



MEMORANDUM

TO: CITY COUNCIL

FROM: BILL ROBESON, PUBLIC WORKS DIRECTOR

BY: JILL MCPEEK, CAPITAL IMPROVEMENT PROJECT MANAGER

SUBJECT: CONSIDERATION OF ADOPTION OF A RESOLUTION PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050 FINDING A DETERMINATION TO CONTINUE WORK UNDER EMERGENCY CONTRACTS FOR THE OAK PARK BOULEVARD AND EL CAMINO REAL EMERGENCY STORM DRAIN SYSTEM REPAIR PROJECT, PW 2020-04

DATE: FEBRUARY 11, 2020

SUMMARY OF ACTION:

Adoption of the Resolution by the required four-fifths vote will allow for the continuance of emergency repairs to the storm drain system at Oak Park Boulevard and El Camino Real.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

The amended Capital Improvement Program budget includes \$177,580 for the Oak Park Boulevard at El Camino Real Emergency Storm Drain Systems Repair Project. Staff time is necessary to oversee construction activities with the contractor.

RECOMMENDATION:

It is recommended the City Council: 1) receive and file an update of emergency storm drain system repairs on Oak Park Boulevard and El Camino Real; and 2) adopt a Resolution that there is a need to continue the emergency action for the storm drain system repairs in accordance with Public Contract Code Section 22050.

BACKGROUND:

Public Contract Code (PCC) Section 22050 allows a public agency, in the case of an emergency, to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes without going through a formal bid process. At a special meeting on January 21, 2020, the Council adopted Resolution No. 4958 declaring an emergency and authorizing the immediate expenditure of funds to repair the storm drain system on Oak Park Boulevard and El Camino Real.

PCC Section 22050 requires that after proceeding with an emergency project, the City Council shall review the emergency action at its next regularly scheduled meeting and at

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every regularly scheduled meeting thereafter until the emergency action is terminated, and if it is determined that there is a need to continue the action, authorize continuation of the emergency action by a four-fifths vote. On January 28, 2020, the Council adopted Resolution No. 4962 determining a need to continue work under emergency contracts to repair the storm drain system on Oak Park Boulevard and El Camino Real.

The storm drain system repairs and related lane closure on Oak Park Boulevard continues to affect traffic and people that live, work or commute in the area, and there is a need to protect the storm drain system and overlying roadway and to complete the repairs. Therefore, staff strongly believes that there is a need to continue the emergency action and recommends a four-fifths vote authorizing the continuation.

ANALYSIS OF ISSUES:

Since the January 28, 2020 Council meeting, the status of the project as of February 5, 2020, is as follows:

- Staff continued its efforts on jetting and videoing the blocked storm drain pipes.
- Statewide Traffic Safety & Sign continued to maintain traffic control for the lane closure.
- Applications and associated fees for emergency permits were submitted to the US Army Corps of Engineers and Central Coast Regional Water Quality Control Board for the box culvert debris removal.
- Staff met with Eikhof Design Group, a City on-call engineer, to discuss temporary and permanent alternatives for the repairs.
- Staff had conversations with various Caltrans staff and met with a Caltrans representative on site to discuss the preferred proposed alternative.
- Eikhof Design Group began expanding its previous drainage analysis to determine the Chilton Street area storm water flows.
- CalPortland filled the maintenance hole with slurry and filled/compacted the void.

At the time of this staff report preparation, attempts to unplug the storm drain pipe under Oak Park Boulevard and the maintenance hole near the El Camino Real intersection have been unsuccessful. Due to the depth of the maintenance hole and storm drain pipes, interruption to traffic on Oak Park Boulevard and costs to replace these items, staff has come up with an alternative concept. This consists of rerouting the storm water from the Chilton Street area away from the plugged storm drain pipes to the storm drain system that parallels US 101. Both routes would convey the storm water to the same termination point, an existing double box culvert that runs under US 101 and El Camino Real.

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In order for Caltrans to determine if this is feasible, they will need to know if their storm drain pipe can accommodate this redirected flow. While the on-call consultant prepares this storm water analysis, the following temporary measures are to be accomplished:

- Fill the void with road base and slurry the maintenance hole.
- Repair the concrete and asphalt surrounding the abandoned maintenance hole and install new catch basin.
- Open Oak Park Boulevard to through traffic.
- Redirect storm water from the Chilton Street area to El Camino Real.
- During rain events, either convey storm water via a temporary pipe from El Camino Real to Caltrans right of way (if allowed) or close El Camino Real to through traffic.

As required by statute, staff will continue to bring a similar item to the Council on subsequent agendas until the repairs have been completed or until the emergency action is terminated. Until this future item, staff will continue to work with the contractor to complete the temporary repairs, and with the engineer and Caltrans to determine a permanent solution.

ADVANTAGES:

Adoption of the Resolution will allow for the continuance of emergency repairs to the storm drain system at Oak Park Boulevard and El Camino Real and upon completion will allow the reopening of northbound Oak Park Boulevard to two lanes of traffic.

DISADVANTAGES:

None identified at this time.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Adopt a Resolution determining a need to continue work under emergency action;
2. Do not adopt the proposed Resolution which will terminate the emergency action and halt work on the project; or
3. Provide staff direction.

ENVIRONMENTAL REVIEW:

No environmental review is needed to authorize the continuation of the emergency action.

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PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DETERMINING A NEED TO CONTINUE WORK UNDER EMERGENCY CONTRACTS TO REPAIR THE STORM DRAIN SYSTEM ON OAK PARK BOULEVARD AND EL CAMINO REAL

WHEREAS, on January 21, 2020, pursuant to Public Contract Code (PCC) Sections 20168 and 22050, the City Council deemed it was in the public interest to immediately authorize the expenditure of City funds needed to safeguard the health, safety and welfare and to proceed immediately with emergency repairs of the storm drain system on Oak Park Boulevard and El Camino Real and removal of debris from the box culvert; and

WHEREAS, on January 21, 2020, the City Council deemed that the emergency repairs would not permit a delay resulting from a competitive solicitation for bids and that prompt action, including authorization to expend all funds required for such repairs without competitive bidding, was necessary to respond to the emergency; and

WHEREAS, on January 21, 2020, the City Council adopted Resolution No. 4958 declaring an emergency and authorizing the immediate expenditure of funds to repair the storm drain system on Oak Park Boulevard and El Camino Real; and

WHEREAS, PCC Section 22050 requires that after proceeding with an emergency project, the City Council shall review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the emergency action is terminated; and

WHEREAS, on January 28, 2020, the City Council adopted Resolution No. 4962 determining a need to continue work under emergency contracts to repair the storm drain system on Oak Park Boulevard and El Camino Real; and

WHEREAS, if it is determined that there is a need to continue the action, PCC Section 22050 requires a four-fifths vote to authorize the continuation of the emergency action.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE that the storm drain system emergency declared by the City Council on January 21, 2020, shall be deemed to continue.

On motion by Council Member _____ seconded by Council Member _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:

The foregoing Resolution was passed and adopted this 11th day of February, 2020.

**RESOLUTION NO.
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CAREN RAY RUSSOM, MAYOR

ATTEST:

KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

JAMES A. BERGMAN, CITY MANAGER

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY