



County of San Mateo

Inter-Departmental Correspondence

Department: PARKS

File #: 19-978

Board Meeting Date: 10/8/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Peggy Jensen, Interim Parks Director
Subject: **Measure K** funding agreement with the San Mateo Resource Conservation District for Phase IV of the Old Haul Road Sediment Reduction Project in Pescadero Creek County Park

RECOMMENDATION:

Measure K: Adopt a resolution authorizing:

- A) The President of the Board of Supervisors to execute an agreement with the San Mateo Resource Conservation District for Phase IV of the Old Haul Road Sediment Reduction Project in Pescadero Creek County Park, with a term expiring June 30, 2022, and a not-to-exceed amount of \$2,102,591; and
- B) The waiving of the County's formal Request for Proposal process to select the San Mateo Resource Conservation District, a public entity; and
- C) The Parks Director, or her designee, to execute amendments to the Agreement to modify the County's maximum fiscal obligation by no more than \$25,000, and/or modify the Agreement's terms and/or services, so long as the modified term(s) and/or services is/are within the current or revised fiscal provisions.

BACKGROUND:

The San Mateo Resource Conservation District ("RCD") is a non-regulatory, public entity that provides landowners and land managers with technical support during the implementation of restoration projects that achieve watershed protection goals. In 2015, the Parks Department ("Department") and RCD signed a Stewardship Memorandum of Understanding ("MOU") for the coordination of projects within the Pescadero Creek County Park Complex. One of the projects identified in the MOU is the Old Haul Road Sediment Reduction Project ("Project").

Old Haul Road is a legacy logging road that is now used for recreation, emergency response, and fire protection. The Dark Gulch, Harwood, and Keystone creek crossings, all segments of Old Haul Road,

have been showing signs of structural failure and actively depositing sediment into Pescadero Creek. The Department, in cooperation with the RCD, initiated the planning, design, and permitting process to address these matters in Phase I and Phase II of the Project.

In 2017, winter storms dramatically accelerated the erosion and deterioration of these crossings, rendering them unsafe for motor vehicle travel. These events created an urgent need to complete Phase III of the Project, which consisted of repairing and stabilizing the Harwood and Keystone Creek crossings. For safety reasons, Phase III was initiated in Fall 2018.

DISCUSSION:

Phase IV of the Project consists of repairing and stabilizing the Dark Gulch Creek crossing. In accordance with the terms and provisions of the proposed agreement ("Agreement"), RCD will provide construction oversight, monitoring, and reporting. RCD will also be responsible for selecting a licensed contractor through a formal bidding process and entering into contracts with the selected contractor(s) for services. Finally, RCD will acquire all pre-construction permits required for the Project. By the terms of the Agreement, the Department will reimburse RCD for all construction-related costs of the Project.

To supplement Department funds, RCD secured \$800,000 in grant funding from the United States Environmental Protection Agency's Clean Water Act for the Project. Because of the grant funding, the County's contribution to the Project is reduced to \$2,102,591.

The Department recommends that the Board approve the Department's waiver of the competitive solicitation for this agreement under County Administrative Memorandum B-1 (Nov. 27, 2017). Section IV(B)(2) states that the competitive procurement requirement may be waived for "agreements with other public entities, including governments, universities, schools, or other organizations acting as governmental agencies." The RCD is a special district, a form of local government created by the community to meet a specific need and established under California law to be locally governed with independent board of directors that are accountable to our local communities.

County Counsel has reviewed and approved the resolution and Agreement as to form.

Approval of this action contributes to the Shared Vision 2025 outcome of Collaborative Community as the Department is partnering with the RCD to protect and conserve the County's natural resources.

FISCAL IMPACT:

The total not-to-exceed amount of the Agreement for the Old Haul Road Sediment Reduction Project Phase IV is \$2,102,591. Sufficient appropriations for the Project are included in the Parks Department's FY 2019-20 Adopted Budget. Funding from **Measure K** will cover the County's commitment.