Legislation Text

File #: 2024-1076, **Version:** 1

To: Board of Directors, Sonoma County Water Agency
Department or Agency Name(s): Sonoma County Water Agency
Staff Name and Phone Number: Grant Davis, 547-1911
Vote Requirement: 4/5th
Supervisorial District(s): Second

Title:
Receive Report and Make Findings to Continue Emergency Work to Repair Retaining Wall and Channel Liners in Washington Creek

Recommended Action:
Receive Report and Make Findings to Continue Emergency Work to Repair Retaining Wall and Channel Liners in Washington Creek. (Second District) (4/5th Vote Required)

Executive Summary:
This item requests the Board of Directors ("Board") for the Sonoma County Water Agency ("Sonoma Water") receive a report and make findings that there is an ongoing need to Repair the Retaining Wall and Channel Liners in Washington Creek.

Discussion:
In 2023, Sonoma Water staff began planning efforts to address the leaning retaining wall and slipping concrete channel liners in Washington Creek, located immediately adjacent to East Washington Boulevard and upstream of North McDowell Boulevard. A consultant was hired to generate an Engineering Evaluation Report in late 2023. It appeared the retaining wall and channel liner panels were failing due to inadequate drainage. After the rainy season of 2023/2024, conditions on Washington Creek degraded significantly. In response, Sonoma Water hired a Geotechnical Consultant to evaluate the soil conditions and determine if the retaining wall and liner panels would withstand another rainy season.

The consultant found: "If not mitigated prior to the next rainy season, there is a significant risk that continued and accelerated failure of these structures could occur and result in damage to the surrounding residential properties and adjacent roadway infrastructure." Therefore, immediate mitigative action is required prior to the next rainy season to prevent or mitigate imminent harm to public safety, public services, and property. Collapse of the wall or channel liner panels could result in failure of the upstream slope, damage to nearby residence, damage to the adjacent box culvert and roadway, and/or subsequent blockage of the channel, during a major storm event, resulting in flood damage and significant public safety hazard.

On July 11, 2024, the General Manager of Sonoma Water, pursuant to authority delegated in Resolution # 06-0649, declared the existence of an emergency for Sonoma Water due to failing infrastructure assets on Washington Creek.

Based upon the above, there is an urgent need to repair these structures of Washington Creek. The normal contracting process takes two to three months from a minimum advertising period through assessing bids and awarding and executing contracts. This delay would mean that it would not be possible to perform necessary preventative measures to protect public health and safety before the next rainy season.

Public Contract Code section 22050 authorizes Sonoma Water to enter into contracts for public projects as may be necessary to mitigate emergency conditions without giving notice for bids. Additionally, pursuant to Public Contract Code section 22035, this emergency work may proceed without adopting plans or specifications. This item will be brought back to the Board every 14 days for the General Manager to report on actions related to the emergency declaration and to determine if there is a need to continue the action without competitive bidding. The Board is obligated to terminate the waiver of the bid process at the earliest possible date that conditions warrant so that the remainder of the work may be completed under the bid process.

On July 16, 2024, the Board approved the following actions:

A) Made findings that there is an emergency needed to stabilize dangerous conditions resulting from failing infrastructure assets on Washington Creek; and
B) Suspended competitive bidding requirements; and
C) Authorized the General Manager of Sonoma Water to execute contracts, not to exceed $750,000, necessary to stabilize dangerous conditions resulting from failing infrastructure assets on Washington Creek; and
D) Ratified any emergency contracts entered into by the General Manager of Sonoma Water relating to these issues.
E) Adopted a Resolution authorizing adjustments to the Board Adopted Budget for FY 2045/2025 for the Flood Control Zone 2A in the amount of $447,100.

California Environmental Quality Act

This section of Washington Creek is located within Sonoma Water's Stream Maintenance Program (SMP). The "in kind" repair and replacement of failing concrete structures that require bank stabilization within SMP channels is included in the Stream Maintenance Program Environmental Impact Report (EIR). On June 23, 2009, Sonoma Water's Board of Directors certified the SMP EIR and approved the project in accordance with the requirements of the California Environmental Quality.

Progress to date:

Sonoma Water survey staff has continued to monitor the adjacent property owner's ground conditions. No settling or negative affects from construction are present.

Ghilotti Construction Company completed drilling activities. During the week of September 30th, 2024, both the retaining wall and channel liners were completed. For the next several weeks, the concrete will be curing and cleanup activities will continue.

Regulatory permits allow for in-channel work through October 31st. If the project's in-channel activities are not anticipated to be completed by October 31st, Sonoma Water will submit a request for extension of time as allowed by the applicable permits.

Strategic Plan:
N/A
Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?
No

Prior Board Actions:
See Attachment

See Attachment

FISCAL SUMMARY

Expenditures	**FY24-25 Adopted**	**FY25-26 Projected**	**FY26-27 Projected**
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
General Fund Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:
The current authorized expenditure for emergency-related procurements of equipment, material, and services is $900,000 pursuant to the 7/16/2024 Board action for this project. If needed, further additional expenditure authorization will be requested of the Board in the future.

Staffing Impacts:			
Position Title (Payroll Classification)	**Monthly Salary Range (A-I Step)**	**Additions (Number)**	**Deletions (Number)**

Narrative Explanation of Staffing Impacts (If Required):
N/A

Attachments:
Prior Board Actions

Related Items "On File" with the Clerk of the Board:
None.

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