



# COUNCIL REPORT

**DATE:** April 28, 2026  
**CATEGORY:** Consent  
**DEPT.:** Public Works  
**TITLE:** **Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43—Various Actions**

## RECOMMENDATION

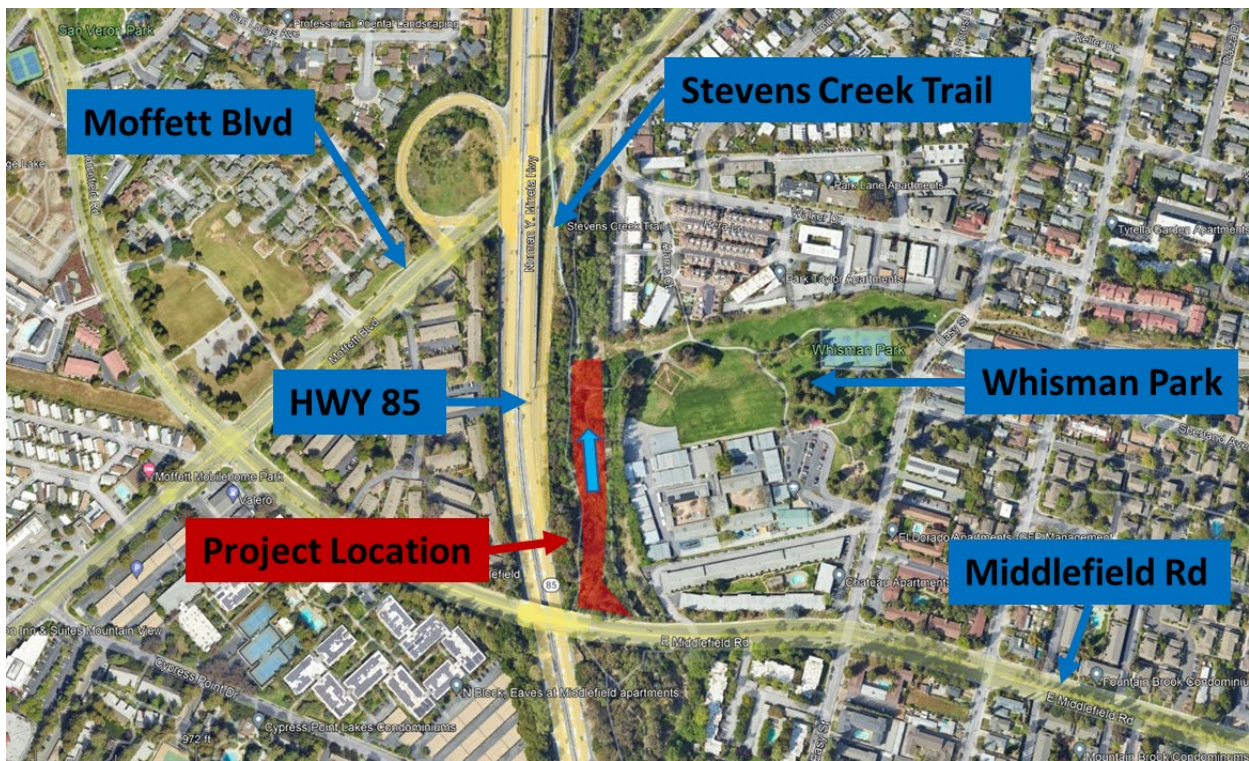
1. Authorize the City Manager or designee to negotiate terms and execute a Cost Sharing Agreement with the Mountain View Whisman School District (MVWSD or District), for MVWSD to cost-share the portion of the repairs on MVWSD property and provide a temporary construction easement to support the project construction.
2. Accept and appropriate up to \$1,277,256 from MVWSD to Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43, to cost-share the portion of the repairs on MVWSD property.
3. Approve plans and specifications for Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43, and authorize staff to advertise the project for bids.
4. Find that, in accordance with California Environmental Quality Act requirements, Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43, is categorically exempt. The creek bank erosion and outfall repairs are categorically exempt as Class 4, Minor Alterations to Land, under California Public Resources Code Section 15304.
5. Authorize the City Manager or designee to award a construction contract for Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43, to the lowest responsible responsive bidder if the low bid is within the available project budget.
6. Authorize the City Manager or designee to amend the professional services agreement with Geomorph Design Group, a California corporation (Entity No. 6025530) for Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43, increasing compensation by \$350,000 for additional professional services, for a total agreement not to exceed amount of \$500,104.

7. Authorize the City Manager or designee to execute a professional services agreement with Marina Construction Management, Inc., a California corporation (Entity No. 6081240) for Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43, for a total agreement not to exceed amount of \$380,000.

