

Regular Council Meeting

May 1, 2025

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CITY OF FRESNO
CITY CLERK'S OFFICE

FRESNO CITY COUNCIL



Supplement Packet

ITEM(S)

2-O (ID 25-612)

Actions pertaining to the emergency repair of the sewer trunk main located at North First Street and East Olive Avenue (Council District 7):

[TITLE TRUNCATED FOR SUPPLEMENTAL PACKET COVER PAGE]

Contents of Supplement: Staff Report and Attachments

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

REPORT TO THE CITY COUNCIL

FROM: BROCK D. BUCHE, PE, PLS, Director
Department of Public Utilities

BY: PAUL AMICO, PE, Assistant Director
Department of Public Utilities - Administration

CASSIE L. SCHOLZ, PE, Licensed Engineer Manager
Department of Public Utilities - Utilities Planning & Engineering

SUBJECT

..Title

Actions pertaining to the emergency repair of the sewer trunk main located at North First Street and East Olive Avenue (Council District 7):

1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301(b) (Existing Facilities) and Section 15301(d) (Restoration or Rehabilitation) of the California Environmental Quality Act Guidelines
2. ***RESOLUTION – Declaring an urgent necessity for the preservation of life, health, property, and authorizing the City Manager or designee, to enter into agreements without advertised competitive bidding for the emergency repair of the sewer trunk main located at North First Street and East Olive Avenue (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

..Body

RECOMMENDATIONS

Staff recommends that City Council adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301(b) (Existing Facilities) and Section 15301(d) (Restoration or Rehabilitation) of the California Environmental Quality Act (CEQA) Guidelines; and adopt a Resolution declaring an urgent necessity for the preservation of life, health, property, and authorizing the City Manager or designee, to enter into agreements without advertised competitive bidding for the emergency repair of the sewer trunk main located at North First Street and East Olive Avenue (Project).

EXECUTIVE SUMMARY

On April 19, 2025, the sewer trunk main located in East Olive Avenue just east of First Street experienced collapse due to structural failure. This discovery prompted the immediate placement of a temporary road closure while an assessment of the sewer main was conducted. Subsequent, video inspection of the sewer trunk found it to be severely deteriorated, showing aggregate and rebar exposed and hanging. Such a characterization indicates imminent additional catastrophic failure.

A Declaration of Urgent Necessity is now necessary for the preservation of the health and safety of the surrounding area. The Resolution will allow the Department of Public Utilities (DPU) to procure services without advertising for competitive bids and enter into various agreements for performing the necessary emergency repair which is estimated at an amount not to exceed \$2,500,000.

BACKGROUND

The existing sewer trunk main in East Olive Avenue conveys an average flow of 2.9 million gallons of wastewater per day to the Fresno-Clovis Regional Wastewater Reclamation Facility. On April 19, 2025, a large depression in the roadway was observed. This discovery prompted the immediate placement of a temporary road closure while an assessment of the sewer main was conducted. The sewer experienced full structural failure shortly thereafter, resulting in a twelve-foot diameter cavity in the roadway. This same evening, the collapsed area was temporarily stabilized and the roadway remained closed to avoid further collapse of the sewer and adjacent roadway.

Subsequent inspection of the main identified severely deteriorated pipe adjacent to the point of failure. With additional collapse imminent, partial closure of the road was continued. The existing sewer failure, along with imminent additional collapse, presents a risk to the health and safety of the community and the essential operations of the DPU, and will require a Declaration of Urgent Necessity (Declaration). The Declaration will authorize dispensing of the competitive bid process in order to expedite the procurement of contractor services for replacement of the sewer trunk and manholes.

ENVIRONMENTAL FINDINGS

Staff has reviewed the scope and nature of the Project in accordance with the requirements of CEQA and has determined it to be exempt under Class 1, Section 15301(b) (Existing facilities of both investor and publicly-owned utilities) and Section 15301(d) (Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety), because this Project involves the rehabilitation of an existing structure which has deteriorated to a point where it requires repairs, in order to uphold public health and safety standards.

Staff has determined that no adverse environmental impacts would occur because of the proposed Project and none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply.

LOCAL PREFERENCE

Local preference was not implemented because this action is being performed on an emergency basis.

FISCAL IMPACT

There is no impact to the General Fund. The Project is located in Council District 7. Funding for this Project has been identified in the Fiscal Year 2025 Capital Improvement Budget within the Wastewater Management Division's, Sewer Enterprise Fund 4500-4501.

