



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Flood Control  
**Department No.:** 054  
**For Agenda Of:** July 13, 2021  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Directors, Flood Control and Water Conservation District

**FROM:** Department Scott D. McGolpin, Public Works Director, 805-568-3010  
Director(s)  
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 805-568-3436

**SUBJECT:** Lower Mission Creek Flood Control Project Reaches 2B-2 & 3, First Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to Form: Yes

**Recommended Actions:**

That the Board of Directors:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Padre Associates, Inc. (a Tri-County vendor) to provide environmental support services for the construction of Lower Mission Creek Flood Control Project, Reaches 2B-2 and 3 (BC 20-126), increasing the payment amount by \$115,913 to a total contract amount of \$168,473;
- b) Authorize the Public Works Director or designee to approve amendments to the professional services agreement with Padre Associates, Inc. in an amount not to exceed \$16,847.30 for a total Agreement amount not-to-exceed \$185,320.30; and
- c) Find that pursuant to the California Environmental Quality Act Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore, this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding

Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required. The Findings, Statement of Overriding Considerations, Environmental Impact Report/Environmental Impact Statement, and associated information can be found at: <http://santabarbara.legistar.com/LegislationDetail.aspx?ID=874496&GUID=D14C4C9B-DEDF-48CB-AB30-D52A228FB5A2>.

**Summary Text:**

This item is on the agenda in order to approve Amendment No. 1 to the agreement with Padre Associates, Inc. for environmental support services for the construction of Lower Mission Creek Flood Control Project (Project), Reaches 2B-2 and 3.

On August 25, 2020, the Board entered into an agreement with Padre Associates to provide environmental services in support of the construction of the Project, Reaches 2B-2 & 3, for \$52,560. A contract contingency of \$5,256 was also previously authorized.

The original contract with Padre Associates was established in order to provide environmental services based on the known presence of contaminated material (soil and groundwater) located within the Project limits. The Project, Reaches 2B-2 & 3, is currently under construction and significantly more contaminated material has been discovered than originally anticipated, increasing the amount of field observation, testing, evaluation, and coordination accounted for in the original contract.

The presence of contaminated material is beyond what was originally anticipated is also creating the need for extra work to be performed by the District's construction contractor, Granite Construction Company. It is anticipated that the extra work costs associated with this contaminated material may require an amendment to the construction contract. The details and scope of this extra work are still being evaluated and an amendment to the construction contract is tentatively planned to be presented to the Board of Directors in August 2021 when the extra work can be better quantified.

**Background:**

The Project is a federal, U.S. Army Corps of Engineers (Corps) project and has been under development since the 1960s. The City of Santa Barbara (City) and the District, acting as local sponsors for the federal project, worked with the community in the 1990s to develop the current project that addresses the flood control concerns and environmental issues.

In 2001, the City certified the EIR/EIS and approved the project for Lower Mission Creek, as did the Corps subsequent to the City's approval. Since that time, federal funding for construction has not come forward and the City and the District have been working on finding opportunities to construct elements of the Project as funding options arise. To date, the following Project elements have been completed:

**Flood Control District Work**

Union Pacific Railroad Culvert work  
Reach 1A-1  
Reach 1A-2  
Reach 2B-1

**City Work**

Haley – De La Vina Bridge  
Ortega Street Bridge  
Cota Street Bridge  
Mason Street Bridge

Reach 1B

Reach 2A

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
South Coast FZ			\$ 185,320.30
State			
Federal			
Fees			
Other:			
<b>Total</b>	\$ -	\$ -	\$ 185,320.30

Narrative:

This Project was included in the adopted FY 2021-22 budget in the Water Resources Division of the Public Works Department as shown on page D-340 in the budget book. No General Fund monies will be utilized for this Project.

The Project is also included in the County’s Capital Improvement Program.

**Special Instructions:**

Direct the Clerk of the Board to send an original of Amendment No. 1 with Padre Associates and a copy of the minute order of these actions to the Flood Control District Office, Attn: Christina Lopez.

**Attachments:**

Attachment A - Amendment No. 1 to the Agreement with Padre Associates (2 originals)  
w/Contract Summary

Attachment B - Copy of Original Agreement with Padre Associates (BC 20-126)

**Authored by:**

Matt Griffin, Civil Engineer Specialist, 884-8074

