



# CITY COUNCIL AGENDA STATEMENT



May 7, 2019

File ID: 19-0081

## TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MAINTENANCE AND REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TO PROVIDE MAINTENANCE FOR THE BENEFIT OF THE SOUTH BAY RAPID PROJECT

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ADDITION OF 1.0 EQUIPMENT OPERATOR AND 1.0 SENIOR MAINTENANCE WORKER TO THE AUTHORIZED STAFFING COUNT FOR THE PUBLIC WORKS DEPARTMENT TO BE FULLY OFFSET BY CONTRACT REVENUE AND AMENDING THE BUDGET ACCORDINGLY (4/5THS VOTE REQUIRED)

## RECOMMENDED ACTION

Council adopt the resolutions.

## SUMMARY

On January 15, 2019, via Resolution 2019-007, the City Council approved a Joint Use and Maintenance Agreement (JUMA) by and between the City of Chula Vista, the Metropolitan Transit System (MTS), and the San Diego Association of Governments (SANDAG). The agreement outlines the ongoing maintenance responsibilities for the facilities and improvements that were constructed as part of the South Bay Bus Rapid Transit (SBBRT, also known as South Bay *Rapid*) project and, the East Palomar Street/Interstate 805 Direct Access Ramp and Transit Station project. MTS has requested that the City provide the service to perform certain maintenance items on MTS's behalf. Resolution A in this item proposes to approve this agreement between the City and MTS to provide said maintenance activities. Resolution B approves the addition of staff to perform the maintenance activities required of the contract and amend the FY2018-19 budget accordingly.

## ENVIRONMENTAL REVIEW

The proposed Project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the Project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities) and Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Thus, no further environmental review is required.

## BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

## DISCUSSION

The San Diego Association of Governments (SANDAG) has been constructing various transit facilities as part of the South Bay Bus Rapid Transit (SBBRT, also known as South Bay *Rapid*) project primarily along East Palomar Street from Interstate 805 to Orion Avenue. Much of the route includes a dedicated transit guideway separated from the road travel lanes, with a single-lane dedicated bridge crossing over State Route 125. The SBBRT includes physical infrastructure such as pavement, landscaping, and irrigation, as well as an extensive network of traffic control and street lighting systems.

On January 15, 2019, via Resolution 2019-007, the City Council approved a Joint Use and Maintenance Agreement (JUMA) between the City, the Metropolitan Transit System (MTS), and SANDAG. Pursuant to the JUMA, the responsibility for maintaining the physical facilities recently constructed for the SBBRT are divided between the City and MTS. The JUMA allows flexibility for each agency to fulfill their maintenance responsibilities by using their own employees or contractors. MTS has requested to contract with the City to provide the service to perform certain maintenance responsibilities identified as MTS obligations in the JUMA (Attachment 1b).

Per the JUMA, MTS is responsible for maintaining the SBBRT Guideway as well as various storm water facilities along the SBBRT. MTS' maintenance obligations include, but are not limited to, the following:

- Street sweeping
- Street maintenance (pothole repairs and removal of debris)
- Graffiti eradication
- Striping pavement markers and sign replacement
- Inspection and cleaning of the storm drain system and permanent treatment control Best Management Practices (BMPs) including:
  - Bioretention areas
  - Drainage inlets and filter inserts
  - CDS units
  - Modular wetland systems, underground detention vaults, and underground infiltration units

The services, to be provided by the City, are described in further detail in Exhibit C of the South Bay Bus Rapid Transit Maintenance Agreement (Attachment 1c).

Staff is requesting the addition of 1.0 Equipment Operator and 1.0 Senior Maintenance Worker to perform the agreed to maintenance activities. The requested additional position costs will be offset by revenues received from MTS, as they will reimburse the City for all costs related to the maintenance performed by the City. The City will invoice MTS, on a quarterly basis, for the work performed in connection with this Agreement. This includes all anticipated applicable costs such as salaries and wages, overhead, travel, materials and supplies, subcontract costs, and fixed fees.

### **DECISION-MAKER CONFLICT**

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), 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 Councilmember, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

### **CURRENT-YEAR FISCAL IMPACT**

Approval of Resolution B will result in the addition of 1.0 Equipment Operator and 1.0 Senior Maintenance Worker to the Public Works Department and is estimated at \$28,860 in the current year. This cost is fully offset by revenues. There is no estimated current year fiscal impact to the General Fund. MTS will reimburse the City for costs associated with maintaining the SBBRT improvements as defined in this agreement. The addition of the positions is contingent on the execution of the agreement.

### **ONGOING FISCAL IMPACT**

The ongoing salary costs associated with the proposed additions is estimated at \$208,430 per fiscal year. It is anticipated that the purchase of a truck with an arrow board will be necessary at an estimated cost of \$65,000. Equipment and staffing costs, as well as the offsetting revenues, will be incorporated into the ongoing budget of the Public Works Department. There is no estimated ongoing fiscal impact to the General Fund. The cost of maintaining the SBBRT improvements, will be reimbursed to the City by MTS. The positions would be eliminated, should the agreement with MTS be terminated.

### **ATTACHMENTS**

Attachment 1 – South Bay Bus Rapid Transit Maintenance Agreement

Attachment 1a – South Bay Bus Rapid Transit Maintenance Agreement – Exhibit A

Attachment 1b – South Bay Bus Rapid Transit Maintenance Agreement – Exhibit B

Attachment 1c – South Bay Bus Rapid Transit Maintenance Agreement – Exhibit C

Attachment 1d – South Bay Bus Rapid Transit Maintenance Agreement – Exhibit D

*Staff Contact: Kalani Camacho, Public Works Superintendent*