Attachments:

Environmental Assessment

Notice of Exemption

Resolution of Urgent Necessity

Vicinity Map

Photos Exhibit

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

CONTACT: Angel Borjas, Engineer I
City of Fresno – Department of Public Utilities
1626 E Street
Fresno, CA 93706
Phone: 559-621-1632
Email: Angel.Borjas@Fresno.gov

PROJECT TITLE: Emergency Repair of the East Olive Avenue Sewer
Main

PROJECT LOCATIONS: Olive Avenue between First Street and Fisher Street in
Fresno, California

PROJECT DESCRIPTION: The Project entails the removal and replacement of the
existing sewer main and appurtenances in Olive Avenue
between First Street and Fisher Street.

**The Project is exempt under Section 15301/Class 1 of the California Environmental
Quality Act (CEQA) Guidelines.**

Under Section 15301/Class 1, projects are exempt from CEQA requirements when they consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The subsection relevant to this Project are (b) and (d), which are listed below:

(b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;

(d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;

The Project described herein represents the necessary emergency repair to an existing public owned sewer main, as described in subsection (b), to rehabilitate deteriorated structures to allow continued use of the sewer system to meet standards for public health, as described in subsection (d). The specific work tasks may include the following:

- Installing bypass pumps to carry sewage around the deteriorate sewer line, thereby allowing repairs to take place with no interruption in service to wastewater customers
- Open cutting the road to access the underlying sewer, the trench for which may encompass the width of the road
- Making point repairs to sewer main, manholes, and appurtenances, as needed
- Removing and replacing segments of the sewer main, manholes, and appurtenances, as needed
- Reconstructing and repaving the road in the areas disturbed for the purposes of the Project

All work will occur within existing improved roadways to existing publicly-owned sewerage facilities. The Project will not expand the use of the existing facility, nor will it relocate any existing facilities or structures. The Project is merely to repair and rehabilitate an existing damaged sewer line and appurtenances. As such, replacement work and software upgrade for the programmable logic control are exempt under Section 15301/Class 1 (b/d).

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2, apply:

(a) Location	The Project is not located in a sensitive environment or an environmental resource of hazardous or critical concern as designated by federal, state, or local agencies. The work is entirely located in an existing roadway.
(b) Cumulative Impact	The Project will not have a cumulative negative impact over time that is significant. The Project merely entails repair to existing facilities.
(c) Significant Effect	The Project will not have a significant effect on the environment due to unusual circumstances. All work will be limited to the existing road and sewer lines.
(d) Scenic Highways	The Project will not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. The Project is not located near scenic highways.
(e) Hazardous Waste Sites	The Project is not located on a hazardous waste site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources

The Project will not cause a substantial adverse change in the significance of a historical resource. The roadway where the emergency repair is occurring is not considered historical resources.

Furthermore, the proposed project is not expected to have a significant effect on the environment. Accordingly, a categorical exemption, as noted above, has been prepared for the project.

Date: April 21, 2025

Prepared by: Angel Borjas

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Fresno

2220 Tulare Street

Fresno, CA 93721

From: (Public Agency): City of Fresno

1626 E Street

Fresno, CA 93706

(Address)

Project Title: Emergency Repair of the East Olive Avenue Sewer Main

Project Applicant: City of Fresno

Project Location - Specific:

Olive Avenue between First Street and Fisher Street in Fresno, California

Project Location - City: Fresno

Project Location - County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

The Project entails the removal and replacement of the existing sewer main and appurtenances in Olive Avenue between First Street and Fisher Street.

Name of Public Agency Approving Project: City of Fresno

Name of Person or Agency Carrying Out Project: City of Fresno

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Section 15301(b), Section 15301(d)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The nature of the emergency repair has determined that it is CEQA exempt as it falls within Section 15301 (b) (Existing Facilities) and 15301(d) (Restoration or Rehabilitation) of the CEQA Guidelines. The work solely entails the replacement of an existing sewer line and appurtenances, involving no expansion of use. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply.