## **BACKGROUND**

### **Stevens Creek Bank Erosion**

As a result of wet winters in 2022 to 2023 and 2023 to 2024, a segment of creek bank along Stevens Creek has severely eroded. The areas of concern within the segment are along Stevens Creek between Middlefield Road and Moffett Blvd in the City of Mountain View, adjacent to Whisman Park and MVWSD property as shown in Figure 1.



**Figure 1 – Location of observed creek bank erosion at Stevens Creek**

To identify the repairs needed, GHD Inc. provided professional services under an existing on-call contract to document the erosion and evaluate repair options for the erosion areas. The erosion areas (locations A, B, C, and D) and property boundaries are shown in Figure 2.

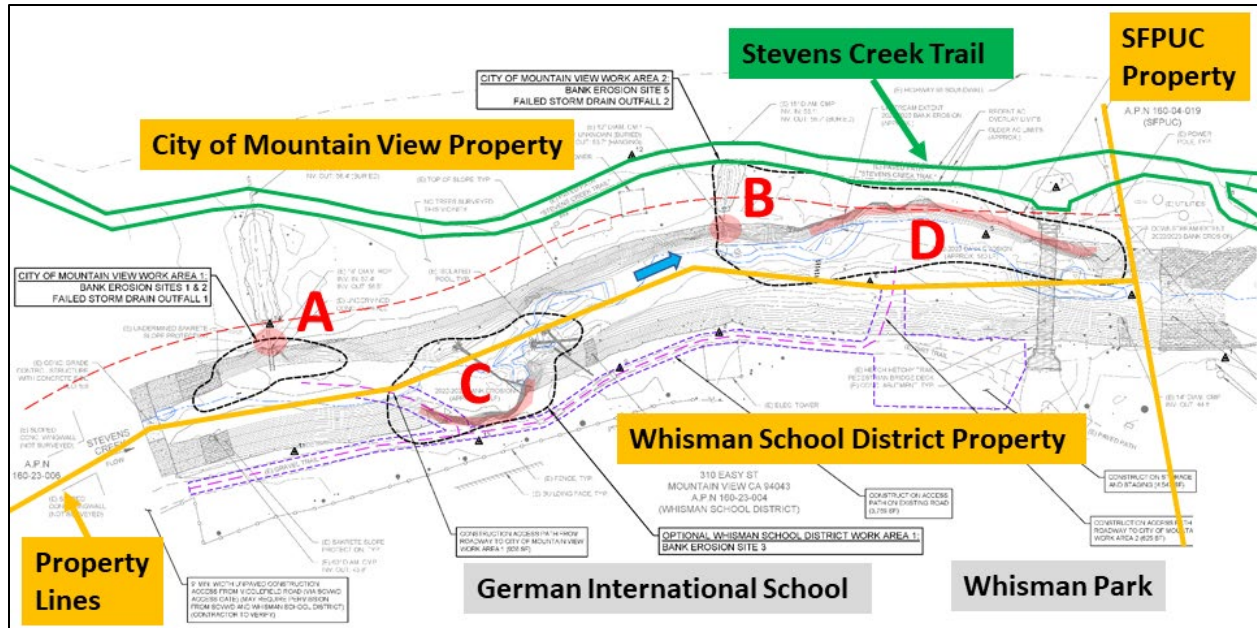


Figure 2 – Site map showing erosion locations and property boundaries

Observed erosion at location C is within MVWSD property, while locations A, B and D are on City property. Figures 3, 4, and 5, shown below, are pictures taken in Spring 2023 of the four erosion locations. More recent storms may have caused additional erosion.



Figure 3 – Erosion around storm drain outlets (red highlight)



