

# Capitola City Council

## Agenda Report

**Meeting:** May 11, 2023

**From:** Public Works Department

**Subject:** Capitola Wharf Resiliency and Public Access Improvement Project



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**Recommended Action:** 1) Approve the plans, specifications, and estimate for construction for the Capitola Wharf Resiliency and Public Access Improvement Project, Phase 2, and authorize Public Works staff to advertise for construction bids; and 2) authorize Amendment 3 to the Professional Services Agreement with Moffatt & Nichol in the amount of \$133,000 for concept design and engineering for the Wharf Rehabilitation Project, Phase 2.

**Background:** The City has continually inspected, maintained, and repaired the Capitola Wharf (Wharf) since the County of Santa Cruz transferred ownership of the Wharf to the City of Capitola in 1979. The Wharf was subsequently renovated in 1982 and 2002. In 2015, the City commissioned a Condition Assessment and Resiliency Study which has led to the ongoing Wharf Resiliency and Public Access Improvement Project (Wharf Project). An abbreviated timeline of the development of this project is below.

2015 In November 2015, the City Council directed staff to prepare a detailed condition assessment and begin long-term planning for Capitola Wharf. The City contracted with Moffatt & Nichol Engineers to identify immediate issues with structural integrity and options for pile replacement strategies. The focus of those tasks was to make the Wharf less vulnerable to storm actions or piling breakage and to inform and strategize goals for a future Wharf resiliency project.

2016 In February 2016, the City Council accepted the Moffatt & Nichol report on the structural condition of Capitola Wharf that included options for making the Wharf more resilient to storms and other natural elements. The City Council directed staff to return with a cost estimate and a ten-year plan of improvements, and authorized Moffatt & Nichol to evaluate widening the wharf to improve resiliency.

In November 2016 voters approved the Measure F sales tax to, amongst other goals, protect the wharf and beach from storms and rising sea levels.

2017 In September 2017 the City awarded a contract to Moffatt & Nichol for the concept design and engineering for Measure F funded projects, including wharf improvements. The initial phase focused on conceptual design. Under the first phase of the scope of work, Moffatt & Nichol completed survey investigations, held two public stakeholder meetings, developed options and cost estimates, and identified environmental constraints that could impact the projects.

2018 In June 2018 the contract with Moffatt & Nichol was amended to include preliminary design of the wharf improvements. To prioritize expenditures, the City Council directed staff to place the wharf building designs on hold and develop a more in-depth cost evaluation for wharf improvement alternatives. The City Council asked that the alternatives look at the longevity of the wharf and buildings at the current height as well as a raised height alternative allowing for greater protection against potential increased storm surge and sea level rise. Alternative construction materials (wood vs. concrete) were also evaluated.

In October, the City Council received the Capitola Wharf Project Alternative Report and formed a sub-committee (Wharf Group Subcommittee) to evaluate options presented.

2019 In June 2019, the City Council directed staff to proceed with design and permitting of widening the trestle portion of the Wharf to provide increased strength and resiliency. This action defined the scope of the current Capitola Wharf Resiliency and Public Access Improvement Project.

Council determined that the current project would not include raising the head of the wharf or replacing the leased buildings. Instead the City decided to utilize fiberglass piles in the Wharf Project that can be extended in the future to accommodate raising the head of the wharf.

2020 The Wharf sustained damage in the winter of 2020 and several piles were replaced.

The Planning Commission approved the Design Permit, Conditional Use Permit, and Initial Study/Mitigated Negative Declaration for the Wharf project on June 6, 2020. The Commission conditioned the project to require that staff return with final plans for approval.

In June 2020 the City was awarded \$1,900,000 in grant funds from the California State Coastal Conservancy (CCC) for the Wharf Project.

2021 In May 2021, the City Council directed staff to address existing failing piles in advance of the Wharf Project. The scope of the Wharf Phase 1 Project repaired the steel piles at the head of the wharf and the wharf structure underneath the restaurant where two piles were lost in the previous winter.

2022 A notice of completion was issued for the Wharf Phase 1 Project in January 2022. Phase 2 of the Wharf Project was postponed, as staff was awaiting information on potential federal funding.

In December 2022 the City was awarded \$3,500,000 in grant funds from the U.S. Department of Housing and Urban Development (HUD) for the Wharf Project.

