BOARD OF DIRECTORS

City of Stockton
Jesús Andrade
Dan Wright
Alt. Sol Jobrack

Public Member
Mike Morowit

San Joaquin County
Katherine M. Miller
Chuck Winn, Vice-Chair
Alt. Miguel Villapudua

City of Manteca
Jose Nuño
Gary Singh, Chair

Executive Director
Chris Elias

City of Lathrop
Paul Akinjo
Diane Lazard

BOARD MEETING
THURSDAY, JULY 16, 2020
9:00 A.M.

AGENDA IN LIGHT OF COVID-19

In Compliance with CA Executive Order N-29-20, members of the Board of Directors will participate in this meeting remotely. Members of the public may also participate in the meeting remotely.

TO CONNECT TO THE MEETING

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<tr>
<th>by Phone:</th>
<th>by Smart Phone or Tablet:</th>
<th>by Computer:</th>
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<tbody>
<tr>
<td>With one-tap mobile: 213-338-8477 (92438597749#)</td>
<td>Use the Zoom app – Meeting ID: 924 3859 7749</td>
<td>click on this link: <a href="https://downeybrand.zoom.us/j/92438597749">https://downeybrand.zoom.us/j/92438597749</a></td>
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All callers will initially be muted until unmuted by the moderator. Any member of the public on the telephone may speak during Public Comment once unmuted or may email public comments to SJAFCA@stocktonca.gov and up to two minutes of comments will be read from each member of the public.

1. CALL TO ORDER / ROLL CALL
2. PLEDGE TO FLAG
3. **CONSENT ITEMS**

3.1) Approve minutes of the Board meeting of June 18, 2020

4. **NON-CONSENT ITEMS**

4.1) Consider authorizing Executive Director to establish a voluntary temporary relocation program for eligible properties within Smith Canal Gate Project “impact” area (staff presentation).

4.2) Approve Amendment No. 1 to the Master Service Agreement & Amendment No. 4 to Task Order No. 1 Pursuant to the Master Service Agreement with Larsen, Wurzel & Associates, Inc. for the Mossdale Tract Program

4.3) Authorizing the Executive Director to select consultant for planning, evaluation, and concept development of improvement to the Manteca Dry Land Levee

5. **ORAL REPORT FROM EXECUTIVE DIRECTOR**

5.1) This is an opportunity to provide timely information to the Board in support of its work

6. **PUBLIC COMMENTS**

7. **BOARD QUESTIONS, COMMENTS, ACTIONS**

8. **ADJOURNMENT**

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Board's office at (209) 937-7900 or (209) 937-7115 (fax). Requests must be made one full business day before the start of the meeting.
Agenda Item 3.1
MINUTES
SAN JOAQUIN AREA FLOOD CONTROL AGENCY
BOARD MEETING OF June 18, 2020

STOCKTON, CALIFORNIA

In light of COVID-19 and in compliance with CA Executive Order N-29-20, the majority of members of the Board of Directors participated in this meeting remotely by teleconference. Members of the public were also permitted to participate in this meeting remotely by teleconference. An option was also given to email public comments to SJAFCA@stocktonca.gov or to speak via the teleconference during public comment times. In compliance with C.D.C. recommendations, all those who physically attended the meeting sat with six feet of space between them and observed other recommended hygiene practices.

1. CALL TO ORDER / ROLL CALL 9:02 AM

Roll Call
Present: Director Andrade
Absent: Director Akinjo
Director Lazard
Director Miller
Director Morowit
Director Nuño
Director Singh
Director Winn
Director Wright

Director Wright was not present during Roll Call. He arrived at 9:05 AM.
Director Winn was not present during Roll Call. He arrived at 9:20 AM.

The following participated in this meeting via teleconferencing:
• Director Andrade
• Director Lazard
• Director Miller
• Director Morowit
• Director Nuño
• Director Singh
• Director Winn
• Director Wright

2. PLEDGE TO FLAG 9:05 AM

3. CONSENT ITEMS 9:05 AM

3.1) Approve minutes of the Board Meeting of May 21, 2020

PUBLIC COMMENT

• Dominick Gulli submitted written comments. His comments were read aloud for all participating in the meeting to hear. 9:06 AM

AGENDA ITEM 3.1
Motion: Approve Minutes of the Board Meeting of May 21, 2020
Moved by: Director Miller, seconded by Director Morowit
Vote: Motion carried 7-0
Yes: Director Andrade, Director Lazard, Director Miller, Director Morowit
      Director Nuño, Director Singh, and Director Wright
Abstain: Director Winn
Absent: Director Akinjo

Please Note: Due to technical difficulties, the audio response for Director Winn could not be heard. Consequently, though he was present, he was marked “abstain” during the voting process for this item.

