

AGENDA

FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT SPECIAL BOARD MEETING

April 26, 2023, at 6:00 PM

District Office, 24850 Third St., Fall River Mills, CA 96028

Mission:

The Fall River Valley CSD is committed to providing quality municipal services to the residents of the Fall River Valley in a reliable, professional, cost effective, and environmentally conscious manner.

CALL TO ORDER

ROLL CALL OF DIRECTORS

PUBLIC COMMENT: Any member of the public may address the Board relating to any matter within the Boards' jurisdiction that is NOT on today's agenda. Pursuant to the Brown Act (Govt. Code Section 54950 et. seq.) action or Board discussion cannot be taken on public comment matters other than receive comments and, if deemed necessary, to schedule the matter on a subsequent Board Agenda.

(A) Action Item

(D) Discussion Item

(I) Information Item

NEW BUSINESS:

- Consider Resolution 2023-04 Adoption of Wastewater System Expansion CEQA MND and MMRP (D) (A) (I)
- Consider MT Shasta Engineering Request for Additional Services #4 Two Rivers Park Phase 3 - Per Capita Grant (D) (A) (I)

ADJOURNMENT OF REGULAR SESSION

CALL TO ORDER CLOSED SESSION

- Personnel Review and Negotiations

RETURN TO OPEN SESSION

- Personnel Review and Negotiations

ADJOURNMENT

RESOLUTION 2023-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT (FRVCSD) ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE FRVCSD WASTEWATER SYSTEM EXPANSION PROJECT

WHEREAS, in accordance with California Public Resources Code Division 13 (California Environmental Quality Act [CEQA]), and California Code of Regulations Title 14, Division 6, Chapter 3 (CEQA Guidelines), an Initial Study and Mitigated Negative Declaration (IS/MND) for the FRVCSD Wastewater System Expansion Project (project) were prepared and made available to the general public and interested agencies for a 30-day review period.

The Fall River Valley Community Services District (CSD) published a Notice of Availability/Notice of Intent to Adopt the IS/MND in the local newspaper, and submitted the notice and IS/MND to the State Clearinghouse (SCH). The SCH designated the project as SCH No. 2023030217, circulated the notice to interested state agencies, and posted the documents on the SCH website. The local public review period and the agency review period managed by the State Clearinghouse ended April 10, 2023; and

WHEREAS, the Fall River Valley CSD conducted a duly noticed public meeting on April 26, 2023, at which time comments regarding the environmental determination for the project were considered; and

WHEREAS, the custodian of the documents and all other materials that constitute the record of proceedings upon which the Board based its decision regarding adoption of a MND for the project is the Fall River Valley CSD, located at 24859 3rd Street, Fall River Mills, CA 96028.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Fall River Valley CSD Board of Directors hereby finds and determines that:
 - a. The foregoing recitals are true and correct.
 - b. As a result of comments submitted by the California Department of Fish and Wildlife (CDFW) during the public comment period, the Board concludes that two mitigation measures (**MM 4.4.2 and MM 4.4.5**) require modification, and one additional mitigation measure (**MM 4.4.7**) is warranted. The modified and new mitigation measures are identified below. New language is shown as **bold and underlined**. Deleted language is shown with ~~striketrough~~.

The revisions and new measure identified below will minimize/avoid potential environmental effects to a greater degree than the original measures and will not, in themselves, cause any potentially significant effects on the environment.

MM 4.4.2 **In order to avoid/minimize potential impacts on western pond turtles, the following measures shall be implemented:**

- a. **Prior to the start of dewatering of the wastewater treatment pond, and prior to earth-disturbing activities (e.g., clearing, grading,**

trenching, etc.) adjacent to the ponds and other aquatic habitats in which turtles could be present, a qualified biologist shall conduct a survey for western pond turtles. Pre-construction surveys shall be conducted on each day that dewatering work occurs and on each day that earth-disturbing activities occur adjacent to aquatic habitats in which turtles could be present. The survey shall include an evaluation of all portions of the work areas and an appropriate upland buffer. If turtles are present, they shall be relocated outside of the work area by the qualified biologist.

