



CITY COUNCIL AGENDA STATEMENT



May 5, 2020

File ID: 19-0570

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2019/20 CIP PROGRAM BUDGET BY ESTABLISHING A NEW CIP PROJECT, "WILLOW STREET BRIDGE REPLACEMENT PROJECT - ENVIRONMENTAL MITIGATION COMPLIANCE" (STL0444); AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

Construction of the "Phase II - Willow Street Bridge Replacement Project" (STL0261) is complete and habitat mitigation monitoring, reporting and maintenance for Year 1 of the required 5-Year Maintenance Period is currently underway and is set to end on June 30, 2020.

The scope of work for the proposed CIP Project, "Willow Street Bridge Replacement Project - Environmental Mitigation Compliance" (STL0444), will be the continuation of said habitat mitigation monitoring, reporting and maintenance services for the remaining Year 2 through Year 5 period; these services shall commence on June 30, 2020 and end on July 1, 2024.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the proposed action(s) were adequately covered in previously adopted Final Mitigated Negative Declaration and associated Addenda 1, 2 and 3 for the Phase II - Willow Street Bridge Replacement Project. Pursuant to the California Environmental Quality Act (CEQA) on November 14, 2011 the City, acting as Lead Agency, approved IS-10-006. Thus, no further CEQA environmental review or determination is required. In addition, the Director of Development Services has reviewed the proposed project for compliance with the National Environmental Policy Act (NEPA) in conjunction with the California Department of Transportation (Caltrans), the state department designated as Lead Environmental Agency by the U.S. Department of Transportation, Federal Highway Administration (FHWA) for federally funded street projects. It was determined that the Project qualifies for a Categorical Exclusion pursuant to Title 23 Code of Federal Regulations (CFR) Section 771.117(d); activity:(d)(1) [Modernization of a Street by resurfacing, restoration, rehabilitation or reconstruction]. Thus, no further NEPA environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

As required by the “Compensatory Mitigation and Monitoring Plan (CMMP) for the Willow Street Bridge Replacement Project”, dated December 2012, (Attachment “1”) the City is required to implement a mitigation monitoring, reporting and maintenance program that will successfully revegetate and restore the temporary impact areas to the native habitats and jurisdictional resources that were originally present in these areas prior to the bridge replacement project. In order to demonstrate successful restoration, said program shall extend for a period of at least 5 years upon completion of the bridge replacement construction.

Year 1 of the program started in July 2019 and was included with the “Phase II – Willow Street Bridge Replacement Project” (STL0261) [Federal Project No. BHLS-5203(016)] that was awarded by City Council on January 17, 2017 by Resolution 2017-014 as part of the bridge construction project.

Year 2 through Year 5 of the mitigation monitoring, reporting and maintenance program will be included with the proposed “Willow Street Bridge Replacement Project - Environmental Mitigation Compliance” (STL0444) [Federal Project No. BRLS-5203(042)] and will be comprised of the remaining program period from July 2020 to June 2024. The maintenance plans for the project were prepared in adherence with the project CMMP and shall be complied with during the entire program period.

During the program period, all mandatory reporting for the permitting agencies shall be filed in accordance with their requirements and at the end of the 5th year it shall be verified that the site has met all success criteria. Additionally, all final reports shall be appropriately filed and approved by the permitting agencies before completion of the project.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found no real property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Further, to the extent that any decision would have a reasonably foreseeable financial effect on any member’s real property, the effect would be nominal, inconsequential, or insignificant. Consequently, pursuant to California Code of Regulations Title 2, sections 18700 and 18702(b), this item does not present a real property-related 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

The approval of this Resolution will create a new CIP project, “Willow Street Bridge Replacement Project - Environmental Mitigation Compliance” (STL0444) and will transfer \$222,940 in TDIF funds and \$177,060 in HBP funds from STL0261 to STL0444. Sufficient funds are available for said transfers; therefore, there is no additional impact to the TDIF and HBP Funds.

ONGOING FISCAL IMPACT

None.

ATTACHMENTS

1. Compensatory Mitigation and Monitoring Plan (CMMP), dated December 2012

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