**Figure 4 – East bank erosion adjacent to the German International School of Silicon Valley**



**Figure 5 – West bank erosion adjacent to Whisman Park**

### **Repair Design Professional Services**

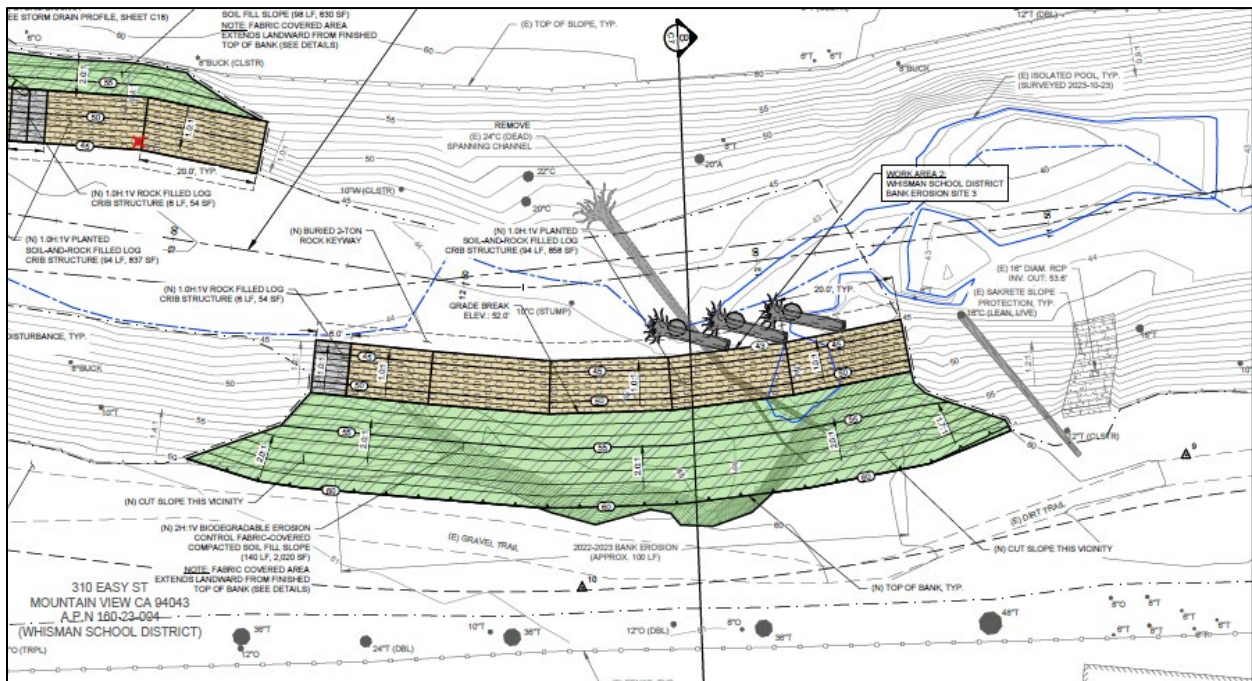
On October 27, 2023, the City issued a Request for Proposal (RFP) to firms to provide professional services for creek bank erosion repair design and creek management planning. On November 10, 2023, the City received one proposal from Matthew Smeltzer. A review panel of Public Works staff reviewed the proposal and deemed Matthew Smeltzer is well qualified to perform this work based on the firm’s understanding of the project, and their knowledge and experience from similar projects performed in the San Francisco Bay area. On November 22, 2023, the City

executed an agreement with Matthew Smeltzer for \$99,896 to provide engineering design services to repair Stevens Creek bank erosion at Whisman Park.

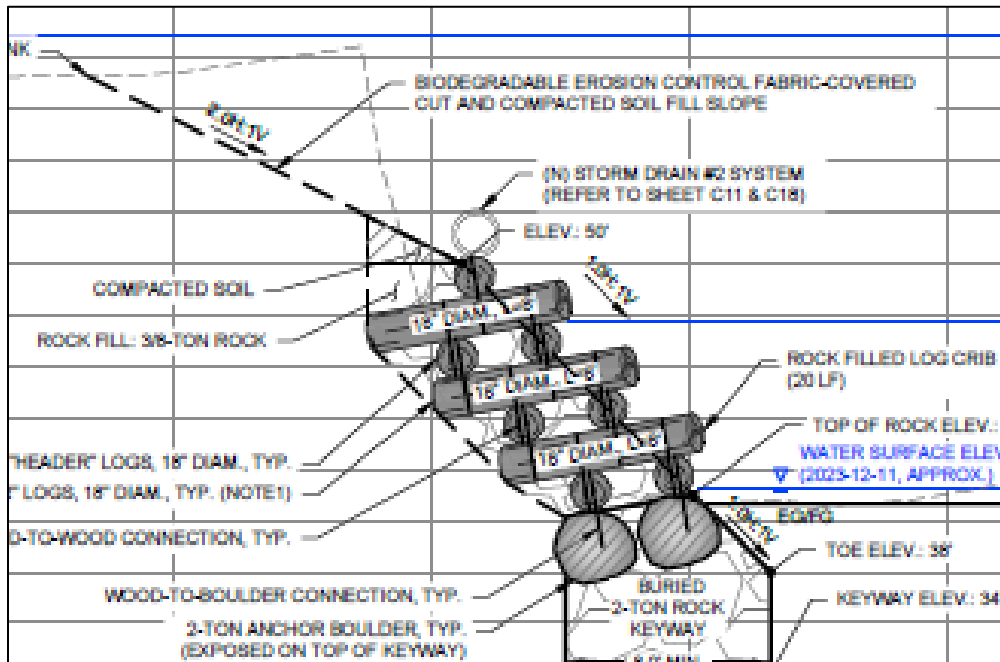
After discussions with regulatory agencies and Valley Water on project design and constructability, staff identified that additional engineering design services were needed to address the environmental regulatory permitting and design requirements. In 2024, Matthew Smeltzer changed their company structure and name to Geomorph Design Group. As a result, on April 1, 2024, the City executed a new agreement with Geomorph Design Group for \$150,104 for the additional services.

