

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Raymond Riordan

**SUBJECT: AUTHORIZING FEDERAL  
EMERGENCY MANAGEMENT  
AGENCY DISASTER MITIGATION  
GRANT APPLICATIONS**

**DATE:** October 20, 2017

Approved



Date

10/20/17

## RECOMMENDATION

- a) Adopt a resolution to authorize the City Manager to apply for Federal Emergency Management Agency Disaster Mitigation Grants.
- b) Approve the commitment to providing the City contribution as required by the grant program to support the proposed mitigation projects and ongoing maintenance.

## OUTCOME

Approval of the staff recommendations will allow the City of San José to continue its effort to improve resiliency to all hazards that may affect residents and businesses in San José. The approval will allow City staff to submit grant applications by the deadline of November 1, 2017 for:

1. Goldenwheel Storm Pump Station
2. Flapgate Evaluation and Installation at Outfalls
3. Confluence Point Arena Green Embankment Stabilization
4. Charcot Storm Pump Station
5. Century Oaks Hillside Slope Stabilization
6. Soft Story Retrofit Program

## BACKGROUND

In 2017, the President of the United States declared disasters for winter storms that struck California. The City of San José is eligible to file for public assistance claims for costs incurred for emergency response and immediate protective measures for two of these declared disasters: Disaster on Record (DR) 4301 (storm of January 3-12, 2017) and DR-4308 (storm of February 1-23, 2017, which includes the impacts of the Coyote Creek Flood). Such declarations also provide

Federal Emergency Management Agency (FEMA) disaster mitigation grant funding, which are administered by the California Governor's Office of Emergency Services (CalOES). City staff select potential projects for grant funding based on the project's ability to reduce the impact of any hazard and thereby improve community resilience.

The process to obtain and implement the grant(s) includes:

1. The City submits a formal Notice of Interest to CalOES stating that the City is interested in applying; (due June 15, 2017 and completed)
2. CalOES approves the City to submit a grant application (also known as NOI approval to apply); (received July 28, 2017 and completed)
3. The City submits a grant application for each project; (all but one, due November 1, 2017)
4. CalOES awards the grant(s) by CalOES; and finally
5. Acceptance by the city to all terms and conditions of the grant award(s).

The City remains eligible for the proposed projects for three reasons:

1. The City was in the area of the President's declared disasters;
2. The City's NOI submittals met a rigorous process of pre-qualifications to file an application; and
3. The City adopted a Local Hazard Mitigation Plan on June 28, 2017.

The City submitted 22 NOIs and received 15 approvals to submit. City staff met through August and September to refine the lists to those projects that met the criteria of meeting direct service to the community, providing improvement that will reduce impacts of future hazards, completing the project can meet the grant timeframe requirement, and funds other than the General Fund can be tapped for the City contribution requirement.

## **ANALYSIS**

### ***RECOMMENDED PROJECTS***

Staff recommends the following five projects, in priority order, go forward with a complete application by November 1, 2017:

1. Goldenwheel Storm Pump Station

Improvements to the drainage system within the three mobile home parks (MHP) will increase reliability and reduce future flooding in the area. The three parks are Golden Wheel, Riverbend and South Bay. The drainage improvement will provide a reliable flood protection to the three MHPs and industrial properties in this area that are close to Coyote Creek.



The project grant will include condition assessment of the existing Goldenwheel Pump Station; hydraulic evaluation of the drainage improvements needed at the three mobile home parks; preparation of 100 percent design plans for the construction of upgraded electrical, Supervisory Control and Data Acquisition (SCADA), and possibly mechanical and structural improvements at the pump station; installation of storm pipes to connect the Riverbend and South Bay drainage areas to the Golden Wheel Pump Station wet well; and easement acquisitions from the mobile home parks to obtain operations and maintenance rights.

Staff will coordinate with each mobile home park owner and residents, including presenting the findings at community outreach meetings at which the public may provide comments. This project is estimated to take 36 months to complete.

