



## Staff Reports

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**File #:** 1760-2019, **Version:** 1

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**To:** Honorable Mayor and Members of City Council

**From:** Eric B. Whan, Acting Public Works Director

**Prepared By:** John Ferons, Senior Civil Engineer

**TITLE:**

Emergency Repair of Browns Valley Creek Damage to Browns Valley Road at Valley Glen Lane

**RECOMMENDED ACTION:**

Adopt a resolution determining there is a need to continue the emergency action to execute and implement contracts for the design, permitting and construction of the creek bank and sidewalk repairs adjacent to Browns Valley Creek at Browns Valley Road and Valley Glen Lane, and determining that the actions authorized by this resolution are exempt from CEQA.

**DISCUSSION:**

On the morning of February 14, 2019, following heavy rains, Public Works staff was notified of a sudden and unexpected erosion of the northerly bank of the Browns Valley Creek that caused an undermining and failure of a portion of the public sidewalk located south of Browns Valley Road near Valley Glen Lane. Although the sidewalk failed, the vehicular roadway on Browns Valley Road is intact. Immediately after being notified of the bank erosion, Public Works crews secured the location by installing barriers that: (1) for vehicles, closed the eastbound lane of Browns Valley Road (from the intersection with Partrick Road from the east, to the intersection with Buhman Avenue to the west) while maintaining open vehicular traffic on westbound Browns Valley Road, and (2) for pedestrians, maintained a safe passageway on the south side of Browns Valley Road to and from Browns Valley Elementary School.

Based on the initial evaluation by Public Works Engineering staff of the impact of the bank erosion on the adjacent sidewalk, and the potential future impact on Browns Valley Road, on February 20, 2019, the City Manager declared an emergency need to take immediate action to fund the design, permitting and construction of the repair. Engineering staff is contacting an engineering and environmental specialist to assist with necessary design and permitting for that short-term emergency engineering repair, as well as the long-term bank stabilization that is anticipated to be required.

This location of the Browns Valley Creek suffered damage to a lesser extent during the February 2017 storm event and the City requested FEMA Disaster Relief funding but was denied because FEMA does not provide funding for the failure of a natural, un-improved creek bank such as this. By the time the FEMA rejection was final, it was too late in the 2018 construction season to deliver the project. Subsequent to that denial, Engineering Staff added the site to the Capital Improvement Project list and was seeking a funding source. There were plans to bring an item to City Council to request funds from emergency reserves to repair this site along with two other sites from the 2017

storms. That action was scheduled to come forward in March, but this new event supersedes that timeline, especially for this location.

**Continuation of the Emergency Action:**

The emergency declaration by the City Manager on February 20, 2019, as summarized above, was made under the authority of Napa Municipal Code Section 2.91.040. The repair work authorized by the declaration will be limited to the work directly related to resolving the emergency. Since the emergency work has not yet commenced, staff recommends that City Council adopt the attached resolution, by four-fifths vote, which documents the need to continue the emergency action until the repair work is completed.

**FINANCIAL IMPACTS:**

Per the direction of the Finance Director, there are sufficient funds in the adopted Capital Improvement Fund (30101-57601). Any funds spent on this project will be replenished by non-recurring General Fund allocation. It is anticipated staff will come forward to City Council with a request to create and fund this as a CIP after initial reconnaissance assessments and a preliminary design/approach to repairing the site are complete.

**CEQA:**

City staff recommends that the City Council determine that the Recommended Action is exempt from CEQA pursuant to: CEQA Guidelines Section 15269 (Statutory exemption for emergency repairs, in accordance with California Public Resources Code Section 21080(b)(2)); CEQA Guidelines Section 15301 (Categorical exemption Class 1 Existing Facilities), which exempts repair, maintenance, or minor alteration of existing facilities involving negligible or no expansion of use; and CEQA Guidelines Section 15302 (Categorical Exemption Class 2 Replacement or Reconstruction), which exempts replacement or reconstruction of existing facilities on the same site and with the same purpose. In this case the existing facility is Browns Valley Road and its southerly curb, gutter and sidewalk.

**DOCUMENTS ATTACHED:**

ATCH 1 - Resolution

**NOTIFICATION:**

None.