

RESOLUTION NO. 2018-52
RESOLUTION NO. PFA-03
ORDINANCE NO. 2018-01

AGENDA

MISSION STATEMENT

"Our team is dedicated to protecting, enhancing, and developing our rich water resources to the highest beneficial use for Calaveras County, while maintaining cost-conscious, reliable service, and our quality of life, through responsible management."

Special Board Meeting
Wednesday, September 19, 2018
2:15 p.m.

Calaveras County Water District
120 Toma Court, (PO Box 846)
San Andreas, California 95249

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administration Office at 209-754-3028. Notification in advance of the meeting will enable CCWD to make reasonable arrangements to ensure accessibility to this meeting. Any documents that are made available to the Board before or at the meeting, not privileged or otherwise protected from disclosure, and related to agenda items, will be made available at CCWD for review by the public.

ORDER OF BUSINESS

CALL TO ORDER / PLEDGE OF ALLEGIANCE

1. **ROLL CALL**

2. **PUBLIC COMMENT**

At this time, members of the public may address the Board on any non-agendized item. The public is encouraged to work through staff to place items on the agenda for Board consideration. No action can be taken on matters not listed on the agenda. Comments are limited to three minutes per person.

3. **NEW BUSINESS**

3a Discussion / Action Regarding Amending the FY 2018-19 CIP Budget for the Jenny Lind Water Treatment Plant Pretreatment Project (CIP #11092)
RES 2018-_____

3b Discussion / Action regarding authorizing the General Manger to sign a local match commitment letter for the Jenny Lind Water Treatment Plant Pretreatment Project (CIP #11092)
RES 2018-_____

4. **ADJOURNMENT**

BOARD OF DIRECTORS

Scott Ratterman, President
Terry Strange, Director

Russ Thomas, Vice President
Bertha Underhill, Director

Jeff Davidson, Director

Agenda Item

DATE: September 18, 2018

TO: Dave Eggerton, General Manager

FROM: Charles Palmer, District Engineer

RE: Discussion / Action Regarding Amending the FY 2018-19 CIP Budget for the Jenny Lind Water Treatment Plant Pretreatment Project (CIP #11092)

RECOMMENDED ACTION:

Motion: _____ / _____ approving Resolution No. 2018- ____ amending the FY 2018-19 CIP Budget for the Jenny Lind Water Treatment Plant Pretreatment Project (CIP #11092)

SUMMARY:

On December 29, 2015, the Federal Emergency Management Agency (FEMA) issued an approval letter for the Jenny Lind Water Treatment Plant Pretreatment Project (HMGP #4240-1-1) with a total eligible cost of \$3,758,000 and a federal share of \$2,818,500, based upon a 75% federal grant and 25% local match.

Since the grant funding was approved, FEMA and District staff have increased the scope of work and extended schedules in order to comply with federal NEPA requirements with special regard for preservation of cultural resources on the site. On May 23, 2018, FEMA issued an Adverse Effect Notification due to the unanticipated discovery of Native American artifacts on the project site during the early stages of construction. In assisting the District to attain compliance under Section 106 of the U.S. National Historic Preservation Act, FEMA and Cal-OES staff have been extremely helpful and proficient in working with archaeologists, tribal representatives, SHPO and ACHP in securing approval of a project specific archaeological treatment plan and establishing protocols for monitoring and reporting for cultural resources during construction ground disturbing activities.

As of September 26, 2018, the District will have spent \$160,000 for archaeological services including development of the treatment plan, preparing reports and full time archaeological and tribal monitoring of all construction ground disturbing activities. The District expects archaeological and tribal monitoring cost of \$75,000 for October, November and December or a project total of \$235,000.

The District has incurred other extra costs on the project for:

1. A difference of more than \$500,000 in actual construction costs (compared to original estimate) including extra costs for replacing the main electrical service to supply electrical loads for the project
2. Delay costs of \$67,000 claimed by Contractor for more than 70 days of work stoppage earlier this summer relating to the Adverse Effects Notification
3. Additional engineering and consulting fees of \$350,000 for design and construction phase services

As of September 2018, the District has fully obligated and/or spent approximately \$4,358,000, which includes \$3,500,000 in funds assigned to the construction contract. Due to unanticipated costs, the project cost will exceed the original budget in the grant application, and the District is responsible to pay all project costs not previously approved by FEMA. The funds to cover these costs would have to come from the Capital Renovation and Replacement Fund, which would cause delays or reprioritization of other important projects on the CIP list.

