



# CITY COUNCIL AGENDA STATEMENT



February 16, 2021

File ID: 20-0550

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT USE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE CITY OF CHULA VISTA FOR THE COLOCATION OF AN EXISTING CITY OF SAN DIEGO SOUTH METRO INTERCEPTOR SEWER PIPELINE IN A SEGMENT OF E STREET

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

The proposed Joint Use Agreement between the City of San Diego and the City of Chula Vista is for the colocation of the City of San Diego's existing 78-inch San Diego South Metro Interceptor Sewer Pipeline located in the extension of E Street in the City of Chula Vista. The E Street extension was constructed as part of the Costa Vista RV Park Resort development in the City of Chula Vista Bayfront planning area. The agreement sets forth both Cities' respective rights and obligations for the construction, operation, and maintenance of their respective facilities within the Joint Use Area as depicted in Exhibit B of the Joint Use Agreement (Attachment 2).

## **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. In addition, 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 City of San Diego is engaged in the activity of conveying wastewater to the environs of the City of San Diego. The City of San Diego owns, operates, and maintains the existing 78-inch San Diego South Metro Interceptor Sewer Pipeline commonly known as San Diego South Metro Interceptor ("SDSMI"), located within an existing City of San Diego easement and within a new segment of E Street between Bay Blvd and I-

5 Interchange to be constructed as part of the Bayfront RV Resort development Project. No realignment of the existing SDSMI trunk sewer is required.

Sun Communities, Inc. is the developer of the Costa Vista RV Park Resort development. Sun Communities wishes to develop the project as approved on September 18, 2019 pursuant to the San Diego Unified Port District Coastal Development Permit, Document No. 70332, which includes constructing the E Street Segment. As a condition of approval, Sun Communities is required to construct the Street Segment, E Street, over the Easement as described on Exhibit "A" and depicted on Exhibit "B", of the Joint Use Agreement (Attachment 2).

Sun Communities has constructed, and Chula Vista will operate and maintain the Street Segment, E Street, a future public transportation facility and related improvements. The Street Segment, E Street includes but is not limited to: landscape, sewer and storm drain pipelines and appurtenances; traffic signals and signal interconnections; along with other improvements located in, upon, over, under and across the Street Segment.

The City of San Diego's Public Utilities Department will continue to operate and maintain the SDSMI and associated facilities and appurtenances for such purpose, under and across the Street Segment.

The intent of the Joint Use Agreement is to set forth both Cities' respective rights and obligations for the construction, operation and maintenance of their respective facilities within the Joint Use Area.

#### **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 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**

All costs associated with the negotiation and preparation of the proposed Agreement are borne by the developer, resulting in no net fiscal impact to the General Fund or the Development Services Fund.

#### **ONGOING FISCAL IMPACT**

Maintenance costs of the Street Segment will be the responsibility of the City of Chula Vista. Maintenance costs of the existing 78-inch San Diego South Metro Interceptor Sewer Pipeline will be the sole responsibility of the City San Diego.

#### **ATTACHMENTS**

Attachment No. 1: Location Map

Attachment No. 2: Joint Use Agreement

*Staff Contact: Boushra Salem, Principal Civil Engineer, Development Services department*