



CITY COUNCIL AGENDA STATEMENT



August 13, 2019

File ID: 19-0389

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 OPERATING AND CIP PROGRAM BUDGET TO PROVIDE ADDITIONAL FUNDING FOR THE CORRUGATED METAL PIPE DRAINAGE REHABILITATION PROJECT (DRN0211); 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.

On July 17, 2018 the City Council awarded a construction contract to Spiniello Companies for the Storm Drain Corrugated Metal Pipe Rehabilitation Outside the Right of Way Phase II project, CIP Number DRN0211 (Project), funded by Measure P. The Project scope initially included 38 “additive” locations requiring rehabilitation of corrugated metal pipe (CMP) as shown in Attachment 1. However, funding for this work was not available or authorized by the City Council at the time of contract award. The proposed action would appropriate an additional \$2 million to the DRN0211 project budget and the City Engineer would then be authorized, pursuant to Chula Vista Municipal Code Section 2.56.160.C.2, to approve a construction contract change order to include the rehabilitation at the 38 additional CMP locations.

ENVIRONMENTAL REVIEW

The City’s Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities), Section 15302 Class 2 (Replacement or Reconstruction), and Section 15303 class 3 (New Construction or Conversion of Small Structures) because the proposed project 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

The Measure P Citizens' Oversight Committee (COC) held a regular meeting on July 25, 2019 that included an action item where City staff presented the proposed amendment to the Infrastructure, Facilities and Equipment Expenditure Plan to allow the rehabilitation of the 38 CMP additional locations on contract DRN0211 (see Attachment 2). The COC unanimously recommended City Council approval of the amendment.

DISCUSSION

On November 8, 2016, Chula Vista voters approved Measure P, authorizing a temporary sales tax increase within the City to fund projects focused on repairing failing infrastructure. A portion of the sales tax revenues generated are being allocated to address failing corrugated metal pipe (CMP) outside of the right-of-way since these locations cannot be funded with Gas Tax or Transnet funds.

Portions of the CMP in the City's storm drain system have reached the end of their service life and are in need of rehabilitation. Currently, Measure P Project DRN0211 is in construction and is rehabilitating the storm drain piping outside the right of way that is considered in critical need of rehabilitation. The Project was advertised with an "additive" list of 38 locations that could have been added to the contract at award if very low bids were received. Since the actual low bid was close to the Engineers Estimate, no funding was available for the additional locations at the time of award of the contract.

The design for the additional locations is complete and the unit bid prices are provided by the contractor in the original bid submittal. As such, staff recommends amending the Infrastructure, Facilities and Equipment Expenditure Plan (Plan) to provide additional funding to DRN0211 to allow the rehabilitation of the additional 38 CMP locations under the current project. After such funds are appropriated, the City Engineer would be authorized, pursuant to Chula Vista Municipal Code Section 2.56.160.C.2, to approve a contract change order for DRN0211 to timely complete the rehabilitation on these critical CMP locations to prevent failure and potential flooding and property damage.

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 from the Fire, Finance, Engineering and, Public Works Departments conferred to determine opportunities to revise current and future Plan proposed allocations that minimize/eliminate impacts on any category. The agreed upon plan would lease, in lieu of purchasing, Fire Apparatus in the current fiscal year. Leasing would not cause an impact to Fire service overall. Accordingly, Staff is requesting amendments to the Plan and the FY 2019/20 CIP budget to accelerate the rehabilitation of the 38 additional CMP locations and reduce the risk of failure. The amendments only revise the timing of funding availability for the Fire vehicle category and do not alter the total projected funding amount. The amended amount (reduction in current year) would be reallocated (increased to original amount) in the future from revenue that had been set for CMP rehabilitation. The amended Plan and expenditure categories are summarized below.

ITEM DESCRIPTION	DEPARTMENT	PRIOR	FY 2019-20	NEW FY 2019-20
		MEASURE P ALLOCATION	REQUESTED ADJUSTMENT	ALLOCATION
Measure P Sales Tax Fund - Vehicles	Fire	\$ 7,549,680	\$ (2,000,000)	\$ 5,549,680
CMP Rehab Outside ROW Phase II (DRN0211)	Eng & Capital Proj	\$ 5,354,000	\$ 2,000,000	\$ 7,354,000
TOTALS		\$ 12,903,680	\$ -	\$ 12,903,680

Staff recommends amending the Infrastructure, Facilities, and Equipment Expenditure Plan; making adjustments to the FY 2019/20 Capital Improvement Program (CIP) for appropriations needed to fund the additional work; and, authorize the City Engineer to execute the contract documents.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and determined the decision solely concerns repairs, replacement or maintenance of existing streets, water, sewer, storm drainage or similar facilities, and the Council Members' properties will not be affected disproportionately to other properties receiving the same services. Consequently, pursuant to California Code of Regulations Title 2, sections 18700 and 18702.2(d)(1), this item does not present a real property-related conflict of interest under the Political Reform Act (California Government 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 Operating and Capital Improvement Program budgets and amending the Infrastructure, Facilities and Equipment Expenditure Plan, accelerating the repair and replacement of critical assets.

ONGOING FISCAL IMPACT

Upon completion of the project, the improvements will require routine City storm drain maintenance. Since the improvements are anticipated to increase the life of the CMP, there should be a positive long term fiscal impact.

ATTACHMENTS

1. List of Additional Locations
2. Infrastructure, Facilities, and Equipment Expenditure Plan July 2019 Revision