



Staff Report

TO: City Council
FROM: Robert L. Vestal, Public Works Director
Vincent Lopez, Project Manager
DATE: March 4, 2025
SUBJECT: Amendment to Contract with the Chambers Group

Description Approve a requested amendment to the existing contract with the Chamber Group to add scope and fee for data modeling.

Background and Analysis:

CIP R-07 Cherry Channel Drainage Project is proposing to line the existing channel with concrete to improve the channel flow conditions and to alleviate the increasing level of maintenance by City staff. The existing channel is lined with a turf reinforced geo-mat along the side slope and channel bottom. The channel is maintained under an agreement with Cal Fire for weed abatement/vegetation control twice a year, in spring and late summer.

The Channel geo-mats have been affected by urban runoff flows, with sections torn or missing over the years. The proposed Project would remove the existing geo-mat lining, wingwall, and riprap within the channel and be replaced with concrete along the slopes and channel bottom. The existing headwalls and culverts will remain and be protected in place. The proposed Project would result in reduced maintenance costs and improved flow of runoff to the channel.

On June 4, 2024, the City Council awarded a Professional Services Agreement (PSA) to the Chambers Group for environmental consulting services in the amount of \$164,566. The environmental scope of work includes the preparation of the Project Initial Study/Mitigated Negative Declaration (IS/MND) and associated studies required by the CEQA process. Refer to Attachment A for PSA.

The existing scope of work also requires the Chambers Group to prepare and submit the City's regulatory permit applications to the Regional Water Quality Control Board (401 Permit), U.S. Army Corps of Engineers (404 Permit), and California Department of Fish and Wildlife (1602 Permit/Streambed Alteration Agreement). Upon initial discussion with the U.S Army Corps of Engineers (USACE), it was undetermined if the Cherry

Channel is tributary to the Waters of the United States (WOTUS) and within USACE jurisdiction. To rule out this possibility and the need to obtain such permit, the City will need the Chambers Group to conduct field surveys and enter this information into USACE's Streamflow Duration Assessment Model (SDAM).

On January 7, 2025, the Chambers Group submitted a proposal to perform these field surveys and run the recommended modeling for an amount of \$9,600. City Staff is recommending that the City Council approve a contract amendment of \$9,600; thereby increasing the Chambers Group contract to \$174,166.

It is important to note that the modeling process will add nominal cost and duration to the environmental process as it is not part of the current scope of work. If the modeling results determine that regulatory permitting is not needed, the City will still need to apply for a discharge permit. However, if the modeling results determine that regulatory permits are needed, there will be additional permit costs and the need to purchase mitigation credits for the proposed permanent impacts (concrete lining).

Future Mitigation Note:

Based on the size of the Channel, the City will need to purchase, at least, four (4) mitigation credits as the permanent impacts are over three acres. Currently, there is only one mitigation bank that offers credits that suffices the RWQCB, USACE, and California Department of Fish and Wildlife (CDFW) – Riverpark Mitigation Bank (Riverpark).

However, Riverpark currently does not have available credit until next year. Like another City capital project, the City was forced to purchase mitigation credits from two separate banks to satisfy these requirements. In total, one mitigation credit was purchased from each bank for a transaction of \$250,000 (\$50,000 for Land Veritas and \$200,000 for Barry Jones Skunk Hollow).

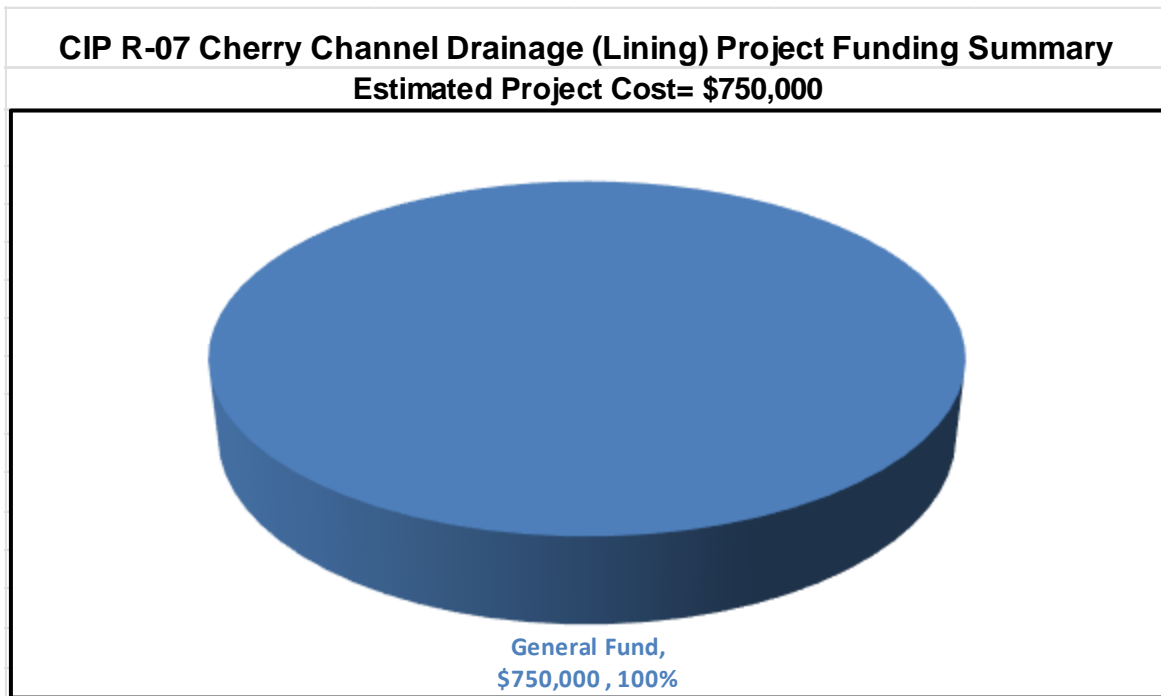
The fact that the City will need to purchase four credits from each bank will result in an estimated transaction of \$1 million of credits for permanent impacts from the Cherry Channel.

Fiscal Impact:

The cost to prepare this staff report is estimated to be \$350.

The Chambers Group's cost to conduct the data modeling is \$9,600 and will be paid from the Project budget.

The following is a summary of the project accounting:



CIP R-07 Cherry Channel Drainage (Lining) Project Budget Summary

Project Component	Budget	Encumbered	Paid to Date	Remaining Budget
Project Management				
Preliminary Services	\$7,930	\$(7,930)	\$(7,930)	
Environmental	\$175,000	\$(174,566)	\$(122,814)	\$434
Design	\$100,000	\$(74,598)	\$(22,001)	\$25,402
Permits	\$22,070			\$22,070
Right-of-Way				
Construction	\$445,000			\$445,000
Construction Management				
Equipment				
Total	\$750,000	\$(257,094)	\$(152,745)	\$492,906

Recommended Action:

Approve the requested amendment to the existing contract with the Chambers Group to add the provision of data modeling, and appropriate additional funding in the amount of \$9,600.

Attachments:

- A. Professional Services Agreement (PSA) – The Chambers Group
- B. Proposal – The Chambers Group