



CITY COUNCIL AGENDA STATEMENT



January 15, 2019

File ID: 18-0503

TITLE

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT USE AND MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA, THE METROPOLITAN TRANSIT SYSTEM, AND THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ASSIGNING RESPONSIBILITY FOR THE MAINTENANCE OF IMPROVEMENTS ASSOCIATED WITH THE SOUTH BAY BUS RAPID TRANSIT LINE

- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO ASSOCIATION OF GOVERNMENTS, THE CITY OF CHULA VISTA, AND THE METROPOLITAN TRANSIT SYSTEM REGARDING RAPID TRAFFIC SYSTEMS OPERATIONS ASSOCIATED WITH THE SOUTH BAY BUS RAPID TRANSIT LINE

- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE METROPOLITAN TRANSIT SYSTEM FOR THE MAINTENANCE OF THE EAST PALOMAR STREET TRANSIT STATION STREET IMPROVEMENTS

- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2018/2019 OPERATING BUDGET FOR THE DEPARTMENT OF ENGINEERING AND CAPITAL PROJECTS' SUPPLIES AND SERVICES (\$163,000) AND UTILITIES (\$17,000) EXPENSE CATEGORIES BASED ON UNANTICIPATED REVENUE (\$180,000) ASSOCIATED WITH THE JOINT USE AND MAINTENANCE AGREEMENT AND RAPID TRAFFIC SYSTEMS MEMORANDUM OF UNDERSTANDING (4/5 VOTE REQUIRED)

RECOMMENDED ACTION

Council adopt the resolutions.

SUMMARY

The resolutions in this item propose to approve the Joint Use and Maintenance Agreement (JUMA) and the Memorandum of Understanding (MOU) Regarding Rapid Traffic Systems Operations, and the Maintenance Agreement (MA) for the East Palomar Street Transit Station Street Improvements by and between the City of Chula Vista (City), the Metropolitan Transit System (MTS), and the San Diego Association of Governments (SANDAG). The two agreements, JUMA and MA, delineate the ongoing maintenance responsibilities for the facilities and improvements that were constructed as part of the South Bay Bus Rapid Transit (SBBRT, also known as South Bay *Rapid*) project and, the East Palomar Street/Interstate 805 Direct Access Ramp and Transit Station project. The MOU delineates and assigns the responsibilities and activities required by the three aforementioned parties to operate and maintain the Traffic Systems for the SBBRT. The JUMA and MOU also address the funding responsibilities for operation and maintenance activities between the City, SANDAG, and MTS, as applicable.

ENVIRONMENTAL REVIEW

This activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3), no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

South Bay Bus Rapid Transit

The San Diego Association of Governments (SANDAG) has been constructing various transit facilities as part of the South Bay Bus Rapid Transit (SBBRT, also known as South Bay *Rapid*) project primarily along East Palomar Street from Interstate 805 to Orion Avenue. The SBBRT facilities include bus stations along its alignment following East Palomar Street and Otay Ranch Town Center before turning into the Millenia development and terminating at Orion Avenue. Much of the alignment includes a dedicated transit guideway separated from the road travel lanes, with a single-lane dedicated bridge crossing over State Route 125. In addition to the physical infrastructure such as pavement, landscaping, and irrigation, the SBBRT facilities are served by an extensive network of traffic control and street lighting systems.

The agreements to be executed by approval of these resolutions are the result of several years of collaboration between the City, SANDAG, and MTS to develop an operations and maintenance plan that all parties can approve. The City provided SANDAG and MTS with the most recent drafts for their review and comments in June 2018, and the agreements presented in this item reflect the assigned responsibilities to which all parties have agreed. Currently, the City, SANDAG, and MTS are negotiating the appropriate format for the JUMA and MOU; therefore, the resolutions in this item, which authorize approval of the agreements, authorize the Mayor to execute revised versions of the agreements incorporating additional minor modifications that may be requested by SANDAG or MTS, or as determined by the City Attorney to be necessary or appropriate for legal compliance or risk mitigation.

