



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** September 17, 2013

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Contract For Design And Permitting Of Surge Tank Removal Project

### **RECOMMENDATION:**

That Council authorize the Public Works Director to execute a professional services contract with Penfield & Smith in the amount of \$40,340 for design and permitting services for the Surge Tank Removal Project, and approve expenditures up to \$6,051 for extra services of Penfield & Smith that may result from necessary changes in the scope of work.

### **DISCUSSION:**

#### **BACKGROUND**

Historically, the City's water system conveyed Gibraltar Reservoir water through Mission Tunnel to the Sheffield Filtration Plant for treatment. In 1919, the City obtained easements for the construction and maintenance of water mains from the south portal (located on City-owned property at the end of Tunnel Road) and extending across properties in the vicinity of Mission Canyon Road and down to Sheffield Reservoir (located at Mission Ridge Road and Drive). The City also purchased a 2,500 square-foot parcel of land (APN 023-330-045) for construction of a surge tank to buffer any pressure surges caused by water flowing through the pipelines. In the late 1920's, the City constructed the surge tank and associated water mains (see Attachment 1 - Surge Tank Vicinity Map).

In 1968, the City obtained an easement for a non-public road to provide vehicular access to the surge tank from Mission Canyon Road. The easement agreement carried an obligation for the City to maintain the road, which has periodically suffered from erosion and landslides in the vicinity of the Surge Tank site (see Attachment 2 – Surge Tank Site Map). The cost to the City to repair the access road after the severe rainstorms of 2005 was \$85,000. The easterly end of the road suffered a landslide, which threatened a downhill private road that serves 1480 Mission Canyon Road. In 1988, when the Sheffield Treatment Plant ceased operations, there was no longer a

need for the surge tank and the connecting water mains. As a result, it is recommended that the easterly end of the access road and the surge tank be removed in order to reduce unnecessary ongoing cost for maintaining these facilities. However, the westerly portion of the access road, which is used by adjacent property owners to access their properties, will remain.

On December 16, 2011, the City executed Agreement No. 387,199 with Penfield & Smith (P&S) to provide preliminary design support services for the Surge Tank Removal Project (Project). These services were focused on the stability of the surge tank, access road, and underlying fill. A Geologic and Soils Engineering Exploration Report, dated May 11, 2012 (Report), was prepared by a P&S subcontractor.

#### PROJECT DESCRIPTION

P&S will develop the design documents necessary to bid and carry out the recommendations in the Report, which include removing the surge tank and approximately 450 feet of the easterly end of the vehicle access road, including removal of the underlying fill material. Native material will be left in place, erosion control measures will be installed, and approved hillside vegetation will be planted (see Attachment 2).

#### DESIGN PHASE CONSULTANT ENGINEERING SERVICES

P&S was selected as part of a Request for Proposal process that included a total of three qualified local civil engineering companies. P&S is experienced in this type of work and has submitted an acceptable proposal in the amount of \$40,340 for the permitting and design of the proposed construction work.

Staff is requesting authorization of \$6,051, or 15% of the contract amount, for extra services, due to the unique challenges inherent to this Project and the permit process.

The Project is located within Santa Barbara County. As such, the County will process the permits, including a grading permit, and will serve as the Lead Agency for environmental review. P&S's scope of services includes obtaining appropriate County and City permits, including the preparation of applications, exhibits, engineering plans and specifications, attending public hearings, and providing support through the bid process.

Staff recommends P&S for this work because of their ability to provide a wide range of services as outlined in their proposal. They are on the City's Prequalified Engineering Services list and have completed many projects for the City. They have also provided design support services on the Project, including a Geologic and Soils Engineering Exploration Report. It is anticipated that P&S will provide a proposal for construction management and inspection services for the Project in the future, after the design is complete and permits are issued.

## FUTURE PROJECT ACTIVITY

Once design documents are complete, the Project described above will be bid and constructed. After construction is complete, it is anticipated that Staff will return to Council and request approval to initiate steps to vacate all excess portions of the 1919 waterline easement, quitclaim the City's interest in a 1968 road easement without warranty to existing property owners and users, and dispose of the 2,500 square-foot City-owned surge tank parcel. Based on meetings with adjacent property owners and input from the neighborhood, Staff may recommend that a deed restriction on future development be placed on the surge tank parcel. The restriction will be compatible with a Santa Barbara Land Trust conservation easement on an adjacent 134-acre parcel.

