

DATE: February 3, 2020
TO: RMC Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 10: Consideration of a resolution approving a grant amendment to the Watershed Conservation Authority for the Duck Farm Phase IA –Step 2 Project (RMC18002).

PROGRAM AREA: Rivers and Tributaries

PROJECT TYPE: Development

JURISDICTION: County of Los Angeles

PROJECT MANAGER: Joseph Gonzalez

RECOMMENDATION: That the RMC approve a grant amendment to the Watershed Conservation Authority (WCA) to complete a construction budget realignment of the Duck Farm Phase 1A – Step 2 Project (RMC18002).

PROJECT DESCRIPTION:

Exhibit A – Amendment Request Letter

Exhibit B – Updated Budget

Exhibit C – Construction Task List

The Duck Farm Phase 1A Implementation Project (Duck Farm) involves the development of a 31-acre river adjacent park that includes a pocket park and entry. Park elements include parking, pedestrian amenities, access improvements, interpretive features, restrooms, 1.25 mile of trails, riparian landscape, a wildflower meadow and a river overlook.

On October 15, 2018, the RMC Board approved a \$1.2 Million supplemental grant (RMC18002) to cover a funding gap that remained following a 9-month constructability and Value Engineering (V/E) process that had begun in January 2018 (Resolution 2018-25). Following the grant certification for this gap funding the project issued a notice to proceed to the General Contractor to begin construction on the park. On March 21, 2019 WCA celebrated the milestone with a groundbreaking ceremony.

In May 2019, WCA realigned the task by task budgets from the nine (9) funding sources to allocate the \$4,000,000 General Contractor construction schedule of values to each grant per eligible deliverables. On June 24, 2019 WCA submitted a request to reallocate budget between line items and to meet reverting fund considerations for RMC3609. The realignment of the various funding sources to the remaining contracted for work then allowed for bringing specificity to RMC18002's budget exhibit. Therefore, WCA has provided an updated budget to provide line item detail by deliverables. This budget exhibit will be utilized to approve payment requests for eligible project expenditures to complete the Duck Farm Phase 1A – Step 2 elements. The budget includes a line item for contingency to meet field changes, as needed, or otherwise will be utilized by WCA as an eligible indirect expense up to but not exceeding the allowed value of 10% of the grant value. Exhibit A: Request Letter.

The project is under construction with completion targeted by late Spring 2020 and opening later this summer. For staff to approve payment reimbursement requests an updated and approved budget and scope amendment to the grant is necessary. Exhibit B: Updated Budget; Exhibit C: Construction Task List Key.

Summary of Progress

2010-2012

- **Implemented Two-Step Construction Strategy:** The State's financial crisis and bond freeze of December 2008 resulted in a two-step construction approach utilizing non-State funds to continue progress on the project.
 - **Completed Step 1: Supplemental Environmental Program (SEP) funded portion of the project.**
 - Included phytoremediation and infrastructure improvements such as site development, grading, trails, a multipurpose road and underground utilities including a new water supply line, fire hydrant and irrigation system.

2013 – 2014

- **Step 2 Construction Documents and Funding**
 - **Entitlements and Permitting**
 - Completed Step 2 construction drawings (CD) and submitted for All Agency approvals. Completed Approvals:
 - LA County Regional Planning (2013)
 - U.S. Army Corps of Engineers (2013; Renewed 2016)
 - LA County Flood Control District (LACFCD) (2013)
 - LA County Health Department and State Regional Water Quality Control Board approvals for Restroom Facility and On-Site Wastewater System. (2014)
 - LA County Fire
 - Los Angeles City Department of Water and Power (2014)
 - **Funding**
 - WCA secured \$1.4 Million from State River Parkway Grant (third attempt)
 - WCA secured \$100K tree planting grant from LA County Prop A
 - WCA secured \$280,000 contribution from LA County Flood Control District (LACFCD)

2015 - 2016

- **Step 2 Entitlements and Permitting Continued**
 - **Outside Factors Delay Project**
 - Completed Southern California Edison Consent delayed (2016);

- 18-month delay related to TRRP and an update to SCE's Environmental Documents to address FAA safety concerns.
- LA County Plan Check Comments received 2015
 - AECOM Design team experiences loss of Design Team Staff three times between 2014 and 2016 resulting in a variety of delays to achieve approvals.
- Completed LA County Permit Reviews (2016)
 - LA County Land Development Landscape
 - LA County Parks and Rec Trail Easement
 - LA County EPD: Recycling/Reuse Plan
 - SWPPP