4. WORKSHOP

4.1) SJAFCA Budget Presentation 9:09 AM

5. NON-CONSENT ITEMS 9:09 AM

5.1) Approve the proposed fiscal year 2020/21 operating fund budget for the San Joaquin Area Flood Control Agency
5.2) Approve the proposed 2020/21 CIP budget augmentation for the Mossdale Tract Program
5.3) Approve an allocation of agency reserves funding to the Smith Canal Gate Project and update of the Smith Canal Gate Project FY 2020/21 (CIP) Budget

Discussion regarding $243,000 for purchase of additional mitigation credit to satisfy permit requirements by the Department of Fish and Wildlife to bring to an agreement. Following the discussion, $243,000 was added to the motion to fund the purchase of the Smith Canal Gate Project budget.

The Board received the information presented.

Motion: Approve the proposed fiscal year 2020/21 operating fund budget for the San Joaquin Area Flood Control Agency; approve the proposed 2020/21 CIP budget augmentation for the Mossdale Tract Program; and approve an allocation of agency reserves funding to the Smith Gate Project and update of the Smith Canal Gate Project FY 2020/21 (CIP) Budget, including $243,000 for purchase of additional mitigation credit for the project.
Moved by: Director Morowit, seconded by Director Nuño
Vote: Motion carried 7-0
Yes: Director Andrade, Director Lazard, Director Miller, Director Singh, and Director Wright
Abstain: Director Winn
Absent: Director Akinjo

Please Note: Due to technical difficulties, the audio response for Director Winn could not be heard. Consequently, though he was present, he was marked “abstain” during the voting process for this item.

5.4) Ratify agreement to accept and appropriate $200,000 awarded to the San Joaquin Area Flood Control Agency by the California Resilience Challenge 2020 Grant Program of the Bay Area Council Foundation

Motion: Ratify agreement to accept and appropriate $200,000 awarded to the San Joaquin Area Flood Control Agency by the California Resilience Challenge 2020 Grant Program of the Bay Area Council Foundation

Moved by: Director Wright, seconded by Director Miller

Vote: Motion carried 8-0

Yes: Director Andrade, Director Lazard, Director Miller, Director Morowit, Director Nuño, Director Singh, and Director Wright

Abstain: Director Winn

Absent: Director Akinjo

PUBLIC COMMENT

• Terra Land Group (TLG) submitted written comments. Their comments for 5.1 & 5.2 were read aloud for all participating in the meeting to hear 9:43 AM
• Marian Rawlins submitted written comments. Her comments for 5.1 & 5.2 were read aloud for all participating in the meeting to hear 9:46 AM
• Dominick Gulli submitted written comments, but verbally shared his comments for 5.3 for all participating in the meeting to hear 9:48 AM

6. PRESENTATION 10:10 AM

6.1) Implementation plan update and capital improvement plan funding approach discussion

PUBLIC COMMENT

• Terra Land Group (TLG) submitted written comments for 6.1. It was noted that their comments were received and distributed to the Board 10:42 AM
• Marian Rawlins submitted written comments for 6.1. It was noted that her comments were received and distributed to the Board 10:42 AM

7. ORAL REPORT FROM EXECUTIVE DIRECTOR 10:42 AM
7.1) This is an opportunity to provide timely information to the Board in support of its work

8. PUBLIC COMMENTS
   - Dominick Gulli 10:47 AM

9. BOARD QUESTIONS, COMMENTS, ACTIONS 10:50 AM

10. CLOSED SESSION 10:52 AM

PUBLIC COMMENT
   - Dominick Gulli 10:54 AM

     Case No. STK-CV-UWM-2015-0011880

10.2) San Joaquin Area Flood Control Agency v. Stockton Gold and Country Club
     Case No. STK-CV-UED-2019-11392

10.3) Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of section 54956.9 (one case)

REPORT OUT FROM CLOSED SESSION 11:21 AM
   - No action to report out

11. ADJOURNMENT 11:23 AM

The meeting adjourned at 11:23 AM. The next meeting is scheduled for 9:00 AM on July 16, 2020.

