



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 3/08/2022

REQUESTER: Jason Murphy, Stormwater Program Manager

PRESENTER: Shawn O'Leary, Director of Public Works

TITLE: CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A HAZARD MITIGATION ASSISTANCE GRANT FROM THE OKLAHOMA DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY IN THE AMOUNT OF \$893,590.45 TO BE USED FOR THE VINEYARD DRAINAGE IMPROVEMENT PROJECT; CONTRACT K-2122-104, AND BUDGET APPROPRIATION FROM THE SPECIAL GRANTS AND CAPITAL FUND BALANCE AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

The Oklahoma Department of Emergency Management (OEM) and Federal Emergency Management Agency (FEMA) provide disaster response and recovery assistance and pre-disaster mitigation grant funding for mitigation projects designed to prevent or reduce future loss of lives and property and/or minimize the costs of future disaster response and recovery. The Hazard Mitigation Grant Program (HMGP) provides federal funds up to 75% of the costs associated with hazard mitigation projects. The required 25% local match can be in the form of cash funding or "in kind" services.

For several years, residents of The Vineyard Addition have experienced property damage due to flooding. In July 2015, the City hired Meshek and Associates to perform an analysis of flooding issues reported by the residents of The Vineyard Addition. This included a review of the previous drainage reports and studies that were available. Additional detailed modeling was done to determine if any structural changes could be made that would reduce the risk of flooding in this area.

On January 29, 2016, Meshek and Associates submitted a report detailing the results and recommendations of their analysis. Two possible alternatives were identified that would help alleviate some of the flooding reported by residents, including re-grading The Vineyard detention pond and replacing the existing 18-inch pipe with a double 30-inch pipe; however, no funding was available at that time for final design of the selected alternative.

During the FYE 2018 budget process, City Council approved funding for the final design of The Vineyard Addition Drainage Improvements. Amendment No. 1 to Contract K-1617-120 with Meshek and Associates for The Vineyard Addition Drainage Improvements in the amount of \$30,000 was approved by City Council on October 10, 2017.

Meshek and Associates provided preliminary and final project plans for this project. These plans propose to reduce the flood risk by expanding and re-grading the existing detention pond to increase the storm water storage. The existing sidewalk will be shifted several feet to the north to allow for the pond to be expanded. The dam on the eastern boundary of the pond will be raised approximately five feet above existing grade to provide additional storm water storage. Any water from the spillway would be conveyed across a new 15-foot-wide flume into a tributary of Rock Creek 500 feet east of the new pond. The vertical wall on either side of the flume will vary in height along the length of the channel but will provide at least two feet of depth for stormwater storage and conveyance. This flume will also serve as a sidewalk for residents in the area. The existing discharge pipe will be upsized to address the flow. The detention pond and channel design will provide protection to residents from flooding caused by pond overtopping for storm events up to the 100-year frequency storm.

Based on discussions with staff at Meshek and ODEMHS, the Vineyard Drainage Improvement Project was submitted for consideration, with City Manager approval, of a Hazard Mitigation Grant Program (HMGP) grant in the summer of 2019 at a cost of \$753,600. In anticipation of approval, Meshek and Associates were consulted for an update of project costs in the summer/fall of 2021. The estimated cost of the project was increased to \$893,590.45 based on increases of materials and other costs that occurred since the original application in 2019. The grant application was amended to reflect these new costs.

DISCUSSION:

On January 19, 2022 the City was notified that the Vineyard Detention Pond Project was selected and approved by the Oklahoma Department of Emergency Management and Homeland Security for \$893,590.45. FEMA grants require the City to pay all costs up front and then receive reimbursement. The grant provides 75% of the project funds with a federal share in the amount of \$670,192.84 and a 25% local match of \$223,397.61. During the Fiscal Year 2021-2022 (FYE 2022) budget process, the Vineyard Detention Drainage Project, Construction was allocated \$753,600 (Account 50595528-46101; Project DR0020), based on the original grant application costs.

With the acceptance of this grant, Federal matching funds will need to be transferred in the amount of \$530,203 from the Capital Fund, Vineyard Detention Pond, Construction (Account 50595528-46101; Project DR0020) to the Special Grants Fund, Vineyard Detention Pond, Construction (Account 22595528-46101; Project DR0020). Also, an appropriation of \$139,990 needs to be made from Special Grants Fund Balance (22-29000) to the Vineyard Detention Pond, Construction Account (22595528-46101; Project DR0020).

Reimbursed funds will be placed in the Special Grants Fund, Revenue Account (225-333322). A summary of the cost split between the OEM grant and Capital Fund (local match) is given below:

DR-4438-0012-OK	Federal Share	Non-Federal Share	Total
Project Costs	\$670,192.84 (75%)	\$223,397.61 (25%)	\$893,590.45 (100%)
Subrecipient	\$0.00 (100%)	\$0.00	\$0.00
Management Costs		(0%)	(100%)
Total Obligation	\$670,192.84	\$223,397.61	\$893,590.45

In addition to accepting the above award, a Hazard Mitigation Assistance Grant State and Local Agreement (SLA) in the form of Contract K-2122-104 needs to be approved obligating the City of Norman to comply with the outlined rules for grant administration and federal regulations with regards to purchasing and expending federal funds. The City's obligations under this agreement are to submit Quarterly Project Reports (QPRs) until this project is closed out as well as completing any final reports and requests for reimbursement. Additionally, the City is required to follow current federal procurement standards. The City's existing purchasing rules meet or exceed the standards outlined within the SLA. While the City is administering this grant and managing construction, it has no claim to the property other than access for existing utility and drainage easements. Additionally, the Vineyard's Property Owner's Association has an agreement in place with the property owner to continue maintenance of these improvements after construction is complete. This includes mowing, tree trimming, and removal of debris after a runoff event to ensure the continued effectiveness of the improvements.

If approved, this project is ready to send out for construction bids within 30 days. The bid selection process should take one to two months, at which point a construction contract would be brought before Council for approval. Once construction begins, the project should take an estimated 5-7 months for completion. All work and grant administration is required to be completed no later than November 2023, but should be completed well in advance of that date.

RECOMMENDATION 1:

Staff recommends acceptance of the Oklahoma Department of Emergency Management and Homeland Security Hazard Mitigation Grant in the amount of \$893,590.45.

RECOMMENDATION 2:

Staff further recommends approval of Contract K-2122-104 between the City of Norman and the Oklahoma Department of Emergency Management and Homeland Security.

RECOMMENDATION 3:

Staff requests budget transfer in the amount of \$530,203 from the Capital Fund, Vineyard Drainage Project to the Special Grants Fund, Vineyard Drainage Project.

RECOMMENDATION 4:

Staff further recommends an appropriation of \$139,990 from the Special Grants Fund Balance to the Vineyard Drainage Project. Reimbursed funds will be deposited to the Special Grants Fund.