Lead Agency

Contact Person: Angel Borjas

Area Code/Telephone/Extension: 559-621-1632

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes ☐ No ☒

Signature: Angel Borjas Date: 4/25/25 Title: Engineer I

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING AN URGENT NECESSITY FOR THE PRESERVATION OF LIFE, HEALTH, PROPERTY AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO AGREEMENTS WITHOUT ADVERTISED COMPETITIVE BIDDING FOR THE EMERGENCY REPAIR OF THE SEWER TRUNK MAIN LOCATED AT NORTH FIRST STREET AND EAST OLIVE AVENUE

WHEREAS, the City of Fresno (City) owns and operates the Fresno-Clovis Regional Wastewater Reclamation Facility (Facility) located at West Jensen Avenue; and

WHEREAS, the sewer trunk main located at North First Street and East Olive Avenue (Sewer Main) conveys an average of 2.9 million gallons of wastewater per day to the Facility; and

WHEREAS, the Sewer Main experienced collapse due to structural failure on the evening of April 19, 2025, resulting in a twelve-foot diameter cavity in the roadway;

WHEREAS, the collapsed area was temporarily stabilized and the roadway partially closed to avoid further collapse of the sewer and adjacent roadway;

WHEREAS, the sewer main was inspected and was found to be severely structurally deteriorated adjacent to the point of failure; and

WHEREAS, it is conceivable that additional structural failure of the Sewer Main is imminent; and

WHEREAS, an emergency repair of the Sewer Main is essential for continued conveyance of wastewater to the Facility; and

WHEREAS, the continued operation of the Sewer Main is essential for the health

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: C.C.

Resolution No.

and safety of the community, as additional collapse may cause sanitary sewer overflow;
and

WHEREAS, further delays and proceeding through a formal bid process could have serious negative impact on the operation of the Sewer Main and the health and safety of the surrounding area and community at large; and

WHEREAS, entering into agreements, without competitive bidding for various services, is necessary for the timely performance of the emergency repair work.

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

1. The foregoing facts constitute an urgent necessity for the preservation of life, health or property.
2. The requirement of advertising for bids is hereby waived pursuant to Charter Section 1208(a).
3. The City Manager or designee is authorized to negotiate, enter and execute service agreements, materials purchase agreements, and a construction contract for the emergency repair of the Sewer Main, at a cost not to exceed \$2,500,000, subject to prior approval as to form by the City Attorney's Office.
4. The Council finds the Project in the best interest of the City.
5. This resolution shall be effective upon final approval.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

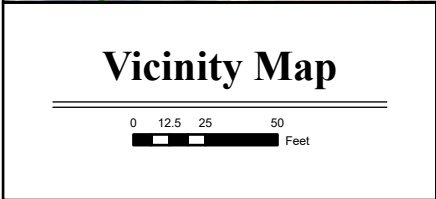
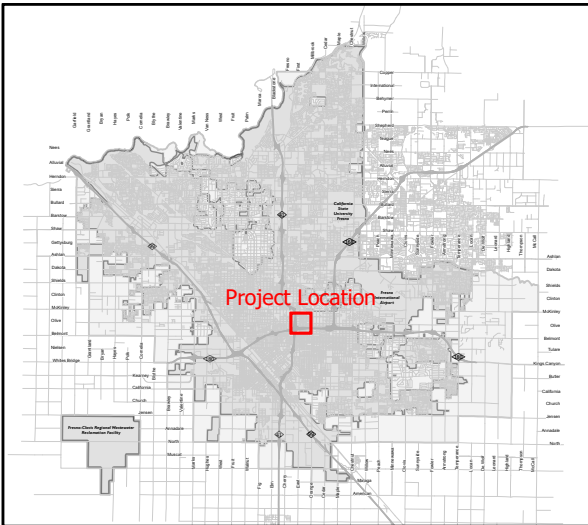
Mayor Approval: _____, 2025
Mayor Approval/No Return: _____, 2025
Mayor Veto: _____, 2025
Council Override Vote: _____, 2025

TODD STERMER, MMC
City Clerk

By: _____ Date
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____ Date
Christine C. Charitar
Deputy City Attorney



**Emergency Repair of Olive Avenue
Sewer Main**

Project Boundary

Existing Sanitary Sewer Mains

City of Fresno
Department of Public Utilities



Photo Exhibits

**Emergency Repair of
Olive Avenue Sewer Main**

City of Fresno
Department of Public Utilities



<p><u>Photo Exhibits</u></p>	<p>Emergency Repair of Olive Avenue Sewer Main</p>	<p>City of Fresno Department of Public Utilities</p>
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