Fortunately, on September 12, 2018, Cal OES informed the District additional disaster funds were available and invited the District to submit a request for additional grant funding from FEMA. With costs exceeding the original budget for the project, the District welcomed the opportunity to submit for additional funding. On September 12, 2018, the District submitted a letter to Cal OES requesting a project funding increase of \$831,000, with a revised project budget totaling \$4,549,000. The original and revised budgets are summarized below including utilization of all contingency funds.

Category / Description	Original Budget	Expenditures & Obligated Funds	Requested Revised Budget
A. Application Preparation	\$25,000	\$2,100	\$2,100
B. Engineering and Design	\$250,000	\$550,000	\$600,000
C. Equipment	\$2,419,000	\$2,520,400	\$2,520,400
D. Site Preparation	\$125,000	\$253,500	\$253,500
E. Electrical	\$263,000	\$534,000	\$534,000
F. Mechanical	\$178,000	\$258,000	\$258,000
G. Construction Inspection	\$25,000	\$225,000	\$350,000
H. Project Admin and Overhead	\$131,000	\$15,000	\$31,000
I. Contingency	\$342,000	\$0	\$0
Total	\$3,758,000	\$4,358,000	\$4,549,000
Federal Share (75%)	\$2,818,500		\$3,411,750
Local Match (25%)	\$939,500		\$1,137,250

On September 18, 2018, Cal OES informed the District an updated local match commitment letter would be required as part of request for the project budget adjustment. Per CCWD policy, the CCWD Board of Directors must approve CIP budget adjustments and local funding match commitment letters.

These additional grant funds are not guaranteed, and the District is competing for these funds with a number of other agencies.

FINANCIAL CONSIDERATIONS:

The District is requesting a budget adjustment of \$831,000 for the Jenny Lind Water Treatment Plant Pretreatment Project in the Water Capital R&R Fund (Fund 125). This will increase the total project cost to \$4,549,000.

*Attachment: Resolution 2018 - ____ Amending the FY 2018-19 CIP Budget
Budget Adjustment 19-01*

RESOLUTION NO. 2018-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CALAVERAS COUNTY WATER DISTRICT**

**AMENDING THE FY 2018-19 CIP BUDGET TO INCREASE FUNDING FOR
THE JENNY LIND WATER PLANT PRETREATMENT PROJECT
CIP #11092 / HMGP #4240-1-1R**

WHEREAS, the Board of Directors of the Calaveras County Water District (CCWD) adopted Resolution 2018-27 on June 27, 2018, approving the Fiscal Year 2017-18 Capital Improvement Program Budget; and

WHEREAS, on December 29, 2015, the Federal Emergency Management Agency (FEMA) approved the Jenny Lind Water Treatment Plant Pretreatment Project (HMGP #4240-1-1R) with a total eligible cost of \$3,758,000 and a federal share of \$2,818,500, based upon a 75% federal grant and 25% local match; and

WHEREAS, since the grant application was initially approved, FEMA and CCWD have undertaken substantial additional efforts, increased scope of work and extended project schedules in order to comply with federal National Environmental Protection Act (NEPA) requirements; and

WHEREAS, on May 23, 2018, upon discovery of Native American artifacts during the early stages of construction, FEMA then issued an Adverse Effects Notification and has subsequently worked with Cal-OES and CCWD to attain compliance under Section 106 of the U.S. National Historic Preservation Act including necessary coordination with archeologists and tribal representatives to secure approval for a project-specific archaeological treatment plan for monitoring cultural resources during construction; and

WHEREAS, complying with NEPA requirements, archeologist and cultural resources monitoring on the project and associated delays to the construction schedule have increased costs and budget requirements by \$831,000; and

WHEREAS, funding is available in the Water Capital Renovation and Replacement Fund (Fund 125) for the project budget increase; and

WHEREAS, the CCWD Board of Directors does hereby find that it is in the best interest of the Calaveras County Water District to amend the adopted FY 2018-19 CIP Budget accordingly for the Jenny Lind Water Plant Pretreatment Project, CIP #11092.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the CALAVERAS COUNTY WATER DISTRICT adopts an amendment to the Fiscal Year 2018-19 Capital Improvement Program (CIP) Budget as set forth in Budget Adjustment 19-01, attached hereto and made a part hereof, and authorizes the Director of Administrative Services to record the appropriate accounting entries.

