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**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE  
REFER TO FILE

July 16, 2019

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

34 July 16, 2019

CELIA ZAVALA  
EXECUTIVE OFFICER

**CONSTRUCTION CONTRACT  
WATER RESOURCES CORE SERVICE AREA  
LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU  
ENCINAL CANYON WATER SYSTEM IMPROVEMENTS PROJECT  
(SUPERVISORIAL DISTRICT 3)  
(3 VOTES)**

**SUBJECT**

Public Works is seeking Board approval to deliver a component of the Encinal Canyon Water System Improvements Project using a Board-approved Job Order Contract.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU:**

1. Find that the Encinal Canyon Water System Improvements Project is exempt from the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the project.
2. Approve the Encinal Canyon Water System Improvements Project, which includes replacing 10,300 feet of 4- and 6-inch waterlines with 8- and 12-inch steel waterlines and appurtenances at a total estimated project cost of \$5,300,000.
3. Authorize the Director of Public Works or his designee to deliver a component of the Encinal Canyon Water System Improvements Project, which includes replacement of 4,500 feet of waterline and appurtenances, using a Board-approved Job Order Contract. Public Works will return to the Board for approval to advertise and award a construction contract for replacement of the remaining 5,800 feet of the Encinal Canyon Water System Improvements Project.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find that the proposed Encinal Water System Improvements Project is exempt from the California Environmental Quality Act (CEQA), approve the project, and allow the Director of Public Works or his designee to deliver a component of the project using a Board-approved Job Order Contract (JOC).

Encinal Canyon is in the western part of the City of Malibu. The Los Angeles County Waterworks District No. 29, Malibu (District), serves water to 51 service connections in the area by pumping water from the Pacific Coast Highway transmission main. The subsystem has two gravity water storage tanks: Lower and Upper Encinal Tanks.

Public water systems serve two purposes: domestic water service and fire protection for the structures they serve. To accomplish these purposes, public water systems are designed with storage and waterline carrying capacities to provide water to simultaneously meet the highest domestic demand and the fire-flow requirements for structural fires only as outlined in the Los Angeles County Fire Code (Fire Code). Based on today's standards for domestic demand and fire storage, there is a 95,000-gallon deficiency for the Encinal Canyon system and there are several waterline segments that cannot meet the fire-flow requirement.

Water distribution systems are not and cannot be practically designed to fight wildfires.

In November 2018, the Woolsey Fire impacted a significant number of properties throughout the City of Malibu and surrounding areas. In Encinal Canyon, a total of 18 properties were damaged or destroyed. Current Fire Code requirements must be met for impacted homes to be rebuilt. The project will provide infrastructure to protect life, health, property, and/or essential public services against damage from structural fires. The project will allow for the restoration of properties that were damaged or destroyed during the Woolsey Fire disaster and improve fire-flow to existing homes that survived the fire.

Effective April 1, 2019, the County of Los Angeles Fire Department (Fire Department) modified the required duration of the fire-flow from a 2- to 1-hour duration while maintaining the 1,250 gallons per minute (GPM) at 20 pounds per square inch (PSI) requirement for one- and two-family dwellings that are equipped with interior automatic fire sprinklers. The project will replace approximately 10,300 feet of undersized waterline segments to meet the new Fire Code requirements by April 2023. There are seven homes that are served by fire hydrants that flow tested below 500 GPM and 20 PSI. As an interim measure, until the full project is constructed, the Fire Department will authorize the issuance of building permits for these homes if the District provides confirmation that construction of replacement waterlines to meet 500 GPM at 20 PSI has commenced.

Recognizing that repairs to the Encinal Canyon water system are urgently needed to mitigate loss of, or damage to, health, property, and essential public services, the District proposes to deliver a component of the project that includes repairing and remodeling the water system to achieve a flow availability of 500 GPM at 20 PSI by replacing approximately 4,500 feet of waterlines using a Board-approved JOC. Utilizing the JOC to deliver this component of the project will quickly address the most urgent repairs and will allow the Fire Department to issue building permits for all homes affected by the Woolsey Fire. Design for this component of the project will be completed by August 2019 and construction is expected to begin in October 2019 and be completed by May 2020.

The remaining proposed project components, which include replacing approximately 5,800 feet of undersized waterlines, will be completed by April 2023. Public Works, on behalf of the District, will

return to the Board in fall 2020 for approval to advertise and award replacement of 5,800 feet of waterlines of the remaining project improvements.