CHRIS ELIAS
EXECUTIVE DIRECTOR
SAN JOAQUIN AREA FLOOD CONTROL AGENCY
Agenda Item 4.1
TO:    San Joaquin Area Flood Control Agency
FROM: Chris Elias, Executive Director
       Kim Floyd, Kim Floyd Communications
SUBJECT: CONSIDER AUTHORIZING EXECUTIVE DIRECTOR TO ESTABLISH A VOLUNTARY TEMPORARY RELOCATION PROGRAM FOR ELIGIBLE PROPERTIES WITHIN SMITH CANAL GATE PROJECT “IMPACT” AREA

RECOMMENDATION

It is recommended that the Board of Directors of the San Joaquin Area Flood Control Agency authorize the Executive Director to establish guidelines for a temporary relocation program for owners or tenants of properties that may be adversely impacted by sound and/or vibration impacts related to Smith Canal Gate Project pile-driving activities. The program will be implemented by the Public Outreach Coordinator.

DISCUSSION

Background

The Smith Canal Gate Project contractor will make every effort to minimize any adverse impacts associated with the project’s pile driving activities. Pile driving activities are limited to the hours of 7 a.m. to 5 p.m., Monday through Saturday. Construction noise will be limited to 80 dBA during these hours and the contractor will continuously monitor noise levels when operations are conducted within 300’ of “sensitive receptors” (e.g. houses). Ground vibrations will be measured as peak particle velocity in inches per second, and be limited to a maximum of .50 per second at the property line, and .10 per second at the structure. Despite best efforts, some property owners in close proximity to the project area may feel adversely impacted by pile driving-related noise and/or vibrations. With that in mind, SJAFCA will establish a voluntary, temporary relocation program to provide alternate accommodations for those property owners reporting distress as a result of construction noise/vibration. The recommended program guidelines, attached, will govern administration of the program and are consistent with the Agency’s obligations under the California Environmental Quality Act to mitigate for impacts.

FISCAL IMPACT

The temporary relocation program is included in the public outreach scope under the Construction Management contract with a maximum not-to-exceed budget of $10,000 for each of the three construction seasons ($30,000 for the life of the project). For the 2020 construction season, the Construction Management team can contract with both
the Stockton Hilton and the University Plaza at guaranteed nightly rates of $136 and $110, respectively. It is recommended that initial guest stays be capped at six nights (consecutive or non-consecutive) in accordance with the weekly construction schedule, with additional days authorized upon approval by the Public Outreach Coordinator, in consultation with the Executive Director. The cost for rooms will be paid directly to the participating hotel by the Construction Management contractor and be limited to the per-night rates. Property owners wishing to make other accommodations can apply to the Public Outreach Coordinator for reimbursement up to the lowest nightly rate ($110 for 2020) based on proof of payment/invoice and justification of a different location. Reimbursement is also subject to the six-night cap, with additional days requiring authorization by the Public Outreach Coordinator, in consultation with the Executive Director. It is also recommended that the program be capped at $10,000 per construction season, unless otherwise authorized and funded by the SJAFCA Executive Director.

SUMMARY

It is recommended that the Board of Directors of the San Joaquin Area Flood Control Agency authorize the Executive Director to establish guidelines for a temporary relocation program for owners or tenants of properties that may be adversely impacted by sound and/or vibration impacts related to Smith Canal Gate Project pile-driving activities. The program will be managed by the Public Outreach Coordinator under the existing Construction Management contract.

