

May 5, 2021

STATEMENT OF PROCEEDINGS

The Minutes of the

***SANITATION DISTRICT
REGULAR MEETING***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO SANITATION DISTRICT
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, MAY 5, 2021, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

A. **REGULAR SESSION:** Meeting was called to order at 9:00 a.m.

PRESENT: Directors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the Sanitation District attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

B. **Non-Agenda Public Communication:** Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.

C. **Approval of the Statement of Proceedings/Minutes for the meeting of February 10, 2021.**

ACTION:

ON MOTION of Director Desmond, seconded by Director Vargas, the Board of Directors of the San Diego County Sanitation District approved the Statement of Proceedings/Minutes for the meeting of February 10, 2021, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Agenda Items

Agenda #	Subject
1.	GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY AND PUBLIC DRAINAGE, AND PUBLIC SERVICE EASEMENTS FOR DRAINAGE, EMBANKMENT SLOPES AND A TEMPORARY CONSTRUCTION EASEMENT IN THE OTAY MESA AREA (VACATION NO. 2020-0178)

(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 16)

2. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR
LOS COCHES SEWER IMPROVEMENTS FROM LAKESIDE
MAINTENANCE HOLE 0555 TO 0599
[FUNDING SOURCE: AVAILABLE PRIOR YEAR SAN DIEGO
COUNTY SANITATION DISTRICT FUND FUND BALANCE]

1. SUBJECT: GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY AND PUBLIC DRAINAGE, AND PUBLIC SERVICE EASEMENTS FOR DRAINAGE, EMBANKMENT SLOPES AND A TEMPORARY CONSTRUCTION EASEMENT IN THE OTAY MESA AREA (VACATION NO. 2020-0178) (DISTRICT: 1)

OVERVIEW

The Asset Management Division of the Department of General Services is processing a request to summarily vacate easement interests dedicated to the County of San Diego (County). A summary vacation is a streamlined process by which a public road or public service easement is abandoned through one action where public noticing is not required. These may be requested by the public if the easement interests are found to be excess to County needs and are not required for the purposes for which they were obtained. The following easement interests are requested to be vacated:

1. Irrevocable Offer of Dedication (IOD) for public highway easement
2. IOD for public drainage channel easement
3. Drainage easements
4. Incidental highway easement rights for embankment slopes and drainage
5. Temporary construction easement

Associated actions include quitclaiming easements dedicated to the San Diego County Sanitation District (District). Quitclaiming is a process to give up all right, title, and interest in a particular property. Quitclaiming incidental sewer easement rights may be requested by the public if the rights are found to no longer be required for District purposes. The following interests are requested to be quitclaimed:

1. Incidental sewer easement rights for excavation and embankment slopes and drainage
2. Temporary construction easement

All of the easement interests are located in the unincorporated East Otay Mesa Community Plan Area. In many cases the vacation and quitclaim can be a public benefit through improved use of the land made available by the vacation and quitclaim.

The IODs and easements are no longer needed because these items have been determined to be excess by the County and District, and there are no other public facilities within the IODs or easements that would be affected by this vacation.

Today's request is for the Board of Supervisors (Board) to adopt a resolution to summarily vacate the IODs for public highway and drainage channel, drainage easements, incidental highway easements for embankment slopes, and temporary construction and drainage easements.

If authorized by the Board, acting as the Board of Directors of the District, the Director of the Department of General Services, or an authorized designee, will execute and record a deed to quitclaim the District's interest in the incidental sewer easements for excavation and embankment slopes and drainage and temporary construction easement described and depicted in Attachment B.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

Acting as Board of Directors of the San Diego County Sanitation District:

1. Find that the Environmental Impact Report (EIR) dated July 27, 1994 on file with the Department of Planning & Development Services (PDS) as Environmental Review Log Number 93-19-6 was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Director of PDS has reviewed and considered the information contained therein and the Addendum thereto dated March 17, 2021 on file with the Department of Planning and Development Services as Environmental Review Number PDS2020-ER-93-19-006ZZP before approving the project; and

Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts that were not considered in the previously certified EIR dated July 27, 1994, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the EIR was certified as explained in the Addendum Environmental Review Update Checklist dated March 17, 2021.

