



CITY OF SANTEE

MAYOR
John W. Minto

CITY COUNCIL
Ronn Hall
Stephen Houlahan
Brian W. Jones
Rob McNelis

NOTICE/CALL AND AGENDA FOR A SPECIAL MEETING

Santee City Council

**Council Chamber
10601 Magnolia Avenue, Santee, CA 92071**

**April 3, 2017
2:30 p.m.**

I, John W. Minto, Mayor of the City of Santee, California, hereby give notice that a Special Meeting of the Santee City Council has been scheduled for **2:30 p.m. on Monday, April 3, 2017**, in the Santee Council Chambers, 10601 Magnolia Avenue, Santee, CA for the purpose of:

- 1. Call to Order**
- 2. Resolution proclaiming an emergency, authorizing immediate repair of certain corrugated metal pipe (CMP) storm drain systems and appropriation and transfer of funds, waiving the requirement for competitive bidding and authorizing the City Manager to enter into contracts to complete the necessary repair or replacement of the storm drain systems and to take other actions as necessary.**

Recommendation:

Adopt the Resolution:

1. Proclaiming an emergency; and
2. Approving the emergency repair of the storm drain systems to safeguard life, health, or property, a waiver of the requirement for competitive bidding, and the appropriation and transfer of Zone 2 Flood Control District and Capital Project funds; and
3. Authorizing the City Manager to enter into an agreement for the emergency work to repair the storm drain systems and to take other actions as necessary; and
4. Authorizing the City Manager to take other actions, including but not limited to, obtaining rights of entry and signing other agreements required to perform the work and causing the investigation of related storm drain facilities to determine whether additional work may be required.

3. Closed Session:

- (A) Conference with Legal Counsel—Anticipated Litigation**
(Gov. Code section 54956.9(d)(2))
Significant exposure to litigation: 2 cases.

4. Communication from the Public

Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the Agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.

5. Adjournment

The City of Santee complies with the Americans with Disabilities Act. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the American with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office at (619) 258-4100, ext. 112 at least 48 hours before the meeting, if possible.

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| State of California } County of San Diego } ss. City of Santee } | AFFIDAVIT OF POSTING AGENDA |
| I, <u>Patsy Bell, City Clerk</u> of the City of Santee, hereby declare, under penalty of perjury, that a copy of this Special Meeting Agenda was posted in accordance with the Brown Act and Resolution 61-2003 on <u>Friday, March 31, 2017</u> at <u>4:30 p.m.</u> | |
| _____ Signature | <u>03/31/17</u> Date |

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE April 3, 2017

AGENDA ITEM NO.

ITEM TITLE RESOLUTION PROCLAIMING AN EMERGENCY, AUTHORIZING IMMEDIATE REPAIR OF CERTAIN CORRUGATED METAL PIPE STORM DRAIN SYSTEMS AND APPROPRIATION AND TRANSFER OF FUNDS, WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS TO COMPLETE THE NECESSARY REPAIR OR REPLACEMENT OF THE STORM DRAIN SYSTEMS AND TO TAKE OTHER ACTIONS AS NECESSARY

DIRECTOR/DEPARTMENT Marlene Best, City Manager

SUMMARY

Santee Municipal Code section 2.32.060 authorizes the City Council to proclaim the existence of a local emergency upon request from the City Manager. This item requests that the City Council proclaim an emergency and authorize the emergency repair and appropriation and transfer of funds for the repair and replacement of failed storm drain systems. At the March 8, 2017 City Council meeting, it was brought to Council's attention during public comment that certain CMP storm drains located on private property (as shown on Exhibit A) have recently failed and are in need of immediate repair. City staff estimates that the cost to repair these failed pipes is \$485,000.

On March 27 and March 29, 2017, City engineers inspected failed storm drains located at 9629 & 9621 E. Hartland Circle, and 9620 & 9626 Ryder Court with the consent of the private property owners. It was discovered that CMP storm drains on these private properties had failed and require emergency replacement. To protect public safety, the City has placed temporary construction fencing, trench shoring and steel plating at 9629 and 9621 East Hartland Circle. The engineers have determined that the needed repair and/or replacement work qualifies as an emergency under Santee Municipal Code section 3.24.150(C), as a threat to public health, safety or welfare. Given the possibility of future rain, permanent repairs are required to remedy the condition to safeguard life, health, and property.

In accordance with Municipal Code Section 3.24.150, staff will obtain the lowest obtainable price to perform the required work. The anticipated costs include immediately replacing the existing failed systems on E. Hartland Circle and Ryder Court and relining the failed system on W. Hartland Circle. The private property owners will need to grant easements to the City for the storm drains.

The City Manager requests that the City Council proclaim an emergency and direct the City Manager to seek all available funds to pay for costs.

ENVIRONMENTAL REVIEW Categorically exempt from the provisions of the California Environmental Quality Act (CEQA) by CEQA Guidelines Section 15301 (b).

