



Item No. 12 Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

THROUGH: MICHAEL KASHIWAGI, COMMUNITY SERVICES DIRECTOR

FROM: MARTY HANNEMAN, CITY ENGINEER

DATE: MAY 17, 2017

SUBJECT: AUTHORIZE THE CITY ATTORNEY TO PREPARE AND CITY MANAGER TO EXECUTE AN AGREEMENT AMENDMENT WITH RICHARD WATSON & ASSOCIATES (RWA) IN AN AMOUNT NOT TO EXCEED \$85,000 FOR THE LAS LOMITAS WATER CAPTURE FACILITY

RECOMMENDATION

Authorize the City Attorney to prepare and the City Manager to execute an agreement amendment with Richard Watson & Associates (RWA), Inc. for a not to exceed fee of \$85,000 to assist staff with:

- Development of a memorandum of understanding (MOU) to address project management, funding, and responsibilities between the Town and the Las Lomas Elementary School District (District); and
- Development of a MOU with Menlo Park, Woodside, and Stanford University for ongoing operations and maintenance (O&M) for the proposed storm water capture facility located at Las Lomas Elementary School; and
- Provide ongoing project management support during design and construction of the Las Lomas School Water Capture facility.

BACKGROUND

The 2015 Townwide Drainage Study Update conceptually analyzed three possible detention facilities to reduce peak stormwater flows in the Atherton Channel which would in turn reduce the incidence of flooding downstream. One possible location was at Las Lomas Elementary School located at 299 Alameda de las Pulgas. This facility would need to be constructed in cooperation with the District as they make improvements on campus. To construct a water capture (detention basin) facility there, a cooperative development and funding agreement with the District would be

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required to include the potential for a long-term lease agreement. Currently, the District's improvement and drainage plans do not require a detention basin. The District has developed plans to adequately control and direct their drainage to approved drainage courses. Nevertheless, the District recognizes that a water capture facility would benefit the Town and are agreeable to the project. The District would benefit from a joint project with the Town through the potential of reduced on campus flooding occurrences and the possibility that portions of their project are funded via the joint project.

On March 16, 2016, the City Council authorized the City Manager to execute a professional services agreement with Callander Associates to perform a feasibility study at the Las Lomas School. Staff then became aware of a potential project funding source for design and construction of a water capture facility at the Las Lomas School. These funds are administered by the State of California Transportation Department (Caltrans) and are available to projects that help comply with total maximum daily loads (TMDLs) and are received through a Caltrans Cooperative Implementation Agreement (CIA).

On October 24, 2016 the City Manager executed an agreement with RWA for a not to exceed fee of \$10,000 to provide initial consulting services to assist staff with developing the necessary documents to pursue the Caltrans opportunity.

On May 3, 2017, the City Council:

- Adopted a resolution for the Town of Atherton to enter into a Caltrans CIA; and
- Authorized the City Attorney to review and the City Manager to sign a CIA with Caltrans to receive State funds to construct a stormwater capture facility at Las Lomas Elementary School; and
- Directed staff to work with the Las Lomas School District to develop a memorandum of understanding (MOU) for Council's approval to address project management, funding, and responsibilities for the proposed Las Lomas Elementary School storm water capture facility.

ANALYSIS

At the May 3 Council meeting, staff advised that further assistance from RWA may be necessary to further develop the MOU and project. Staff recommends that the Council approve an agreement amendment with RWA for a not to exceed fee of \$85,000 to assist staff with further development of this project.

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Since the proposed project is on an expedited schedule, the District staff has notified the Town that the last meeting before summer recess for the District Board is June 8, 2017 and that the MOU between the Town and District needs to be approved by that time. The City Attorney is working on the MOU; but staff requires the expertise of RWA, having worked on several of these projects in southern California, to assist in development of the facility MOU.

Full design is expected in late 2017, construction to begin in early 2018 and completed mid-2019.

POLICY ISSUES

The Town has a unique opportunity to receive \$13.6 million in Caltrans funds to implement the Water Capture Facility at the Las Lomas Elementary School Site, an identified Tier 1 project in the 2015 Townwide Drainage Study Update.

FISCAL IMPACT

When the CIA is fully executed, Caltrans agrees to contribute an amount not to exceed thirteen million six hundred thousand Dollars (\$13,600,000) to the Town for all project management, consulting, administration, design and construction costs for the Water Capture Facility at Las Lomas Elementary School Site. These State funds do not require any matching funds from the Town.

The Town used CIP funds #56034 for the initial \$10,000 RWA agreement. If Council approves the RWA agreement amendment for a not to exceed fee of \$85,000, this agreement amendment will be fully funded through the Caltrans CIA.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the item is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.