**The Repair Plan**

The proposed repair includes installing a log crib structure along the toe of the bank, and regrading the eroded upper bank covers with biodegradable erosion control fabric. The log crib structure will improve bank stability by reducing the bank slope and incorporating vegetation to the bank surface. In addition, log rootwads will be installed and anchored at selected locations along the creek to improve stability at the toe of the bank and provide habitat benefits. The repair work will also replace existing exposed or damaged storm drain pipes and swales. The proposed repair is shown in Figures 6 and 7. A photo of an example log crib structure from a recent project located in Palo Alto, California, is shown in Figure 8.



**Figure 6 – Plan view of the proposed repair at location C**



**Figure 7 – Profile view of the proposed repair at location C**



**Figure 8 – Log crib structure example**

**Regulatory Permits**

The repair work requires permits from regulatory agencies including the San Francisco Bay Regional Water Quality Control Board, United States Army Corps of Engineers, and California Department of Fish and Wildlife. In addition, the Santa Clara Valley Water District (Valley Water)

has an easement along this creek segment; therefore, an encroachment permit is required for the repair. The City has received the required permits for the project.

### **Mountain View Whisman School District Cost Sharing Partnership**

A portion of the erosion repairs along the east bank of Stevens Creek at Whisman Park, as well as the planned construction access and staging areas, are located on MVWSD property on a parcel identified as APN 160-23-004. City staff has been working with MVWSD staff since 2024 to address the ongoing erosion along the Stevens Creek bank and to support the necessary repairs.

On September 27, 2024, staff provided an information memorandum to City Council describing the project goals and staff's proposal to partner with the MVWSD to jointly work on this project. On October 3, 2024, the MVWSD Board approved the MVWSD partnering with the City to complete the erosion repairs.

As the project design and the environmental regulatory permit applications progressed, City staff met with MVWSD staff on November 7, 2025, to provide a project update, including the final design concept, regulatory permitting approach, and the framework of a cost-sharing agreement for the project partnership. This framework is described in the Analysis section below.

On December 18, 2025, the MVWSD Board approved funding for the erosion repairs on MVWSD property. Since that time, City and MVWSD staff have been working to prepare a cost sharing agreement for the project.

### **ANALYSIS**

The design plans and specifications for Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43 are completed. The City is ready to advertise the project for public bidding.

Staff recommends amending the agreement with Geomorph Design Group to provide additional services with an additional \$350,000 for this project. The additional services include supplemental engineering design efforts to meet the regulatory permit requirements, bidding and construction support, biological and archeology monitoring and inspections during construction, and post project reporting to permitting agencies. The recommended amendment would bring the total not-to-exceed contract amount to \$500,104 under the existing contract. Combined with the previous professional service agreement of \$99,896, the total compensation to Geomorph Design Group would be \$600,000. The total design and permitting cost for this project is \$634,765, which includes compensation to Geomorph Design Group, interim creek maintenance work, and regulatory permitting fees.

Due to the large volume of construction activities in the City, staff needs the support of consultants for timely construction inspection services. On April 12, 2024, the City issued a Request for Qualifications for professional construction management and inspection services for the City’s capital projects. On May 10, 2024, several consulting firms submitted Statements of Qualification (SOQ). A review panel of Public Works staff reviewed the SOQs and prepared an eligibility list of qualified firms that could perform construction and inspection services on behalf of the City. Staff recommends hiring Marina Construction Management, Inc. (MCM) from the eligibility list to support this project due to their experience working on environmentally sensitive water bodies, with specific experience with and relevant to the City of Mountain View. Staff recommends executing a professional services agreement with MCM for a not-to-exceed amount of \$380,000, to provide construction management and inspection support for the City.

### **Mountain View Whisman School District Cost Sharing Agreement**

City and MVWSD staff worked together to prepare a cost-sharing agreement for the project based on the analysis below.