## 2. Flapgate Evaluation and Installation

The proposed project will help evaluate the need for and potential installation of storm outfalls along Coyote Creek between Tully Road and the US 101 crossing. The goal of this project is to evaluate the drainage capacity of this area and determine if the outfall needs to be protected to prevent backwater from the creek in case it rises and enters through the outfall.

The project area is primarily residential with some commercial/industrial facilities. Many of the residential homes in this area are at ground level and some may have crawl spaces, making them vulnerable to floodwater intrusion. Many families living in the project area are low-income and lack resources should their homes flood.

The proposed project will assess the storm water drainage shed along Coyote Creek between Tully Road and US 101 crossing; prioritize critical outfalls that require flapgates based upon where neighborhoods were significantly impacted by February 2017 floods; prepare environmental permitting analysis and apply for regulatory permits; and prepare 100 percent design plans and specifications for the installation of manholes, new pipes and flapgates at storm outfalls within this location.

Staff will coordinate and present the findings at community outreach meetings at which the public may provide comments. The proposed project is estimated to be completed in 36 months.

## 3. Confluence Point Embankment Stabilization

During the flood incident period (2/1/17 -2/23/17), heavy rains from this storm event resulted in further erosion and fallen trees within the Guadalupe River Park and Gardens in the area where the Guadalupe River and Los Gatos Creek converge just east of the SAP Center (Arena), the City's major indoor sport/entertainment facility. The proposed

project is located between the Arena and Highway 87 in three areas of the park: Arena Green (West), Confluence Point, and Confluence East.

Near Confluence Point, the edge of the pedestrian pathway is very close to an eroded embankment. The proposed project would help stabilize this pathway and move the path of travel further from the creek's edge. First, an existing decorative fence would be extended along the west pathway in Confluence Point. New decorative fencing would connect to the existing pedestrian footbridge. In the process, the existing pedestrian path width will narrow from eight feet to five feet, moving it away from the edge. As a result, four existing park light fixtures and pull boxes would need to be removed and relocated. The existing irrigation would be removed. Lastly, the existing pedestrian pathway would be overlaid with asphalt concrete to avoid any excavation in the pathway that may impact the extensive tree roots in the area.

#### 4. Charcot Storm Pump Station

The proposed project proposes to develop 100% design plans for a permanent pump station in the Charcot Avenue area near Coyote Creek with a goal of protecting this portion of North San José from flooding. Currently, a 500-acre area drains to the creek via a 66-inch outfall near Hartog Drive and Charcot Avenue. During rain events, a temporary pump is installed, which can cost \$250,000 annually.

North San José is San José's economic engine, home to driving industry companies and small- and mid-size businesses. Flooding impacts have the potential to be economically catastrophic.

The proposed project will support planning efforts to determine the pumping capacity and operation requirements of a pump station. Key project goals are to lessen the frequency and severity of flooding, decrease future flood damage to private property and public infrastructure in North San José; and to improve traffic, pedestrian, and bicyclist safety by preventing floodwater in the City right-of-way.

The project will include alternative design analysis for pumping capacity requirements (10-year, 50-year, 100-year protection) and hydraulic analysis to determine operation size and capacity needs of a permanent pump station to ensure continued protection for the many businesses and infrastructure that are vulnerable to flooding at this location. In addition, the project proposes to complete a full hydraulic analysis, develop and evaluate project alternatives, and develop 100 percent design plans on the preferred alternative for the Charcot Pump Station.

Staff will gather input through community outreach events. The proposed project will take approximately 36 months



#### 5. Century Oaks Park Hill Slide Slope Stabilization

During the winter storms a portion of hill slide at Century Oaks Park slid and rests up against private property (472 Curie Drive, San Jose) fence line that is adjacent to the park. Further slides could lead to damaging the property. The proposed project would reduce the landslide by mitigating the soil erosion and preventing the embankment wall at the park from sliding into the home adjacent to the park.

