



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:** June 18, 2019  
**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:** Lower Mission Creek Flood Control Project Reach 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 the attached Agreement for Services of Independent Contractor with Padre Associates Inc. (a tri-county vendor) for environmental services in the amount of \$24,240 for the period of June 18, 2019 through December 31, 2019 to provide environmental consulting and field assessment activities at 324 De La Vina Street associated with the Lower Mission Creek Flood Control Project, Reach 3;
- b) Approve and authorize the Public Works Director, or designee, to approve agreement amendments within the scope of work in an amount not to exceed \$2,424 for a total Agreement amount not to exceed \$26,664; 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 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 the agreement with Padre Associates Inc. (Padre) to provide environmental consulting and field assessment activities at 324 De La Vina Street (Attachment A). The District is proposing to acquire 324 De La Vina Street as part of the Lower Mission Creek Flood Control Project, Reach 3, and is depicted in Exhibit 1. The environmental services associated with this agreement are needed in order to complete an appraisal of this property and establish a fair market value necessary for acquisition.

On July 17, 2018, the Board approved a Resolution of Necessity for the acquisition of the fee interest in the real property for Reach 3 – the Lower Mission Creek Project located at 324 De La Vina Street, in downtown Santa Barbara.

Prior environmental assessments of the site were performed by Padre as a sub-consultant to Bengal Engineering, the consultant performing the engineering and design for the Reach 3 Project. Bengal's design contract was amended by the Board on August 14, 2018, to perform site sampling and analysis of the soil and ground water and to develop a Phase II Environmental Assessment. The soil and ground water sampling came back positive for some types of hazardous material. The prior sampling and assessment of this hazardous material was found to be adequate to address the engineering and design aspects of the project but it was determined additional sampling and assessment is needed in order to complete the appraisal.

Padre is on the Prequalified Consultant List for Professional Services for environment document preparation and permitting for the Public Works Department. The Board approved the Prequalified Consultant list in January 2018. In 2017, the Public Works Department requested Statement of Qualifications for ten professional services categories and conducted a fair, competitive selection process. Padre was selected for these environmental consulting and field assessment activities at 324 De La Vina Street based on its demonstrated competence and professional experience.

**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 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 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:

<b>Flood Control District Work</b>	<b>City Work</b>
Union Pacific Railroad Culvert work	Haley – De La Vina Bridge
Reach 1A-1	Ortega Street Bridge
Reach 1A-2	Cota Street Bridge
Reach 2B-1	Mason Street Bridge
Reach 1B	
Reach 2A	

**Fiscal and Facilities Impacts:**

Budgeted: Yes

<b>Funding Sources</b>	<b>Current FY Cost:</b>	<b>Annualized On-going Cost:</b>	<b>Total Project Cost</b>
South Coast FZ Fees	\$ 26,664.00		
Other:			
Total	\$ 26,664.00	\$ -	\$ -

**Narrative:**

This project was included in the adopted FY 2018-19 and the FY 2019-20 proposed budget in the Water Resources Division of the Public Works Department. No General Fund monies will be utilized by this project.

This project is also included in the 2019-2024 County Capital Improvement Program on page D-137.

**Special Instructions:**

Direct the Clerk of the Board to send two (2) originals of the executed Agreement and the minute order of these actions to the Flood Control office: Attn: Christina Lopez (x3436).

**Attachments:**

Attachment A: Agreement for Services with Padre Associates Inc. (3 originals) including contract summary

**Authored by:**

Matt Griffin, Civil Engineer

### Exhibit 1

