

- **Board of Directors**  
**Recreation Committee**

June 13, 2006 Board Meeting

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**Revised 8-1**

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**Subject**

Authorize (1) expenditure of \$21.61 million from the Diamond Valley Lake Recreation Appropriation; (2) design of two projects; and (3) amending agreements for professional services (Approp. 15334)

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**Description**

Recreational development is underway on portions of Metropolitan's Diamond Valley Lake (DVL) properties within the East Recreation Area and the East Marina. In March 2006, Metropolitan's Board authorized entering into an exclusive negotiating agreement (ENA) with The Shopoff/Centex Group for the DVL Recreation and Land Development Program. While successful negotiations will likely result in new infrastructure to support the recreational facilities, construction of any facilities by the developer will not commence until well after the ENA period has concluded, and after Metropolitan and the developer have entered into a long-term project agreement. In order to minimize delays to the overall recreational development, including those minimum recreation improvements previously identified in RFP No. 760, staff recommends that final design activities commence at this time for the following projects:

- East Marina Utilities
- Marina Dock Facilities and Wave Attenuator

Planning and design of these projects will be coordinated with Shopoff/Centex, as appropriate, to ensure compatibility with the master development plans for the DVL area. Initiation of these two projects at this time will provide Metropolitan with defined target dates for construction, whether performed by others or by Metropolitan. These projects have all been evaluated and recommended by Metropolitan's Capital Investment Plan Evaluation Team, and funds have been included within the fiscal year 2005/06 capital budget. Funds for the DVL Recreation Program have previously been appropriated. As a result, no additional funds are required under this action. At its May 23, 2006 meeting, the Recreation Committee approved the projects discussed in this board letter. The Recreation Committee further recommended allocating \$1 million previously approved for the boat ramp extension toward the \$2.61 million for these projects. Since the boat ramp extension will not be completed in the near term, any request for additional funds for the boat ramp will be brought back to the Board at a later date.

In order to support the final design of these projects, two existing professional services agreements are recommended to be amended. In addition, an existing annual agreement with the Riverside County Sheriff is recommended for renewal to continue to provide law enforcement services at DVL.

**East Marina Utilities – Final Design**

Utilities for the East Marina are currently independent from local suppliers. Water is imported via truck, while wastewater is off-hauled. Power is provided by an electrical generator, while telephone communications lack land lines. The objective of the East Marina Utilities project is to provide permanent utilities to the East Marina, thus enhancing recreational and economic opportunities. Due to uncertainties as to the final physical layout of the East Marina and its amenities, the utility design will not include a storm drain system. The new utility corridors will include power, water, sewer, and communication lines.

Staff recommends that final design be performed by Moffatt & Nichol Engineers under an existing professional services agreement. Amendment of the Moffatt & Nichol agreement to perform this work is discussed below. Final design is scheduled to be completed by spring 2007.

This action authorizes final design of the East Marina Utilities project and expenditure of previously appropriated funds. The estimated cost for final design and all activities in advance of award of a construction contract is \$1.31 million. This amount includes \$786,400 for the professional services agreement and \$523,600 for staff coordination associated with various jurisdictional agencies, minor geotechnical work, project management, engineering review, and all other staff and consultant support. The estimated total project cost to extend utilities to the East Marina ranges from \$8.5 million to \$9.5 million.

### **Marina Dock Facilities and Wave Attenuator – Final Design**

Metropolitan opened the East Marina to the public in October 2003 with minimal initial operating amenities. These were primarily the essential amenities required under California Boating Regulations and the Department of Health and Safety Guidelines to operate a marina facility. There are no on-water storage facilities for the boat rental fleet, marina work and patrol boats, or private boats. Some storage demand for private boats has been met through the creation of a dry storage area, which has been expanded once and is in the process of being expanded again to meet increasing demand. To upgrade the marina services to the boating public and protect the rental fleet, staff recommends the installation of boat docks with 75 boat slips, and a second permanent wave attenuator to protect the docks and provide additional protection to the existing boat ramp, as originally planned. The slips will primarily be for the rental fleet with a limited number of short-term public spaces available. The dock system will be designed to allow for expansion of additional boat slips.

Staff recommends that final design be performed by Cash & Associates under an existing professional services agreement. Amendment of the Cash & Associates agreement to perform this work is discussed below. Final design is planned to be completed by spring 2007.

This action authorizes final design of the East Marina Dock Facilities and Wave Attenuator, and expenditure of previously appropriated funds. The estimated cost for final design and all activities in advance of award of a construction contract is \$1.3 million. This amount includes \$800,000 for the professional services agreement and \$500,000 for staff coordination associated with various jurisdictional agencies, minor underwater geotechnical work, project management, market demand analysis on marina usage, and all other staff and consultant support. The estimated total project cost ranges from \$5.6 million to \$8.1 million.

