



# City of Chula Vista

## Staff Report

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**File#:** 16-0024, **Item#:** 3.

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RESOLUTION NO. 2016-015 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$1,100,000 FROM THE AVAILABLE BALANCE OF THE GAS TAX FUND TO THE "STORM DRAIN REPAIRS AT VARIOUS LOCATIONS (CIP# DR204)" PROJECT AND REDUCING THE "STORM DRAIN REHABILITATION PROJECT, FISCAL YEAR 2015/2016 (CIP# DR202)" CIP BUDGET BY \$269,000 IN TRANSNET FUNDS, AND APPROPRIATING THE EQUIVALENT AMOUNT TO CIP# DR204 (4/5 VOTE REQUIRED)

### **RECOMMENDED ACTION**

Council adopt the resolution.

### **SUMMARY**

Due to the inclement weather the region has recently experienced and is expecting, failures in the Corrugated Metal Pipe (CMP) are anticipated to occur. Such failures could result in damage to public and private property and may jeopardize the health, safety and the general welfare of the community. Because of the imminent nature of the threats involved, on November 6, 2015, the Director of Public Works issued an informational memo notifying the Mayor and City Council that staff was preparing construction contracts to address the potential CMP failures and that the work would be procured in accordance with the emergency provisions contained in Section 1009 of the City Charter.

The proposed resolution, if approved, will appropriate \$1,100,000 from the Gas Tax Fund to CIP# DR204 (Storm Drain Repairs at Various Locations) and transfer \$269,000 from CIP# DR202 (Storm Drain Rehabilitation Project FY2015/16) to CIP# DR204 to repair failing corrugated metal pipe (CMP) in the City's street right-of-way that poses a high risk of damage to public and private property and may jeopardize the health, safety, and general welfare of the community.

### **ENVIRONMENTAL REVIEW**

#### **Environmental Notice**

The Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act State Guidelines.

#### **Environmental Determination**

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project, which consists of removing debris and blockages, spot repairs, and lining of existing CMP storm drain pipes at various locations, qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines because the proposal involves negligible or no expansion of an existing use, and all work will be done within existing City of Chula Vista right-of-way. Thus, no further environmental review is required.

## **BOARD/COMMISSION RECOMMENDATION**

Not Applicable

## **DISCUSSION**

City Staff reviewed recent Corrugated Metal Pipe (CMP) videos and identified a number of pipe segments that have degraded to a point of failure. While these CMP segments have not fully collapsed, they are considered to be in a state of failure now due to their inability to perform as designed (flow capacity) as well as the clear loss of structural integrity. The imminent collapse of the pipes, if not repaired in time, may lead to loss of the roadway, damage of adjacent properties and facilities, and possible storm system discharge violations (NPDES permit). Through an informational memo, dated November 6, 2015, the Director of Public Works notified the Mayor and City Council that staff was preparing construction contracts in accordance with the emergency provisions contained in City Charter Section 1009 to avoid the threats posed to public and private property (Attachment 1). In order to fund the repairs, it is necessary to appropriate funds into CIP# DR204 (Storm Drain Repairs at Various Locations).

The proposed resolution, if approved, will appropriate \$1,100,000 from the Gas Tax Fund to CIP# DR204 (Storm Drain Repairs at Various Locations) and transfer \$269,000 from CIP# DR202 (Storm Drain Rehabilitation Project FY2015/16) to CIP# DR204 to repair the failing corrugated metal pipe (CMP).

All construction under this project occurs within City right-of-way, under streets and sidewalk. No work is proposed in open channels, sensitive habitat, or wetland areas.

Due to the nature of drainage repair work, actual costs can vary widely. Staff will return with a Council Agenda item to report final emergency repair costs and to ratify the actions taken under the stated provision of the City Charter.

## **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial 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.

## **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 Emergency Storm Drain Repairs at various locations (CIP# DR204) project supports the Strong and Secure Neighborhoods Strategic Goal as it maintains public infrastructure vital to the quality of life for residents.

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**CURRENT YEAR FISCAL IMPACT**

Approval of the proposed resolution will appropriate \$1,100,000 from the Gas Tax Fund to CIP# DR204 and transfer \$269,000 in TransNet funds from CIP# DR202 to CIP# DR204 to complete emergency drainage repairs within the street right-of-way. Sufficient funds are available in the Gas Tax Fund and in CIP# DR202 for this appropriation.

**ONGOING FISCAL IMPACT**

Upon completion of the repairs, the pipes will only require routine maintenance.

**ATTACHMENTS**

1. DR204 Emergency Repair Memo

*Staff Contact: Alan Reyes, Associate Civil Engineer*