2023 During the storm event on January 5, 2023, the Capitola Wharf sustained significant damages to both the midspan and head of the structure, including damages to decking, trestle, piles, lighting, and stairways. The Wharf remains closed to the public.

#### Discussion:

#### **Project Description**

A reduced set of plans for the Wharf Phase 2 Project are included as Attachment 1. A full set of plans and the specifications are available for review in the Public Works Department. The scope of the Wharf Phase 2 Project does not include ancillary design improvements anticipated to be fundraised for in the coming months. Ancillary design improvements are currently being developed, will be presented to the City Council for approval, and constructed in coordination with the Wharf Phase 2 Project.

The primary purpose of the Wharf Phase 2 Project is to add resiliency to the most vulnerable portion of the Wharf that has sustained the most critical damage in the past. This is achieved by widening the trestle portion of the Wharf and completing structural repairs throughout.

Expansion includes a new composite pile and timber structure expansion area. The new expansion area widens the trestle 16 feet, for approximately 458 feet, to match the first 85-foot-long portion of the trestle at the foot of the Wharf (Figure 1). Approximately 120 15-inch composite (fiberglass) piles are to be added as part of the expansion.

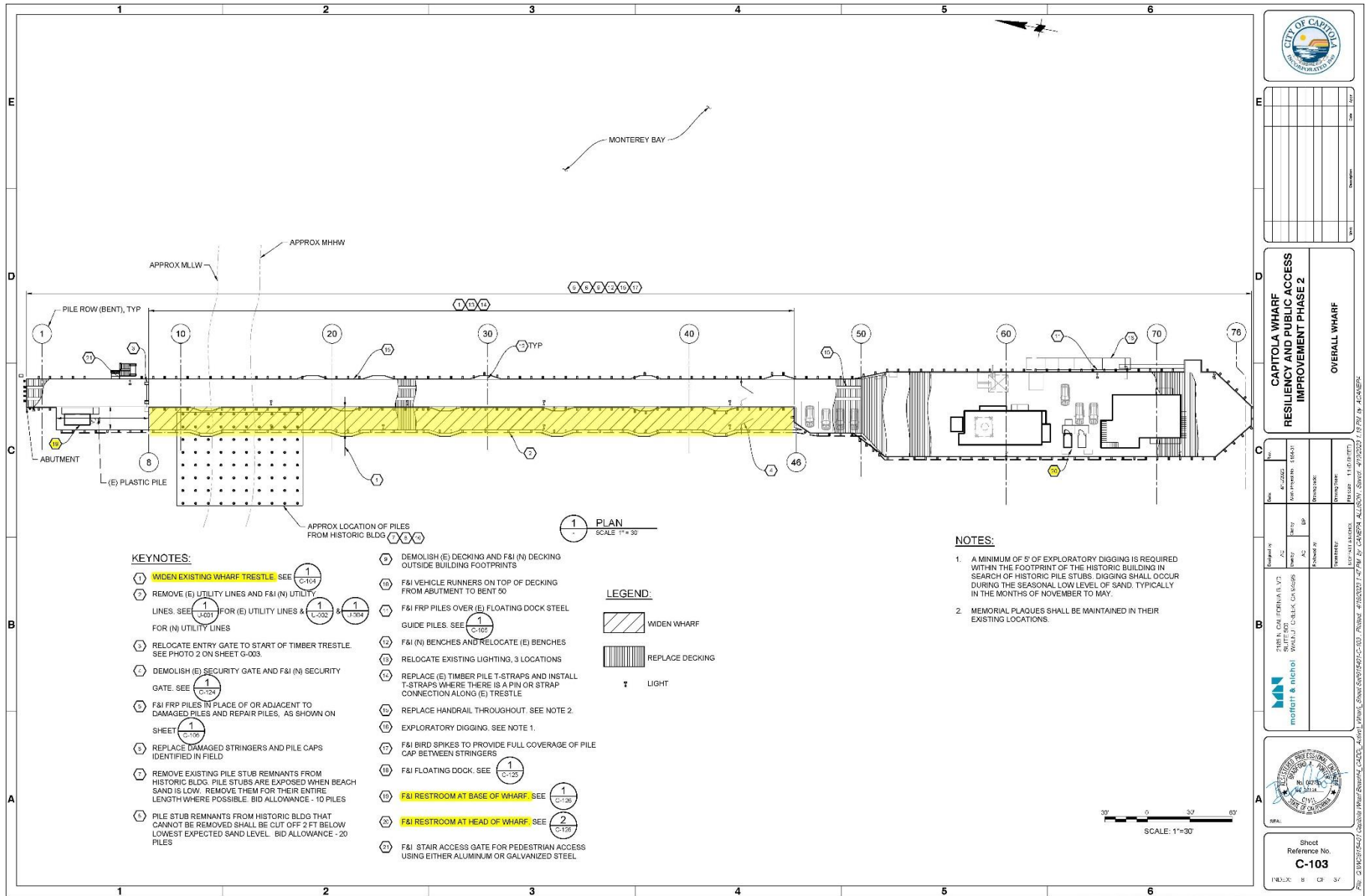
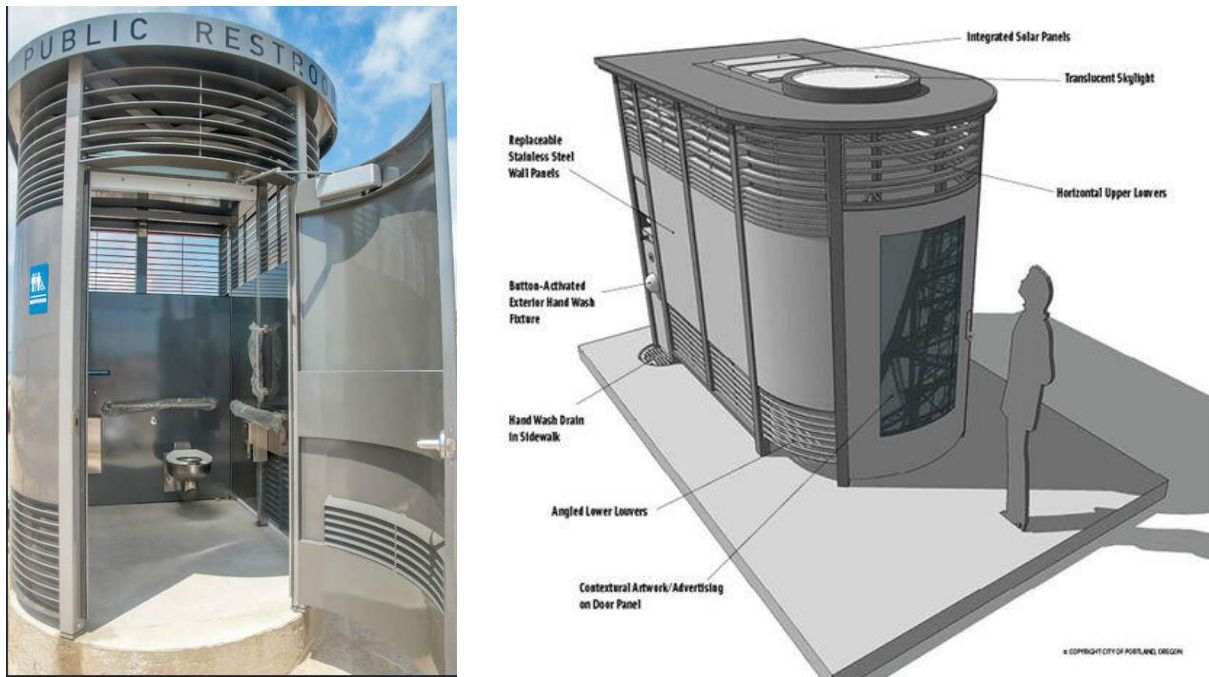


Figure 1. Overview of Wharf Project Improvements

Existing deteriorated Wharf elements will also be repaired and/or replaced as needed. Maintenance and repairs include:

- Repairing/replacing damaged creosote treated piles
- Placing fiberglass jackets around steel piles
- Replacement of timber decking
- Replacing pile caps and stringers
- Relocation of utilities

Secondarily, the Wharf Phase 2 Project improves public access on the Wharf (Figure 1). The widened trestle provides two separate travel areas, improving public access and safety by reducing pedestrian and vehicular conflicts. Public access is additionally enhanced with the construction of two new restroom facilities for beach and Wharf users. Restroom improvements include the construction of a single restroom at the head of the Wharf (Portland Loo) and a multiple-room restroom at the base of the Wharf (Exeloo). The Portland Loo is a standalone, ADA compliant, single occupant public toilet consisting of stainless steel posts, panels, louvers, roof, interior and exterior LED lighting, and toilet. The interior includes a hand sanitizer dispenser, lockable 2-roll toilet paper dispenser, and baby changing table. The exterior includes a hand washing station.