APPROVED:
CHRIS ELIAS
EXECUTIVE DIRECTOR

Attachments:

- Exhibit A – Smith Canal Gate Project Temporary Relocation Program Guidelines & Eligibility
Smith Canal Gate Project Temporary Relocation Program Guidelines & Eligibility

The Smith Canal Gate Project construction contractor will make every effort to minimize potential construction impacts, to include noise and vibration, in accordance with approved sound and vibration control plans. However, noise and vibration impacts to neighboring properties may be unavoidable, especially for sensitive populations. Voluntary relocation accommodations may be provided during pile driving construction activities to eligible property owners or tenants, based on the following guidelines:

1) Prior to each construction season, the SJAFCA Executive Director will establish the relocation eligibility period based upon the construction schedule.
2) Prior to each construction season, the SJAFCA Executive Director will establish the relocation program eligibility area (“impact area”) based upon planned construction activities.
3) The temporary relocation program is only available to property owners or tenants within the designated “impact” area.
4) Eligible property owners will be offered the following options upon request: relocation to one of two hotels in Stockton, or reimbursement for hotel stays as per the program guidelines.
5) SJAFCA has contracted for group rates with two hotels (participating hotels): University Plaza and the Stockton Hilton.
6) SJAFCA will provide the names of approved property owners to the participating hotels.
7) Property owners will be required to contact their preferred hotel (see contact information below) to check availability and book a room.
8) Property owners will be required to provide identification at check in.
9) SJAFCA will provide direct payment to participating hotels.
10) Only the nightly hotel rate and associated taxes will be covered by SJAFCA; the property owner assumes responsibility for all other fees/costs.
11) Property owners may be reimbursed up to the maximum allowable per-night rate if they elect to stay at a non-participating hotel, or if they make plans for other accommodations, after approval by the Executive Director based upon presentation of justification. Receipts must be provided to SJAFCA for reimbursement.
12) Hotel stays/reimbursements are capped at six days/nights (consecutive or non-consecutive). Extensions will be granted in six-day increments as per approval by the SJAFCA Executive Director.
13) The SJAFCA Executive Director will establish the maximum allowable per night rate based on the lowest government rate provided by the participating hotels.

Reserving a Hotel Room

Interested property owners must contact Kim Floyd at 916-838-2666, or kim@floydcommunications.com, to establish program eligibility and participation. Once registered with SJAFCA, property owners will be required to contact their preferred hotel (see list below) to check availability and book a room.

1) Stockton Hilton
To book a room, contact Jennifer Lewis, Sales Manager, and reference “San Joaquin Area Flood Control Agency” to reserve the room.

Jennifer Lewis, Sales Manager
2323 Grand Canal Boulevard | Stockton, California 95207

2) University Plaza Waterfront Hotel
To book a room, contact Kathy Santiago and reference “San Joaquin Area Flood Control Agency” to reserve the room.

Kathy Santiago
T: 209-944-1140 | E: k.santiago@sahcc.com
110 West Fremont Street | Stockton, California 95202
Agenda Item 4.2
July 16, 2020

TO: San Joaquin Area Flood Control Agency

FROM: Chris Elias, Executive Director

SUBJECT: AMENDMENT NO. 1 TO THE MASTER SERVICE AGREEMENT & AMENDMENT NO. 4 TO TASK ORDER NO.1 PURSUANT TO THE MASTER SERVICE AGREEMENT WITH LARSEN, WURZEL & ASSOCIATES, INC. FOR THE MOSSDALE TRACT PROGRAM

___________________________________________________

RECOMMENDATION

It is recommended that the Board of Directors of the San Joaquin Area Flood Control Agency adopt a resolution authorizing the Executive Director to:

1. Execute Amendment No. 1 to the Contractual Professional Services Agreement for Finance Plan Implementation and Administration Support related to the Mossdale Tract Program Urban Level of Flood Protection. The term of this agreement reflected in Exhibit A to the Master Services Agreement shall be removed and the associated term of authorized work shall be reflected within approved Task Orders.

2. Execute Amendment No. 4 to Task Order No. 1 pursuant to the Contractual Professional Services Agreement for Finance Plan Implementation and Administration Support related to the Mossdale Tract Program Urban Level of Flood Protection. This Amendment No. 4 to Task Order No. 1 sets the term of the Authorized Task Order to be effective until December 31, 2021.

DISCUSSION

Background

On April 17, 2018, Consultant entered into a Master Agreement ("Agreement") with SJAFCA by which the Consultant agreed to provide Finance Plan Implementation Support for SJAFCA. SJAFCA’s Board authorized the execution of the Agreement and Task Order No. 1 with Consultant pursuant to SJAFCA Resolutions 18-06.

The term of the Master Services agreement was effective for two years, however, the scope of work authorized within the Amended Task Order 1 contemplated services to be performed through 2021.

