



AGENCY: City Council
MEETING DATE: July 8, 2024
DEPARTMENT: Public Works
PRESENTED BY: D. O'Connor/J. Smith
EMAIL ADDRESS: doconnor@fortbragg.com

AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Adoption of City Council Resolution Authorizing the City Manager to Execute Agreement with Sherwood Valley Band of Pomo Indians for Tribal Monitoring During Excavation for the City's Raw Water Line Replacement Project, City Project No. WTR-00016

ISSUE:

The construction contract for the Raw Water Line Replacement Project was by the City Council on February 12, 2024 to T & S Construction Company in the amount of \$5,958,087. This project will be funded by the California Department of Water Resources (DWR) Urban and Multi-benefit Drought Relief Grant. SHN Consulting Engineers was awarded the contract for the Construction Management for \$560,000 at the same meeting. As part of the project's environmental approval process in March of 2022, the City invited local agencies such as the Sherwood Valley Band of Pomo Indians (SVBP) to comment on the project and express any concerns that they might have. While the SVBP did not respond to the City's request for comments in the time frame that was provided, they did request that a monitor be present during earth-moving activities. City staff approved the use of a tribal monitor for the project to ensure that any resources that might be discovered are appropriately handled in a timely fashion.

ANALYSIS:

The Raw Water Line Replacement Project includes the replacement of approximately two (2) miles of untreated water transmission line, much of which is in steep, forested terrain. While no cultural resources were identified during the investigation phase, the City wishes to ensure that any cultural discovery that may occur is quickly and appropriately handled by allowing for a tribal monitor to be present whenever the contractor will be exposing potentially undisturbed ground. The fee for the monitor is \$130 per hour with an overtime rate of \$195 per hour (attachment 3). Vehicle mileage to the job site will also be reimbursed at the current federal rates, but travel time is not included. The contractor began construction on the project in June 2024, and the tribe has already begun to provide the service to ensure that construction is not hindered while the agreement is being executed.

FISCAL IMPACT:

The agreement itself only specifies the hourly rate that will be paid. Because of permitting constraints, the project is expected to have two (2) construction seasons (2024 & 2025), with the first season already underway. The estimated cost of the monitoring for the first season (2024) is estimated to be about \$47,000. It is anticipated that these costs will be covered by the DWR grant.

GREENHOUSE GAS EMISSIONS IMPACT:

There will be a minor increase in greenhouse gas emissions due to the need for the monitor to travel to the work site each day that monitoring is needed.

CONSISTENCY:

The approval of the agreement is consistent with General Plan Element 4, Conservation, Open Space, Energy and Parks, Section C, Conservation and Natural Resources Goal OS-4, to Protect and Preserve Cultural Resources. Allowing the tribe to provide cultural monitoring will ensure that any discovery will be appropriately handled and that any disruption to the work schedule is minimized.

RECOMMENDED ACTION:

Approve the resolution authorizing the City Manager to execute the agreement with the tribe to provide cultural monitoring during construction activities.

ALTERNATIVE ACTION(S):

Direct staff to modify the agreement.

IMPLEMENTATION/TIMEFRAMES:

Bid Opened – January 12, 2024

Award Construction Contract – February 12, 2024

Start Construction – June 2024

Complete Construction – October 2025

ATTACHMENTS:

1. Resolution
2. Agreement
3. SVBP Rate Schedule

NOTIFICATION:

1. Sherwood Valley Band of Pomo Indians.