

**Walnut and Grayson Creeks Levee Rehabilitation
At CCCSD Treatment Plant Project
Contra Costa County Flood Control and Water Conservation District
Authorization and Eligibility Requirements**

The Contra Costa County Board of Supervisors, the governing board of the Contra Costa County Flood Control and Water Conservation District (District), on Tuesday, February 5, 2013, will receive and approve a resolution approving the District's application to the California Department of Water Resources (DWR) to obtain Stormwater Flood Management grant funds under the Disaster Preparedness and Flood Prevention Bond Act of 2006. A draft of the resolution and accompanying board order is attached. A final signed copy of the resolution and board order will be forwarded to DWR when it is available.

#13461



Contra
Costa
County

To: Flood Control District Board of Supv

From: Julia R. Bueren, Public Works

Date: February 5, 2013

Subject: Adopt Resolution Approving the Application for California Department of Water Resources Grant. Project No. 7562-6D8348

RECOMMENDATION(S):

ADOPT Resolution No. 2013/74 approving the application to the California Department of Water Resources to obtain Stormwater Flood Management grant funds under the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resources Code Section 5096.800 et seq.) (Proposition 1E), Martinez/Pacheco area. (50% California Department of Water Resources Proposition 1E Funds, 25% Central Contra Costa Sanitary District [CCCSD] Funds, and 25% Flood Control and Water Conservation District Funds)

FISCAL IMPACT:

The Contra Costa County Flood Control and Water Conservation District (FC District) will be required to provide 25% matching funding for the project (\$850,000) in Flood Control Zone 3B funds.

BACKGROUND:

The State's Proposition 1E, upon passage by the voters in 2006, created a grant program with an emphasis on stormwater and flood management. Proposition 1E typically funds projects that reduce flood risk, such as channel widening or levee improvements.

The FC District owns and manages both Walnut Creek and Grayson Creek adjacent to the CCCSD treatment plant. The CCCSD

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/05/2013** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYES _____ NOES _____
ABSENT _____ ABSTAIN _____
RECUSE _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 5, 2013

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Carl Roner (925) 313-2213 By: , Deputy

cc: R.M. Avalon, Deputy Chief Engineer. C. Roner, Flood Control, C. Windham, Flood Control

BACKGROUND: (CONT'D)

treatment plant collects and treats wastewater from 450,000 residents. Because much of the treatment plant is constructed below ground, it is unusually susceptible to flood damage. A flood in Grayson or Walnut Creek that overtops or breaches the surrounding levees would inundate the plant and cause up to \$150,000,000 in damages and result in untreated sewage being discharged into Walnut Creek for weeks or months until the plant could be repaired and restored to proper operation.

The FC District and CCCSD jointly desire to improve the level of flood protection to the treatment plant, and the upcoming Proposition 1E, Round 2 grant solicitation provides an opportunity to compete for a grant providing 50% state funding for a levee rehabilitation project at this location. FC District staff and CCCSD staff have conceptually agreed to equally share the local share of the grant, with the FC District taking the lead in applying for the grant.

The California Department of Water Resources requires certain certifications as a condition of receiving a Proposition 1E grant. The attached resolution provides the specific, required certifications.

CONSEQUENCE OF NEGATIVE ACTION:

Without the Board of Supervisors' approval, the FC District will not be able to apply to the state for Proposition 1E Stormwater Protection funds, and funding for enhanced flood protection for the CCCSD wastewater treatment plant would not be available.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 02/05/2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2013/74

In The Matter Of: Adopt Resolution Approving the Application to California Department of Water Resources to Obtain Stormwater Flood Management Grant Funds Under the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resources Code Section 5096.800 et seq.) (Proposition 1E), Martinez/Pacheco area. (50% California Department of Water Resources Proposition 1E Funds, 25% Central Contra Costa Sanitary District [CCCSD] Funds, and 25% Flood Control and Water Conservation District Funds) Project No. 7562-6D8348

WHEREAS, the Contra Costa County Flood Control and Water Conservation District (FC District) manages Walnut and Grayson Creeks adjacent to CCCSD's treatment plant; and

WHEREAS, CCCSD's treatment plant collects and treats wastewater from 450,000 residents, and if flooded, the plant would have up to \$150,000,000 in damages; and

WHEREAS, the FC District and CCCSD jointly desire to reduce the flood risk to CCCSD's treatment plant and have been seeking funding; and

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Department of Water Resources has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the Department of Water Resources require a resolution certifying the approval of application(s) by the FC District's (as Applicant) governing board; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the project.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Contra Costa County Flood Control and Water Conservation District:

1. Approves the filing of an application for the Grayson and Walnut Creeks Levee Rehabilitation at CCCSD Treatment Plant Project;
2. Certifies that Applicant understands the assurances and certification in the application; and,
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements or will secure the resources to do so; and,
4. Certifies that the project will comply with any laws and regulations, including, but not limited to, the California Environmental Quality Act (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and that prior to commencement of construction, all applicable permits will have been obtained; and,
5. Appoints the Chief Engineer, Flood Control and Water Conservation District, or designee, as agent to conduct all negotiations, execute and submit all documents, including, but not limited to, applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 5, 2013

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Carl Roner (925) 313-2213

By: , Deputy

cc: R.M. Avalon, Deputy Chief Engineer, C. Roner, Flood Control, C. Windham, Flood Control

Resolution No. 2013/74

AIR-13461

Consent 0.