PASSED AND ADOPTED this 19th day of September, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CALAVERAS COUNTY WATER DISTRICT

Scott Ratterman, President
Board of Directors

ATTEST:

Rebecca Hitchcock
Clerk to the Board

Calaveras County Water District
 Fiscal Year 2018-19
 Budget Adjustment - Number 19-01

From			To		
Department	Account	Amount	Department	Account	Amount
1 Water Capital R&R Fund (Fund 125)	Reserves	(831,000)	Water Capital R&R Fund (Fund 125)	Jenny Lind Water Treatment Plant Pre-Treatment Facility (CIP#11092)	831,000
		(831,000)			831,000

Descriptions (for additional information please see staff report)

- 1 Increase appropriations by \$831,000 in the Water Capital Renovation and Replacement (Capital R&R) Fund (Fund 125) to fund the Jenny Lind Water Treatment Plant Pre-Treatment Facility Project (CIP#11092). The funding source is the Water Capital R&R Fund Reserves (Fund 125).

Agenda Item

DATE: September 18, 2018

TO: Dave Eggerton, General Manager

FROM: Charles Palmer, District Engineer

RE: Discussion / Action regarding authorizing the General Manger to sign a local match commitment letter for the Jenny Lind Water Treatment Plant Pretreatment Project (CIP #11092)

RECOMMENDED ACTION:

Motion: _____ / _____ approving Resolution No. 2018- ____ authorizing the General Manger to sign a local match commitment letter for the Jenny Lind Water Treatment Plant Pretreatment Project (CIP #11092)

SUMMARY:

On December 29, 2015, the Federal Emergency Management Agency (FEMA) issued an approval letter for the Jenny Lind Water Treatment Plant Pretreatment Project (HMGP #4240-1-1) with a total eligible cost of \$3,758,000 and a federal share of \$2,818,500, based upon a 75% federal grant and 25% local match.

Since the grant funding was approved, costs have increased significantly due to an increased the scope of work, cultural resources monitoring on the project and associated delays to the construction schedule, as well as increases in construction costs and engineering consulting fees.

On September 12, 2018, Cal OES informed the District that additional disaster funds were available and invited the District to submit a request for additional grant funding from FEMA. With costs exceeding the original budget for the project, the District welcomed the opportunity to submit for additional funding. On September 12, 2018, the District submitted a letter to Cal OES requesting a project funding increase of \$831,000, with a revised project budget totaling \$4,549,000. The original and revised budgets are summarized below including utilization of all contingency funds.

Category / Description	Original	Expenditures &	Requested
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	Budget	Obligated Funds	Revised Budget
A. Application Preparation	\$25,000	\$2,100	\$2,100
B. Engineering and Design	\$250,000	\$550,000	\$600,000
C. Equipment	\$2,419,000	\$2,520,400	\$2,520,400
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G. Construction Inspection	\$25,000	\$225,000	\$350,000
H. Project Admin and Overhead	\$131,000	\$15,000	\$31,000
I. Contingency	\$342,000	\$0	\$0
Total	\$3,758,000	\$4,358,000	\$4,549,000
Federal Share (75%)	\$2,818,500		\$3,411,750
Local Match (25%)	\$939,500		\$1,137,250

On September 18, 2018, Cal OES informed the District an updated local match commitment letter would be required to be considered for additional grant funding. Per CCWD policy, the CCWD Board of Directors must approve CIP budget adjustments and local funding match commitment letters.

It is important to note that additional grant funds are not guaranteed, and the District is competing for these funds with a number of other agencies. If CCWD is not awarded additional grant funding, it is the District's responsibility to cover any additional costs that are not otherwise funded by FEMA.

FINANCIAL CONSIDERATIONS:

The District is requesting a budget adjustment of \$831,000 from Cal OES for the Jenny Lind Water Plant Pretreatment Project. Applying the 75% federal grant and 25% local match, CCWD will need to commit an additional \$207,750 in local matching funds, which increases total matching funds to \$1,137,250. The requested federal share will increase from \$2,818,500 to \$3,411,750. The revised total project cost will be \$4,549,000.

Attachment: Resolution 2018 - ____ authorizing the General Manger to sign a local match commitment letter for the Jenny Lind Water Treatment Plant Pretreatment Project (CIP #11092)

Local Match Commitment Letter

RESOLUTION NO. 2018-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CALAVERAS COUNTY WATER DISTRICT**

**AUTHORIZATION OF LOCAL MATCHING FUNDS FOR
THE JENNY LIND WATER PLANT PRETREATMENT PROJECT
CIP #11092 / HMGP #4240-1-1R**

WHEREAS, the Board of Directors of the Calaveras County Water District (CCWD) adopted Resolution 2018-27 on June 27, 2018, approving the Fiscal Year 2017-18 Capital Improvement Program Budget; and

