

Zone 6

**Report to the Zone Commissioners
Design and Construction Projects
for Calendar Year 2009**

By Dusty Williams, General Manager-Chief Engineer
January 2010

GENERAL:

Throughout the District (all Zones) during Calendar Year 2009, the Design and Construction Division completed four capital projects with a combined value of \$4.7 million. Two projects with a total contract value of \$8,500,000 are currently under construction. In Calendar Year 2009 the District also inspected and issued notices of completion for 20 developer-built projects with a total value of almost \$24 million.

Recent bids for District construction projects have shown that general contractors are becoming very competitive. The District will continue to try and leverage this dip in construction costs by pushing hard to complete designs and advertise projects while prices are low.

Twenty-five capital improvement projects in the FY 2009/2010 budget are either under active design or pre-design study at the District with five of those projects expected to be advertised for construction in Calendar Year 2010. The total construction contract cost of those five projects is estimated at around \$11 million. Another ten or so drainage projects are being managed by individual cities with the District participating in funding.

Additionally, we are also underway with six repair projects that require engineered drawings due to the severity of the damage or potential damage to our facilities. Deficiencies range from exposed and rusting rebar to undermined slope paving. As all in-house resources are devoted to our capital improvement projects, these six projects are being designed by outside consulting engineers.

Calendar Year 2010 should also see completion of significant changes at the District's office site. The proposed Low Impact Development (LID) Retrofit Project is a three part project. The completed project will convert the District's Market Street campus into a regional example of green development concepts. The upgraded facility will be used as a regional "green" training center for municipal employees, developers, engineers, and contractors throughout the Inland Empire and Orange County. Currently, there are limited locations and opportunities to demonstrate the proper application of LID BMPs. This facility is uniquely designed to accomplish both demonstration and monitoring of the effectiveness of LID practices. This project is intended to facilitate the support and implementation of LID BMPs by municipalities and developers. The cost of this project is being partially subsidized by a \$475,000 State Proposition 13 grant administered by SAWPA.

Following is a status summary of the capital improvement projects for Zone 6:

Current Year Capital Projects (Budgeted FY 2009/2010)

1. **East Cathedral Canyon Channel, Left Bank Levee Toe Extension (6-6-00010-00)** – In 2006 it was discovered that the scour protection for the existing levee would not meet FEMA criteria. This project is necessary to protect existing developed area in the Cove. To minimize the total project cost, remedial work needed to be constructed prior to the installation of a golf course in the channel. Construction began in August 2008 and was completed by December. The original contract cost was \$1,179,150. District inspection staff monitored the project during construction. When the existing levee lining was exposed, minor cracking and other deficiencies were revealed and were remedied as a part of this project. The extra work is expected to increase costs somewhat above the original bid. Cathedral City requested reimbursement from Zone 6 revenue in their January 2008 letter but no agreement has been approved.

2. **East Cathedral Canyon Channel, Terrace Road Lateral, Stage 2 (6-8-00110-02)** - This project was initially proposed as an underground storm drain aligned within Terrace Road, from Vista Drive easterly to a point of outlet in East Cathedral Channel. However, alignment and configuration of the project has changed as a result of an overall master drainage plan revision study prepared by an engineering consultant under contract with the City of Cathedral City. The study addressed the entire "Cove" area between East and West Cathedral Canyon Channels. At the request of the City, an amount of \$833,300 has been included in the District's Zone 6 Budget as a total District contribution toward construction of the Terrace Road Storm Drain project. District plan check and inspection costs were included in the budgeted amount. The project is being administered by the City. Construction of this project was essentially completed in early 2009 but District acceptance is dependent on the City's schedule. Once accepted, the District will accept the facility for operation and maintenance and will contribute to the City the cost of construction up to a maximum of \$830,000.

3. **Verbena Channel, Stage 1 (6-8-00150-01)** – Verbena Channel, as shown on the District's Desert Hot Springs Master Plan of Drainage, is an open channel extending from just south of Two Bunch Palms Trail north approximately 7,000 feet to Pierson Boulevard. In early meetings on the project, it was recognized that an adequate outlet beyond that shown on the master plan would be required. Therefore, the design limit for the first stage was set from Dillon Road north to Two Bunch Palms Trail. Given the age of the master plan and the numerous challenges presented, a pre-design study was initiated to choose the best overall concept. The study resulted in significant changes from the master planned facility. The Verbena system as now envisioned comprises a detention basin at Pierson Boulevard connected by an underground storm drain in Verbena Drive to a detention basin at Camino Campaneros. Flows exiting the basin at Camino Campaneros will enter an existing wash extending downstream to 18th Street. Verbena Channel, Stage 1 will include the basin at Camino Campaneros along with inlet and outlet works and a drainage easement over the existing downstream wash.

