



# CITY COUNCIL AGENDA STATEMENT



December 18, 2018

File ID: 18-0539

## TITLE

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PURCHASE OF A 0.45 ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF FIRST AVENUE AND MILAN COURT (APN. 574-410-55) FOR THE CONSTRUCTION OF THE TELEGRAPH CANYON FLOOD CONTROL CHANNEL
  
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE DONATION OF A 7,598 SQUARE FOOT PARCEL LOCATED ON FIRST AVENUE NORTH OF MILAN COURT (APN. 574-410-54) FOR THE CONSTRUCTION OF THE TELEGRAPH CANYON FLOOD CONTROL CHANNEL

## RECOMMENDED ACTION

Council adopt the resolutions.

## SUMMARY

The parcels that are the subject of this action lie in the Telegraph Canyon Channel at the intersection of First Avenue and Milan Court. This section of the channel is undersized and not properly configured to provide 100 year storm protection. In order to make the necessary improvements to this section of the channel it is necessary to acquire the two above mentioned parcels.

## ENVIRONMENTAL REVIEW

The proposed activity has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the activity is not a "Project" as defined under Section 15378 of the state CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Although environmental review is not required at this time, once the scope of potential project(s) has been defined, environmental review will be required for each project and the appropriate environmental determination will be made. Notwithstanding the foregoing, it has also been determined that the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines. Thus, no environmental review is required.

## BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

## **DISCUSSION**

The Telegraph Canyon Channel flood control improvement Project is needed because existing storm water conveyance facilities in the channel are insufficiently sized and configured to convey the 100-year design storm flows. The purpose is to improve the channel to convey the 100-year design storm flows in accordance with the City of Chula Vista's and regulatory agencies' standards. The channel improvements from downstream to upstream consist of four major segments:

- Segment A- South of Third Ave and L St improvements (Engineered Natural Channel)
- Segment B- Concrete Box Culvert improvements along L Street 3rd and L Area
- Segment C- Concrete Box Culverts and Engineered Natural Channel improvements between Country Club Drive and Millan Court 1st & Country Club
- Segment D- Millan Court to Hilltop Park improvements (Engineered Natural Channel)

The subject parcels lie within segment D. The existing channel from the culvert under Country Club Drive upstream through Hilltop Park contains undersized culverts and engineered open channels in poor condition that can result in flooding of property even in small or moderate frequency flow events such as the 5-year event.

Currently, the proposed improvements are to first construct Segment D which is the least cost, and then construct Segments A, B, and C. The project is currently in the 60% design milestone and will subsequently obtain environmental clearance.

The owner of these parcels had been proposing to build a single family residence at this site which would prevent the improvements to the channel unless it was also purchased by the City. After prolonged negotiations with the owner a tentative agreement has been reached. The agreement, subject to the approval of Council by these actions would allow the City to purchase the larger of the two parcels for \$190,000 and the owner would donate the remaining parcel to the City. While the price being paid is higher than the appraised value of the two parcels, staff believes that it outweighs the risk and cost of having to purchase a house and relocate its occupants at a later date.

## **DECISION-MAKER CONFLICT**

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 500 feet of the boundaries of the properties which are the subject of this action. Consequently, these items do not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(11), for purposes of the Political Reform Act (Cal. Gov't Code §87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

## **LINK TO STRATEGIC GOALS**

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The Telegraph Canyon Flood

Control Project supports the Strong and Secure Neighborhoods goal by providing improved flood control protection.

**CURRENT-YEAR FISCAL IMPACT**

All costs associated with the purchase of two parcels will be funded by Telegraph Canyon Drainage DIF funds in CIP DRN0208 – Preliminary Engineering & Environmental Studies. Sufficient Telegraph Canyon Drainage DIF funds are available; therefore there is no additional impact to this Fund.

**ONGOING FISCAL IMPACT**

None

**ATTACHMENTS**

Acquisition Agreement

*Staff Contact: Rick Ryals*