MUKILTEO CITY COUNCIL AGENDA BILL 2013-013

SUBJECT TITLE:
Smuggler’s Gulch LID Update

FOR AGENDA OF:
March 4, 2013

EXHIBITS:
1) Tentative Subcommittee Agenda & Schedule
2) Tetra Tech Contract Amendment
3) Scope of Work
4) Letter to Smuggler’s Gulch Drainage Basin

Contact Staff:
Patricia Love, Assist Dir. Of Com. Dev.
Jim Niggemyer, Assist City Engineer

Department Approval:
Larry Waters, PE, Public Works Director.

City Administrator Approval:
Joe Hannan, City Administrator

<table>
<thead>
<tr>
<th></th>
<th>Account Name(s):</th>
<th>Account Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012 Amount Budgeted:</td>
<td>Capital – Smuggler’s Gulch</td>
<td>440.90.594.305.6203</td>
</tr>
<tr>
<td>2013 Amount Budgeted:</td>
<td>Stormwater Project</td>
<td></td>
</tr>
<tr>
<td>2014 Anticipated Budget:</td>
<td>$283,853</td>
<td></td>
</tr>
<tr>
<td>Original Project Total:</td>
<td>$1,333,333</td>
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<tr>
<td></td>
<td>Amount Spent to Date:</td>
<td>$156,285</td>
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<tr>
<td></td>
<td>Appropriation Required:</td>
<td>$57,220</td>
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<tr>
<td>Total New Project Costs</td>
<td>$1,390,553</td>
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RECOMMENDATION: Authorize the Mayor to sign the Smuggler’s Gulch Low Impact Development contract amendment in the amount of $57,220.00 with Tetra Tech for engineering services to help facilitate and analyze stormwater options for the Smuggler’s Gulch Drainage Basin LID and Stormwater Retrofit Community Focus Group subcommittee.

BACKGROUND:
In January of this year, staff presented the proposed list of Low Impact Development (LID) projects that could be funded with the Department of Ecology Stormwater Grant and the City’s match. At that meeting the Council made two motions:
1. Continue the design and proceed with summer 2013 construction of the detention pond retrofit projects (88th Street Pond, 50th Avenue Pond, and the Whisperwood Estates Pond) and the 44th Avenue rain garden.
2. Establish a citizen focus group, an advisory committee to review and evaluate the remaining rain garden and gravel gallery options to determine the best location and/or project alternatives to meet the requirements of the Department of Ecology grant.

A letter has been sent to all properties within the Smuggler’s Gulch Stormwater Basin notifying them of this action and soliciting participation on the committee.

SUMMARY OF REQUEST:
With the increased work associated with the subcommittee and the anticipated extra drainage analysis needed, an amendment to Tetra Tech’s constant contract is needed. Attached is a copy of the new scope of work which includes three subcommittee meetings, an open house, a Council meeting, updated mapping, some drainage flow analysis and environmental support. Below is an updated project budget which requires the appropriation of $57,220 from the Stormwater Fund:
## PROJECT FUNDING