2017 - 2018

- **Step 2 Entitlement and Permitting Process Completed**
 - **Status of Permit Approvals**
 - Completed LA County Permit Reviews (2017-2018)
 - LA County GMED
 - LA County EPD: LID Covenant and Industrial Waste Permit
 - LA County Electrical
 - Caltrans Encroachment
 - Caltrans R/W Access Easement: Record easement
 - LA County Building and Safety: Architecture
 - LA County Building and Safety: Plumbing
 - LA County Land Development: Roads and Streets
 - ACOE Extension of 408 Permit
 - LA County Building and Safety: Grading

2019 - Current

- **Step 2 Construction**
 - Gap Funding Secured (October 2018)
 - Contractor Notice to Proceed (March 2019)
 - Construction (March 2019 – May 2020)
 - Plant Establishment (Spring 2020 – Fall 2020)
 - Grant Closeout (June 2020)
 - Project Open to Public (Summer 2020)

BACKGROUND: The Duck Farm is a significant regional project accomplishing the mission of the RMC and WCA which seeks to preserve open space and habitat to provide for low-impact recreation and educational uses, wildlife habitat restoration and protection, and watershed improvements within the San Gabriel River and the Lower Los Angeles River watersheds. Furthermore, the Duck Farm will expand access to public open space, trails and park features in a park poor area of the San Gabriel Valley and will help realize the goals of the San Gabriel River Corridor Master Plan and will serve as a key destination along the Emerald Necklace—a vision for an interconnected trail network of river-based parks.

FISCAL INFORMATION: The \$1.2 million grant to the Watershed Conservation Authority for the Duck Farm is funded through a \$404,550.82 grant of remaining Proposition 84 (Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006)

and a \$795,449.18 grant from Proposition 1 (Water Quality, Supply, and Infrastructure Improvement Act of 2014). It is anticipated that the project will close by June 2020.

Funding for this project will be allocated from the following Proposition 84 allocations, under statute:

75050. The sum of nine hundred twenty eight million dollars (\$928,000,000) shall be available for the protection and restoration of rivers, lakes and streams, their watersheds and associated land, water, and other natural resources in accordance with the following schedule:... (g) The sum of seventy two million dollars (\$72,000,000) shall be available for projects within the watersheds of the Los Angeles and San Gabriel Rivers according to the following schedule:

(1) \$36,000,000 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy pursuant to Division 22.8 (commencing with Section 32600).....

75060. The sum of five hundred forty million dollars (\$540,000,000) shall be available for the protection of beaches, bays and coastal waters and watersheds, including projects to prevent contamination and degradation of coastal waters and watersheds, projects to protect and restore the natural habitat values of coastal waters and lands, and projects and expenditures to promote access to and enjoyment of the coastal resources of the state, in accordance with the following schedule:... (3) To the Rivers and Mountains Conservancy.....\$15,000,000.

Funding for this project will be allocated from the following Proposition 1 allocations, under statute:

Funding for this project will be allocated from Chapter Six (6) of Proposition 1, under statute 79731 (f): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the sum of thirty million dollars (\$30,000,000).

LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES: The Rivers and Mountains Conservancy (RMC) statute provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (a) To acquire and manage public lands within the Lower Los Angeles River and San Gabriel River watersheds, and to provide open-space, low-impact recreational and educational uses, water conservation, watershed improvement, wildlife and habitat restoration and protection, and watershed improvement within the territory.
- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.
- (c) To acquire open-space lands within the territory of the conservancy.

Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (b) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.
- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32614: The conservancy may do all of the following:

- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties for the purposes set forth in Section 32602.
- (f) Recruit and coordinate volunteers and experts to conduct interpretive and recreational programs and assist with construction projects and the maintenance of parkway facilities.

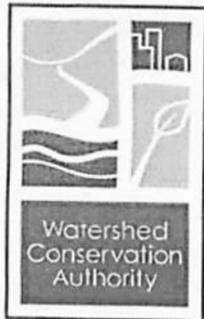
Further, Section 32614 provides that: The conservancy may do all of the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources protection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may undertake those projects with prior notification to the legislative body of the local agency that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
 - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
 - (2) The conservancy approves the terms under which the interest in land is acquired.
 - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
 - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
 - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.

RMC 18002 grant was initially authorized by the RMC on October 15, 2018, as specified in Resolution 2018-25.



