



STAFF REPORT

SAUSALITO CITY COUNCIL

MEETING DATE: January 28, 2020

AGENDA TITLE: Accept the Informational Report and Status Update Regarding the Mudflow Recovery Project, Termination of Local Emergency.

LEAD DEPARTMENT: Public Works

RECOMMENDED MOTION:

1. Accept the Informational Report and Status Update regarding the current status of the Winterization Project.
 2. Direct the City Engineer to file the Notice of Completion
 3. Thank Maggiora & Ghilotti Inc. for its good service to the People of Sausalito
 4. Adopt a Resolution of the City Council of the City of Sausalito proclaiming the termination of the Local Emergency Declared on February 18, 2019 related to storm activity and Landslides Occurring in February 2019.
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SUMMARY

On February 14, 2019 a soil instability event occurred above Sausalito Boulevard originating on National Park Service property which damaged several structures. On February 18, 2019 the City Council of the City of Sausalito adopted a resolution declaring a Local Emergency related to the mudflow. The City has continued the declaration of local emergency, and provided updates on the status of removing debris from the roadway area from this event as follows throughout the year. Actions taken by the Sausalito City Council are listed in the table below:

Date	Action
February 18, 2019	Adopt a resolution declaring the existence of a local emergency related to storm activity and landslide occurring in February 2019
February 26, 2019	Report on the Local Emergency Related to the Mudslide that Occurred on February 14, 2019
March 12, 2019	Update on the Local Emergency Related to Storm Activity and Mudslides / Renewal of Emergency Declaration
May 14, 2019	Approve and Adopt the 2018 Marin County Multi-Jurisdictional Local Hazard Mitigation Plan and

	Continuing the Declaration of a Local Emergency Related to Storm Activity and Landslides
May 28, 2019	Approve and Authorize the City Manager to Execute Amendment No. 1 to the Professional/Consulting Services Agreement with Harris & Associates for Sausalito Emergency Disaster Recovery Advisory Services and Mudslide Update
June 11, 2019	Approve and Adopt Continuing the Declaration of a Local Emergency Related to Storm Activity and Landslides and Authorizing Extension of Construction Hours for Debris Removal Resulting from the February 14, 2019 Mudslide
June 18, 2019	Approve and Adopt Continuing the Declaration of a Local Emergency Related to Storm Activity and Landslides
July 16, 2019	Adopt a Resolution of the City Council of the City of Sausalito Rejecting All Bids and Proposals Received for the Debris Removal Project; Authorizing Re-bidding of the Project and Re-Issuance of the RFP; Authorizing the City Manager to Award the Contracts for the Project and Accept Rights of Entry Agreements; and Adopt a Resolution of the City Council of the City of Sausalito Continuing the Declaration of a Local Emergency Related to Storm Activity and Landslides
September 10, 2019	Adopt a Resolution Continuing the Declaration of a Local Emergency Related to Storm Activity & Landslides, and Accept the Informational Report and Status Update regarding Award of the Debris Removal Project – Sausalito Blvd. to Crescent Avenue.
December 10, 2019	Adopt a Resolution Continuing the Declaration of a Local Emergency Related to Storm Activity & Landslides, and Accept the Informational Report and Status Update regarding the current status of the Debris Removal Project – Sausalito Blvd. to Crescent Avenue.

On December 10, 2019, the City issued a notice of award to Maggiora & Ghilotti Inc. in the amount of \$101,400 for additional winterization measures. These measures included re-establishing the drainage system under Crescent Avenue which was crushed during the 2019 event and installing a French drain in the gully above Crescent to capture surface water that collects between Sausalito and Crescent and replacement of the existing and damaged storm drain extending downhill from Crescent to an existing concrete box culvert. This work began on January 2, 2020 and was completed on January 17.

Staff recommends directing the City Engineer to file the Notice of Completion for this winterization work. The filing of this document will allow staff to release the retention amount 35 days following the recordation of the notice.