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>DOE Stormwater Grant</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>2012 City Stormwater Budget (eligible amount out of the $125,000 appropriated)</td>
<td>$121,480</td>
</tr>
<tr>
<td>2013 – 2014 City Stormwater Budget</td>
<td>$211,853</td>
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<tr>
<td>Subcommittee Support &amp; Environmental Permitting</td>
<td>57,220</td>
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<tr>
<td><strong>Total:</strong></td>
<td><strong>$1,390,553</strong></td>
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**ALTERNATIVES:** Revise the proposed scope of work.
<table>
<thead>
<tr>
<th>Milestones:</th>
<th>Tentative Dates</th>
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<tbody>
<tr>
<td><strong>Step 1 – Select Members of the Citizen Focus Group (CFG):</strong> Send out a letter to all those in the basin describing the status of the project and the purpose of the subcommittee. Solicit interested parties to participate on the committee and invite at least one member of the Council Sustainability Committee. The committee would include 7-9 members depending on interest level in each of the three subareas within the Smuggler’s Gulch basin.</td>
<td>Feb 1- Feb 22</td>
</tr>
<tr>
<td><strong>Step 2 – CFG Meeting #1 - Kick-off Meeting:</strong> Introductory meet and greet; share information about LID and the project goals; provide basin maps and project materials; listen to the concerns of the committee and develop a Drainage Issues list describing the known drainage issues for each subarea.</td>
<td>March 4-8</td>
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<tr>
<td><strong>Step 3 – Project Evaluation Period #1:</strong> Collate the issues learned from the first meeting and sort them into project issues and larger basin wide issues.</td>
<td>March 11-22</td>
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<td><strong>Step 4 – CFG Meeting #2 – Design Charrette:</strong> Take information from first meeting and evaluation period and present to CFG; divide into groups based on subareas and discuss potential LID projects and other solutions; share concepts / recommendations with entire group.</td>
<td>March 25-29</td>
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<tr>
<td><strong>Step 5 – Project Evaluation Period #2:</strong> Evaluate and summarize the CFG Committee recommendations into presentation format for an open house. Prepare project recommendations and basin strategy for issues beyond the scope of the LID project. Send update to City Council.</td>
<td>April 1-12</td>
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<tr>
<td><strong>Step 6 – Basin Wide Open House:</strong> Hold an open house to present findings and proposed project options / alternatives / strategies.</td>
<td>April 22-26</td>
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<td><strong>Step 7 – Project Evaluation Period #3:</strong> Meld information gained from the open house with the CFG Committee recommendations. Send update to City Council.</td>
<td>April 29-May 10</td>
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<td><strong>Step 8 – CFG Meeting #3 – Refinement Meeting:</strong> Present draft project recommendations to CFG based on committee meetings and open house results.</td>
<td>May 13-17</td>
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<td><strong>Step 9 – Project Evaluation Period #4:</strong> Refine recommendation and prepare for City Council presentation.</td>
<td>May 20-24</td>
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<td><strong>Step 10 – City Council Approval:</strong> Submit recommendation with project list (&amp; potential basin strategy) to City Council for approval.</td>
<td>June 3</td>
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<td><strong>Step 11 – Initiate Project Design:</strong> Issue notice to proceed on remaining LID project elements. Construction would be scheduled for summer 2014.</td>
<td>June 4-7</td>
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SUPPLEMENTAL AGREEMENT NO. 2

Scope of Services
Smuggler’s Gulch Drainage Basin LID & Stormwater Retrofit Contract

A. The City of Mukilteo, “CLIENT” desires to supplement the agreement entered into with Tetra Tech, Inc., “CONSULTANT” executed on April 18, 2012. All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

SECTION II: SCOPE OF WORK

The original scope of work will be amended to include the services as described in Attachment “A”, attached hereto and made a part of this agreement.

SECTION V: PAYMENT – Maximum Total Amount Payable

This section shall be amended as follows:

These additional services will cause an increase in the amount of Fifty Seven Thousand, Two Hundred and Twenty Dollars ($57,220) in accordance with the attached Attachment “B”.

The maximum amount payable under this Agreement as supplemented, inclusive of all fees and other costs is now Three Hundred Fifty Five Thousand, Five Hundred and Twenty Dollars ($355,520).

If you concur in this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

Dated this __________ day of __________________, 2012.

CITY OF MUKILTEO  Tetra Tech Inc.

_________________________________________  __________________________________
Joe Marine                                           Scott Williams
Mayor                                                Vice President Transportation/Transit
Attachment ‘A’
Scope of Work Supplement #2
for
Smuggler’s Gulch Drainage LID Improvements
Consultant Services

**PROJECT UNDERSTANDING:**
The City is proceeding with this Low Impact Development (LID) project as a cost effective way to reduce flooding and peak flow rates, and reduce pollutants in the stormwater in the Smuggler’s Gulch Basin before it discharges into the Puget Sound.

