



AGENDA Special Meeting

Trails and Landscape Committee (Citizens Oversight Committee)

**Monday, December 11, 2023
5:00 p.m.**

**Hoyer Hall at Clayton Community Library
6125 Clayton Road
Clayton, CA 94517**

COMMITTEE MEMBERS

Martin Andrews
Kate Happy
Stephen Rossi
Joyce Wells

Erin Bennet
Craig Nuchols
Allison Snow

Tom Brand
Patti Pratt
Nancy Topp
Mike Wells

*Councilmember Holly Tillman
(Ex-Officio)*

*Councilmember Kim Trupiano
(Ex-Officio Alternate)*

Staff:

Bret Prebula, City Manager
Amy Walcker, Executive Assistant to the City Manager/HR Manager
Prapti Aryal, Finance Director
Larry Theis, City Engineer
Jim Warburton, Maintenance Supervisor

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review on the City's website at www.claytonca.gov
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.claytonca.gov
- Any writings or documents provided to a majority of the Committee after distribution of the Agenda Packet and regarding any public item on this Agenda are available for review on the City's website at www.claytonca.gov
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7300.

TRAILS AND LANDSCAPE COMMITTEE

December 11, 2023

1. **CALL TO ORDER & ROLL CALL** - Chair

2. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Any member from the audience may address the Trails and Landscape Committee (TLC) on items within the TLC's jurisdiction that are not on this agenda. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chair's discretion. In accordance with State Law, no action may take place on any item not appearing on this agenda.

3. **CONSENT**

(a) **Adopt Minutes of September 18, 2023, TLC Meeting**

4. **ACTION ITEMS**

(a) **Overview of Landscape Maintenance District Citywide Responsibilities**

(b) **Budget Overview**

(c) **Cardinet Trail Project Overview and Recommendation to the City Council to Use \$200,000 in Funds to Begin Project Design**

5. **COMMITTEE ITEMS**

(a) **Committee Member Communications / Announcements**

Limited to requests for future meetings or general information not requiring any action by the TLC.

(b) **Staff Communications / Announcements**

General information not requiring action by the TLC.

6. **ADJOURNMENT**

**MINUTES
OF THE
REGULAR MEETING
TRAILS AND LANDSCAPING COMMITTEE
Citizens Oversight Committee**

September 18, 2023

1. CALL TO ORDER & ROLL CALL – Chair Erin Bennett

Chair Erin Bennett called the meeting to order at 6:02 p.m. at Hoyer Hall 6125 Clayton Road, Clayton CA.

Committee Members Present: Erin Bennett, Craig Nuchols, Stephen Rossi, Nancy Topp, Kate Happy, Allison Snow, Joyce Wells, Holly Tillman Ex-Officio

Committee Members Absent: Tom Brand, Patti Pratt, Martin Andrews, Kim Trupiano Ex-Officio Alternate

Staff Present: Assistant to the City Manager Amy Walcker; City Engineer Larry Theis, Office Assistant/Code Enforcement Officer Patrick Nemah

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

No public comments.

3. ACTION ITEMS

(a) Discussion of Future Agenda Items

Topics for consideration:

- Budget, Capital Improvement Plan, and funding sources
- Clarification of roles between staff, Committee and City Council
- History, priorities, strategic planning
- Guidance from city staff on timelines/deadlines
- Ballot initiative (staff recommendation)
- Parameters for committee to update manual report
- Asset management
- Schedule for maintenance operations aligned with fiscal year
- Quarterly landscape maintenance reports
- Obtaining trash cans, dog waste bins, and service schedule for service

No action taken.

(b) Discussion and Approval of the Calendar Year 2023 and 2024 Trails and Landscape Committee Meeting Dates

Committee to determine calendar at December 2023 meeting.

No action taken.

4. COMMITTEE ITEMS

(a) Committee Member Communications/Announcements

Tentative schedule discussed and to be determined at December 2023 meeting.

Committee members are uncertain whether there are term limits.

Meetings are expected to occur every three months.

(b) Staff Communications / Announcements

Larry Theis, City Engineer, provided status update on Federal Emergency Management Agency (FEMA) reimbursement.

5. ADJOURNMENT

Upon call by Erin Bennett, the meeting was adjourned at 7:12 p.m.