January 28, 2020

Mark Stanley
Executive Officer
Rivers and Mountains Conservancy
100 N. Old San Gabriel Canyon Rd.
Azusa, CA 91702

Dear Mr. Stanley,

GOVERNING BOARD

Herlinda Chico,
Chair
Designee for Janice Hahn
Los Angeles County Board of
Supervisors, 4th District

Sandra Maravilla
Vice Chair
Designee for Kathryn Barger
Los Angeles County Board of
Supervisors, 5th District

Vincent Chang
Designee for Hilda Solis
Los Angeles County Board of
Supervisors, 1st District

Karly Katona
Designee for Mark Ridley-
Thomas
Los Angeles County Board of
Supervisors, 2nd District

Dan Arrighi,
Rivers and Mountains
Conservancy

Roberto Uranga
Rivers and Mountains
Conservancy

Vacant
Rivers and Mountains
Conservancy

EX OFFICIO MEMBER
Carolina Hernandez
Designee for Mark Pestrella,
Director
Los Angeles County
Department of Public Works

EXECUTIVE OFFICER
Mark Stanley

The Watershed Conservation Authority (WCA) respectfully requests the Rivers and Mountains Conservancy's consideration to approve a budget realignment for RMC18002, the Duck Farm Phase 1A- Step 2 Project, see attached.

The Duck Farm Phase 1A Implementation Project (Duck Farm) involves the development of a 31-acre river adjacent park that includes a pocket park and entry. Park elements include parking, pedestrian amenities, access improvements, interpretive features, restrooms, 1.25 mile of trails, riparian landscape, a wildflower meadow and a river overlook.

On October 15, 2018, the RMC Board approved a \$1.2 Million supplemental grant (RMC18002) to cover a funding gap that remained following a 9-month constructability and Value Engineering (V/E) process that had begun in January 2018. In May 2019, WCA realigned the task by task budgets from the nine (9) funding sources to allocate the \$4,000,000 General Contractor construction schedule of values to each grant per eligible deliverables.

On June 24, 2019 WCA submitted a request to reallocate budget between line items and to meet reverting fund considerations for RMC3609. The realignment of the various funding sources to the remaining contracted for work then allowed for bringing specificity to RMC18002's budget exhibit. Therefore, WCA has provided an updated budget to provide line item detail by deliverables. This budget exhibit will be utilized to approve payment requests for eligible project expenditures to complete the Duck Farm Phase 1A – Step 2 elements.

This request reflects an associated update to tasks and budget as needed to meet the updated deliverable and to include a budget line item of up to 10% in indirect as an eligible grant cost.

Thank you for your consideration and we look forward to completing this regionally important work. If you have any questions or comments regarding this request or the attached budget and timeline, please contact Deborah Enos, Deputy Executive Officer, at denos@wca.ca.gov.

Sincerely,

Herlinda Chico
WCA Governing Board Chair

**Duck Farm Phase 1A
Exhibit B
RMC 18002**

Task		Gap Budget	Budget Realignment
1	PM/Admin Overall		\$ 10,000
2	Step 2 Construction		\$ 1,139,809
	<i>Fastrack Construction General Contractor</i>		\$ 752,095
	<i>Construction Management (Field)</i>		\$ 78,807
	<i>A/E (Field)</i>		\$ 55,000
	<i>Norcal Geotechnical Testing and Reports</i>		\$ 8,000
	<i>Labor Compliance Consultant and Reporting</i>		\$ 34,830
	<i>Mulch</i>		\$ 211,078
3	Indirect/Contingency		\$ 50,190
	<i>Retention</i>		
	Totals	\$ 1,200,000	\$ 1,200,000