This contract supplement builds upon the work identified in the initial contract Scope of Work and Supplement No. 1. This Supplement No. 2 includes the following tasks:

New Work Element (Task 9): Engage with the public through an expanded public outreach process for Smuggler’s Gulch. This will include developing a plan with the City and working with a Citizen Focus Group (CFG) through a multi-step decision-making process. The CFG is a citizen advisory committee to be created from citizens living within the boundary of the Smuggler’s Gulch basin. This task will include participating in multiple meetings with citizens, city staff, and public open houses, and making a presentation to City Council. It will include considering the alternatives and benefits of potential LID retrofit projects. This is a planning level exercise and does not include final analysis and design. The projects that will be considered through the public outreach process have yet to be determined, but will be in fulfillment of the constraints of the Ecology grant project (LID and pond retrofits). Other potential drainage improvement projects may be considered which may be identified to be important to citizens in the community; but these projects will be kept separate from the projects anticipated to be funded by the Ecology grant.

New Work Element (Task 10): Prepare a composite drainage basin map for the Smuggler’s Gulch basin, based upon existing City and County records. This will be used during the public outreach process.

New Work Element (Task 11): A “No Effects” environmental determination for the proposed stream channel reconfiguration work next to the 50th Place Pond site. Presently the creek flows through a detention pond. The goal is to reconstruct the stream channel and pipes to route the stream channel around the detention pond. See attached Figure 2.A which shows the concept plan of the stream channel re-routing and pond improvements.

The specific work elements associated with these tasks to be performed by the CONSULTANT are provided in the Scope of Work beginning on the next page.

**Scope Of Work**
The CONSULTANT will perform the tasks described in this Scope of Work as described herein.
Task 9.0 Public Outreach Process (New Task)
This task is based upon a multi step process developed by the CITY. See attached document entitled “Citizen Focus Group Draft Schedule and Agenda.” The CONSULTANT will engage with this process along with CITY staff. CITY will lead this effort. The CONSULTANT will:

9.1 Develop Public Outreach Program (Step 1)
- Assist in the developing of a public outreach process based upon City Council direction, and prepare for first meeting with the Citizen Focus Group (CFG);
- Review City Council Meeting, relevant public records, and the CFG invitation letter;
- Prepare example materials for the CFG meetings, referred to as “mock-up” materials. This may include a Goals Statement board and a Evaluation Matrix board, etc.
- Participate in two (2) coordination meetings w/ City Staff.

Deliverables for Task 9.1
- Draft Recommendation Public Outreach Flowchart
- “Mock Up” materials in .PDF format
- Review Comments of for CFG Invitation Letter
- Smuggler’s Gulch Basin Map

9.2 CFG Kickoff Meeting (Step 2)
In conjunction with City staff, prepare for and participate in the CFG kickoff meeting. The goals of this meeting is to inform the participants of what the purpose of the CFG is, which is to decide the best use of the remaining dollars, and learn what the citizen’s issues are. The work elements will include:
- Prepare Education Boards on: LID-vs-Conventional Drainage Design, Benefits of LID, WA State Standards on LID, Different Types of LID Facilities, Summary of the Performance of Rain Gardens, based upon select studies. These boards will be provided as informational in general terms and are not specific to the Smuggler’s Gulch basin.
- Assemble information to present on the work completed to-date for Smuggler’s Gulch. This will include a map of the Smuggler’s Gulch basin showing the location of ponds retrofit sites, the demonstration rain garden (at site 2.4), and the potential LID sites (rain gardens and gravel galleries), and typical cross-sections for gravel galleries and rain gardens. These documents have already been prepared, so this work element will be to just assemble for the meeting.
- Provide one to three boards to assist in focus management of the group. This may include: Goals Statement/List; Evaluation Matrix; List of Issues, etc., which could be used through the public involvement process.
- Prepare a board that provides a summary of the Pre-Design Report, limited to the reduction in flowrates resulting from constructing the LID sites. Similarly, summarize the flow reduction from the two pond retrofit sites. Provide a summary of costs for the 2 pond retrofit sites and the demonstration rain garden at site 2.4.
- Develop draft agenda items for kickoff meeting for City review.
- Attend kickoff meeting. Two staff from Tetra Tech will attend this meeting, a meeting facilitator (Scott Williams) and the lead engineer (Dean Franz).
Deliverables to Task 9.2

Exhibits will be 22” x 34” boards and a companion electronic copy in .pdf format

- Education Boards of LID, Conventional Design and Rain Gardens Board(s) which summarize work completed to date – aerial map Board which summarizes Flow Reductions and Costs.
- 1 to 3 Exhibit Boards for Group Focus Management

9.3 Project Evaluation Period #1  (Step 3)

The CONSULTANT will:

- Attend one (1) meeting with the CITY as part of this task to qualitatively assess with City staff the issues learned from the kickoff meeting and to differentiate and sort through the LID project issues and wider basin issues. This will be done as a phone conference call.

