



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: October 4, 2016
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

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

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

SUBJECT: Lower Mission Creek Flood Control Project, Reach 2A, Second Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to Form: Yes

Recommended Actions:

That the Board of Directors:

- a) Authorize the Director of Public Works or designee to approve the Letter of Agreement (Folder: 3008-36) with Union Pacific Railroad for the construction of the portion of the Lower Mission Creek Project, Reach 2A, within an exclusive UPRR easement; and
- b) 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 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 Statement/ Environmental Impact Report, 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 authorize the Public Works Director or designee to approve a Letter of Agreement with Union Pacific Railroad (UPRR) for the construction of the Lower Mission Creek Flood Control Project, Reach 2A across an exclusive UPRR easement.

On June 3, 2008 the Board of Directors approved a maintenance and construction agreement between the Flood Control District and UPRR for the 18' x 6' reinforced concrete double box culvert located entirely within the exclusive UPRR easement associated with the Lower Mission Creek Project. That work was completed in 2009. The Letter of Agreement being recommended for approval herein only pertains to construction access and maintenance of the small portion of the Lower Mission Creek Project, Reach 2A, that crosses the exclusive UPRR easement and connects to the culvert constructed under the 2008 agreement.

On August 23, 2016, the Board of Directors awarded the construction contract for the Lower Mission Creek Flood Control Project, Reach 2A to Lash Construction, Inc. in the amount of \$1,986,350. The portion of work with the UPRR easement will not occur until the Letter of Agreement is approved.

Background:

The Lower Mission Creek Flood Control Project is a federal, U.S. Army Corps of Engineers project and has been under development since the 1960's. The 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 Environmental Impact Statement/ Environmental Impact Report (EIR/EIS) and approved the project for Lower Mission Creek as did the U.S Army Corps of Engineers subsequent to the City's approval. Since that time, federal funding for construction has not come forward and the City and the Flood Control 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
Reach 1B

City Work

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

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative:

There are no fiscal impacts associated with this board action.

Lower Mission Creek Flood Control Project, Reach 2A

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This project is also included in the County Capital Improvement Program on page D-148.

Special Instructions:

Direct the Clerk of the Board to send a copy of the minute order of this action to the Flood Control District office: Attn: Christina Lopez.

Attachments:

Attachment A - Copy of the UPRR Letter of Agreement

Authored by:

Matt Griffin, Civil Engineer Specialist, 884-8074

Exhibit A

