



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:** May 3, 2016  
**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, 568-3010  
Director(s)  
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

**SUBJECT:** Las Vegas and San Pedro Creeks Capacity Improvement Project, Second Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:**

**Recommended Actions:**

That the Board of Directors:

- a) Approve the Transition Structure plans and specifications for the Las Vegas and San Pedro Creeks Capacity Improvement Project;
- b) Award the construction contract for the Transition Structure portion of the Las Vegas and San Pedro Creeks Capacity Improvement Project, in the amount of \$689,528.70 to the lowest responsible bidder Souza Construction, Inc. (a tri-county vendor), subject to the provisions of documents and certifications, as set forth in the plans and specifications applicable to the project and as required by law;
- c) Approve and authorize the Chair to execute the construction contract upon return of the contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives;
- d) Authorize the Public Works Director or designee to approve changes or additions to the work being performed under the Construction Contract, in an amount not to exceed \$46,976.44 for the Transition Structure portion of the Las Vegas and San Pedro Creeks Capacity Improvement Project;

- e) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with Filippin Engineering (a local vendor), to provide construction management and inspection services for the Transition Structure portion of the Las Vegas and San Pedro Creeks Capacity Improvement Project for the period of May 3, 2016 through January 31, 2017 in an amount not to exceed \$104,384;
- f) Authorize the Public Works Director or designee to approve changes or additions to the work being performed under the Agreement for Services of Independent Contractor with Filippin Engineering in an amount not to exceed \$10,438.40;
- g) Approve and authorize the Public Works Director, or designee, to execute a Temporary Entry Permit with Susan T. Neuman on a portion of 25 Carlo Drive, Goleta, Assessor Parcel Number 077-241-008, in connection with the Las Vegas and San Pedro Creeks Capacity Improvement Project;
- h) Accept and authorize the Clerk of the Board or the Director of Public Works to sign a Certificate of Acceptance for a Permanent Easement Deed on a portion of land, approximately 290 square feet, located on the property at 25 Carlo Drive, Goleta, Assessor Parcel Number 077-241-008, conveyed from Susan T. Neuman to the Santa Barbara County Flood Control and Water Conservation District;
- i) Approve and authorize the Public Works Director, or designee, to expend funds and execute documents required to process and purchase the temporary entry permit and permanent easement for a total amount not-to-exceed \$25,000, in connection with the Las Vegas and San Pedro Creeks Capacity Improvement Project; and
- j) Determine, pursuant to 14 CCR 15162, that a Mitigated Negative Declaration (MND) was adopted for the Las Vegas-San Pedro Creeks Capacity Improvement Project on October 4, 2011 and Addendums 1, 2 and 3 to the MND were approved on April 10, 2012, August 19, 2014 and July 7, 2015, respectively, that no substantial changes are proposed in the project, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and no new information of substantial importance has been received with respect to the project or the mitigation measures, and therefore no subsequent Environmental Impact Report (EIR) or Negative Declaration is required for the approval of the recommended actions. Related environmental documents can be found: <https://santabarbara.legistar.com/LegislationDetail.aspx?ID=1878938&GUID=785DE1B4-80DF-451E-9A44-126AB887E10A>

**Summary Text:**

On March 29, 2016, the Flood Control District (District) received seven (7) bids for the Transition Structure portion of the Las Vegas and San Pedro Creeks Capacity Improvement Project (Project). Souza Construction, Inc. submitted the lowest responsive bid in the amount of \$689,528.70. The second lowest bid was in the amount of \$978,358. The engineer's construction cost estimate was \$904,514. Souza Construction also recently successfully constructed Element C of the Project (described below). In reviewing the cost/bid information, both Souza and the District are confident that Souza can successfully complete this Transition Structure Project.

Filippin Engineering was selected from the Public Works Department's prequalified list of consultants to provide construction management and inspection services for the Project.

The Transition Structure represents the final component of the overall Las Vegas and San Pedro Creeks Capacity Improvement Project.

