



City of Chula Vista

Staff Report

File#: 16-0288, **Item#:** 5.

RESOLUTION NO. 2016-126 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING AN EMERGENCY AGREEMENT BETWEEN THE CITY AND THE COUNTY OF SAN DIEGO REGARDING THE SALE OF AUTOMOTIVE FUEL BY THE COUNTY TO THE CITY

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

Since the closing of the former public works center at 707 F. Street in 2002, City vehicles assigned to the Police and Fire Departments have acquired fuel on a regular basis from the County fuel site located at the County Courthouse located on 3rd Avenue near "H" Street. The original fuel sales agreement expired on Dec. 31, 2015.

On very short notice, County staff informed City staff that access to the fuel facilities would be denied to City vehicles unless a renewal agreement was executed immediately. This agreement will cover fuel sales from the County for the period of Jan. 1, 2016 through Dec. 31, 2021.

ENVIRONMENTAL REVIEW

Environmental Notice

The 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.

Environmental Determination

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BOARD/COMMISSION RECOMMENDATION

Not applicable.

DISCUSSION

In the absence of a City fuel site of appropriate size in the western part of the City, City vehicles assigned to the Police and Fire Departments have regularly acquired fuel at the San Diego County Courthouse on 3rd Avenue. This site is very convenient for the Police Department headquarters and for Fire Department vehicles housed at the Civic Center and at Fire Station #1 that operate on gasoline. There are a total of 24 County-operated fuel sites throughout the County that are available

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as necessary for City vehicles, and are particularly useful for Police undercover operations. As had been done for the past thirteen years, the County proposes to charge the City for all fuel used at the County's current cost per gallon, plus a surcharge to be determined annually by the County's Cost Commission. City staff has reviewed the pricing mechanism and finds the terms and conditions to be acceptable.

With only twelve hours' notice, County staff informed City staff that access to the County fuel facilities would be terminated until the attached Automotive Fuel Sales Agreement was accepted and executed by City staff. The City Attorney's Office determined that Chula Vista Municipal Code section 2.56.100, pertaining to emergency purchases, was applicable in this situation and authorized the City Manager or Purchasing Agent to execute the agreement, pending ratification by the City Council. The execution of the agreement occurred on May 15, 2016.

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 section 18704.2 (a)(1), is not applicable to this decision. Staff is not independently aware, and has not been informed by any City of Chula Vista 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. This action supports the goal of providing Healthy Communities, as having service vehicles in good working condition allows staff to maintain and operate community and neighborhood facilities.

CURRENT YEAR FISCAL IMPACT

There is no impact to the current fiscal year Central Garage Operation budget. Sufficient funds have been budgeted in the operating budget this fiscal year for the purchase of motor vehicle fuel from all sources.

ONGOING FISCAL IMPACT

There is no ongoing additional fiscal impact as a result of this action.

ATTACHMENTS

Automotive Fuel Sales Agreement

Staff Contact: Steve Dorsey, Fleet Manager, Public Works