



# CITY COUNCIL AGENDA STATEMENT



May 26, 2020

File ID: 20-0160

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN; AMENDING THE FISCAL YEAR 2019/20 CIP PROGRAM BUDGET BY ESTABLISHING NEW CIP PROJECTS, "CORRUGATED METAL PIPE EMERGENCY REPAIR (MEASURE P)" (DRN0216), "FIRE STATION PLYMOVENT EXHAUST (MEASURE P)" (GGV0251), "FIRE STATION #1 REPAIR/REPLACE (MEASURE P)" (GGV0252), AND "FIRE STATION ALERTING SYSTEM (MEASURE P)" (GGV0253); AND MAKING VARIOUS AMENDMENTS TO THE FY2019/20 CIP PROGRAM BUDGETS AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

On November 8, 2016, Chula Vista voters approved Measure P, authorizing a one-half cent sales tax increase on retail sales within the City for a period of ten (10) years to repair failed or failing assets throughout the city. Staff recommends (1) amending the Infrastructure, Facilities, and Equipment Expenditure Plan, (2) amending the FY 2019/20 Capital Improvement Program budget by establishing new CIP projects DRN0216, GGV0251, GGV0252, and GGV0253, and (3) making various amendments to the FY 2019/20 Capital Improvement Program accelerating the repair and replacement of critical assets.

## **ENVIRONMENTAL REVIEW**

The Director of Development Services has reviewed the proposed projects for compliance with the California Environmental Quality Act (CEQA) and has determined that the projects qualify for exemption pursuant to State CEQA Guidelines Section 15269(b) (Emergency Projects), Section 15301 Class 1 (Categorical Exemption for Existing Facilities), Section 15302 Class 2 (Categorical Exemption for Replacement or Reconstruction), Section 15303 class 3 (Categorical Exemption for New Construction or Conversion of Small Structures), Section 15304 Class 4 (Categorical Exemption for Minor Alterations to Land), and Section 15061(b)(3) because the proposed projects would not result in a significant effect on the environment, create a cumulative impact, damage a scenic highway, or cause a substantial adverse change in the significance of a historical resource. Thus, no further environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

At the Citizens' Oversight Committee (COC) meeting held on April 30, 2020, City staff presented the amended Infrastructure, Facilities and Equipment Expenditure Plan, which reflected year-to-date allocations. The COC reviewed the amended plan, the proposed allocation, and recommended it be taken to the City Council for approval.

## **DISCUSSION**

### Storm Drain Emergency Repair

There is an ongoing threat of Corrugated Metal Pipe (CMP) failures within the City's storm drain system. Historically, a significant rain event can drastically deteriorate CMP and abruptly change the recognized status of not being an imminent threat of failure to becoming an unforeseen failure. Such failures would create sink holes that have the potential to cause damage to public and private property and endanger the health, safety, and general welfare of the community.

The City has recently encountered multiple CMP failure locations that have been addressed by Construction Change Orders (CCO's) through current CIP projects in construction with similar scopes and available contingency funds. This is a method, however, that cannot be relied upon to sustainably address CMP failure issues as they arise.

This has prompted City staff to propose the establishment of the "Corrugated Metal Pipe Emergency Repair" (DRN0216) CIP project that will be dedicated to addressing future emergency CMP failures. By having a funded CIP project readily available, emergency failures can be addressed directly by this project. The proposed project will also eliminate the need to coordinate with other storm drain CIP projects for change orders to complete construction based on funding availability.

Due to the varied nature of CMP rehabilitation work, all failure locations will be procured on a Time and Materials basis or through competitive bidding; City staff will determine the best option based on the failure situation and in order to obtain the lowest cost. Construction contracts will be authorized pursuant to Chula Vista Municipal Code 2.56.100 or through typical construction contract award procedures which will also depend on the failure situation being addressed.

### Max Field/Loma Verde Accessibility Study

Additional funds are required to provide Survey Topo via drone to assist the City's consultant in providing a more accurate alignment for the future bridge structure. Also, further analysis and recommendations from the City's On-Call Geotechnical consultants are needed for the eroding slope/retaining wall restoration which was not considered in the initial scope of the project.

### Fire Station Repairs

Funds are being reallocated to complete a general renovation of identified facility assets including: fuel tank replacement, alerting system repair/replacement, and plymovent exhaust repair/replacement.

Park Infrastructure.

Additional funds are needed to repair or replace park assets that have failed or reached the end of their life cycle including: play structures, playground surfacing, barbeque grills, tables, benches, trash receptacles, drinking fountains, lighting, signage, and gazebos.

Infrastructure, Facilities, and Equipment Expenditure Plan.

