



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: November 5, 2019

Subject: Amendment to Agreement with California Dept. of Water Resources and American Rivers, Inc., for Three Creeks Restoration Project. Project #7521-6D8176

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conversation District (Flood Control District), or designee, to execute Amendment 2 to Grant Agreement No. 4600011176 (Agreement), by and among the Flood Control District, California Department of Water Resources (DWR), and American Rivers, Inc. (American Rivers), for the Three Creeks Restoration Project (Project), substantially in the form attached, Brentwood area.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

On July 12, 2016, the Board approved and authorized execution of the Agreement, a grant agreement by and among the Flood Control District, the DWR, and American Rivers. Under the Agreement, DWR agreed to provide a \$744,404 grant to partially fund the Project, which involves widening the existing Marsh Creek channel from the Union Pacific Railroad to the confluence with Sand Creek channel and planting native vegetation in order to improve the creek's habitat value.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/05/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 5, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Gus Amirzehni, (925)
313-2128

BACKGROUND: (CONT'D)

American Rivers and the Flood Control District are the sponsor and cosponsor, respectively, of the Project.

On June 12, 2018, the Board also approved and authorized execution of Amendment 1 that extended the term of the Agreement. The amended Agreement is set to expire on June 30, 2020, unless amended. Amendment 2 would amend the Agreement to extend the term to March 30, 2021. Amendment 2 would also revise the Project work schedule. The amended Project schedule required earthwork and planting to be completed in 2019. Because the Project design phase has taken longer than originally anticipated, those deadlines could not be met. Amendment 2 would require earthwork to be completed in the third quarter of 2020, and planting by March 30, 2021. The Project is currently planned to start construction in the second quarter of 2020 and is expected to meet those deadlines. Costs of work completed after March 30, 2021, would not be eligible for reimbursement with grant funding. Amendment 2 would also fix June 30, 2021, as the deadline for seeking disbursement of grant monies.

CONSEQUENCE OF NEGATIVE ACTION:

If this Board Order is not approved, DWR will cease providing grant funding for the Project under the Agreement, effective June 30, 2020.

ATTACHMENTS

Amendment 2