Minutes prepared by:

Amy Walcker, Asst. to the City Manager

APPROVED BY THE COMMITTEE

Erin Bennett, Chair



Trails and Landscape Committee

STAFF REPORT

TO: Trails and Landscape Committee

FROM: Larry Theis, P.E., City Engineer

DATE: December 11, 2023

SUBJECT: Committee Recommendation to City Council to Authorize Funds for Engineering Design and Environmental Permitting for Cardinet Trail/Mount Diablo Creek Bank Repairs with Future Reimbursement from the Federal Emergency Management Agency (FEMA)

RECOMMENDATION

The City Staff recommends the Trail and Landscape Committee make a formal recommendation to the City Council to allocate \$200,000 in the upcoming mid-year budget adjustment from one-time American Rescue Plan Act (ARPA) General Fund reserves to initiate the civil engineering design and environmental permitting consultation.

This project is eligible for FEMA reimbursement due to the declared emergency storm damage from January 2023. Eligible costs will be reimbursed by FEMA at a ratio of 75% and an additional 18.75% from California Office of Emergency Services (CAL-OES) – therefore the City local share is anticipated to be 6.25%.

BACKGROUND

In January 2023, the Bay Area was impacted by several severe rainstorms that caused significant damage to the region. The City of Clayton declared a local emergency on January 10, 2023, and subsequently on February 17, 2023, FEMA approved Public Assistance/ Financial Relief to Contra Costa County along most of Northern California.

Mount Diablo Creek is the main drainage channel within the City of Clayton which takes in flows from Mitchell, Peacock, and Donner Creeks upstream of Clayton Road. The segment of Mount Diablo Creek between Kirker Pass Road and Clayton Road (near City Hall) is mostly a natural creek that is subject to periodic flooding. The surrounding neighborhoods are mapped within the flood zone for the 1% chance (100 year) storm event. Heavy storms around New Years Day caused the creek within this segment to overflow its banks and also scour/erode

three creek bank locations. The high flows turning right going downstream (outside of the curve) caused erosion on the west bank of the creek at each of these locations.

The Cardinet Trail runs along the right side of Mount Diablo Creek when looking upstream. At each of the three locations, the gravel trail surface was undermined by the creek bank erosion, including the most upstream segment being narrowed to less than 5 feet in passable width for trail users. See the following vicinity map for further details.



DISCUSSION

City Staff submitted its initial damage estimate (preliminarily \$500,000), conducted its site visit, and met with FEMA's site coordinator to measure out the dimensions of the damaged locations. FEMA required these steps to be completed (by July 2023) within six months of the start of the disaster event. We are currently working with FEMA to proceed to the next step in the process which requires the City to provide engineering plans for the proposed repair and additional mitigation measures to help prevent these locations from eroding again in a future storm; in conjunction with a detailed cost for design, management, environmental permitting/mitigation, construction, and inspection.

In order to proceed further in the FEMA process, the City will need to hire a consultant(s) that has engineering design experience with creek bank repairs and worked with regulatory agencies (California Dept. of Fish & Wildlife, U.S. Army Corps of Engineers, and Regional Water Quality Control Board) to obtain permits to work within a creek. It is very likely that the regulatory agencies will require design alternatives to avoid placement of hardscape improvements such as rock slope protection, gabion basket walls, or sheet pile walls.

FEMA generally requires the repair work to be completed within 18 months of the storm event (July 2024). However, it is anticipated the City will request and be granted an extension due to the environmental permitting process likely taking at least a year to complete.



SITE 1-looking downstream



SITE 2-looking downstream



SITE 3-looking downstream



SITE 3-looking downstream

FISCAL IMPACT

No direct fiscal impact with this recommendation until City Council approves a funding allocation of \$200,000 for engineering design and environmental permitting consultation. Additional funds estimated to be approximately \$300,000 will be needed in the future for construction and inspection services. Assuming all work is deemed eligible by FEMA, then the City should be reimbursed 93.75% (75% by FEMA + 18.75% from CAL-OES) of all project costs. The City of Clayton will have to front all of the cost of the repairs and then submit for reimbursement which may take between six to twelve months after the completion of the project. The preliminary estimate of the City's local share for a \$500,000 project would be \$31,250.

NEXT STEPS

City Staff will present the Trails and Landscape Committee's recommendation for approving a \$200,000 funding allocation for design and environmental work on the Cardinet Trail/Mount Diablo Creek Bank Repairs to the City Council.