**Figure 2. Portland Loo single occupant public toilet**

The Exeloo triple cubicle restroom is steel framed with a reinforced concrete base and fiber cement exterior, with decorative cladding. Each cubicle consists of a ceramic tile interior, auto flush toilet, and touch free wash basin and hand dryer. Two of the three cubicles are ADA accessible, one of which contains a baby changing table.





**Figure 3. Exeloo triple cubicle restroom exterior**

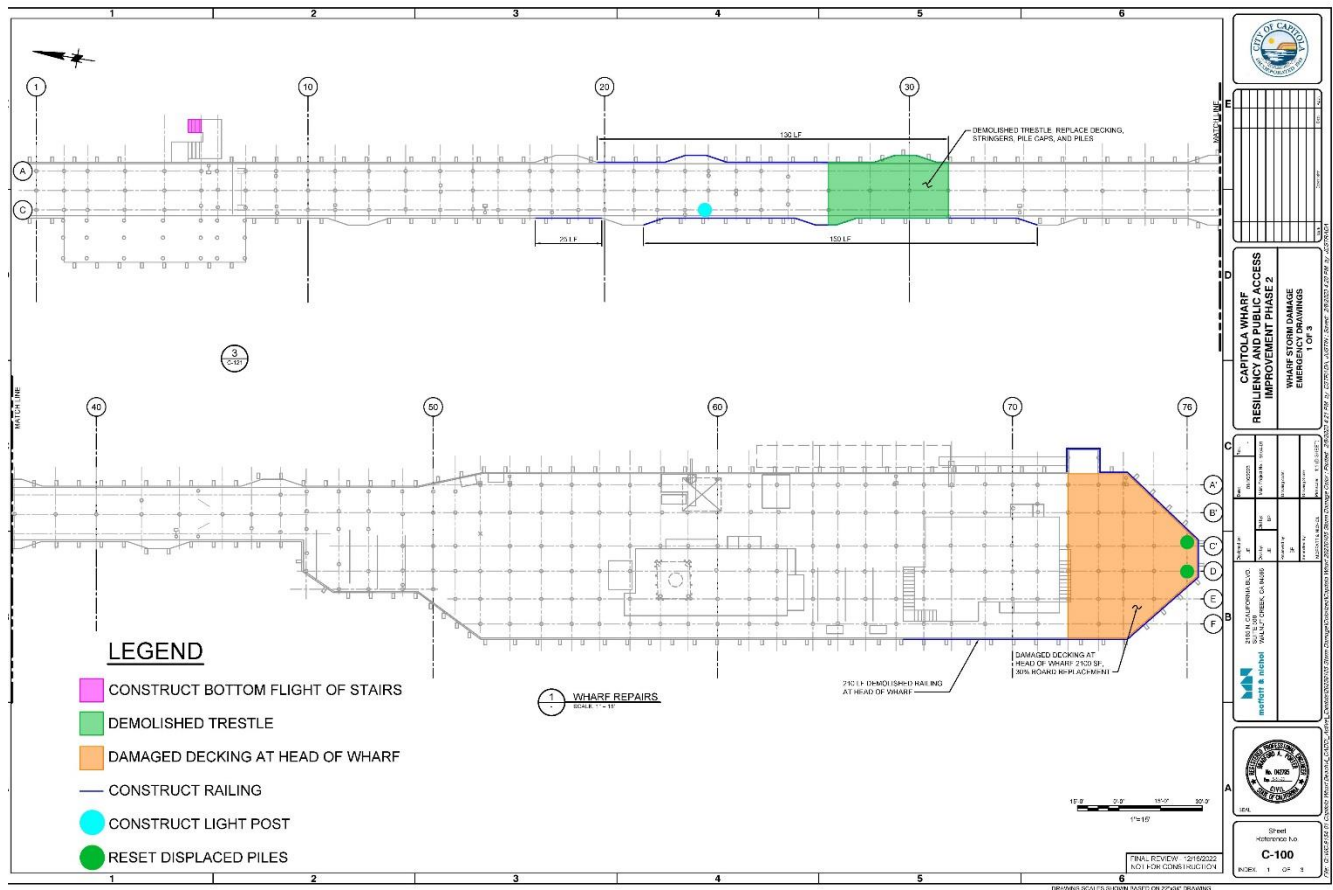


**Figure 4. Exeloo restroom interior**

Additional public use and access improvements include:

- A replaced security gate on the trestle
- Relocation of the decorative Wharf gate at the foot of the Wharf near the shore
- Installation of bird nesting deterrents
- Replacement of railing to meet current safety standards

The Wharf Phase 2 Project will also repair damages sustained to the Wharf during the storm event on January 5, 2023. These damages were generally centered on the midspan and head of the structure; including damages to decking, trestle, piles, lighting, and stairways. The widened trestle will mitigate damage sustained to the midspan of the Wharf in the future. The pile work completed in the Wharf Phase 1 Project prevented more substantial damage to the head of the Wharf.



**Figure 5. Damage sustained to Wharf in January 2023**

The plans also include several optional improvements (add alternates) for elements of the Wharf that are in fair condition and do not require immediate repair or replacement and may be included or excluded from the project scope based on bid costs. This includes additional pile replacement or jacketing and replacement of electrical utilities. While it is ideal to address these improvements with the Wharf Phase 2 Project to achieve maximum quantities of scale, they are not essential for the repair and safety of the Wharf at this time.

A public hearing was held on the Wharf Phase 2 Project at the June 4, 2020 Planning Commission meeting. The Commission approved the Design Permit, Conditional Use Permit, and Initial Study/Mitigated Negative Declaration with the condition that the two bathrooms, entrance and security gates, and finish of the pile exteriors be brought back to the Planning Commission for review. Staff presented the final plans and received unanimous approval for the Wharf Phase 2 Project from the Planning Commission on May 4, 2023 with the following conditions/recommendations:

1. Due to Planning Commission concern with industrial appearance of Portland Loo, the City shall review alternatives for public restrooms at the time that either building at the head of the Wharf is rebuilt/remodeled, including consideration to remove the Portland Loo.
2. At the time that either building at the head of the Wharf is rebuilt/remodeled, the City shall incorporate waste enclosure into the design for the dumpster.

3. The Portland Loo shall be installed with minimal logos and future enhancement of the exterior shall be reviewed by the Arts Commission. The bottom of the Portland Loo shall be modified to shield the feet of the occupant from public view.
4. The Public Works Department and City Council shall consider alterations to the security gate, entry gate, and restroom at the head of the Wharf if there is opportunity during the bidding and/or construction of the Wharf Phase 2 Project.
5. The Project shall consider alternative full exteriors for the Exeloo restroom structure for increased compatibility.

Based on these conditions and recommendations, Staff proposes bidding the project as currently specified. Prior to the construction of the restroom facilities modifications will be evaluated as specified in the above conditions. Staff will explore the modification and/or improvements to the entry gate prior to final relocation. Staff does not recommend removal of the security gate from the Project at this time in consideration of the current building tenants and past illicit activity which necessitated the construction of the gate.

### **Schedule**

Upon receiving authorization to bid, staff will advertise a notice to perspective bidders with an anticipated contract award date in Summer 2023. Construction may begin after contract award, however it is anticipated there will be a lead time for materials that may result in a construction start time in the late summer or early fall. Construction will take eight to nine months, with an estimated completion date in Summer 2024. Staff will be providing updates to the City Council and community on the progress of the project.

### **Moffatt & Nichol Contract Amendment**

In 2017 the City awarded a contract to Moffatt & Nichol for the concept design and engineering for the Wharf, Flume, and Jetty Improvement Projects. The original total cost estimate for Moffatt & Nichol's engineering contract for Wharf improvements was \$948,000 to \$1,285,000, to be completed in phases. Under the first phase of the scope of work, Moffatt & Nichol completed survey investigations, held two public stakeholder meetings, developed options and cost estimates, and identified environmental constraints that could impact the projects.

The City entered into a second contract with Moffatt & Nichol in 2018 to include permitting and final construction documents for the Flume and Jetty Projects and continued development of the design and permitting for Wharf improvements. This contract was amended in 2021 to include securing all remaining regulatory agency permits, final design of the wharf structure, and construction support.