The engineer’s Opinion of Probable Construction Cost (OPCC) for the repair work is \$3,026,758 for the entire project. The OPCC for the repair work at location C on MVWSD property is \$835,596, which is approximately 27.6% of the total construction costs. City staff proposes that MVWSD be responsible for 27.6% of the total project costs including design, permit, construction, and construction management, as well as a share of City administrative cost. The proposed City and MVWSD cost share is summarized in Table 1.

**Table 1 – Proposed City and MVWSD Cost Share**

	<b>MVWSD</b>	<b>City</b>	<b>Total</b>
<b>Construction Cost Percentage</b>	<b>27.6%</b>	<b>72.4%</b>	<b>100%</b>
<b>Design and Permitting Cost</b>	\$175,239	\$459,526	\$634,765
<b>Construction Management Cost</b>	\$104,906	\$275,094	\$380,000
<b>Construction Cost</b>	\$835,596	\$2,191,162	\$3,026,758
<b>Contingency (10%)</b>	\$83,560	\$219,116	\$302,676
<b>Subtotal</b>	\$1,199,301	\$3,144,897	\$4,344,199
<b>City Administrative Cost (6.5%)</b>	\$77,955	\$204,418	\$282,373
<b>Total</b>	\$1,277,256	\$3,349,316	\$4,626,572

The key terms of the cost-sharing agreement include the following:

- The City will apply for regulatory and access permits and manage the design and construction of the repairs.
- MVWSD is responsible for 27.6% of the total project costs. The cost share percentage is based on the construction costs of the erosion repairs on MVWSD property. The cost-sharing amount is up to \$1,277,256, which includes \$1,115,742 for the project cost, \$77,955 for the City administration cost at 6.5% of the project cost, and \$83,560 for the project contingency at 10% of the project cost.
- If the project costs exceed the current estimates, the City and MVWSD will meet and confer to amend the agreement.
- MVWSD will provide a temporary construction easement to the City for access, staging, and construction activity on MVWSD property.
- The project requires mitigations due to impacts to the creek channel, which are incorporated in the project design and construction. The mitigated areas will require a period of monitoring after construction. City staff will be responsible for the routine monitoring and minor maintenance of the project sites during the monitoring period. When the maintenance requires the support of outside vendors, the cost of the maintenance of these components will be borne by each party based on the costs on each party's property.

### **Next Steps**

If the recommended actions are approved and a responsive bid from a responsible contractor within the project budget is received, construction is anticipated to begin in summer 2026 and be completed in October 2026, to comply with the in-stream construction window as required by the project's environmental regulatory permits. To comply with the United States Army Corps of Engineers Section 404 permit conditions, the City will perform a fish survey before construction starts. If the fish survey identifies Central California Coast steelhead at the construction site, several actions may need to be taken which will have cost and schedule impacts.

### **Environmental Clearance**

In accordance with the California Environmental Quality Act (CEQA), the scope of the Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43 is categorically exempt as Class 4, Minor Alterations to Land, under California Public Resources Code Section 15304. The environmental review did not identify any significant effects that would occur from the project, and the exceptions listed in Section 15300.2 of the CEQA Guidelines were found not to apply to the project. Staff recommends that Council make findings that, in accordance with the CEQA requirements, the Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park

Reach, Project 24-43 is categorically exempt as a Class 4, Minor Alterations, under CEQA Guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations) Section 15304.

### **FISCAL IMPACT**

Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43, is funded with \$3,215,000 from the CIP Reserve Fund, \$200,000 from the Storm Drain Construction Fund, and up to \$1,277,256 from MWVSD (based on the cost-sharing agreement with MVWSD) for a total budget of up to \$4,692,256. There is sufficient budget to support the construction of the Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43.

### **LEVINE ACT**

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html)

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

### **SUBJECT TO THE LEVINE ACT**

Contract or franchise agreement

### **CONCLUSION**

The City is partnering with the MVWSD to repair erosion damages along Stevens Creek adjacent to Whisman Park stemming from the last few years of wet weather events. A cost-sharing agreement will be finalized for the District to cover the cost of the portion of the work on District property. The design documents for Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach, Project 24-43 have been completed, and permits for the project have been received. If the recommended actions are approved and a responsive bid from a responsible contractor within the project budget is received, and pending fish survey results, construction is expected to begin in summer 2026 and be completed by October 2026.

**ALTERNATIVES**

1. Defer construction of Stevens Creek Bank Erosion and Outfall Repairs, Whisman Park Reach.
2. Modify cost-sharing agreement terms.
3. Provide other direction.

**PUBLIC NOTICING—Agenda posting.**

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