



**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: June 3, 2024
Reviewed by: NA

SUBJECT: Watershed Management Plan Update (CIP No. 30001) – Award of Professional Services Contract No. C24-32 and Appropriation of NPDES Storm Water Funds and Measure F Street & Storm Drain Tax Funds

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SUMMARY

The issue before Council is award of a contract for professional services to Wood Rogers to develop an update to the City's Watershed Management Plan (WMP). Services will include assessment of current conditions, new regulatory requirements, and challenges from a changing climate. An updated WMP will also provide an updated list of drainage improvements, cost estimates, and explore funding mechanisms to meet the requirements for operate and maintain the City's aging stormwater infrastructure. Staff recommends an additional appropriation of \$276,000 in NPDES (National Pollutant Discharge Elimination System) Storm Water Fee revenues and \$60,000 in Measure F Street & Storm Drain Improvement funds to supplement existing project appropriations for the Watershed Management Plan Update (CIP No. 30001).

STAFF RECOMMENDATION

That the Council adopt Resolution No. 2024-38:

1. Authorizing the City Manager to award Contract No. C24-32 for professional services to Wood Rodgers in the not-to-exceed amount of \$441,708.00 for an update to the City's Watershed Management Plan; and
2. Appropriating \$276,000 in NPDES (National Pollutant Discharge Elimination System) Storm Water Fee revenues and \$60,000 in Measure F Street & Storm Drain Improvement funds to supplement existing project budget for the Watershed Management Plan Update (CIP No. 30001).

BACKGROUND

The City of Albany is located adjacent to the San Francisco Bay, bounded by the communities of El Cerrito to the north, Berkeley to the south and east, and Kensington to the northeast. The City can be divided into five watersheds extending into the Berkeley Hills and draining into the San Francisco Bay. Most of the City's storm drain system was built in the 1920's and 1930's in conjunction with the development of the residential neighborhoods. The City's drainage system consists of approximately 12 miles of storm drain pipeline and 2.5 miles of culverts. The system of inlets, pipes, junctions, and culverts conveys stormwater to one or more of five creeks within the city limits – Cerrito Creek, Codornices Creek, Marin Creek, Middle Creek, and Village Creek.

During the development of Albany through the 1950's, portions of the City's creeks were placed in culverts, buried, and built over, resulting in the separation of the waterways from wildlife. Outside of culverting creeks, significant portions of Albany roadways were also developed without including storm drainage infrastructure despite those same roadways increasing the amount of run-off, resulting in major corridors operating as overland flow channels during the rainy season.

ANALYSIS

A Watershed Management Plan (WMP) is a tool to assist the City in making informed decisions related to its drainage infrastructure and waterways by assessing existing conditions, identifying deficiencies, and prioritizing improvement opportunities in the context of limited city resources. The City last prepared a WMP in October 1998. Several of the improvement projects identified in the 1998 WMP have been constructed, while more work remains to be completed as systemic conditions have changed. In the ensuing years, the City has continued to operate the storm drain program at 1990s funding levels by primarily targeting basic maintenance services and isolated repairs to individually reported locations of concern.

An update to the WMP is needed to assess current conditions, accounting for the changes to City infrastructure over the years, drainage conditions, new regulatory requirements, and challenges from a changing climate. An updated WMP would also provide an updated list of recommended drainage improvements, cost estimates, and explore funding mechanisms to meet the requirements for operating and maintaining the City's aging stormwater infrastructure.

In November 2020, Council adopted the Capital Improvement Plan (CIP) for FY2019/20 to FY2023/24, and appropriated budget for the first three fiscal years of the five-year plan. This included CIP Project No. 30001 for a Watershed Management Plan Update. The project includes a stormwater system assessment and master plan with a hydraulic model and capacity analysis.

DISCUSSION

In February 2024, Public Works staff released a Request for Proposals (RFP) for the update of the 1998 WMP. The City received three (3) proposals by the March 11, 2024 deadline. The initial costs from all three received proposals significantly exceeded the original amount appropriated by Council in the CIP. Each proposal included itemized costs for each task within the scope. Staff reviewed proposal costs against similar plan updates by other municipalities within the Bay Area and found that, despite the proposals exceeding original appropriations, the level of effort included with the proposals were generally consistent with other municipalities after taking into account the City of Albany’s watershed and storm drain system.

The proposals were reviewed by a four-person selection panel consisting of three members of Public Works staff and one member of Community Development staff. All three firms submitting proposals were invited for a follow-up meeting with the selection panel as described in the RFP. After reviewing the written proposal and the in-person interview, the selection panel unanimously agreed that Wood Rodgers best understood the requirements and was the best qualified firm to prepare the WMP update.