### **Implementation of Strategic Plan Goals**

The County Strategic Plan directs the provision of Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability. The recommended actions will respond to public needs to provide the residents and property owners within the District with service essential to public health, safety, and welfare. Construction of the project will improve the reliability of existing waterlines to meet the Fire Department's requirements and improve the reliability of the existing water system to meet the current domestic and fire protection water demands for Encinal Canyon.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The total project cost to replace 10,300 feet of waterline and appurtenances is estimated at \$5,300,000. The total project cost includes the preparation of plans and specifications, survey, traffic control, inspection, construction contract cost, contract administration, change order contingency, and other County services.

The estimated construction cost for the component of the project, which includes replacing approximately 4,500 feet of waterlines using a Board-approved JOC, is \$1,800,000. The total project cost for this component of the project is estimated to be \$3,100,000, which includes construction, construction contingency, plans and specifications, and County services. This amount is included in the \$5,300,000 total cost for the project.

Funding for this project is included in the Los Angeles County Waterworks District No. 29, Malibu, Accumulative Capital Outlay Fund (N33) Fiscal Year 2019-20 Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

A component of the project will be delivered by a Board-approved JOC (i.e., replacement of approximately 4,500 feet of waterlines).

The contract award will comply with applicable Federal and State requirements and Board policies and mandates. The contract documents will require the contractor to comply with these same requirements, policies, and mandates. The construction contract will be in the form previously reviewed and approved as to form by County Counsel.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed project is statutorily exempt from CEQA. Approval to deliver the construction of 4,500 feet of waterlines of the project using a JOC and implementation of the remaining project improvements, which include replacing 5,800 feet of waterlines, are emergency repairs to publicly owned service facilities necessary to maintain service essential to public health, safety, and welfare as well as specific actions necessary to prevent an emergency and mitigate an emergency and are, therefore, exempt from CEQA pursuant to Section 15269 (b) and (c) of the CEQA Guidelines.

In November 2018, the Woolsey Fire devastated portions of the Ventura and Los Angeles Counties,

including the Encinal Canyon neighborhood. The Woolsey Fire has been determined by the California Department of Forestry and Fire Protection (CAL FIRE) to be the seventh most destructive wildfire in California history (CAL FIRE 2019). Approximately 1,500 structures were destroyed and 341 structures were damaged. A Presidential Disaster Declaration for the fire was declared on November 12, 2018. On December 4, 2018, the Board adopted a resolution, which allows emergency actions to be taken to help mitigate the impacts of the fire and provide relief to fire victims. In the Encinal Canyon, a total of 18 properties were damaged or destroyed by the Woolsey Fire. The Board found that public interest and necessity demanded immediate action to harden public infrastructure, including water supply facilities.

The existing water infrastructure in Encinal Canyon is deficient in terms of compliance with current Fire Code requirements. Domestic potable water demand and fire storage requirements as well as general fire-flow capacities need to be improved for the Encinal Canyon system to meet the Fire Department's standards. As such, the water infrastructure in the Encinal Canyon neighborhood is in critical need of immediate replacement in order to protect and prevent loss of, or damage to, life, health, safety, and welfare; and property or essential public services for residents in the community. Improvements must be implemented and operational before the damaged/destroyed properties can be reoccupied.

Fire emergencies can be prevented through the provision of adequately sized water infrastructure located near vulnerable structures, which are specifically designed to address structural fires in wildfire-prone areas. The proposed project involves specific actions necessary to mitigate the Woolsey Fire emergency. The Encinal Canyon community cannot rebuild and cannot begin to mitigate the emergency until adequate water infrastructure is available. Mitigation requires adequately designed, executed, and operated infrastructure to allow for rebuilding of damaged or destroyed properties to protect against structural fires. The Fire Department has made interim provisions for the construction and occupancy of damaged or destroyed homes with the requirement that the entire system be upgraded to current Fire Code standards of 1,250 GPM at 20 PSI for a 1-hour duration by April 2023.

Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the County Clerk in accordance with Section 21152 of the California Public Resources Code.

### **CONTRACTING PROCESS**

Public Works is seeking approval to use a Board-approved JOC to replace 4,500 feet of waterlines of the project in the estimated amount of \$1,800,000.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended actions will have no negative impact on current County services or projects. The project will prevent and mitigate emergencies.

### **CONCLUSION**

Please return two adopted copies of this Board letter to Public Works, Waterworks Division.

The Honorable Board of Supervisors

7/16/2019

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" written in a larger, more prominent script than the last name "Pestrella".

MARK PESTRELLA

Director

MP:AA:lb

c: Chief Executive Office (Chia-Ann Yen)  
County Counsel  
Executive Office