AGENDA ITEM 4.2
Also, the current form of the Task Order 1 as amended does not include a term for the services to be provided.

Present Situation

The Consultant and SJAFCA agree that it is more appropriate for the term of a services agreement to be associated with the Task Order and tied to the authorized scope of work rather than the Master Services Agreement.

The Consultant and SJAFCA agree that the Master Services Agreement should be amended to reflect this approach.

The Consultant and SJAFCA agree the term of the Authorized Task Order 1 should be effective until December 31, 2021.

FISCAL IMPACT

These Amendments will align the Master Service Agreement & Task Order 1 to our FY20/21 approved budget.

PREPARED BY: Doug Clark

APPROVED:  
CHRIS ELIAS  
EXECUTIVE DIRECTOR  
CE:dc
AMENDMENT NO. 1
TO THE MASTER SERVICES AGREEMENT EXECUTED ON APRIL 17, 2018
BETWEEN SJAFCA AND LARSEN WURZEL & ASSOCIATES, INC. FOR FINANCE PLAN IMPLEMENTATION AND ADMINISTRATION SUPPORT RELATED TO MOSSDALE TRACT PROGRAM URBAN LEVEL OF FLOOD PROTECTION

This Amendment No. 1 to the Contractual Professional Services Agreement for Finance Plan Implementation and Administration Support related to the Mossdale Tract Program Urban Level of Flood Protection (“Agreement”) is made and entered into this 16th day of July, 2020, by and between the San Joaquin Area Flood Control Agency (“Agency”) and Larsen Wurzel & Associates, Inc. (“Consultant”) who have affixed their signatures hereto.

WHEREAS, Consultant submitted a scope of work and fee estimate to perform Finance Plan Implementation and Administration Support, for Mossdale Tract Program Urban Level of Protection, dated March 21, 2018; and

WHEREAS, on April 17, 2018, Consultant entered into a Master Agreement (“Agreement”) with SJAFCA by which the Consultant has agreed to provide Finance Plan Implementation Support for SJAFCA. SJAFCA’s Board authorized the execution of the Agreement and Task Order No. 1 with Consultant pursuant to SJAFCA Resolutions 18-06:

WHEREAS, on September 27, 2018, Consultant submitted a request for additional budget in the amount of $108,210 to continue to provide services for the Mossdale Tract Program to support the scope of work associated with Tasks 1, 2, 3, 4 and 6 as outlined within Consultant’s Scope of Work and Budget stated March 21, 2018 and on November 13, 2018, SJAFCA and Consultant executed Amendment 1, to Task Order 1, authorizing the additional budget and scope of work requested.

WHEREAS, on May 8, 2019, Consultant submitted a request for additional budget in the amount of $129,680 to continue to provide services for the Mossdale Tract Program to support the scope of work associated with Task 5 as outlined within Consultant’s Scope of Work and Budget, dated March 21, 2018, and on May 8, 2019, SJAFCA and Consultant executed Amendment 2, of Task Order 1, authorizing the additional budget and scope of work requested.

WHEREAS, on December 23, 2019, Consultant submitted a request for additional budget and Scope of Work augmentation in the amount of $645,310 to provide support and advance the overall financing plan including support for the formation of the Overlay Assessment District and Enhanced Infrastructure Financing District; this request also included providing support for the Federal Program for the Mossdale Tract including management of the ongoing FPMS efforts and Phase 2 of the Federal Feasibility Study, and on January 16, 2020, SJAFCA and Consultant executed Amendment 3, of Task Order 1, authorizing the additional budget and scope of work requested.
WHEREAS, the term of the Master Services agreement was effective for two years, however, the scope of work authorized within the Amended Task Order 1 contemplated services to be performed through 2021.

WHEREAS, the Consultant and SJAFCA agree that it is more appropriate for the term of a services agreement to be associated with the Task Order and tied to the authorized scope of work rather than the Master Services Agreement.

WHEREAS, the Consultant and SJAFCA agree that the Master Services Agreement should be amended to reflect this approach.

