECOMMENDATION:

It is recommended that the Board of Supervisors:  
 Authorize the Auditor-Controller to increase appropriations in the amount of \$175,932 in the FY 2017-18 Adopted Budget for the Capital Projects Fund 402-3000-8468-RMA014, where the financing source is uncommitted fund balance 402-3101, to fund Phase I and II of the Elkhorn Tide Gate Repair. 4/5<sup>th</sup> Vote Required

SUMMARY:

On December 12, 2017, the Board of Supervisors (Board) approved a temporary plug to the pipe with the missing tide gate (Phase 1). Staff estimated Phase 1 would be about \$25,000. Adding inspection of all seven (7) gates while divers are in the water (Phase II), realizes savings but increases costs to \$175,932 to complete Phase I and II concurrently. Once the inspection has been completed, staff will evaluate the condition of the remaining gates and evaluate how to proceed with the permanent repair. Staff has been informed from the regulatory agencies that Phases I and II will not require permits for the temporary repair.

DISCUSSION:

Carneros Creek drains into The Elkhorn Slough via seven (7) culverts under Elkhorn Road. To control the salt water migration up Carneros Creek, the culverts are fitted with tide gates. The tide gates were initially installed by the adjacent property owners in the 1940's under an encroachment permit and subsequently replaced by the

Public Works Department in 1995.

In July 2017, the Elkhorn Slough Foundation (ESF) informed the County that a tide gate on Elkhorn Road Tide Gate system for the Carneros Creek Crossing went missing. It was presumed that this occurred during one of the 2017 winter storm events. Due to a long and complicated history, it took some time to establish a responsibility party for this repair. The tide gates were not identified by the County or the Monterey County Water Resources Agency during the damage assessments for the 2017 storm events. ESF has referred to this project as an emergency due to the upstream effects of no gate to regulate water flow. Monterey County Resource Management Agency (RMA) has agreed to assume lead for permitting and construction of this project.

On December 12, 2017, staff presented an option for a temporary plug to the pipe with the missing tide gate for an estimated cost of \$25,000 (Phase I) to the Board of Supervisors. Upon further evaluation of how that work was to be completed (including permitting), staff added inspection of all seven (7) gates (Phase II) while divers were in the water for efficiency of permitting and costs. As a result, costs increased for the first two (2) phases of this project to \$175,932. Once the inspection has been completed, staff will evaluate the condition of the remaining gates and evaluate how to proceed with the permanent repair (Phase III). Regulatory agencies have requested to see a plan following the temporary repair.

The estimated cost for Phase III (permanent repairs) is \$900,000 to \$1,300,000. Permanent repairs include installation of cofferdam as well as removing and rehabilitating the entire culvert system (seven [7] gates). The permanent repairs for this project will require going through the environmental review and permitting process.

OTHER AGENCY INVOLVEMENT:

RMA worked in collaboration with the County Administrative Office (CAO) Budget & Analysis Division in preparing this report. This Item was presented to the Budget Committee on March 28, 2018.

FINANCING:

On December 12, 2017, the Board directed RMA to work with the CAO to identify Capital Improvement Project (CIP) funds as a potential source for funding Phase I and II in the amount of \$175,932. Staff is recommending funding Phase I and II using uncommitted available fund balance within the Capital Projects Fund, Fund 402-3101. The current uncommitted Fund Balance for Fund 402, modified to exclude funding for the Agricultural Commissioner's Office, is \$1,236,024 based on the County of Monterey Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2017. It is anticipated that the modified ending fund balance at June 30, 2018 will be \$342,538 assuming all Board approved projects are completed. The recommended action will require a 4/5<sup>th</sup> vote.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the following Board of Supervisors' Strategic Initiative below:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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