(Note: In advance of performing this task the CITY will collate the issues.)

Deliverables

- Summary of Findings with backup hydrologic calculations

9.4 Design Charrette (Step 4)

In this step the CITY will take the information learned from the CFG kickoff meeting and present the results of the evaluation to the CFG. The CFG will divided into groups and discuss potential LID projects and other solutions. For the preparation and meeting work the CONSULTANT will:

- For meeting preparation develop hard copy work materials for the 3 groups. The materials will include plan sheet that will consist of aerial map of the subarea with street names and potential LID sites identified thus far.
- Prepare a draft plan and schedule for the Charrette, for City review.
- Attend meeting. Two staff from Tetra Tech will attend this meeting, a meeting facilitator and the lead engineer.

(Note: For the charrette the CITY will organize and lead the meeting, and provide writing materials.)

Deliverables for Task 9.4

- Plan sheets for each of the 3 work groups (large scale color work drawings)

9.5 Project Evaluation Period #2  (Step 5)

Evaluate the CFG recommendations. The CONSULTANT will:

- Conduct a peer review of the meeting results to be summarized by the CITY.
- Conducting a planning level analysis to estimate the reduction in peak flowrates of the proposed projects on a collective basis for the LID grant-related projects. We will use a continuous simulation model (MGS Flood or WWHM) to perform this task. Two LID layout scenarios are budgeted for this task.
• Updating the planning-level cost to construct the two LID layout scenarios. This is limited to the grant-related LID projects.
• Recommend a plan for the Open House for CITY review.
• Attend two (2) meetings with the CITY as part of this task. The first meeting will immediately follow the Charrette. The second meeting will to present the results of the evaluation to the CITY and finalize the plan of the open house.
• Prepare two (2) exhibits: 1) LID exhibits developed during Charrette; 2) other basin improvements recommended by the CFG and CITY during the Charrette.

(Note: The CITY will prepare a summary of the results and recommendations of the charrette.)

Deliverables for Task 9.5
• Summary of Findings with backup hydrologic calculations
• Exhibits: LID and other drainage improvements (22” x 34” boards, and electronic copies in .PDF format)
• Peer review comments of the summary of Charrette.

9.6 Open House (Step 6)
An open house will be held at City Hall for the community. The goal of this is to present findings, proposed project options, and strategies. This CONSULTANT will:
• Attend Open House Meeting: One staff from Tetra Tech will attend this meeting, the lead engineer.

Deliverables for Task 9.6
• none

9.7 Project Evaluation Period #3 (Step 7)
The CITY will combine the information gained from the open house and the CFG recommendations. The CONSULTANT will:
• This evaluation will be minor refinements of previous work. The minor refinements of the previous evaluation work (Task 9.5) will be performed based upon the input from the Open House. This task does not include performing any hydrology analysis for flow reduction benefits and is limited to the grant-related LID projects.
• Update the aerial map showing the proposed projects;
• Recommend a prioritization of grant-related LID projects based on engineering judgment considering benefits and approximate costs.
• Review input for Council representative and recommend agenda for next CFG meeting. This is a qualitative discussion with the CITY.
• Attend one (1) coordination meeting with CITY.

(Note: The CITY will prepare a strategy in advance of this task and Tetra Tech will review.)

Deliverables for Task 9.7
• Aerial map of projects (22” x 34” board and electronic .pdf format)

9.8 Refinement Meeting with CFG (Step 8)
At this meeting a presentation to the CFG will be made showing the results of the open house. This CONSULTANT will:

- Attend Meeting: One staff from Tetra Tech will attend this meeting, the lead engineer.