The scope of work includes the installation of a new retaining wall, repairing damages to the adjacent private property by removing soil at the foot of slide area and installing a drain swale and pipe through the sidewalk to the street gutter. A topographical survey would be conducted to further advance the design. The proposed new retaining wall is planned to be gibbon or block with stepped face. Work would include heavy soil removal to install tie backs to support the wall and compaction to replace soil after the wall is installed. Soil off-haul will be required.

Staff will conduct community outreach with locally affected residents. The project is expected to take 36 months.

This memorandum is requesting approval to submit project applications and is one step in the FEMA process, and the applications are due on November 1st, 2017. For information, this commitment does not require funds to be used at this time. Successful project applications will be reviewed and funding determinations made at a later date.

#### Soft Story Retrofit Program

The CalOES hazard mitigation grant can apply to all hazards. For example, in addition to the above five projects, the Housing Department plans to submit a grant for a project focused on retrofitting “soft story” buildings in the City. In soft story construction, the ground floor of the building is much less rigid than the upper floors. Most are wood-frame multi-family buildings with garages or carports on the first floor. Such buildings were constructed throughout the City in the past and are vulnerable to significant damage in an earthquake. The proposed retrofit education program would improve the property owners knowledge of how to stabilize soft story residential facilities in the community.

It is important to note that these projects are distinct from the 25 projects for the reconstruction park infrastructure damaged during the February 2017 Coyote Creek flooding referenced in the information memorandum to the City Council dated October 2, 2017.

#### *NEXT STEPS*

Following the grant application deadline, CalOES will process all applications from all eligible jurisdictions in a competitive award process that includes rating each application on a cost benefit analysis, the local jurisdiction’s ability to “match” the grant and sustain the project, and the potential for completing the project within the grant requirement timeframe. CalOES intends

to make decisions on the grants and provide an award announcement in January 2018. Each of the City's five projects will be considered separate applications. That means each project will compete against the other City projects as well as competing with each submission from other jurisdictions.

The draft cost benefit ratio analysis provided in the NOI demonstrated that the investment of federal funds would be worthwhile and that the project is reasonable. As part of the final application, staff is preparing detailed documentation showing how each project is planned out and scheduled for delivery and how, with this Council action, the City is demonstrating a commitment to the 25 percent match required for implementation of the grant. The proposed estimated costs and spending schedule are noted in Attachment 1. A sample required commitment letter is provided in Attachment 2.

Following an announcement of grant award, funds are delivered on a reimbursement basis, which means the City must be able to pay for the design, preparation and implementation, document the costs, and submit requests for reimbursement, before receiving the grant proceeds.

#### **EVALUATION AND FOLLOW-UP**

The Office of Emergency Management will update the Council via informational memorandum about the outcome of the application process. Should the City be successful in obtaining grant funding, CalOES and FEMA require regular reporting on progress.

#### **PUBLIC OUTREACH**

The Disaster Mitigation Grant program is outlined in the Local Hazard Mitigation Plan (LHMP) that was adopted by the City Council on June 28, 2017. Public hearings were scheduled and delivered as part of the process of developing the LHMP, and in community meetings organized to gather feedback for the 2017 Coyote Creek Flood After Action Report. Staff gathered input on projects that would benefit the public, which is reflected in the projects selected for application.

#### **COORDINATION**

This memorandum has been coordinated with the Departments of Environmental Services, Public Works, Transportation, Parks and Recreation and Neighborhood Services, and Housing Departments, the City Attorney's Office, and the City Manager's Budget Office.



**COMMISSION RECOMMENDATION/INPUT**

No commission recommendation or input is associated with this action.

**COST SUMMARY/IMPLICATIONS**

If awarded, the Hazard Mitigation Grant funds will not be available until fiscal year 2018-2019. Costs associated with implementing the grants are not expected until 2018-2019. In identifying the fiscal impacts of accepting the required city match of 25 percent, staff eliminated projects that relied solely on the General Fund and focused on those that can draw upon available resources within their respective capital funds.