(continued on page 2)

(continued from page 1)

FINANCIAL STATEMENT *jm*

Funding for these repairs would be provided by the following: 1) Appropriation of \$228,400 from the Zone 2 Flood Control District Fund reserve balance; 2) Transfer of \$100,400 from anticipated savings in various line items in the Zone 2 Flood Control District Fund operating budget; 3) Appropriation of \$50,100 from the Capital Projects Fund unrestricted reserve balance; and 4) Transfer of \$121,100 from various Capital Projects Fund unexpended project balances (General Fund projects). Insurance reimbursement will be pursued from the City's excess general liability insurance JPA CSAC Excess Insurance Authority for costs incurred in excess of \$150,000.

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATION *MB
ajb*

Adopt the Resolution:

1. Proclaiming an emergency; and
2. Approving the emergency repair of the storm drain systems to safeguard life, health, or property, a waiver of the requirement for competitive bidding, and the appropriation and transfer of Zone 2 Flood Control District and Capital Project funds; and
3. Authorizing the City Manager to enter into an agreement for the emergency work to repair the storm drain systems and to take other actions as necessary for a total cost not to exceed \$500,000, with such authorized other actions including but not limited to, obtaining rights of entry and signing other agreements required to perform the work and causing the investigation of related storm drain facilities to determine whether additional work may be required.

ATTACHMENTS

Resolution

Exhibit A – CMP Location Map

Exhibit B – Neighborhood CMP Map

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA PROCLAIMING AN EMERGENCY, AUTHORIZING IMMEDIATE
REPAIR OR REPLACEMENT OF CERTAIN CORRUGATED METAL PIPE STORM
DRAIN SYSTEMS AND APPROPRIATION AND TRANSFER OF FUNDS, WAIVING
THE REQUIREMENT FOR COMPETITIVE BIDDING AND AUTHORIZING THE
CITY MANAGER TO ENTER INTO CONTRACTS TO COMPLETE THE
NECESSARY REPAIR OR REPLACEMENT OF THE STORM DRAIN SYSTEMS
AND TO TAKE OTHER ACTIONS AS NECESSARY**

WHEREAS, section 2.32.060 of the Santee Municipal Code empowers the City Manager, as the Director of Emergency Services, to request that the City Council proclaim a local emergency when the City is affected or likely to be affected by an actual incident or the threatened existence of conditions or incidents of extreme peril to the safety of persons and property within the City caused by conditions which may be or are beyond control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City, caused by the severe rain storms that occurred in January 2017, resulting in the failure of certain corrugated metal pipe (CMP) storm drain systems located on private property, as shown on Exhibit A, brought to the City Council's attention on March 8, 2017; and

WHEREAS, the conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency; and

WHEREAS, the City Council has been requested by the City Manager to proclaim the existence of a local emergency; and

WHEREAS, the immediate repair of the CMP storm drain systems is required to safeguard public health, safety and welfare; and

WHEREAS, section 3.24.150 of the Santee Municipal Code authorizes the City Council to approve open-market purchases of supplies, materials, equipment or contractual services over \$20,000 in the case of an emergency that threatens public health, safety, and welfare; and

WHEREAS, an appropriation of \$228,400 from the Zone 2 Flood Control District Fund reserve balance, a transfer of \$100,400 from various line items in the Zone 2 Flood Control District Fund operating budget, an appropriation of \$50,100 from the Capital Projects Fund unrestricted reserve balance, and a transfer of \$121,100 from Capital Projects Fund unexpended project balances (General Fund projects) are required to complete immediate repair or replacement of the storm drain systems; and

WHEREAS, this project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as provided in CEQA Guidelines Section 15301 (b).

RESOLUTION NO. _____

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

Section 1: The City Council hereby proclaims that a local emergency now exists throughout the City.

Section 2: That during the existence of the local emergency, the powers, functions, and duties of the City Manager, as Director of Emergency Services, shall be those prescribed by state law, ordinances, and resolutions of the City and by the City of Santee Emergency Plan.

Section 3: The immediate repair or replacement of the corrugated metal pipe (CMP) storm drain systems as depicted on Exhibit A is authorized.

Section 4: The requirement for competitive bidding is hereby waived in order to safeguard life, health, or property.

Section 5: Zone 2 Flood Control District and Capital Projects Fund money in an amount not to exceed \$500,000 is hereby appropriated or transferred for the repair or replacement of the storm drain systems.

Section 6: The City Manager is hereby authorized to execute contracts on behalf of the City to complete the repair or replacement of the storm drain systems and to take other actions as necessary for a total cost not to exceed \$500,000. Such actions include, but are not limited to, obtaining rights of entry and signing other agreements required to perform the work and causing the investigation of related storm drain facilities to determine whether additional work may be required.