Additional work outside of the originally anticipated scope of the amended agreement was incurred due to revisions and additional permitting necessitated by damages sustained to the Wharf in January 2023. Staff recommends the approval of an additional contract amendment (Attachment 2) for construction support and project closeout.

Execution of this final amendment would result in a total engineering, permitting, and design cost (soft costs) of approximately \$1.1M for the Wharf, Flume and Jetty Projects, as detailed below, approximately 13% of the anticipated construction cost of \$8.9M. This is within the typical range of a major capital project.

**Table 1. Moffatt & Nichol Wharf Project Costs**

<b>Tasks</b>	<b>Year</b>	<b>Costs</b>
Conceptual Plan	2017	\$183,100
Preliminary Engineering	2018	\$454,000
Final Engineering and Permitting - including revisions	2021	\$351,300
Construction Support (Proposed amendment)	2023	\$133,000

<b>Total Costs</b>	<b>\$1,121,400</b>
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**Fiscal Impact:** The engineer’s estimate for the base bid for the Wharf Phase 2 Project is \$8.5M, inclusive of \$1.0M due to storm damage. The sum of all bid alternative items is estimated at \$400k. Therefore the total engineer’s estimate for the complete project is \$8.9M. A contract will be awarded based on bid values of the lowest base bidder and add alternates will be included as the budget allows. The removal of add alternates, as detailed above, will not affect the overall success of the project.

Funding for construction of the Wharf Phase 2 Project comes from several sources. The City was awarded grants for this project from the California Coastal Commission (CCC) in 2020 for \$1.9M and HUD in 2022 for \$3.5M. The City’s insurance claim payout from storm damage is estimated at \$1.0M. The remainder of the funding for this project is budgeted from Measure F funds. The overall Capitola Wharf Resiliency and Public Access Improvement Project has expended \$1.6M in soft costs and Phase 1 construction.

**Table 2. Summary of Total Wharf Project Costs**

<b>Funding</b>	
Measure F	\$3,350,000
General Fund	\$750,000
CCC Grant	\$1,900,000
HUD Grant	\$3,500,000
Insurance	\$1,000,000
<b>Total Project Funding</b>	<b>\$10,500,000</b>
<b>Incurred Expenses</b>	
Moffat and Nichol (including proposed amendment)	\$1,100,000
Phase 1 Construction - Power Engineering	\$500,000
<b>Total Incurred Expenses</b>	<b>\$1,600,000</b>
<b>Summary</b>	
Available funding	\$8,900,000
Phase 2 Construction Estimate with bid alternative items	\$8,900,000

**CEQA:** In compliance with the California Environmental Quality Act, the Wharf Phase 2 Project developed an Initial Study/Mitigated Negative Declaration (IS/MND). The IS/MND determined that the proposed Project would result in potentially significant environmental impacts; however, mitigation measures are proposed that would reduce any potentially significant impact to less than significant levels. As such, an IS/MND is deemed to be the appropriate document to provide the necessary environmental review and clearance. A Notice of Determination (NOD) for the project environmental clearance was filed at the San Cruz County Recorder’s office in June 2020.

In compliance with the National Environmental Quality Act, as required for all HUD-assisted projects, the City completed an additional environmental review in December 2022. The project qualifies for a categorical exclusion per 24 CFR 58.35(a), and subject to laws and authorities at §58.5.: (a) Historic properties, (b) Floodplain management and wetland protection, (c) Coastal Zone Management, (e) Endangered species, (g) Air quality, and (i) HUD environmental standards.

This project has obtained the following permits required to construct the Wharf Phase 2 Project

- United States Army Corps of Engineers (USACE) Permit (IP) 2020-00076
- Regional Water Quality Control Board (RWQCB) 401 Water Quality Certification 34420WQ13
- California Coastal Commission (CCC) Coastal Development Permit CDP – 3-20-0431



- U.S. Fish and Wildlife Service (USFW) Consultation Code: 08EVEN00-2021-I-0111
- National Marine Fisheries Service (NMFS) Consultation Number: WCR-2020-03352

Attachments:

1. Wharf Project Phase 2 Plans
2. Moffatt & Nichol Contract Amendment No.3

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