In October 2009 the developer of the "Desert Rose" project at the northwest corner of Park Lane and Verbena Drive confirmed that there is no interest in allowing interim inlet works

to be constructed on the property. The District has developed a conceptual alternate design that will not require the acquisition of right-of-way on that property.

The terms of the cooperative agreement between the District, City and Developer regarding a right-of-way swap that will produce the basin site were mostly finalized in 2008. However, the agreement was not executed because the Developer seemed to have put the project on hold.

The District completed the biological surveys required by CEQA in 2007. A Mitigated Negative Declaration for the project was adopted in late 2009. Within the next couple of months, the District intends to make appropriate offers for the rights-of-way needed downstream of Camino Campanero.



4. **Palm Springs Line 41, Stage 3 (6-8-00160-03)** - This project extends from existing Stage 2 at Golf Club Drive westerly along East Palm Canyon Drive to Gene Autry Trail. It also includes Lateral 41C, aligned in Gene Autry Trail (Matthew Drive). Design mapping was completed in the spring of 1999 and at that time the District conducted an alternative study in response to a request by the City of Palm Springs to consider a different alignment in place of the Master Plan's open channel adjacent to East Palm Canyon Drive west of Gene Autry Trail. When presentation of the study reminded City staff of the fact that the existing stages of the Line 41 facility were not designed to remove the FEMA floodplain, presently mapped as Zone A, the City requested the District come up with a solution to remove the floodplain. In 2005 the District met with the City of Palm Springs and the City of Cathedral City to discuss alternative studies prepared by the District and make a determination on design requirements. While Stage 3 of Line 41 is not physically in the City of Cathedral City, its design does affect the existing floodplain in the City. After much discussion, both Cities requested that the FEMA floodplain be removed and for the District to proceed with the project shown on the following page. The project incorporates a large retention basin and is a significant departure from the master planned facility.

Line 41, Stage 3 – Underground Storm Drain with Detention Basin



Our total project cost (estimated September 2008) is approximately \$15 million. This figure is comprised of \$7 million for construction and \$8 million for right-of-way. It had been determined that the maximum reasonable expenditure by the District within the five-year capital improvement plan timeframe is approximately \$9 million. Despite the City of Palm Springs' pledged contribution of roughly \$1 million, we are left with a \$5 million shortfall. This gap must be funded by the local benefiting owner/developers. However, the lull in development pressure appears to have de-motivated property owners downstream of Palm Hills Drive. These beneficiaries/stakeholders may be less able/willing to contribute to the project shortfall.

During 2009, the District secured the basin right-of-way through eminent domain. A new appraisal at the "date of value" set a figure for escrow at \$2.6M. All of those funds have been withdrawn by the bank and owner. A judge set September 20, 2010 as the "date of process" which is when the jury trial would begin (to determine the amount District has to pay the property owner). On a parallel course, a mandatory settlement conference (for the basin) with another judge has been set for July 20, 2010. The acquisition of the right-of-way for the storm drains is pending until funds become available.

Due to recent proposed critical habitat of Casey's June Beetle, design effort essentially has been halted while we focus in formulating a plan to address this species that will be affected by the project. Currently, we are looking into mitigating the impacts offsite within the Palm Canyon Wash. In addition, we are exploring options with the local tribe in mitigating the impacts to Casey's June Beetle through their proposed habitat conservation plan. The cost associated with mitigating impacts to the Casey's June Beetle are unknown but could be significant.

5. **Palm Springs Lines 43 & 43A (6-8-00163-01)** - This underground storm drain will extend from the existing West Cathedral Canyon Channel west to East Palm Canyon Boulevard (Highway 111) then northwest in East Palm Canyon Boulevard to Via Capri Street then southwest approximately 500 feet to the outlet of the future Eagle Canyon Dam. This project will work in concert with Line 41 and Eagle Canyon Dam to provide flood protection to property along Highway 111 from Golf Club Drive to Auto Park Road. Design mapping was completed in mid-2005; however, this project is not included in the District's 5 year CIP due to lack of funds. [Eagle Canyon Dam, Palm Springs Line 41 and a single project in Desert Hot Springs each consume roughly 1/3 of the total available 5-year capital improvement fund (*revenue plus carryover*)]. Assuming funding could be found, construction could start 3 years later in the spring of 2013.

The District issued an RFP for design of the project in late 2009; twelve consulting firms submitted proposals. We should be able to make a final selection in February 2010 and initiate a design contract this Spring.

6. **Eagle Canyon Dam (6-8-00190-01)** - The design of this project located southerly of Canyon Plaza Drive was on hold for many years until some arrangement could be made to clear the site of all illegally dumped materials. The District's position was that the project could not move forward until others fund the construction debris and hazardous material

removal and the District was absolved from financial responsibility for any undetected hazardous materials found on the site.