Emergency Storm Drain Repair: In December 2019 City personnel removed vegetation around an above ground storm drain pipe which is meant to convey storm water collected on Highway 101 above Hecht Road to Sausalito Blvd. above the disaster area. Staff observed that the existing above ground corrugated metal pipe system was corroded at the pipe joints. City staff took action with regard to this issue and requested immediate repair of this facility by replacing the corrugated metal pipe with a solid High Density Polyethylene (HDPE) pipe. Upon approval to replace this existing pipe from the City Engineer and the City Manager City, staff utilized Maggiora and Ghilotti Inc. who was working on the winterization efforts on Crescent Avenue to replace the pipe system. While the work was occurring it was observed that the pipe under Hecht Road was also severely deteriorated and as such was also replaced with a new HDPE pipe. While not originally contemplated with the work, an additional manhole was installed on Hecht Road where the pipe alignment is angled away from the natural contour. Prior to the start of construction Public Works staff has been in contact with the National Park Service (NPS) who also agreed that the pipe should be replaced. This particular pipe is located within an older drainage easement.

Permanent Repairs: Following completion of debris removal, Harris and Associates has been able to evaluate the storm-water system that originally existed in this watershed. The infrastructure that conveyed stormwater from and above Sausalito Blvd. to the stormdrain under and below Crescent Avenue has been completely destroyed. This infrastructure will need to be permanently replaced.

Public Works Staff have identified a preferred permanent repair based on design alternatives provided by Harris and Associates. The preferred alternative includes the installation of a pipe system that will convey stormwater from Sausalito Blvd to a drainage inlet on the uphill side of Crescent Avenue. The stormdrain pipe will be placed underground where feasible and the improvements will include at least one inlet structure to capture water from the slope areas between Sausalito Blvd. and Crescent Ave. Staff anticipate conducting this work in the spring of 2020.

Additional repairs of Crescent Avenue such as resurfacing are required. Because this area will need to serve as a staging area for the permanent storm drain repair work, staff recommends this portion of Crescent Avenue continue to remain closed to traffic until the stormdrain repairs are complete. Staff anticipate conducting this work immediately following the stormdrain work. Once resurfaced, the damaged portion of Crescent Avenue may be reopened to vehicular and pedestrian traffic.

DISCUSSION/ANALYSIS

In order for the City of Sausalito to qualify for and receive federal funding in relationship to debris removal and winterization of the site the declaration of local emergency has

needed to remain in place while the work is performed. With debris removal and winterization work completed, the declaration of local emergency is no longer needed. Therefore, staff recommends Council discontinue the Declaration of a Local Emergency.

However, this does not mean that all the work at the site is completed. The permanent repairs required to restore the stormdrain system and resurface Crescent Avenue described above are considered permanent restoration measures which can be performed in Spring/Summer 2020. The City will seek reimbursement from FEMA and Cal OES for this work as categorized as permanent repairs.

Once the stormwater infrastructure is restored, the final step will be to restore the surface of Crescent Avenue that was damaged by the disaster and the Debris Removal Project. Upon completion of this work, the road will be opened to vehicular and pedestrian traffic.

FISCAL IMPACT

On September 20, 2019 the City received a letter from CalOES which stated that they do not support the City's request for FEMA to approve Public Assistance funding for debris removal from private property. On October 10, 2019 the City received a letter from FEMA stating that they also support CalOES's decision to deny the City's request to support the cost of removal of debris from private property.

On December 4, 2019, the City submitted an appeal of the denial to provide public assistance for the removal of debris from private property. In the appeal, the City requested that FEMA reverse their decision because the debris field presented an immediate threat to life, public health and safety. Cal OES has 45 days from receipt of the appeal to make a recommendation on the appeal to FEMA. FEMA has 60 days from receipt of the Cal OES recommendation to make a decision on the appeal. At this time, it is difficult to speculate if the City will be successful in an appeal.

Staff, with assistance from Harris & Associates, continue to submit billings to FEMA and CalOES in order to support the removal of debris and other disaster response and recovery costs. City Staff have been working closely with Federal and State representative regarding this project for several months. Removal of the entire debris was necessary to minimize any impact on the Public Right of Way as well as those properties around the area where the debris has accumulated.

Based on recent information the following table illustrates the current estimated cost of the project.