- b. If western pond turtles are observed in the work area, a qualified biologist shall be contacted and construction activities shall be halted within 25 feet of the turtle until the turtle is confirmed to have left the project area or is relocated by a qualified biologist.

MM 4.4.5 High-visibility fencing, flagging, **indicators such as marking whiskers, pin flags, stakes with flagging tape,** or other markers shall be installed along the outer edges of the construction zone adjacent to wetlands and other waters designated for avoidance. The fencing **marker/flag** locations shall be determined by a qualified biologist in consultation with the project engineer and the Fall River Valley Community Services District. No construction activities (e.g., clearing, grading, trenching, etc.), including vehicle parking and materials stockpiling, shall occur within the fenced **marked/flagged** area. The exclusionary fencing **markers/flags** shall be periodically inspected during construction activities to ensure that the fencing is **markers/flags are** properly maintained. The fencing **markers/flags** shall be removed upon completion of work.

MM 4.4.7 **Prior to commencement of any earth-disturbing activities (e.g., clearing, grading, trenching, etc.), all construction personnel shall receive training from a qualified biologist regarding protective measures for special-status animals and sensitive habitats that could occur in the study area (western pond turtle). If new personnel are added to the project, they shall receive the mandatory training before starting work. At a minimum, the training shall include the following:**

- a. **A review of the special-status species that could occur in the project area, the locations where the species could occur, the laws and regulations that protect these species, and the consequences of noncompliance with those laws and regulations.**
- b. **Procedures to be implemented in the event that these species are encountered during construction.**
- c. **A review of sensitive habitats that occur in the study area and the location of the sensitive habitats.**
- d. **A review of applicable mitigation measures, standard construction measures, best management practices, and regulatory agency permit conditions that apply to the protection of special-status species and sensitive habitats.**

- c. The IS/MND provides a comprehensive evaluation of the project, adequately describes potential impacts to the environment, and was prepared in accordance with the requirements of CEQA and the CEQA Guidelines.
 - d. Based on the whole record (including the IS/MND, comments submitted to the Board, and all supporting documentation), and the mitigation measures incorporated into the project, the Fall River Valley CSD Board of Directors has determined that there is no substantial evidence in the record that the project will have a significant effect on the environment.
 - e. The Mitigated Negative Declaration, with its supporting documentation, reflects the independent judgment and analysis of the Fall River Valley CSD, which is the CEQA lead agency for the project.
 - f. The monitoring and reporting of CEQA mitigation measures for the project will be conducted in accordance with the attached Mitigation Monitoring and Reporting Program (MMRP). Adoption of the MMRP constitutes fulfillment of the CEQA monitoring and reporting requirements set forth in §15074(d) of the CEQA Guidelines.
2. The Fall River Valley CSD Board of Directors hereby adopts an environmental determination of Mitigated Negative Declaration pursuant to §15074 of the CEQA Guidelines, finding that the project will not have a significant adverse effect on the environment that could not be mitigated.
 3. The Fall River Valley CSD Board of Directors hereby adopts the attached Mitigation Monitoring and Reporting Program pursuant to §15074(d) of the CEQA Guidelines.

The foregoing resolution was passed and adopted this 26th day of April 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: April 26, 2023

Cecil D. Ray
FRVCSD Secretary/General Manager

Tyler DeWitt
FRVCSD Board President



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REQUEST FOR ADDITIONAL SERVICES

RAS: 4
DATE: 4/14/23
CLIENT: Fall River Valley C.S.D.
PROJECT NUMBER: 176.03
PROJECT NAME: Two Rivers Park - Phase 3

Summary

In accordance with Section 7.02 dated 2/8/2018, all work associated with the continued development of Two Rivers Park will be billed as additional services, as an amendment to the executed professional services agreement. Phase 3 of the of the community park project is funded through proposition 68 and the Per Capita Grant program, as administered by the State of California Office of Grants and Local Services (OGALS). This scope of additional services is required, at the request of the client, to complete Phase 3 project design, engineering and construction management. Approval of the additional work and costs is granted by both party's signature to this request.

Scope of Additional Services

Professional services will be provided on a T&M basis as the engineer of record to complete Phase 3 activities, as described in the Per Capita Grant project scope. We will work closely with the CSD and other outside consultants in a team based approach to help the CSD successfully administer the grant program requirements. Because grant program funding is defined as a not to exceed amount with the CSD covering overages to complete the project, we understand the financial constraints and will work with the CSD to manage the stated scope to avoid cost increases through the term of this agreement. Specific tasks considered in this request are as follows:

Pre-Construction Services

1. Project Management
 - a. Assist the CSD with project design documentation associated with grant administration requirements, as coordinated by the CSD.
 - b. Assist the CSD & Enplan with CEQA compliance and environmental permitting, as needed.
 - c. Assist the CSD with permitting applications and submittal documents to obtain jurisdictional agency permits, as required.
2. Restroom Design & Engineering
 - a. Programming and schematic design.
 - b. Coordination for prefabricated restroom design and specifications.
 - c. Accessibility review and design.
 - d. Structural engineering for prefabricated restroom foundation.
 - e. Prepare final construction documents.



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3. Site Design & Engineering
 - a. Site accessibility review and design.
 - b. Utility programming & coordination
 - c. Prepare final construction documents.
4. Bid Documents & Assistance
 - a. Prepare Project Manual and Contract Documents for a public works project.
 - b. Assist the CSD with the project bidding process, as needed.

Construction Services

5. Construction Management & Inspections
 - a. Coordinate with other outside consultants and contractors, as needed to complete the project.
 - b. Provide additional assistance and professional services as needed in support of the Two Rivers Park project.

Assumptions

- The CSD will manage and administer the Per Capita grant agreement.
- The restroom building will be prefabricated. The manufacturer will provide final construction documents for the prefabricated building that are stamped by a California licensed engineer or architect.
- Electrical service design and construction are not a part of this project.
- Accessibility improvements on PG&E retained lands will be a necessary component within the scope of this project. CSD coordination with PG&E is assumed.
- MSE will deliver final construction documents to the CSD on a schedule to meet the construction performance period end date of June 30, 2024, in accordance with grant program requirements.
- It is acknowledged by both parties that the project design may incorporate scoping review and/or revisions to address potential construction cost increases and current volatility in the construction industry.

Task Based Fee Estimate

Pre-Construction Services

1. Project Management	\$5,000
2. Restroom Design & Engineering	\$8,000
3. Site Design & Engineering	\$4,500
4. Bid Documents & Assistance	\$6,500
Total Pre-Construction Fees	\$24,000

Construction Services

5. Construction Management & Inspections	\$12,000
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Attachments

- 1. Per Capita Grant Development Project Scope

APPROVALS

Client: _____

Consultant: Nicholas Riddle

Date: _____

Date: 4/14/2023

By: Cecil Ray, General Manager

By: Nicholas Riddle, President



State of California – The Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Development Project Scope/Cost Estimate Form

GRANTEE: Fall River Valley Community Services District	PROJECT Name Two Rivers Park Phase 3
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Development project scope (Describe the project in 30 words or less):

Installation of Restroom and minor elements

Project Scope Items - all that apply:

Install new	Renovate existing	Replace existing	Recreation Element
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pool, aquatic center, splash pad
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Trails or walking paths
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Landscaping or irrigation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Group picnic, outdoor classrooms, other gathering spaces
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Play equipment, outdoor fitness equipment
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sports fields, sports courts, court lighting
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Community center, gym, other indoor facilities
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Restroom, concession stand
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other: Interpretive Signage
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Minor elements which support one or more of the recreation elements checked above: benches, lighting, parking, signage, etc.

PRE-CONSTRUCTION (costs incurred prior to ground-breaking, such as design, permits, bid packages, CEQA); up to 25% of total PROJECT cost.	\$ 20,000
Construction	\$ 202,440
Total PROJECT cost	\$ 222,440
Subtract GRANTEE match if not in severely disadvantaged community (20% of total PROJECT cost, see page 13)	Less match \$ 44,488
Total GRANT amount requested	\$ 177,952

The GRANTEE understands that all elements listed on this form must be complete and open to the public before the final grant payment will be made.

Amber Beck 2/1/2023
 AUTHORIZED REPRESENTATIVE Signature Date

Amber Beck, Parks/Office Manager
 Print Name and Title