NOW, THEREFORE, in consideration of the foregoing and the mutual agreement contained herein, and intending to be legally bound, SJAFCA and Consultant agree, and contract as follows:

1. Consultant will provide services for the Finance Plan Implementation and Administration Support related to the Mossdale Tract Program Urban Level of Flood Protection as outlined in the Agreement and approved by SJAFCA Board Resolution 18-06 and associated Task Order 1 as amended.

2. The term of this agreement reflected in Exhibit A to the Master Agreement shall be removed and the associated term of authorized work shall be reflected within approved Task Orders.

3. All terms not defined in this Amendment No. 1, shall have the meaning ascribed to them in the Agreement. Except as otherwise provided herein, all other terms and conditions of the Agreement remain in full force and effect. The parties hereby agree and consent to be bound by the terms of the Agreement, and this Amendment No. 1.

IN WITNESS WHEREOF, the undersigned have duly executed this Amendment No. 1 as parties on the date first written above.

SJAFCA: LARSEN WURZEL & ASSOCIATES, INC.:

CHRIS ELIAS SETH WURZEL
EXECUTIVE DIRECTOR PRESIDENT

APPROVED AS TO FORM:

SCOTT L. SHAPIRO
LEGAL COUNSEL
AMENDMENT NO. 4 TO TASK ORDER NO. 1 is made and entered into this 16th day of July, 2020, by and between the San Joaquin Area Flood Control Agency (“Agency”) and Larsen Wurzel & Associates, Inc. (“Consultant”) who have affixed their signatures hereto.

RECITALS:

WHEREAS, Consultant submitted a scope of work and fee estimate to perform Finance Plan Implementation and Administration Support, for Mossdale Tract Program Urban Level of Protection, dated March 21, 2018; and

WHEREAS, on April 17, 2018, Consultant entered into a Master Services Agreement (“Agreement”) with SJAFCA by which the Consultant has agreed to provide Finance Plan Implementation Support for SJAFCA. SJAFCA’s Board authorized the execution of the Agreement and Task Order No. 1 with Consultant pursuant to SJAFCA Resolution 18-06;

WHEREAS, on September 27, 2018, Consultant submitted a request for additional budget in the amount of $108,210 to continue to provide services for the Mossdale Tract Program to support the scope of work associated with Tasks 1, 2, 3, 4 and 6 as outlined within Consultant’s Scope of Work and Budget dated March 21, 2018 and on November 13, 2018, SJAFCA and Consultant executed Amendment 1 to Task Order 1 authorizing the additional budget and scope of work requested.

WHEREAS, on May 8, 2019, Consultant submitted a request for additional budget in the amount of $129,680 to continue to provide services for the Mossdale Tract Program to support the scope of work associated with Task 5 as outlined within Consultant’s Scope of Work and Budget dated March 21, 2018.

WHEREAS, on December 23, 2019, Consultant submitted a request for additional budget and Scope of Work augmentation in the amount of $645,310 to provide support and advance the overall financing plan including support for the formation of the Overlay Assessment District and Enhanced Infrastructure Financing District; this request also
includes providing support for the Federal Program for Mossdale Tract including management of the ongoing FPMS efforts and Phase 2 of the Federal Feasibility Study, and on January 16, 2020, SJAFCA and Consultant executed Amendment 3 to Task Order 1 authorizing the additional budget and scope of work requested.

WHEREAS, the current form of the Task Order 1 as amendment does not include a term for the services to be provided and the Consultant and SJAFCA agree that it is appropriate for the term of a services agreement to be associated with the Task Order and tied to the authorized scope of work.

NOW THEREFORE, Consultant and SJAFCA agree as follows:

1. This Amendment No. 4 to Task Order No. 1 sets the term of the Authorized Task Order to be effective until December 31, 2021.

2. All terms not defined in this Amendment No. 4 to Task Order No. 1 shall have the meaning ascribed to them in the Agreement. Except as otherwise provided herein all terms and conditions of the Agreement remain in full force and effect. The parties hereby agree and consent to be bound by the terms of the entire Agreement, as modified by this Amendment No. 4.