Category	Budget	Estimated Cost	Comment
Design	\$301,359.59	\$301,359.59	Harris and Associates
Construction Management	\$394,427.68	\$375,000.00	Harris and Associates
Project Management - Administration, Outreach, Grant Coordination, Permitting	\$161,563.48	\$135,000.00	Harris and Associates
Subtotal Soft Costs	\$857,350.75	\$811,359.59	

Category	Budget	Actual Cost	Comment
Debris Removal, Right of Way	\$176,901.70	\$271,998.50	Resource Environmental
Debris Removal, Slope Stabilization (Private Property)	\$656,128.30	\$347,693.25	Resource Environmental
Emergency Protective Measures	\$14,560.00	\$14,560.00	Resource Environmental
Subtotal Construction	\$847,590.00	\$634,251.75	

Category	Budget	Actual Cost	Comment
Additional Winterization Measures & Permanent SD Replacement	\$110,000.00	\$111,540.00	Maggiora & Ghilotti, Inc.
Emergency Storm Drain Replacement - Hecht to Sausalito Blvd.	\$90,000	\$90,000	Maggiora & Ghilotti, Inc.
Subtotal of Immediate Response Costs	\$1,904,940.75	\$1,647,151.34	

Category	Projected Cost
Estimated Permanent Restoration Cost	\$300,000
Estimated Total Project Cost	\$1,947,151.34

The City has received all invoices from Resource Environmental, continues to receive invoices from Harris & Associates, and anticipates receiving the remaining invoicing from Maggiora & Ghilotti, Inc. in the next few weeks. The City is currently in the process of seeking reimbursement of these costs from CalOES and FEMA.

The greatest remaining budget uncertainty relates to the design and construction costs of permanent repairs to City infrastructure. At the time the original bid documents were prepared, it was not possible to fully assess the condition of the water course from Sausalito Blvd. to Crescent Avenue. The civil and geotechnical engineers with Harris and Associates are currently in the process of finalizing designs and associated costs for the permanent repairs to the affected stormwater system and road. The cost for winterizing the site and installing these proposed measures are eligible under FEMA Public Assistance as Category B (Emergency Protective Measures) assistance. The costs of road and utility repairs are eligible under FEMA Public Assistance as Category C and F assistance. Using the current preliminary estimate of \$300,000 for the cost of permanent storm drain system and street restoration, the total project estimate stands at \$1,947,151.34 (\$1,647,151.34 + 300,000).

Based on the summary noted above, the maximum the City is eligible to receive is \$254,998.59 ($0.9375^1 * \$271,998.50$) for the removal of debris within the Public Right of Way. The maximum the City is also eligible to receive is \$104,568.75 ($0.9375 * \$111,540$) for the additional winterization measures and permanent storm drain replacement beneath Crescent Ave. implemented by Maggiora & Ghilotti. Reimbursement from FEMA for the construction work is tied to an appeal process related to removal of material located on private property. At present, FEMA is not reimbursing debris removal from private property which is currently a cost to the City in the amount of \$347,693.25 for debris removal by the contractor.

MMWD will be reimbursing the City \$29,938 for the work to remove debris from its property. The invoice has been prepared and submitted to MMWD. The invoice took into account the tonnage of material removed from MMWD's property as well as the cost of inspection and project management associated with this effort.

The City's consultant, Harris and Associates, is also reviewing their costs to determine which portion of their services can be attributed to the debris removal on public property versus that on private property with the intent of having the City seek reimbursement for these services apart from the amount currently under appeal. City staff, Cal OES, and FEMA are still determining an accepted method for apportioning management costs between reimbursable and non-reimbursable work.

STAFF RECOMMENDATIONS

1. Accept the Informational Report and Status Update regarding the current status of the Winterization Project.
2. Direct the City Engineer to file the Notice of Completion
3. Thank Maggiora & Ghilotti Inc. for its good service to the People of Sausalito

¹ The total reimbursement amount is a maximum of 93.75% because FEMA reimburses up to 75% and Cal OES provides an additional 18.75% (which is 75% of the remaining 25%).

4. Adopt a Resolution of the City Council of the City of Sausalito proclaiming the termination of the Local Emergency Declared on February 18, 2019 related to storm activity and Landslides Occurring in February 2019.

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