2. Find that the incidental sewer easement rights and temporary construction easement are no longer required for District purposes.
3. Approve and authorize the Director, Department of General Services, or authorized designee, to execute and record a quitclaim deed for the incidental sewer easement rights and temporary construction easement described and depicted in Attachment B.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$4,000 to process the summary vacation and proposed quitclaim. The funding source is a deposit from the applicant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 16)

ACTION:

ON MOTION of Director Desmond, seconded by Director Vargas, the Board of Directors of the San Diego County Sanitation District took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

2. SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR LOS COCHES SEWER IMPROVEMENTS FROM LAKESIDE MAINTENANCE HOLE 0555 TO 0599 (DISTRICT: 2)

OVERVIEW

The Department of Public Works manages a sewage system for communities that are within the jurisdiction of the San Diego County Sanitation District (District). The District's service areas encompass unincorporated communities within Supervisorial Districts 1 and 2 and are identified as service areas of Alpine, East Otay Mesa, Lakeside, Spring Valley, Winter Gardens, Julian, Pine Valley, and Campo. The sewage system includes more than 430 miles of sewer pipeline, 8,200 maintenance holes, 8 pump stations, several pressurized force mains, and 3 wastewater treatment plants. Most of the wastewater from the District service areas is conveyed through a network of pipelines and pump stations to the City of San Diego's Point Loma Treatment Plant for treatment and disposal. Department of Public Works staff administer and operate the sewer system for the District, including performing routine cleaning, inspections, repairs, and capital projects to rehabilitate and replace portions of the system.

The District owns a sewer pipeline near Flinn Springs in the unincorporated community of Lakeside that serves residential customers south of Old Highway 80. This sewer pipeline, known as the Los Coches Sewer Pipeline (Sewer Pipeline), varies in size from 8 inches to 15 inches in diameter and begins near Flinn Springs Park and runs west towards Lake Jennings Park Road, where it connects to the larger Old Highway 80 sewer that collects and conveys flows from smaller local sewer pipelines. The Sewer Pipeline was constructed in 1968 and is located within an existing District sewer easement on private property and runs adjacent to and across Los Coches Creek (Creek), a water of the United States (US). Waters of the US are protected by the federal Clean Water Act and are regulated by the State through Regional Water Quality Control Boards.

In February 2017, a large rain event, quantified as a 25-year storm event, occurred in the watershed that drains to the Creek causing a large amount of stormwater runoff to flow through the Creek. A 25-year storm refers to an event that releases the amount of rainfall only expected once every 25 years. The large flows in the Creek caused stream bank erosion, washing away the soil covering over a portion of the sewer pipeline that crosses the Creek and damaging a portion of the pipeline. The damage caused the pipeline to break and spill wastewater into the Creek for 18 days. The spill was discovered by District staff during a routine maintenance inspection. The District immediately notified the public and repaired the damaged portion of the pipeline and placed heavy protective rock cover over the repaired section to prevent future washouts.

The sewer spill was immediately reported to the California Regional Water Quality Control Board (RWQCB) and County of San Diego Department of Environmental Health and Quality and it was determined that approximately 763,000 gallons of untreated raw sewage discharged into the Creek prior to the repair. Therefore, a Notice of Violation (NOV) and Investigative Order (IO) was issued to the District by the RWQCB in January 2018.

The RWQCB and the District entered into a settlement agreement under Order No. R9-2019-0020 (Order) on March 13, 2019, to resolve the NOV and IO. As part of the deliberations concerning the terms of the settlement, the District proposed constructing improvements to the Sewer Pipeline to reduce the risk of pipe failures in the future and protect the Creek from sewer spills or sewer leakage. Additionally, to support current RWQCB investigations, the District proposed to conduct a pilot study of sewer exfiltration rates before and after the improvements. These proposals were accepted by the RWQCB and became part of the Order. The Order stipulates that the improvements and study be completed by September 13, 2022. The Order also required the District to pay a civil liability fine of \$331,207. The District will satisfy the requirements of the Order to improve the Sewer Pipeline with the Los Coches Sewer Improvements from Lakeside Maintenance Hole (LSMH) 0555 to 0599 Project (Project). The District is currently working on the pilot project with Southern California Coastal Water Research Project, and the civil liability has been paid. The pilot project will occur after the completion of the Project and is not part of today's actions.