The City Council adopted the Infrastructure, Facilities and Equipment Expenditure Plan (Plan) on December 6, 2016, relating to the expenditure of the Measure P Sales Tax. Staff has determined amending the Plan to include the emergency storm drain repairs is compliant with the Measure P guidelines and is urgent due to the nature of the failures. Both of these projects, Recreation and Senior Centers Repairs category (GGV0247) and the Other Infrastructure (storm drain) category (DRN0216) were approved and funded as part of the Plan. Based on timing, staff proposes to reduce the Recreation and Senior Centers Repairs category (GGV0247) by \$400,000 (reduction in current year) which will be reallocated (increased to original amount) in the future from revenue that had been set for Other Infrastructure (storm drain) category. This reduction will not impact the design of the Loma Verde Recreation Center as sufficient funding is available in that project to proceed with design. The scope of emergency storm drain repairs is compliant with the Measure P commitment of fixing failed Corrugated Metal pipe outside of the public right of way.

Some other Measure P projects are in a longer design phase and do not need construction funding at this time. Staff is requesting amendments to the FY 2019/20 CIP budget to accelerate delivery of Fire Station repairs, park infrastructure repairs, and completion of the Max Field/Loma Verde accessibility study. Primarily, the amendments only reallocate funding associated with Fire projects. The amended Plan and various expenditure categories are summarized below:

ITEM DESCRIPTION	DEPARTMENT	PRIOR MEASURE P ALLOCATION	FY 2019-20 REQUESTED ADJUSTMENT	NEW FY 2019-20 ALLOCATION
Recreation & Senior Centers Repairs (GGV0233/GGV0247)	Public Works	\$ 4,651,000	\$ (400,000)	\$ 4,251,000
CMP Rehab Outside ROW (DRN0209/DRN0211/DRN0216)	Eng & Capital Proj	\$ 8,941,000	\$ 400,000	\$ 9,341,000
Fire Station 2 Fueling Tank Replacement (GGV0242)	Fire	\$ 761,660	\$ (344,340)	\$ 417,320
Fire Station Plymovent Exhaust (GGV0251)	Fire	\$ -	\$ 100,000	\$ 100,000
Fire Station 1 Repair/Replacement (GGV0252)	Fire	\$ -	\$ 244,340	\$ 244,340
Fire Station 2 Fueling Tank Replacement Phase II (GGV0243)	Fire	\$ 760,000	\$ (561,548)	\$ 198,452
Fire Station Alerting System (GGV0253)	Fire	\$ -	\$ 561,548	\$ 561,548
Max Field/Loma Verde Assessibility Study (PRK0333)*	Eng & Capital Proj	\$ 100,000	\$ 20,000	\$ 120,000
Park Infrastructure (PRK0326)*	Public Works	\$ 4,037,654	\$ 41,062	\$ 4,078,716
	<b>TOTALS</b>	<b>\$ 19,251,314</b>	<b>\$ 61,062</b>	<b>\$ 19,312,376</b>

\*Appropriate from Fund Balance.

Emergency Contract Change Orders.

On July 17, 2018, City Council awarded a construction contract to Spiniello Companies for the CMP Rehabilitation Outside the Right of Way Phase II Project (DRN0211), funded by Measure P. Due to an unexpected pipe failure and sinkhole requiring extensive emergency repairs, including unanticipated

repairs to the public right of way along Energy Way, cost increases to the project exceed the approved contingencies.

On December 31, 2019, a sinkhole was discovered at a recycled aggregate processing and storage facility operated by Pavement Recycling Systems Inc. at 855 Energy Way. Although the sinkhole was within a City of Chula Vista drainage easement outside the public street Right of Way, the sinkhole caused significant damage to the adjacent public right-of-way along Energy Way.

The City engaged Spiniello Companies on an emergency basis to begin the repair work. Excavation was done to determine the scope of the pipeline repair work and repairs needed for the slope supporting Energy Way. The damage in the public street Right of Way along Energy Way was more extensive than initially anticipated, so additional funds are required. The estimated cost to repair the public street Right of Way along Energy Way is expected to be \$200,000, which includes contingency. Staff recommends transferring \$200,000 in Gas Tax from DRN0205 - CMP Rehabilitation in ROW to DRN0211.

#### **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under 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.

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

Approval of the resolution will (1) amend the Infrastructure, Facilities, and Equipment Expenditure Plan, and (2) amend the FY 2019/20 Capital Improvement Program budget by establishing new CIP projects DRN0216, GGV0251, GGV0252, and GGV0253, and (3) make various amendments to the FY 2019/20 Capital Improvement Program accelerating the repair and replacement of critical assets.

#### **ONGOING FISCAL IMPACT**

Upon completion of the repairs, improvements will only require routine maintenance and inspection services.

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