IN WITNESS WHEREOF, the undersigned have duly executed this Amendment No. 4 to Task Order No. 1 as parties on the date first written above:

SJAFCA:  
LARSEN WURZEL & ASSOCIATES, INC: 

_____________________________  ___________________________
CHRIS ELIAS  
SETH WURZEL  
EXECUTIVE DIRECTOR  
PRESIDENT

APPROVED AS TO FORM 

_____________________________  
SCOTT L. SHAPIRO  
GENERAL COUNSEL
RESOLUTION NO. SJAFCA 20-24

SAN JOAQUIN AREA
FLOOD CONTROL AGENCY

=================================================================================

AUTHORIZATION TO EXECUTE AMENDMENT NO. 1 TO THE MASTER SERVICES AGREEMENT AND AMENDMENT NO. 4 TO TASK ORDER NO. 1 WITH LARSEN, WURZEL & ASSOCIATES, INC., FOR FINANCE PLAN IMPLEMENTATION AND ADMINISTRATION SUPPORT TO THE MOSSDALE TRACT PROGRAM URBAN LEVEL OF FLOOD PROTECTION

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY, AS FOLLOWS:

Authorize the Executive Director to:

1. Execute Amendment No. 1 to the Contractual Professional Services Agreement for Finance Plan Implementation and Administration Support related to the Mossdale Tract Program Urban Level of Flood Protection. The term of this agreement reflected in Exhibit A to the Master Services Agreement shall be removed and the associated term of authorized work shall be reflected within approved Task Orders.

2. Execute Amendment No. 4 to Task Order No. 1 pursuant to the Contractual Professional Services Agreement for Finance Plan Implementation and Administration Support related to the Mossdale Tract Program Urban Level of Flood Protection. This Amendment No. 4 to Task Order No. 1 sets the term of the Authorized Task Order to be effective until December 31, 2021.

PASSED, APPROVED AND ADOPTED this 16th day of July 2020.

_________________________________
GARY SINGH, Chair
of the San Joaquin Area
Flood Control Agency

ATTEST:

______________________________
CHRIS ELIAS, Secretary
of the San Joaquin Area
Flood Control Agency.

APPROVED AS TO FORM:

______________________________
SCOTT L. SHAPIRO, Legal Counsel
for the San Joaquin Area
Flood Control Agency

SJAFCA Resolution 20-24
Page 1 of 2
Agenda Item 4.3
TO: San Joaquin Area Flood Control Agency  
FROM: Chris Elias, Executive Director  
SUBJECT: SELECT CONSULTANT FOR PLANNING, EVALUATION, AND CONCEPT DEVELOPMENT OF IMPROVEMENT TO THE MANTECA DRY LAND LEVEE

RECOMMENDATION

It is recommended that the Board of Directors of the San Joaquin Area Flood Control Agency delegate authority to the Executive Director to negotiate and enter into Professional Services Agreement with selected firm to perform refined scope of work with an agreed-to project budget.

DISCUSSION

Background

In 2014, and 2016, the cities of Lathrop and Manteca jointly funded engineering studies that identified information necessary to make a “finding of adequate progress” (Adequate Progress) toward providing ULOP 200-year flood protection for the urbanized and urbanizing areas of the cities. These engineering studies identified the need for an extension of a dryland levee in the southern portion of Manteca.

In response to these findings, in 2016, the Manteca City Council approved additional engineering studies that included public outreach, project management, and developing conceptual alignments for the purpose of working with stakeholders to build consensus on the preferred alignment for the dryland levee extension. The final recommended alternative (called Alternative 2A) met all criteria. The estimated cost was approximately $12.1 million at the time of the recommendation (2016).

In 2018 the Cities of Lathrop and Manteca became members of SJAFCA. As a result, SJAFCA became the sole Local Flood Management Agency (LFMA) for the Mossdale Tract area with the responsibility to prepare the adequate progress report.

The 2019 Adequate Progress Report “APR” concluded the need to continue the ongoing Levee Seepage Repair Project (LSRP) and to implement an extension of the existing dryland levee further east to prevent flood water flanking.

PRESENT SITUATION

In 2019, SJAFCA issued a prequalification solicitation for consultant teams in various disciplines, including planning, flood risk assessment, civil engineering, geology and geotechnical engineering, hydrology and hydraulic engineering, surveying, geotechnical, environmental, public outreach, and real estate support.
In May 2020, SJAFCA issued a Request for Proposal (RFP) to the prequalified consultants to do the planning, evaluation and concept development of improvement to the Manteca Dry Land Levee. The scope of services includes:

1. Update of previous alternatives analysis to incorporate changed conditions, previously unknown information, or changed objectives and assumptions.
2. Update previous hydraulic modeling including appropriate quality control and review.
3. Develop a Basis of Design Report, targeting approximately the 30% design level of detail.
4. Prepare an Administrative Draft EIR (ADEIR) in accordance with State CEQA Guidelines for evaluation of alternatives, identification of impacts and mitigation alternatives, draft of the Notice of Preparation (NOP), and develop the stakeholders register.