The Temporary Construction Permit and Agreement on Assessor Parcel Number 077-241-008 will grant the District access to an approximately 420 square foot area for a period of three months. This will allow the District to access the Permanent Easement area to construct permanent improvements that will provide access to the flood control channel. The Permanent Easement consists of approximately 290 square feet and will provide permanent access to the creek for workers, equipment, and materials for ongoing maintenance of the transitional structure improvements related to Element B of the Project.

California Government Code Section 65402 requires a determination as to the conformity of any property acquisition with the applicable general plan. Assessor Parcel Number 077-241-008 is located at 25 Carlo Drive, in the City of Goleta. This part of the Project is therefore within the jurisdiction of the City of Goleta's Planning and Environmental Review Department. A general plan conformity request was submitted to the City on December 18, 2014, without objection, and the acquisition was determined to be in conformity.

**Background:**

On March 7, 2013, the Board of Directors of the County Flood Control District received a report on the status of the Las Vegas and San Pedro Creeks Capacity Improvement Project. This project will reduce the severe and chronic flooding that has occurred in the area. The project is a cooperative project among the District, the Cities of Goleta and Santa Barbara, Union Pacific Railroad (UPRR), and California Department of Transportation (Caltrans). The project consists of the following elements:

Element A is the replacement of the culverts in U.S. 101 and Calle Real on Las Vegas and San Pedro Creeks with bridges. This work is funded by Caltrans and construction nearing completion and all elements are not functional.

Element B is the reconstruction of the UPRR bridges over San Pedro and Las Vegas Creeks and the transition structure on San Pedro Creek upstream of Calle Real. This work is funded by the District. On January 13, 2015, your Board approved the Reimbursement Agreements with UPRR and that construction work is complete. The transition structure is the final phase of this project and construction will start upon approval of these Board actions.

Element C includes conform grading of the creek channels upstream and downstream of the new and wider UPRR bridges and construction of a floodwall located downstream of the San Pedro Creek UPRR bridge. This work is funded by the District, and construction work is complete.

With completion of this this final phase of construction, all construction work will be complete. Remaining revegetation work required through the Environmental process may come back to your Board in the future as a separate contract.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

<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			\$876,327.54
State			
Federal			
Fees			
Other:			
<b>Total</b>	\$ -	\$ -	\$ 876,327.54

**Fiscal Analysis:**

Narrative:

Costs for this project have been included in the budget over the past several years. Construction costs for this portion of Element B were included in the Adopted FY 2015-16 budget in the Water Resources Division of the Public Works Department as on page D-302 in the budget book. Costs are also included in the proposed FY 2016-17 since construction will continue into next fiscal year.

It should be noted that the largest and most costly portion of this project is born by Caltrans for replacement of their bridges, including the Calle Real Bridge, exceeds \$20 million. There will be no General Fund monies utilized for this project.

This project is also included in the County’s Capital Improvement Program on page D-141.

**Key Contract Risks:**

N/A

**Special Instructions:**

1. Send two originals of the Agreement with Filippin Engineering to the Flood Control District office:  
Attn: Christina Lopez
2. Clerk of the Board to return the original Temporary Construction Permit and Agreement to General Services, Attn: J. Cleary
3. Clerk of the Board to return the original Permanent Easement Deed and Certificate of Acceptance, to General Services, Attn: J. Cleary, for recordation
4. A copy of the minute order of these actions to the Flood Control District office: Attn: Christina Lopez and to General Services, Attn: J. Cleary

**Attachments:**

Attachment A: Plans and Specifications (available on the Clerk of the Board website and hard copies available at the Clerk’s office in Santa Barbara and Santa Maria)

Attachment B: Copy of Construction Agreement with Souza Construction, Inc.

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Las Vegas and San Pedro Creeks Capacity Improvement Project, Transition Structure

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Attachment C: Agreement with Filippin Engineering (3 originals) with Contract Summary

Attachment D: Temporary Entry Permit

Attachment E: Permanent Easement

**Authored by:**

Karen Sullivan, Civil Engineer, 568-3458

James Cleary, General Services, 568-3072

## Las Vegas San Pedro Creeks Capacity Improvement Project PROJECT VICINITY MAP

