



CITY COUNCIL AGENDA STATEMENT



August 25, 2020

File ID: 20-0329

TITLE

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE SEWER SERVICE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR OTAY LAKES COUNTY PARK
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE ISSUANCE OF AN ENCROACHMENT PERMIT TO THE COUNTY OF SAN DIEGO FOR THE OTAY LAKES COUNTY PARK PROJECT
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A LICENSE AGREEMENT WITH THE COUNTY OF SAN DIEGO FOR THE OTAY LAKES COUNTY PARK PROJECT

RECOMMENDED ACTION

Council adopt the resolutions.

SUMMARY

The Sewer Service Agreement for the Otay Lakes County Park is being amended as a request from the County of San Diego to reflect a revised alignment to the sewer main that will serve the park site. The two alignment alternatives in the original agreement were determined to be infeasible by consultant evaluations. The new proposed alignment requires an encroachment permit since the dual sewer force mains will be constructed within the public right-of-way of Wueste Road. In addition, a license agreement with the County of San Diego is required to allow the County to construct portion of their sewer facilities within the City owned Chula Vista Elite Athlete Training Center (formerly known as the Olympic Training Center) to connect to the public sewer.

ENVIRONMENTAL REVIEW

The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15303 class 3 (New Construction or Conversion of Small Structures), Section 15317 Class 17 (Open Space Contracts or Easements), Section 15301 Class 1 (Existing Facilities), and Section 15332 Class 32 (In-Fill Development Projects).

DISCUSSION

On September 25, 2018, the City Council adopted Resolution 2018-198 where it approved the Sewer Service Agreement Between City of Chula Vista and The County of San Diego For Otay Lakes County Park (“Original Agreement”) for the City to provide sewer service to the property located at 2270 Wueste Road, Chula Vista where it houses the Otay Lakes County Park (“Park”). Currently, the Park is serviced by a septic tank that is ineffective in meeting current and future demands.

In the Original Agreement (Attachment 1), it was stated that the County is going to be responsible for the design, construction, and maintenance of a sewer lateral and all other sewer infrastructure to convey sewer flows from the Park to the point of connection to the existing Salt Creek Trunk Sewer. In addition, two alternatives with a slight variation on one of them to the sewer lateral were initially proposed, all within the Salt Creek Sewer Basin and the Otay Ranch Preserve open space areas (Attachment 1 – Exhibit “B”).

As work proceeded in the design of the sewer lateral, the County of San Diego’s consultant, Michael Baker International, was hired to prepare a feasibility study of the sewer alignment alternatives. The consultant presented its findings in the report titled *“Otay Lakes County Park Sewer/Septic Feasibility Study for the County of San Diego Department of Parks and Recreation”* dated February 7, 2020. The following is a brief description of each alternative:

- Alternatives 1A and 1B – Offsite force main alignments coupled with common collection system and lift station improvements and onsite force main to allow the collection and conveyance of sanitary flows from the Park site northwesterly through the Otay Ranch Preserve to the City of Chula Vista Salt Creek Interceptor. Alternatives 1A and 1B are refinements of an initial Alternative 1 alignment that would have required parallel encroachment within the existing San Diego County Water Authority (SDCWA) Aqueduct right-of-way that traverses the Preserve. Alternatives 1A and 1B eliminate parallel encroachment impact to SDCWA, but were found to require greater environmental mitigation.
- Alternative 2 – Offsite force main alignment coupled with common collection system and lift station improvements and onsite force main to allow the collection and conveyance of sanitary flows from the park site northerly along Wueste Road to a sewer main located within the southerly portion of the Chula Vista Elite Athlete Training Center (CVEATC). This alternative to provide a 2-1/2 – inch diameter force main with a redundant parallel one was found to have minimal environmental impact.
- Alternative 3 – Common collection system improvements including new sewers for conveyance and discharge of sanitary flows to onsite septic disposal systems. The existing septic tanks or onsite wastewater treatment systems (OWTS) would need to be updated with supplemental treatment systems (STS) and upgraded leach fields, in accordance with the County’s Local Area Management Plan (LAMP) requirements, to meet the future onsite wastewater generation needs.

The result of geotechnical borings and percolation testing revealed poor drainage characteristics that render Alternative 3 unable to meet County requirements for installation of an OWTS. Therefore,

Alternative 3 was eliminated from further consideration. Alternatives 1A, 1B, and 2 were analyzed based on: capital costs; permitting and environmental; land/right-of-way/easement requirements and overall feasibility. Alternative 2 had a higher capital cost over Alternatives 1A and 1B, but it was determined that Alternative 2 would not impact environmentally sensitive areas like Alternative 1A and 1B and would be easier to construct since the alignment would follow the existing Wueste Road to an existing driveway on the CVEATC site. For these reasons, the consultant recommended the County to go forward with the construction of the sewer lateral using Alternative 2. For the proposed sewer lateral alignment, see Attachment 2.

It is planned that the sewer lateral will originate at the Park going north along Wueste Road requiring an encroachment permit for the use of the right-of-way (see Attachment 3), and turning west to the driveway of the CVEATC to connect to an existing sewer manhole that links to the Salt Creek Trunk Sewer. Because the final segment of the sewer lateral will be constructed within the CVEATC, the County will need to enter into a License Agreement with the City, so they have the right to enter the property for the construction and later for the maintenance of their facilities (see Attachment 4).

Per request of the County of San Diego, the Original Agreement is being amended to reflect the revised alignment through Wueste Road to the CVEATC campus southerly access road and to include the requirements of an encroachment permit for the use of public right-of-way for Wueste Road and a License Agreement for the use of portion of the driveway of the CVEATC (Attachment 5).

Currently, the County has not finished the engineering design for the sewer lateral but has requested that the City expedite the approval of permits to facilitate the County meeting their aggressive construction schedule. To accommodate the County's request, city staff recommends that City Council: (1) approve the changes to the Original Agreement reflected in the First Amendment to the Sewer Service Agreement between the City of Chula Vista and the County of San Diego for Otay Lakes County Park (Attachment 5); (2) authorize the City Engineer to issue the encroachment permit; (3) approve the general terms and conditions of the proposed License Agreement with the County of San Diego; and authorize the City Manager (or designee) to finalize and execute the License Agreement and all documents in conjunction with implementing the License Agreement, including making such changes to the License Agreement and documents as may be recommended by the City Attorney's Office.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found that Councilmember Padilla has real property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. However, to the extent that any decision would have a reasonably foreseeable financial effect on the 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

There is no direct impact to the General Fund as the County of San Diego has established a deposit account to cover staff time for the review and approval of documents related to the project.

ONGOING FISCAL IMPACT

The project and future services provided will have no general fund impact, since the maintenance of the proposed sewer infrastructure will be done by the County of San Diego. The wastewater fund will be receiving additional revenues that will be included in future budgets for payment of sewer service to the County's property.

ATTACHMENTS

- Attachment 1: Sewer Service Agreement Between City of Chula Vista and County of San Diego for Otay Lakes County Park
- Attachment 2: Proposed Sewer Lateral Alignment to Serve the Otay Lakes County Park
- Attachment 3: Proposed Encroachment Permit
- Attachment 4: License Agreement
- Attachment 5: First Amendment to the Sewer Service Agreement Between City of Chula Vista and County of San Diego for Otay Lakes County Park

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