Section 7: The City Manager is hereby directed to seek all available funds to pay for costs.

ADOPTED by the City Council of the City of Santee, California, at a Special meeting thereof held this 3rd day of April 2017, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

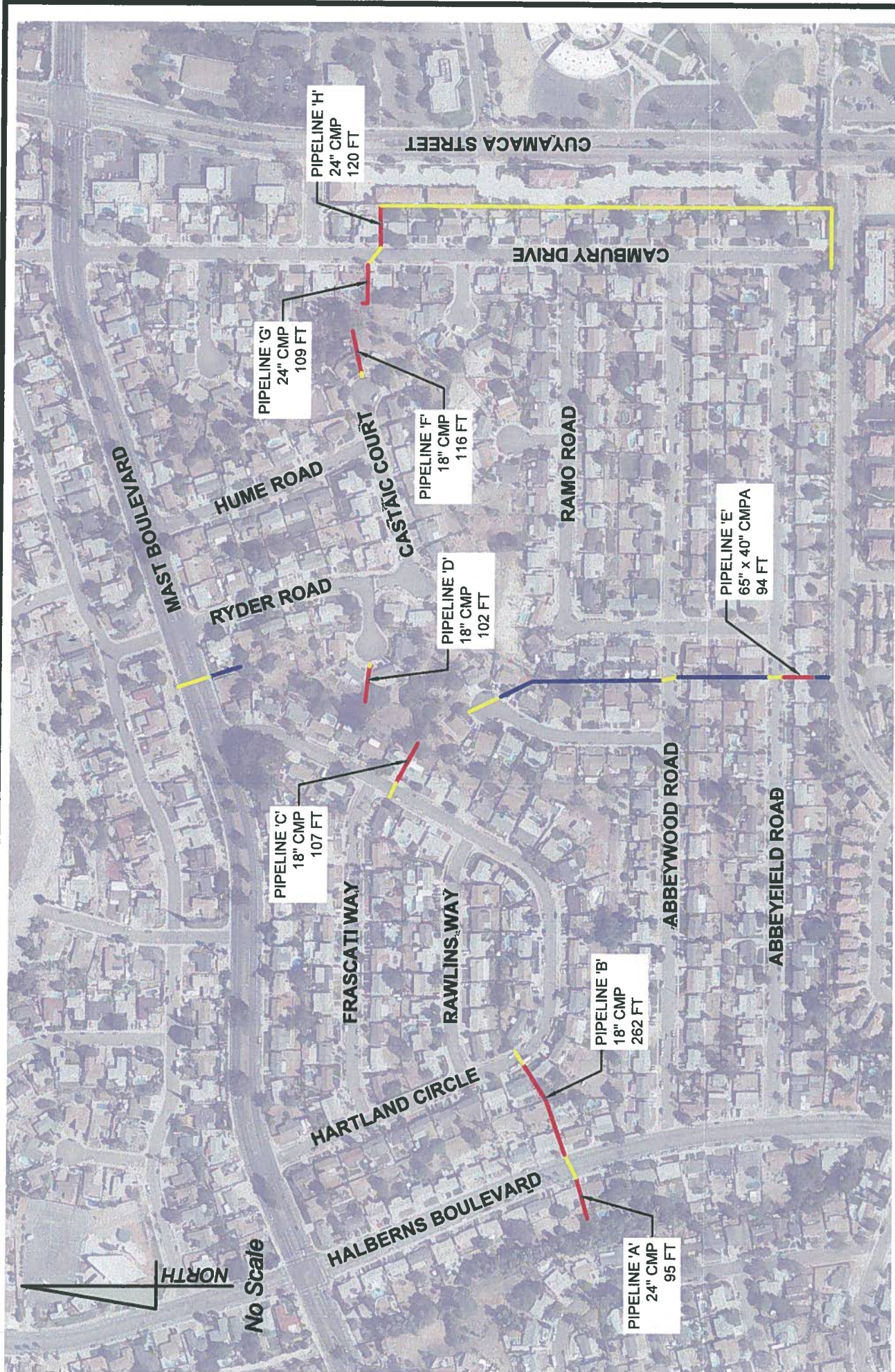
ATTEST:

PATSY BELL, CMC, CITY CLERK

- 1 9626 RYDER CT.
STEWART RESIDENCE
9620 RYDER CT.
HAFFORD RESIDENCE
- 2 9629 E. HARTLAND CIR.
GUERRA RESIDENCE
9621 E HARTLAND CIR.
GILMORE RESIDENCE
- 3 9552 W. HARTLAND CIR.
ALTRINGER RESIDENCE
9544 W. HARTLAND CIR.
ALMONTE / WARNER RESIDENCE
9599 HALBERNS BLVD.
BROWN RESIDENCE
9591 HABLERN'S BLVD.
HARTPENCE RESIDENCE



LOCATION MAP



LOCATION MAP