



City Council Agenda Item

City Council Meeting Date: December 4, 2018

TO: Honorable Mayor and Members of the City Council

FROM: Jim Throop, City Manager
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SUBJECT: Adoption of Resolution No. 6229(18) Approving a Second Supplemental Appropriation for Funding of Riverbed Clean-up

Recommendation:

Staff recommends the City Council:

- 1) Adopt Resolution No. 6229(18) (attached) approving a second supplemental appropriation not to exceed \$450,000 for the continued phase of the "Riverbed Clean-up" funding related to clean-up of the Santa Ynez Riverbed and riverbank (collectively, Riverbed); and
- 2) Approve continued use of the City's Landfill to receive the trash/waste/debris from the Riverbed clean-up, and waive tipping fees for the debris.

That funding is necessary in order to continue immediate clean-up of the Riverbed prior to heavy winter rains, and possible re-habitation by individuals. The second request for funding will also be from the Water Fund reserves, as this clean-up is necessary to ensure proper maintenance and security of the City's aquifer. The appropriations are recommended from account 751STR-538310 – Water Utility – Professional Services – Clean-up Services.

Background:

Starting on September 10, 2018, the joint agency and community organization relocation of, and assistance efforts for, individuals living in the Riverbed began and has been ongoing with Lompoc Police and Santa Barbara County Sheriff patrolling and removing any individuals who have attempted to move back into the Riverbed.

Also on that date, the City began offering a triage center for the individuals who had been living in the Riverbed to gain access to a number of social services, such as Public Health, Behavioral Health, Public Defender, and more. To date, it has been very successful with

individuals accepting accommodations at detox centers, transitional housing, and other services.

Discussion:

With the relocation of the inhabitants, it is now necessary to continue the clean-up of the Riverbed before heavy winter rains begin in order to protect the City's primary water source.

It is imperative the City maintain the security and quality of its water aquifer. To accomplish that the following clean-up of the Riverbed is needed:

- 1) The City hired a contractor to begin the removal of the large debris (lumber, doors, bikes, tires, etc.) before the winter rains arrived. Neither the contractor, nor City staff, were able to accurately estimate the time and costs needed for the clean-up. Initial estimates were that there may be upwards of 300 tons of debris in the Riverbed. Unfortunately, this estimate was far too low. As of November 26, 2018, the contractor estimated, to the best of their ability, the project was approximately 60% completed of the large debris. The current collection is now at 350 tons, or 700,000 pounds of debris. This completion estimate means that there is possibly an additional 233 tons, or 466,000 pounds, remaining to be collected.
- 2) The initial supplemental amount appropriated by the City Council was for \$532,000 for the contractor to remove the large debris and underbrush/bush removal. Included in that cost was the rental, including operator and a biologist, to remove the underbrush, such as Coyote Brush, so the debris removal contractor and crew could access the large debris. However, by November 30, 2018, the initial amount for all clean-up has been essentially expended. The lack of additional funding will require the contractors to cease any additional work in the Riverbed.
- 3) The clean-up of the Riverbed has proven to be much more substantial than anyone realized. During the removal of the underbrush, additional encampments were found. Just this week, an additional 12 encampments were found, as well as a very large 'waste' area that had not been uncovered in the first round of biohazard clean-up. As more underbrush is removed, it is expected the City will find additional encampments requiring clean-up.
- 4) This request for additional funding will allow the contractors to continue with the clean-up. At this time, the City is battling time. The City must do all it can to remove the remaining debris prior to the forecasted heavy winter rains that are coming soon. Second, the City must work diligently at removing more of the underbrush prior to the February 1st nesting season. By that date all underbrush removal must cease until September 2019. Staff is also discussing the possibility of purchasing the piece of equipment that is commonly known as

- “the Forester” (i.e., Caterpillar mulcher), as it will allow for its use during the remainder of the Riverbed clean-up, as well as sharing the equipment, not just in cost, but in use, with Stormwater, Parks, Airport, and possibly other departments on an annual basis. A used Forester is estimated to cost \$85,000. The cost, as mentioned earlier, may be divided amongst those different funds, rather than being associated with just the Water fund.
- 5) The third phase will be a request included in the upcoming Biennial Budget Fiscal Years 2019-21 (Budget) planning process. The Budget request is anticipated to include recommendations for personnel, equipment, and material costs to continue police patrols and cleaning/trimming efforts of the Riverbed. Without this phase, the Riverbed will again become an unapproved shelter and place to live for homeless individuals. That phase is currently estimated to be approximately \$303,000 annually. The preparation of the Budget will more fully define and describe the permanent program required for this ongoing effort and will provide an estimated cost.

As mentioned in the first staff report, the plan does not include costs for the City’s Landfill usage. Considering the project is only 60% completed, it is expected there will be many more trips to the Landfill to dispose of the remaining tons of debris to be removed from the Riverbed. While a total amount of the recommended waiver is unknown, the original estimate, based on 300 tons of material delivered to the Landfill, at regular waste rates was expected to be approximately \$24,000. With the continued debris removal and the percentage of completion for the project, the total cost is estimated closer to \$50,000. That amount is less than 1.5% of the operations budget for the Landfill of approximately \$3.25 million for the 2017-18 fiscal year.

City staff is currently working with the County on a cost-share proposal. County staff is working on bringing forth a similar report to the County Board of Supervisors asking for approval to assist in covering the actual financial cost of the clean-up.

This request for City funds, as was required for the Triage Center, will be offset by any funding the City may receive from the County, or possibly State and Federal agencies. The County Board of Supervisors, at their next meeting, will be adopting a resolution declaring an emergency for the Riverbed, just as the City Council had done earlier.

This current request for resources is designed to be a not-to-exceed amount of \$450,000; as was done for the original request. If more funding is needed later, then staff will return to the City Council with an additional request.

Fiscal Impact:

The supplemental appropriations for the Riverbed clean-up is recommended from the Water Fund’s account 751STR-538310 – Water Utility – Professional Services – Clean-Up Services.

As included in Resolution No. 6229(18), the resources to fund the proposed supplemental appropriations is recommended to be from the City's Water Fund's fund balance reserves. As indicated in Resolution No. 6229(18), the funding is due to the fact the City must protect its water aquifer from any health and safety issues, such as the debris and biohazard waste in the Riverbed. Contamination of the aquifer is not acceptable.

Conclusion:

If the City Council adopts Resolution No. 6229(18), then City staff, working with the County, will continue with the current phase of the clean-up of the Riverbed. The timing of the current phase is critical to the health and safety of the City's aquifer. Removing the trash/debris prior to the possible El Nino rains, and the bird nesting restrictions starting in February, makes it imperative to work quickly and diligently to ensure the safety of the citizens of Lompoc.

Respectfully submitted,

Jim Throop, City Manager

Attachment: Resolution No. 6229(18)