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**Title:** Actions pertaining to the emergency repair of the South Fruit Avenue sewer trunk main (Council District 3):

1. Adopt Environment Assessment No. 5984-240627, dated June 27, 2024, a determination that the proposed project qualifies for categorical exemption as set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15301/Class 1;
2. \*\*\*RESOLUTION - Declaring an urgent necessity for the preservation of life, health, and property; and authorizing the City Manager or designee, to enter into agreements without advertised competitive bidding for the emergency repair of the South Fruit Avenue sewer trunk main. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. 24-873 - Attachment 1 - Environmental Assessment\_No. 5984-240627, 2. 24-873 - Attachment 2 - Notice of Exemption, 3. 24-873 - Attachment 3 - Resolution of Urgent Necessity, 4. 24-873 - Attachment 4 - Vicinity Map California-Fruit\_SewerRepair, 5. 24-873 - Attachment 5 - Void Photos

Date	Ver.	Action By	Action	Result
6/27/2024	1	City Council		

**REPORT TO THE CITY COUNCIL**

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**SUBJECT**

Actions pertaining to the emergency repair of the South Fruit Avenue sewer trunk main (Council District 3):

1. Adopt Environment Assessment No. 5984-240627, dated June 27, 2024, a determination that the proposed project qualifies for categorical exemption as set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15301/Class 1;
2. \*\*\*RESOLUTION - Declaring an urgent necessity for the preservation of life, health, and property; and authorizing the City Manager or designee, to enter into agreements without advertised competitive bidding for the emergency repair of the South Fruit Avenue sewer trunk main. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

## RECOMMENDATIONS

Staff recommends that City Council adopt Environment Assessment No. 5984-240627, dated June 27, 2024, a determination that the proposed project qualifies for categorical exemption as set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15301/Class 1; and adopt a Resolution declaring an urgent necessity for the preservation of life, health, and property; and authorizing the City Manager or designee, to enter into agreements without advertised competitive bidding for the emergency repair of the South Fruit Avenue sewer main (Emergency Repair).

## EXECUTIVE SUMMARY

On June 12, 2024, a large approximately seven-foot deep void was discovered in the top of South Fruit Avenue sewer trunk pipeline just south of Cesar Chavez Boulevard (formerly California Avenue). This discovery prompted the immediate placement of a temporary road closure until a full assessment of the sewer main could be conducted. Subsequent, video inspection of the sewer trunk found it to be severely deteriorated, showing aggregate, voids in the walls of the pipe, and rebar exposed and hanging. Such a characterization is one of eminent 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 \$4,700,000.

## BACKGROUND

The existing sewer trunk main in South Fruit Avenue conveys an average of approximately 8 million gallons of wastewater per day to the Regional Wastewater Treatment Facility. On June 12, 2024, a large void was discovered during Closed Circuit Television (CCTV) inspection. The discovery of the void and subsequent inspection of the main identified several more voids and severely deteriorated pipe. With this imminent collapse, an immediate closure of the road was placed. This imminent collapse, which presents a risk to the health and safety of the community and the essential operations of the DPU, 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 performed a preliminary environmental assessment of the project and determined that it falls within the Categorical Exemptions set forth in CEQA Guidelines, Section 15301 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.

The proposed project is consistent with Class 1 exemption because the project involves emergency repair and rehabilitations of an existing structure which has deteriorated to a point where it requires repairs, in order to uphold public health and safety standards.

Based on staff analysis, it was 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 to this project.

### **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 3. Funding for this Project is included in the Fiscal Year 2024 capital improvement budget within the Wastewater Management Division's, Sewer Enterprise Fund 4500-4501.

#### Attachments:

Attachment 1 - Environmental Assessment No. 5984-240627

Attachment 2 - Notice of Exemption

Attachment 3 - Resolution of Urgent Necessity

Attachment 4 - Vicinity Map

Attachment 5 - Void Photos