Joint Use and Maintenance Agreement for South Bay Bus Rapid Transit Route (Resolution A)

The responsibility for maintaining the physical facilities recently constructed for the SBBRT are divided between the City and MTS. Improvements constructed exclusively for SBBRT bus use (i.e. dedicated guideway) or operational need (i.e. transit signal priority systems) are primarily the responsibility of MTS. The City primarily maintains the areas open to public which is very similar to what existed prior to construction of the SBBRT (i.e. public road, sidewalk, signals). The JUMA's Exhibit A provides detailed drawings of the areas of responsibility. A significant number of intersections required the installations of Traffic Signals. The City will be reimbursed for the maintenance and utility costs for these new signals through this agreement. The agreement includes SANDAG and identifies items eligible for Transnet funding and reimbursement procedures.

The JUMA allows flexibility for each agency to fulfill their responsibilities by using their own employees or contractors. Additionally, MTS could request that the City provide the service to perform some or all of their responsibilities in the JUMA. A separate agreement would be negotiated to establish terms of such an arrangement and would be brought before Council for approval at a future time.

Rapid Transit Systems Operations Memorandum of Understanding (Resolution B)

The MOU defines each agencies responsibility for operating, maintaining and reporting the SBBRT Transit/Traffic Systems. The City responsibilities for operations will primarily be carried out by the Traffic Engineering Branch of the Department of Engineering and Capital Projects. The MOU, as with the JUMA, identifies the new efforts required by all parties and allows for reimbursement using Transnet funds. To implement the reimbursement procedure defined in the JUMA and MOU, Resolution D proposes to appropriate funds from the General Fund to the Traffic Engineering Branch to temporarily fund operations and maintenance activities for SBBRT facilities until reimbursement is received. The City intends to invoice for reimbursement on a quarterly basis. Reimbursements would be deposited to the General Fund.

Maintenance Agreement for the Palomar Street Transit Station (Resolution C)

This Maintenance Agreement delineates the maintenance responsibilities between the City and MTS for the East Palomar Transit Station improvements recently constructed in the City right of way. Primarily, MTS is responsible for the station Monument Sign, transit stop area and amenities, enhanced landscape areas and associated water and irrigation systems. The City is responsible for the public street and sidewalk improvements.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 500 feet of the boundaries of the segments of City right-of-way that are 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)(11), for purposes of the Political Reform Act (Cal. Gov't Code §87100,et seq.).

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The proposed resolution supports the Strong and Secure Neighborhoods and Connected Community goals as it establishes a means for operating and maintaining a critical transit link for eastern Chula Vista and the San Diego region.

CURRENT-YEAR FISCAL IMPACT

SANDAG or MTS, as applicable, will reimburse the City through MTS for costs associated with maintaining and operating SBBRT improvements as defined in the respective agreements.

SANDAG will reimburse the City for energy costs from new traffic signals and street lights that were installed as part of the SBBRT project.

Approval of Resolution "D" will amend the Fiscal Year 2018/2019 operating budget for the Department of Engineering and Capital Projects to cover maintenance and energy costs associated with maintaining the SBBRT, which will be funded by reimbursement from SANDAG or MTS; thereby representing no impact to the General Fund.

ONGOING FISCAL IMPACT

The appropriations identified in Resolution “D” account for the additional funds needed to cover the ongoing costs of City operation and maintenance efforts. The ongoing costs of operating and maintaining new infrastructure associated with the SBBRT project represents no fiscal impact to the General Fund as these costs will be reimbursed by SANDAG or MTS.

ATTACHMENTS

1. *SBBRT Alignment Map through Chula Vista*
2. *Joint Use and Maintenance Agreement*
3. *Memorandum of Understanding Regarding Rapid Systems Operations and Maintenance*
4. *East Palomar Street Transit Station Maintenance Agreement*

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