### **Agreements for Engineering Services**

#### **East Marina Utilities Project – Amendment to Existing Agreement**

Moffatt & Nichol Engineers was selected through a competitive process via RFP No. 581 to provide consulting design services for preliminary design and preparation of environmental documentation for Phase I of the East Marina Project. A professional services agreement was authorized by the Board in October 2002. Amendment of the Moffatt & Nichol Engineers agreement to perform final design of the East Marina Utilities project is consistent with the planned approach for project implementation.

This action authorizes an increase of \$786,400 to the existing agreement with Moffatt & Nichol Engineers, for a new not-to-exceed total of \$2 million, to perform final design of the Marina Utilities Project.

#### **Marina Dock Facilities and Wave Attenuator – Amendment to Existing Agreement**

Cash & Associates was selected through a competitive process via RFP No. 565 to provide architectural and design services. A professional services agreement was initially authorized by the General Manager in April 2003. Amendment of the Cash & Associates agreement to perform final design of the Marina Dock Facilities and Wave Attenuator is consistent with the planned approach for project implementation.

This action authorizes an increase of \$800,000 to the existing agreement with Cash & Associates, for a new not-to-exceed total of \$1.05 million to provide final design of the East Marina Dock Facilities and Wave Attenuator.

### **Riverside County Sheriff Law Enforcement Agreement Extension – Amendment to Existing Agreement**

Metropolitan has an existing agreement with the Riverside County Sheriff to provide law enforcement services at Diamond Valley Lake. The amount of the existing agreement is within the General Manager's Administrative Code authority to enter into agreements in an amount less than \$250,000 on an annual basis. The Riverside County Sheriff has recently increased rates for all contracting entities such as cities and special districts. Furthermore, as the number of visitors to the lake continues to increase, additional Sheriff staff may be required. The presence of the Sheriff at DVL has proven to be effective, and staff is pleased with existing quality and level of service.

This action authorizes the General Manager to renew the annual agreement with Riverside County Sheriff at an amount not to exceed \$300,000 per contract year, for up to five years.

### **Policy**

Metropolitan Water District Administrative Code Section 8117: Professional and Technical Consultants

### **California Environmental Quality Act (CEQA)**

CEQA determinations for Option #1:

#### **East Marina Utilities and Marina Dock Facilities and Wave Attenuator**

To comply with CEQA and the State CEQA Guidelines, Metropolitan as the Lead Agency prepared a Mitigated Negative Declaration (MND) for the design, construction, and operation of the Diamond Valley East Marina Project (Project) for Phases I and II. The MND was distributed for a 30-day public review period that began on December 24, 2002, and ended on January 22, 2003. The Board later adopted the MND and the mitigation monitoring and reporting program (MMRP) on February 11, 2003. The current board actions, i.e., design of marina improvements, would not result in any new significant environmental impacts, nor result in substantial changes to the approved Project. Hence, the previously adopted environmental documentation in conjunction with the current board actions fully complies with CEQA and the State CEQA Guidelines. Accordingly, no further environmental documentation is necessary for the Board to act on with respect to the proposed actions.

The CEQA determination is: Determine that the proposed actions have been previously addressed in the adopted 2003 MND and its MMRP and that no further environmental analysis or documentation is required.

#### **Amendments to Professional Services Agreements**

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it involves other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed action is not subject to the provisions of CEQA pursuant to Sections 15378(b)(2) and 15378(b)(4) of the State CEQA Guidelines.

CEQA determination for Option #2:

None required

### **Board Options/Fiscal Impacts**

#### **Option #1**

Adopt the CEQA determinations and

- a. Authorize expenditure of \$~~21~~.61 million in previously appropriated, budgeted funds **for total approved expenditures of \$69.76 million;**
- b. Authorize final design and all activities up to award of competitively bid contracts for the East Marina Utilities and Marina Dock Facilities and Wave Attenuator;

- c. Authorize an increase of \$786,400 to the existing agreement with Moffatt & Nichol Engineers, for a new not-to-exceed total of \$2 million;
- d. Authorize an increase of \$800,000 to the existing agreement with Cash & Associates, for a new not-to-exceed total of \$1.05 million; and
- e. Authorize an amendment to Agreement No. 56013 with Riverside County Sheriff Law Enforcement to increase the maximum amount payable to \$300,000 per year to provide law enforcement services at Diamond Valley Lake, for up to five years.

**Fiscal Impact:** \$2.61 million of budgeted funds under Approp. 15334

**Option #2**

Do not authorize the projects and the professional services agreement and instead use Metropolitan staff to perform all work on designated projects. This option would result in delays to development at Diamond Valley Lake and have Metropolitan staff address visitor security and enforcement issues.

**Fiscal Impact:** Unknown

**Staff Recommendation**

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Option #1

  
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Jill T. Wicke  
Manager, Real Property Development and  
Management

5/26/2006  
Date

  
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Jeffrey Kightlinger  
General Manager

5/26/2006  
Date