{Note: For the refinement meeting the CITY will organize and lead the meeting.}

**Deliverables for Task 9.8**
- none

9.9 **Project Evaluation #4 (Step 9)**
Evaluate the hydrologic benefits and costs of the ideas collected at the CFG kickoff meeting. This is an update of previous work performed. The CONSULTANT will:

- Conduct a peer review of the meeting results to be summarized by the CITY.
- Conduct an evaluation of recommended changes. The evaluation will be a qualitative assessment of the refinements created from the last CFG meeting (Task 9.8).
- Attend two (2) meetings with the CITY as part of this task.
- Prepare exhibits to be presented at the City Council meeting. Budget for up to 4 exhibits.

{Note: It is understood that many projects may be identified by the CFG and open house process. The CITY will collate and narrow-down the project list in advance of performing this task, and the evaluation will be limited to grant-related LID projects.}

**Deliverables for Task 9.9**
- 4 exhibits for the City Council Meeting (22” x 34” boards and electronic copies in .pdf format)

9.10 **City Council Meeting (Step 10)**
This CONSULTANT will:

- Attend Meeting: One staff from Tetra Tech will attend this meeting, the lead engineer.
- Following the Council meeting, provide a written overview and assessment of results and process used.

**Deliverables for Task 9.10**
- none

**Task 10 Update Drainage Basin Map Pond Coordination (New Task)**

10.1 **New Basin Map**
A new drainage basin map for the Smuggler’s Gulch basin will be prepared and used as a tool for the public involvement process. The new map will be GIS based and include:

- Storm conveyance system from the City’s GIS geodatabase records;
- Updated aerial photograph, as is publicly available;
- Location of LID sites;
- Pond Retrofit sites;
- Wetlands and streams, which are already available in the City public records;
- Streets and street names.

10.2 50th Place Pond and Whisper Wood Pond

A new drainage basin map for the Smuggler’s Gulch basin will be prepared and used as a tool for the public involvement process. The new map will be GIS based and include:
- Prepare schematic plan view of pond improvements for the two pond sites, 50th Place Pond and the Whisper Wood Pond sites. The Whisper Wood pond site is planned to be converted to an underground detention tank system.
- Attend two (2) meeting with adjacent property owner(s) with CITY, for the two respective pond retrofit sites.

**Deliverables for Task 10**

Exhibits will be 22” x 34” boards and a companion electronic copy in .pdf format
- Smuggler’s Gulch Drainage Basin map
- Color Schematic Exhibit for 50th Place Pond Retrofit
- Color Schematic Exhibit for Whisper Wood Pond Site Retrofit

Task 11 Environmental Review of Stream Work *(New Task)*

A “No Effects” environmental determination is anticipated for the proposed stream channel reconfiguration work next to the 50th Place Pond site. Presently the creek flows through a detention pond. The goal is to reconstruct the stream channel and pipes to route the stream channel around the detention pond. See attached Figure 2.A which shows the concept plan of the stream channel re-routing and pond improvements. This task will include:
- Storm conveyance system from the City’s GIS geodatabase records;
- Updated aerial photograph, as is publicly available;
- Location of LID sites;
- Pond Retrofit sites;
- Wetlands and streams, which are already available in the City public records;
- Streets and street names.

**Deliverables for Task 11**

- Draft Recommendation Public Outreach Flowchart
- Review Comments of for CFG Invitation Letter
- Smuggler’s Gulch Basin Map

**Assumptions & Exclusions**

- The CITY will provide and arrange for access to private properties as needed.
- The CITY will provide to the CONSULTANT copies of relevant public records, such as GIS records, and Council meeting records, at time of commencement of work.
- Public meetings will be held at City Hall. Invitations to the public, public notices, and one-on-one meetings with property owners will be arranged for by the CITY.
Administrative Reserve
An administrative reserve has been established for this project, and is a separate line-item in the fee worksheet. Because of the dynamic decision making process that inherently occurs with the CFG and community meetings, there are unknowns as to what will be requested of the CONSULTANT. Therefore funds have been allocated as an “administrative reserve”, to be used at the discretion of the CITY staff, to direct the CONSULTANT to perform tasks that are unknown at this time. Additional work may be performed by the CONSULTANT which is not specifically stated in this Scope of Work, and this additional work will be billed at the hourly rates shown in the fee worksheet up to the authorized amount. The additional work will only be performed by the CONSULTANT upon advance written notice of CITY staff.