On June 12, 2020, SJAFCA received three (3) proposals from prequalified consultant firm teams. SJAFCA is currently evaluating the technical proposals and the cost proposals from these firms. The prime consultant firm teams are PBI, Wood Rodgers, and MGE. Each of these prime consultants and their sub-consultants are already prequalified under the 2019 SJAFCA prequalification solicitation.

SJAFCA staff is currently evaluating the consultant proposals and will interview the top candidates by early August, and promptly make the selection. The next Board meeting is scheduled for September 17, 2020. As such, staff recommends that the Board delegate authority to the Executive Director to maintain expeditious consultant selection and to start work as soon as practicable.

**FISCAL IMPACT**

The fund for the scope of work in the Professional Services Agreement is contained in the Board-approved FY 2020/21 budget.

**STRATEGIC PLAN CONSISTENCY ANALYSIS**

Authorizing of this Professional Services Agreement is consistent with Goal #1 of the Board-adopted Strategic Plan, “Plan for and Implement System Resiliency.” Under this goal, the Agency is pursuing the planning and design of a dryland levee to provide 200-year level of protection in the Mossdale Tract Area while also making Adequate Progress toward compliance with SB-5.

PREPARED BY:
TONY RIZK
DIRECTOR OF ENGINEERING

APPROVED:
CHRIS ELIAS
EXECUTIVE DIRECTOR

Attachments: Exhibit A – Resolution
RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR
TO SELECT CONSULTANT FOR PLANNING, EVALUATION, AND CONCEPT
DEVELOPMENT OF IMPROVEMENT TO THE MANTECA DRY LAND LEVEE

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
SAN JOAQUIN AREA FLOOD CONTROL AGENCY, AS FOLLOWS:

1. The Board of Directors of the San Joaquin Area Flood Control Agency delegates
   authority to the Executive Director to negotiate with said consultants as necessary
   to select the most cost effective, responsible and responsive consultant;

2. Further, the Board of Directors authorizes the Executive Director to select the best
   consultant and to enter into an agreement to perform said negotiated scope of
   work and agreed to project budget.

PASSED, APPROVED AND ADOPTED this 16th day of July 2020.

_____________________________
GARY SINGH, Chair
of the San Joaquin Area
Flood Control Agency

ATTEST:

_____________________________
CHRIS ELIAS, Secretary
of the San Joaquin Area
Flood Control Agency

APPROVED AS TO FORM:

_____________________________
SCOTT L. SHAPIRO, Legal Counsel
for the San Joaquin Area
Flood Control Agency
RESOLUTION NO. SJAFC 20-25
SAN JOAQUIN AREA
FLOOD CONTROL AGENCY

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR
TO SELECT CONSULTANT FOR PLANNING, EVALUATION, AND CONCEPT
DEVELOPMENT OF IMPROVEMENT TO THE MANTECA DRY LAND LEVEE

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
SAN JOAQUIN AREA FLOOD CONTROL AGENCY, AS FOLLOWS:

1. The Board of Directors of the San Joaquin Area Flood Control Agency delegates
   authority to the Executive Director to negotiate with said consultants as necessary
   to select the most cost effective, responsible and responsive consultant;

2. Further, the Board of Directors authorizes the Executive Director to select the best
   consultant and to enter into an agreement to perform said negotiated scope of
   work and agreed to project budget.

PASSED, APPROVED AND ADOPTED this 16th day of July 2020.

________________________________________
GARY SINGH, Chair
of the San Joaquin Area
Flood Control Agency

ATTEST:

________________________________________
CHRIS ELIAS, Secretary
of the San Joaquin Area
Flood Control Agency

APPROVED AS TO FORM:

________________________________________
SCOTT L. SHAPIRO, Legal Counsel
for the San Joaquin Area
Flood Control Agency
End of Agenda Packet