WHEREAS, on December 29, 2015, the Federal Emergency Management Agency (FEMA) approved the Jenny Lind Water Treatment Plant Pretreatment Project (HMGP #4240-1-1R) with a total eligible cost of \$3,758,000 and a federal share of \$2,818,500, based upon a 75% federal grant and 25% local match; and

WHEREAS, since the grant application was initially approved, FEMA and CCWD have undertaken substantial additional efforts, increased scope of work and extended project schedules in order to comply with federal National Environmental Protection Act (NEPA) requirements; and

WHEREAS, on May 23, 2018, upon discovery of Native American artifacts during the early stages of construction, FEMA then issued an Adverse Effects Notification and has subsequently worked with Cal-OES and CCWD to attain compliance under Section 106 of the U.S. National Historic Preservation Act including necessary coordination with archeologists and tribal representatives to secure approval for a project-specific archaeological treatment plan for monitoring cultural resources during construction; and

WHEREAS, complying with NEPA requirements, archeologist and cultural resources monitoring on the project and associated delays to the construction schedule have increased costs and budget requirements by \$831,000; and

WHEREAS, on September 12, 2018, Cal OES informed the District that additional disaster grant funds were available and invited the District to submit a request for additional grant funding from FEMA for the project; and

WHEREAS, On September 18, 2018, the District submitted a letter to Cal OES requesting a project budget increase of \$831,000

WHEREAS, to meet Cal OES requirements for the project budget increase request, CCWD will need to commit an additional \$207,750 in local matching funds, which increases total local matching local funds to \$1,137,250, total federal grant funds to \$3,411,750 and the total project budget to \$4,549,000; and

WHEREAS, funding is available in the Water Capital Renovation and Replacement Fund (Fund 125) for the commitment of local matching funds; and

WHEREAS, the CCWD Board of Directors does hereby find that it is in the best interest of the Calaveras County Water District to authorize the General Manager to sign a local match commitment letter, per Cal OES requirements, for the Jenny Lind Water Plant Pretreatment Project, CIP #11092.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the CALAVERAS COUNTY WATER DISTRICT authorizes the General Manager to sign a local match commitment letter for \$1,137,250, which is the District's 25% share of the \$4,549,000 total project cost.

PASSED AND ADOPTED this 19th day of September, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CALAVERAS COUNTY WATER DISTRICT

Scott Ratterman, President
Board of Directors

ATTEST:

Rebecca Hitchcock
Clerk to the Board



CALAVERAS COUNTY WATER DISTRICT

120 Toma Court • P.O. Box 846 • San Andreas, CA 95249 • (209) 754-3543 • www.ccwd.org

LOCAL MATCH FUND COMMITMENT LETTER

September 19, 2018

California Office of Emergency Services
3650 Schriever Avenue
Mather, CA 95655

RE: Match Commitment Letter for Jenny Lind Water Treatment Plant Pretreatment Project, HMGP #4240-1-1R, Calaveras County Water District, FIPS Code #009-00000, NEMIS ID # 009-U6GKO

Dear State Hazard Mitigation Officer:

This letter serves as Calaveras County Water District’s commitment to meet the 25% local match fund requirements for the Jenny Lind Water Treatment Plant Pretreatment Project, HMGP #4240-1-1R.

SOURCE OF NON-FEDERAL FUNDS:

LOCAL AGENCY FUNDING	OTHER AGENCY FUNDING	PRIVATE NON-PROFIT FUNDING	STATE AGENCY FUNDING
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NAME OF FUNDING SOURCE:

Water Capital Renovation and Replacement Fund (Fund 125)

FUNDS AVAILABILITY DATE:

September 18, 2018
PROVIDE EXACT MONTH/DATE/YEAR OF AVAILABILITY OF FUNDS

FEDERAL SHARE AMOUNT REQUESTED:

\$3,411,750
MUST MATCH \$ AMOUNT PROVIDED IN SUBAPPLICATION

LOCAL SHARE AMOUNT MATCH:

\$1,137,250
MUST EQUAL A MINIMUM OF THE 25% FEDERAL SHARE REQUESTED

FUNDING TYPE:

Water Capital Renovation & Replacement Program Rates
EXAMPLES: ADMINISTRATION, CASH, CONSULTING FEES, ENGINEERING FEES, FORCE ACCOUNT LABOR, AGENCY PERSONNEL, PROGRAM INCOME, ETC.

If you have questions, please contact Joel Metzger, CCWD grants manager, at (209) 754-3123 or joelm@ccwd.org.

Sincerely,

CALAVERAS COUNTY WATER DISTRICT

Dave Eggerton, General Manager
Phone: (209) 754-3123 | Fax: (209) 745-0270: Email: davee@ccwd.org