

county of ventura



Jeff Pratt
Agency Director

Central Services
Joan Araujo, Director

Engineering Services
Christopher Cooper, Director

Transportation
David Fleisch, Director

Water & Sanitation
Michaela Brown, Director

Watershed Protection
Glenn Shephard, Director

March 19, 2019

Board of Supervisors
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009

Subject: Approval of the Acceptance of \$1,577,451 in Flood Emergency Response Projects - Statewide Grant Round 3 Funding from the California Department of Water Resources on Behalf of Seven Agencies in Southern California, for Phase 3 of the ALERT2 Capacity Upgrade Project; Waiver of Policy Prohibiting the Inclusion of Attorney's Fees Payments in Contracts; and Approval of, and Authorization for the Ventura County Watershed Protection District Director to Execute, the Grant Agreement. All Supervisorial Districts, All Zones

Recommendations:

1. Approve the acceptance of \$1,577,451 in Flood Emergency Response Projects Statewide Grant Round 3 (FERG3) funding from the California Department of Water Resources (DWR) on behalf of seven agencies in Southern California for Phase 3 of the ALERT2 Capacity Upgrade Project.
2. Waive the policy prohibiting the inclusion of attorney's fees provisions in contracts.
3. Approve, and authorize the Ventura County Watershed Protection District (District) Director to execute, the grant agreement (Exhibit 1).

Fiscal/Mandates Impact:

Mandatory:	No
Source of Funding:	FERG3 Program Funding
Funding Match Required:	None
Impact on Other Departments:	None

<u>Summary of Revenues & Costs:</u>	<u>FY 2018-19</u>	<u>FY 2019-20 through 2021-22</u>
Revenue:	\$ 0	\$ 1,577,451
Costs:		
Direct	\$ 0	\$ 1,577,451
Indirect/Agency Dept.	\$ 0	\$ 0
Indirect/County CAP	\$ 0	\$ 0



Total Costs	\$	0	\$ 1,577,541
Net District Costs	\$	0	\$ 0
Recovered Indirect Costs	\$	0	\$ 0

Current Fiscal Year Budget Projections

Current FY 2018-19 Budget Projection for Watershed Protection – Unit 4200				
	Unit			
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$3,870,300	\$4,179,860	\$4,179,860	\$0
Revenue	\$3,690,400	\$3,690,400	\$3,690,400	\$0
Net Cost	\$ 179,900	\$ 489,460	\$ 489,460	\$0

Appropriations and revenue will be included in the FY 2019-20 through FY 2021-22 budgets, as appropriate.

Discussion:

The District has been operating and maintaining an automated Flood Warning System since 1978. It has grown to over 150 sensors providing real-time flood warning to the County including the Sheriff's OES, Public Works Agency, the National Weather Service, and numerous first responders. Similar systems throughout Southern California total over 800 sensors serving eight counties protect a population of almost 20 million people.

Automated Local Evaluation in Real Time (ALERT) is the technology supporting the vast majority of these flood warning systems. However, this technology was created in the 1970's and is becoming outdated. In addition, the vast numbers of sensors in Southern California have been causing radio interference problems. The solution to these problems is the newly developed ALERT2 protocol. This increases the amount and reliability of data from the various sensors in the entire area.

In the 2015 grant round, the District, on behalf of eight Southern California agencies, applied for and was granted funding for 1) purchase and installation of ALERT2 upgrade kits; and 2) Flood Safety Plans for five counties. That grant funded project is well underway with the Flood Safety Plans completed; and with all of the counties currently engaged in installing the last of the upgrade packages.

On January 9, 2018, your Board authorized the District to once more take the lead for the Southern California area by applying on behalf of seven agencies for a grant to 1) prepare a Flood Safety Plan for three new agencies to comply with DWR requirements for such documents, and 2) to continue to upgrade the ALERT system in the agencies to the ALERT2 protocol. This allows for a substantial increase in performance and reliability of

the critical flood warning systems in Southern California, and it facilitates communication throughout the area.

The three new agencies include San Luis Obispo and Riverside Counties, and the Coachella Valley Water District. Other participating agencies include Orange, San Bernardino, San Diego and Ventura Counties – and two National Weather Service (NWS) Offices in San Diego and Oxnard. Equipment to be purchased through the grant is in accordance with the study/analysis completed in the first grant, and will include equipment designated as appropriate for Phase 3 of the upgrade for the 4 continuing counties, and for Phases 1, 2, and 3 for the three new agencies.

In July 2018, DWR announced the recipients of funding for the FERG3 grants. The District was awarded \$1,577,451 for this round.

Estimated District costs for installation of equipment are \$30,000. These funds will be included in the District FY 2019-20 budget. District costs for direct administration costs of the grant project are included in the grant budget as fully reimbursable.

Section 9 of the grant agreement states, in the final paragraph of the section, that, should the State find it necessary to withhold disbursement of funds due to a substantial breach of the grant agreement, the grant recipient agrees to pay all costs incurred by the State, including reasonable attorneys' fees, legal expenses, and costs. This statement is required to be included in the agreement by State Counsel and therefore cannot be stricken from the document.

This item has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel. If there are any questions regarding this item, please contact me at (805) 654-2040.



Glenn Shephard, P.E.
Director, Watershed Protection District

Attachment:

Exhibit 1 – Grant Agreement