Attachment 1 provides the breakout of funding between grant funds and the City's local match, as well as the anticipated spending schedule. All grant funds are anticipated to be reimbursed within the fiscal year they are spent.

At the present time, matching funds are not budgeted in the current five-year capital improvement program. If the City receives approval for the identified projects, staff will re-evaluate existing spending plans and reprioritize if necessary to ensure funding availability as part of the 2018-2019 Proposed Capital Budget and 2019-2023 Capital Improvement Program.

**CEQA**

Not a Project, File No. PP 17-006, Grant Application.

/s/  
RAYMOND RIORDAN  
Director, Office of Emergency Management

Attachment 1: City Contribution to Each Disaster Mitigation Project

Attachment 2: Sample Commitment Letter to Support Disaster Mitigation Project Financing and Maintenance

For questions, please contact Raymond Riordan, Director, Office of Emergency Management, at (408) 794-7055.

## City Contribution to Each Disaster Mitigation Project

|              |                                     |  | Federal/City Funding Allocation |                 |                        | Spending Plan |             |           |
|--------------|-------------------------------------|--|---------------------------------|-----------------|------------------------|---------------|-------------|-----------|
| Dept         | Fund # *                            | Project**  | Total Project Cost              | Federal Request | City Match Requirement | 2018-2019     | 2019-2020   | 2020-2021 |
| Public Works | Storm Sewer Capital Fund (469)      | Goldenwheel Storm Pump Station                         | \$3,000,000                     | \$2,250,000     | \$750,000              | \$750,000     | \$2,100,000 | \$150,000 |
| Public Works | Storm Sewer Capital Fund (469)      | Flapgate Evaluation and Installation at Storm Outfalls | \$1,500,000                     | \$1,125,000     | \$375,000              | \$500,000     | \$1,000,000 | -         |
| Public Works | Storm Sewer Capital Fund (469)      | Charcot Storm Pump Station                             | \$500,000                       | \$375,000       | \$125,000              | \$500,000     | -           | -         |
| PRNS         | Parks C&C Tax Fund: City-Wide (391) | Confluence Point / Arena Green Embankment              | \$449,299                       | \$336,974       | \$112,325              | \$66,315      | \$382,983   | -         |
| PRNS         | Parks C&C Tax Fund: City-Wide (391) | Century Oaks Hillside Embankment                       | \$1,026,423                     | \$769,817       | \$256,606              | \$173,787     | \$852,636   | -         |

\*Department of Housing application for Soft Story hazard mitigation grants follow a slightly different protocol, and will be presented later.

\*\*These hazard mitigation projects will be included in the development of the 2018-2019 Proposed Capital Budget and 2019-2023 Proposed Capital Improvement Program.



**Commitment Letter to Support Disaster Mitigation Project Financing and Maintenance**

**Note:** Along with the formal application, each proposed project must provide a Commitment Letter for the 25% match requirement and maintenance of the completed project.

Governor's Office of Emergency Services  
Hazard Mitigation Branch  
3650 Schriever Avenue  
Mather, CA 95655

Dear Mr. Gilling:

As part of the Hazard Mitigation Grant process, a local match is required. This letter serves as the City of San José \_\_\_\_\_ (DPW, DOT, PRNS, Housing) Department's commitment to meet the matching fund requirements for the \_\_\_\_\_ (one of the six proposals) project. The local matching fund requirement is \_\_\_\_\_ (see Attachment 1).

If additional federal funds are requested, an additional local match fund commitment letter is required to be submitted. Your assistance in coordinating these funds will be greatly appreciated.

Maintenance for each project upon completion will be budgeted within the \_\_\_\_\_ (DPW, DOT, PRNS, Housing) Department's routine budget. The maintenance costs will consider:

- Maintenance Tasking
- Maintenance Scheduling
- Cost of Labor and Equipment

Sincerely,

Department Director