While the design was on hold, the District contracted numerous studies to quantify the volume of dumping and also met with the Cities of Palm Springs and Cathedral City in an effort to facilitate the clean up. In 2004 the City of Cathedral City began efforts to secure outside grant monies for the clean up and the District, in an effort to keep the project moving, agreed to begin design. In April 2005 the District's Board approved a \$918,000 engineering services agreement with Genterra Consultants to prepare design drawings, secure the necessary environmental permits and also obtain a permit from the State Division of Safety of Dams. In 2006 Genterra completed an extensive geophysical investigation and also completed the focused biological surveys needed to prepare the necessary environmental documents.



The project design process remains on track. The engineering drawings are essentially complete and will soon be ready for signature. Final approval of the plans and specifications by the California State Department of Safety of Dams (DSOD) is pending. Only water rights issues remain to be settled and those will be addressed as part of the environmental consultant's work. The District has completed the Record-of-Survey maps for the required right-of-way but has not recorded these maps. Right-of-way may be acquired from willing sellers but obtaining any contested parcels will need to wait until completion of the CEQA/NEPA process.

The progress on the environmental process has been slow. The draft Initial Study and Environmental Assessment reports need substantial revision to be brought up to District Standards. It became clear over the past year that Genterra's sub-consultant was not going to be able to resolve these deficiencies satisfactorily and the District selected RBF Consulting to complete the environmental documentation for the project.

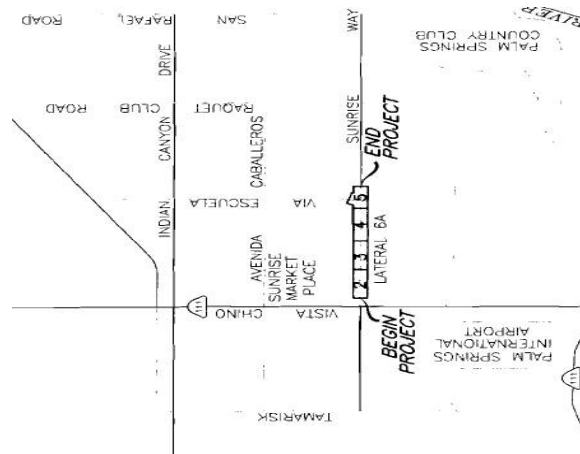
The following is a short status report on progress on the environmental document during 2009:

- RBF prepared an initial study with notice of preparation which was distributed to the appropriate agencies for review and comment. (May/June 2009)
- RBF with the District conducted one scoping meeting for public agencies and two scoping meetings with the public. (June 2009)
- RBF and its sub-consultants have completed technical studies to support CEQA/NEPA and permitting. (October 2009)
- RBF submitted first screencheck EIR/EA for District review and comment. (October 2009)
- RBF submitted second screencheck EIR/EA for District review and comment. (January 2010)

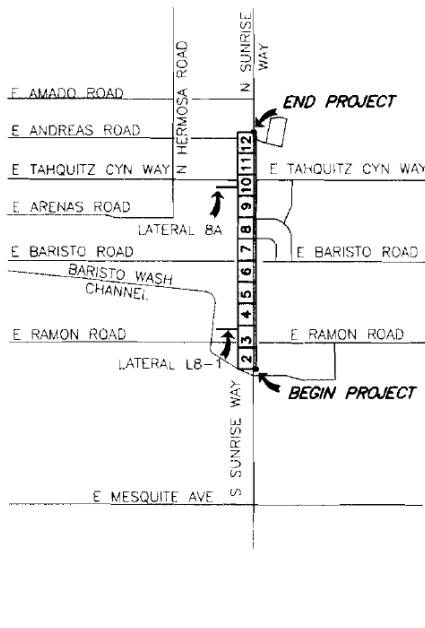
It should also be noted that the District will not purchase any property until commitment to fund dump site cleanup effort has been settled (funding for said clean-up is the subject of a four-party agreement/MOU still being circulated).

The current right-of-way and construction cost estimate is approximately \$7.5 million.

7. **Palm Springs MDP Line 6A (6-8-00223-01)** – This facility is a 42 inch storm drain which joins the Palm Springs MDP line 6 mainline at the Vista Chino/Sunrise Way intersection and runs Northerly along Sunrise Way to just past Via Escuela. This City-funded storm drain project was completed in 2009.



8. **Palm Springs MDP Lines 8 and 8A (6-8-00302-01 and 6-8-00226-01)** – This facility is mainly 12' by 5' precast concrete box culvert which outlets into Baristo Wash, runs northerly along Sunrise Way and terminates just north of East Andreas Road. This City-funded storm drain project was completed in 2009.



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