Public Works staff negotiated with Wood Rodgers on a refined scope of work and updated budget by identifying certain “core tasks” that would be vital to a functional Watershed Management Plan update. These tasks are included in the scope for approval of the contract (Attachment 2).

The scope of the WMP update consists of the following tasks:

- A stakeholder meeting to address City stakeholder concerns and priorities;
- Desktop data review and a storm drain inventory update;
- Storm drain condition assessment;
- Installation of flow monitors to collect in-situ flow data for one rainy season;
- Hydraulic modeling calibrated with flow data collected from flow monitors;
- Evaluation of the effects of climate change
- Identifying existing deficiencies and prioritizing a list of improvement projects;
- Financial analysis of the needs, funding gaps, and potential funding sources;
- Preparation of an updated Watershed Management Plan summarizing the findings from the previous tasks.

Following the preparation of the plan, the key findings from the WMP update will be summarized and be presented to City Council for feedback prior to being finalized. The following is an estimated schedule of milestones:

Council Award	June 3, 2024
Notice to Proceed	June 4, 2024
Project Kickoff	June 2024
Stakeholder Meeting	July 2024
Flow Monitoring (Est.)	Fall 2024 to Spring 2025
Draft WMP	Winter 2026

SUSTAINABILITY AND SOCIAL EQUITY CONSIDERATIONS

The recommended project supports the City's General Plan focus on mitigating environmental hazards with flood risk and includes an evaluation of the effects of climate change to the watershed. The project will provide a framework for sustainable focus on the environmental health of waterways. Watershed impacts from climate change are anticipated to have a disproportionate impact on residents living in lower lying areas of Albany and the recommended action for an update to the City-wide Watershed Management Plan encourages a systematic, City-wide assessment of improvements which encourages fairness and justice in supporting development of a comprehensive capital plan for improvements to watershed management.

EQUAL OPPORTUNITY AND NON-DISCRIMINATION

The City of Albany promotes equal opportunity and non-discrimination on the basis of race, religion, creed, color, national origin, ancestry, sex, age, physical handicap, medical condition, marital status or other interests protected by state and federal law. The City strongly values contract participation by minority owned and women owned businesses. However, the City is unfortunately restricted in its ability to implement any form of preference program associated with those groups on City contracts based on limitations imposed under the California Constitution, which do not permit any public agency in the state to grant preferential treatment to any entity "on the basis of race, sex, color, ethnicity or national origin" in public contracting (Cal. Const., art. I, § 31.). This constitutional restriction, which is commonly referred to as Proposition 209, was approved by voters in 1996. An effort to overturn this restriction placed on the November 2020 ballot (Proposition 16) was not approved by voters. The only exception to the bar under Proposition 209 is for federally funded projects where the City has historically and will continue to fully and actively promote participation by minority owned and women owned businesses.

CITY COUNCIL STRATEGIC PLAN INITIATIVES

This project supports the Council's Strategic Plan in the areas of advancing climate action and adaptation (Goal 1), promoting streets that support safety & transportation mobility options (Goal 3), increasing City revenue to sustain City Services (Goal 5), and increasing public health, safety, and resiliency (Goal 6).

Included in this project is an evaluation of the effects of climate change with the intention to deliver projects adapted to anticipated increases to storm intensity. Management of stormwater is a large part of supporting transportation mobility for varied weather conditions. To support these efforts, this project includes seeking funding opportunities for storm drain permit implementation and asset preservation. Finally, maintaining a healthy storm drainage system is vital in helping to reduce the risk of flooding. This reduces water-borne pollution, promotes pedestrian pathway and bicycling accessibility, benefiting community health through two different approaches.

FINANCIAL CONSIDERATIONS

Funding for the Watershed Management Plan Update (CIP No. 30001) was appropriated by City Council in November 2020 as part of the City’s FY2020-2024 Capital Improvement Plan (Resolution No. 2020-108). The contract amount of \$441,708.00 exceeds the amount appropriated by Council in the CIP.

The following table details the budget appropriated for the project in the CIP, as well as the recommended additional appropriations at this time to fund the recommended contract award and a 10% contingency:

Funding Sources	Budget	Notes
NPDES Storm Water Fee (1601)	\$150,000	Appropriated
NPDES Storm Water Fee (1601)	\$276,000	New Appropriation
Measure F Street & Storm Drain Improvements Tax (2006)	\$60,000	New Appropriation
Total Project Budget	\$486,000	

Though the bulk of the project is most appropriate to be funded by programmatic NPDES Storm Water Fee funds, a segment of the project is concerned with capital project development and cost estimation. Therefore, an additional appropriation from capital funding source Measure F Street & Storm Drain Improvements Tax is recommended to supplement the project budget.

Attachments

1. Resolution No. 2024-38
2. Contract No. C24-32 with Wood Rodgers for Watershed Management Plan Update