BOS Agenda
Meeting Date: 02/05/2013

Special Districts & County Airports

Time

(Duration):

Adopt Resolution Approving the Application for California Department of Water Resources Grant. Project No. 7562-6D8348

Submitted By: Julia R. Bueren, Public Works

Department: Public Works

Division: Public Works - Flood Control

Noticed Public

Hearing: No

Official Body: Flood Control District Board of Supp
Contact

District: District V

Person, Phone: Carl Roner (925) 313-2213

Presenter/Phone,

Audio-Visual

if applicable:

Needs:

Handling Need two duplicate originals with wet

Instructions: signatures.

Information

Recommendation(s):

ADOPT Resolution No. 2013/74 approving the application to the California Department of Water Resources to obtain Stormwater Flood Management grant funds under the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resources Code Section 5096.800 et seq.) (Proposition 1E), Martinez/Pacheco area. (50% California Department of Water Resources Proposition 1E Funds, 25% Central Contra Costa Sanitary District [CCCSD] Funds, and 25% Flood Control and Water Conservation District Funds)

Fiscal Impact:

The Contra Costa County Flood Control and Water Conservation District (FC District) will be required to provide 25% matching funding for the project (\$850,000) in Flood Control Zone 3B funds.

Background:

The State's Proposition 1E, upon passage by the voters in 2006, created a grant program with an emphasis on stormwater and flood management. Proposition 1E typically funds projects that reduce flood risk, such as channel widening or levee improvements.

The FC District owns and manages both Walnut Creek and Grayson Creek adjacent to the CCCSD treatment plant. The CCCSD treatment plant collects and treats wastewater from 450,000 residents. Because much of the treatment plant is constructed below ground, it is unusually susceptible to flood damage. A flood in Grayson or Walnut Creek that overtops or breaches the surrounding levees would inundate the plant and cause up to \$150,000,000 in damages and result in untreated sewage being discharged into Walnut Creek for weeks or months until the plant could be repaired and restored to proper operation.

The FC District and CCCSD jointly desire to improve the level of flood protection to the treatment plant, and the upcoming Proposition 1E, Round 2 grant solicitation provides an opportunity to compete for a grant providing 50% state funding for a levee rehabilitation project at this location. FC District staff and CCCSD

staff have conceptually agreed to equally share the local share of the grant, with the FC District taking the lead in applying for the grant.

The California Department of Water Resources requires certain certifications as a condition of receiving a Proposition 1E grant. The attached resolution provides the specific, required certifications.

Consequence of Negative Action:

Without the Board of Supervisors' approval, the FC District will not be able to apply to the state for Proposition 1E Stormwater Protection funds, and funding for enhanced flood protection for the CCCSD wastewater treatment plant would not be available.

Children's Impact Statement:

Not applicable.

In The Matter Of:

In The Matter Of: Adopt Resolution Approving the Application to California Department of Water Resources to Obtain Stormwater Flood Management Grant Funds Under the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resources Code Section 5096.800 et seq.) (Proposition 1E), Martinez/Pacheco area. (50% California Department of Water Resources Proposition 1E Funds, 25% Central Contra Costa Sanitary District [CCCSD] Funds, and 25% Flood Control and Water Conservation District Funds) Project No. 7562-6D8348

Body:

WHEREAS, the Contra Costa County Flood Control and Water Conservation District (FC District) manages Walnut and Grayson Creeks adjacent to CCCSD's treatment plant; and

WHEREAS, CCCSD's treatment plant collects and treats wastewater from 450,000 residents, and if flooded, the plant would have up to \$150,000,000 in damages; and

WHEREAS, the FC District and CCCSD jointly desire to reduce the flood risk to CCCSD's treatment plant and have been seeking funding; and

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Department of Water Resources has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the Department of Water Resources require a resolution certifying the approval of application(s) by the FC District's (as Applicant) governing board; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the project.

Now, Therefore, Be It Resolved:

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Contra Costa County Flood Control and Water Conservation District:

1. Approves the filing of an application for the Grayson and Walnut Creeks Levee Rehabilitation at CCCSD Treatment Plant Project;

2. Certifies that Applicant understands the assurances and certification in the application; and,
 3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements or will secure the resources to do so; and,
 4. Certifies that the project will comply with any laws and regulations, including, but not limited to, the California Environmental Quality Act (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and that prior to commencement of construction, all applicable permits will have been obtained; and,
 5. Appoints the Chief Engineer, Flood Control and Water Conservation District, or designee, as agent to conduct all negotiations, execute and submit all documents, including, but not limited to, applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).
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