The Project will rehabilitate approximately 7,300 feet of the existing sewer pipeline, located between LSMH 0555 and 0599, by installing interior liners to restore the integrity of the interior pipe surface. The liner will seal the entirety of the existing system and prevent leakage from occurring, as well as allow for efficient transport of wastewater by improving flow through the pipes. This method of rehabilitation is a proactive strategy that is commonly used as part of the District's sewer system maintenance program. Pipe lining provides approximately 20 years of additional useful life without the need to trench and replace pipe segments. Delaying complete pipe replacement by lining the pipe ultimately minimizes impacts to the environment by avoiding excavation and disturbance to vegetation and natural habitat, while also limiting significant construction waste as the removed pipe would otherwise have been diverted to the landfills.

Although not mandated by the Order, the District identified additional improvements to reduce the risk of sewer spills, including securing shallow sections of sewer pipe that cross through the Creek. The Project proposes for three sections of pipe totaling 150 feet to be removed and replaced with new pipe, and then encased in concrete at the Creek crossings. These sections will be backfilled with soil and then a permeable protective cover of interconnected concrete blocks will be installed at the Creek surface to help prevent streambed erosion.

The engineering plans and specifications for the Project are complete and the Project is ready to be advertised for construction. Prior to the start of construction, notifications will be sent to residents and businesses if construction activities will affect property access and will describe the nature and expected duration of the disruptive construction activity. Notices in different languages will be sent in advance, which could include mailers, doorknob-type notices, social media postings, and signage. During construction, traffic control devices will be used to provide safe pedestrian and vehicular access.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Project. Construction is scheduled to begin in summer 2021 and be completed in early 2022. The construction cost is estimated at \$1,900,000, including contingency, and the funding source is available prior year San Diego County Sanitation District Fund fund balance.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find, on the basis of the record, that the California Environmental Quality Act (CEQA) Mitigated Negative Declaration (MND) on file in the Department of Public Works for the Los Coches Sewer Improvements from LSMH0555 to LSMH0599 Project (Project), dated September 4, 2020, State Clearinghouse #2020060316, was adopted on September 4, 2020, in compliance with CEQA and State and County Guidelines, that the decision-making body has reviewed and considered the information contained therein prior to approving today's actions; and

Find that today's actions do not result in changes to the Project or in the circumstances under which it is undertaken that involve significant new environmental impacts which were not considered in the previously adopted MND, that there is no increase in severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted.

2. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for the Construction Contract for the Project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan in the San Diego County Sanitation District. If approved, construction costs for the Los Coches Sewer Improvements from LSMH0555 to LSMH0599 Project are estimated to be \$1,900,000, including contingency. The funding source is available prior year San Diego County Sanitation District Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

County construction contracts are competitively and publicly bid and help stimulate the local economy. All workers employed on public works projects must be paid the higher of: (a) prevailing wages determined by the California Department of Industrial Relations, according to the type of work and location of the project, or (b) Davis-Bacon Act locally prevailing wage rates for federally funded contracts determined by the U.S. Department of Labor. The prevailing wage rates are usually based on rates specified in collective bargaining agreements.

ACTION:

ON MOTION of Director Desmond, seconded by Director Vargas, the Board of Directors of the San Diego County Sanitation District took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

There being no further business, the Board of Directors of the San Diego County Sanitation District adjourned at 3:52 p.m.

ANDREW POTTER
Clerk of the Board of Directors
of Sanitation District

Notes By: Rodriguez

NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Directors of the Sanitation District on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Directors, on Wednesday, May 19, 2021.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board