Exhibit C: Updated Step 2 Construction Task List Key For RMC18002

Funder	ITEM #	ITEM DESCRIPTION	Total EFC
P1	2.02	Remove Well Water Lines	\$500.00
P1	2.04	Demolish concrete trough north-west of tunnel, item 18, LD-104	\$20,300.00
P1	2.05	Temporary Protective Fence - Exist. Power Pole (1), and Back Flow Preventer at East Entry and fire hydrant (West Courtyard)- 36" high, plastic	\$250.00
P1	4.10	Relocate existing residential water lines/meters	\$1,000.00
P1	4.20	Cap off existing residential sewer lines at San Fidel Ave. entry	\$1,000.00
P1	4.30	Sanitize water line, meters, and backflows after new backflow installed and existing backflow relocated for drinking water purposes	\$1,000.00
P1	4.40	New Backflow Preventer at East Entry (for domestic line)	\$10,000.00
P1	4.50	Relocate Existing Backflow Preventer at East Entry to Behind Barn	\$10,000.00
P1	4.60	Install conduit for SCE to underground utilities	\$30,000.00
P1	4.70	Install Romtec Restroom (ROMTEC RESTROOM "KIT" FURNISHED BY OWNER) and Septic System Complete - includes subbase, finish grade, concrete footings/foundation, electrical/water utility connections to POC's by others, septic system complete	\$165,000.00
P1	7.11	Sleeving Under Paving for Utility Crossing, Storm Drain Pipe, Catch Basin	\$1,000.00
P1	7.13	Entry Road to Tunnel & Parking Lot - 6" AC over 4" Base over 24" Compacted Subgrade	\$127,408.00
P1	7.14	Concrete Header/Mow Strip - 6" wide x 8" depth (includes parking lot headers)	\$7,280.00
P1	7.21	Concrete valley gutter	\$11,200.00
P1	7.22	Headwall and riprap	\$8,000.00
P1	7.33	Diamond Cut Pattern Finish - diamond-hone prep + prime + 2 coats acrylic tennis court latex - includes concrete ADA ramp from West Plaza area to Demonstration Garden	\$51,150.00
P1	8.51	EXTEND IRRIGATION TO FARMHOUSE FRONT YARD - Add gate valve downstream from southern most RCV and extend mainline to just inside front gate of Farm House property; final location TBD in consult with WCA CM	\$6,500.00
P1	9.05	Front Park Decorative Shade Structure System - includes footings, seat walls, lighting, security camera, motion sensors for both overhead structure systems	\$198,500.00
P1	12.05	Front Park - Storm Drain & Catch Basins Complete	\$80,000.00
P1	16.02	Tree Removal - Remove all trees along chainlink fence at edge of Caltrans ROW on both sides of the 605 Fwy. Cut trees to ground level (can leave roots). Removed material can be chipped on site and spread in Duck Farm areas outside of current work limit lines at direction of CM	\$9,311.80

February 3, 2020 – Item 10

RESOLUTION 2020-02

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING A GRANT AMENDMENT TO THE WATERSHED CONSERVATION AUTHORITY FOR THE DUCK FARM PHASE 1A – Step 2 PROJECT (RMC 18002)

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, which provides funds for the RMC grant program; and

WHEREAS, The people of the State of California have enacted the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (“Proposition 1”) and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for capital outlay and local assistance multi-benefit grants for ecosystem and watershed protection and restoration projects; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The proposed project meets an objective of the California Water Action Plan for more reliable water supplies, restoration of important species and habitat, more resilient and sustainably managed water infrastructure; and

WHEREAS, The proposed project meets the goals of reducing greenhouse gas emissions consistent with AB 32; and

WHEREAS, The proposed project is consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan; and

WHEREAS, The proposed project protects land and water resources; and

WHEREAS, The grantee has requested a grant from Proposition 1, Section 79731 (f) or Section 79735 (a) of the Water Code; and

WHEREAS, This action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

Therefore be it resolved that the RMC hereby:

- 1 FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.
- 2 FINDS that the grant is consistent with the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, which provides funds for the RMC grant program.
- 3 FINDS that the Proposition 1 RMC Grant Program is consistent with the Water Quality, Supply, and Infrastructure Improvement Act of 2014 ("Proposition 1"), which provides funds for the RMC grant program.
- 4 FINDS the proposed project meets at least one of the purposes of Proposition 1.
- 5 FINDS the proposed project meets at least one of the three objectives of the California Water Action Plan.
- 6 FINDS that the proposed action is consistent with the San Gabriel and Lower San Gabriel and Los Angeles River Watershed and Open Space Plan as adopted by the Rivers and Mountains Conservancy;
- 7 FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 8 ADOPTS the staff report dated February 3, 2020.
- 9 AUTHORIZES a grant amendment to the Watershed Conservation Authority for the Duck Farm Phase IA – Step 2 Project (RMC 18002).

~ End of Resolution ~

Passed and Adopted by the Board of the
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
CONSERVANCY on February 3, 2020.

Motion _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Frank Colonna, Chair

ATTEST: _____
David Edsall, Jr.
Deputy Attorney General