## COMMUNITY OUTREACH

Several meetings between the City and the three neighbors immediately adjacent to the Project have already taken place. Subsequently, the owners of eighteen parcels in the neighborhood were notified by letter of the proposed Project, and their comments were requested. A summary of comments and Staff responses is attached (see Attachment 3). It is anticipated that future outreach will be dictated by the County Grading Permit and possibly a County Land Use Permit, as well as a City Building Permit, which is required for demolishing the surge tank on City property. Preliminary discussions with County and City Planning staff indicated that the project is categorically exempt from CEQA; however, a final determination will be made by the County as Lead Agency at the time of issuance of the grading permit.

At its meeting of September 9, 2013, the Board of Water Commissioners voted 3 to 0 to concur with staff recommendation.

## FUNDING

There are sufficient appropriated funds in the Water Fund to cover the cost of these services.

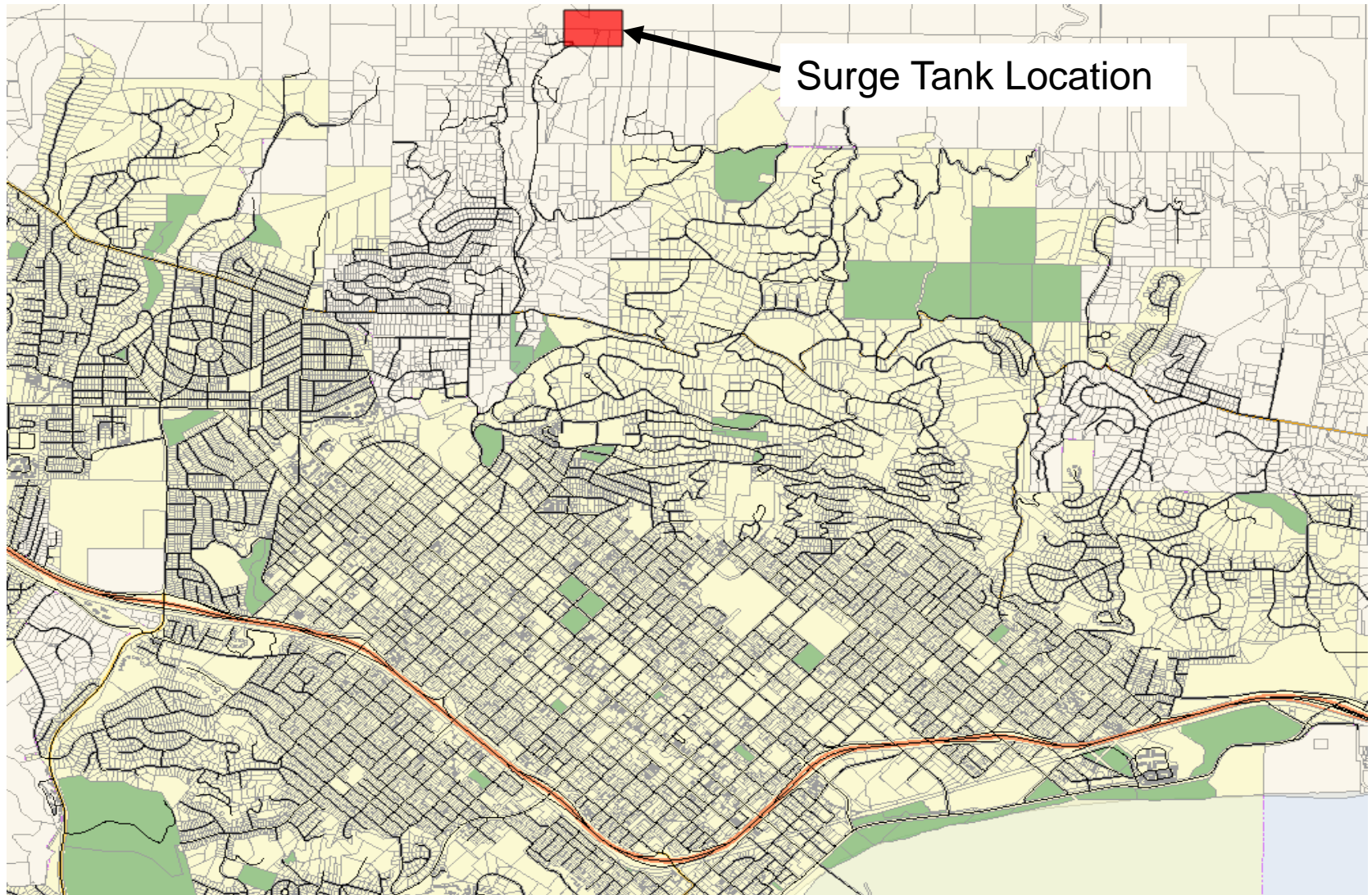
**ATTACHMENT(S):**

1. Surge Tank Vicinity Map
2. Surge Tank Site Map
3. Neighbor comments and Staff response

**PREPARED BY:** Pat Kelly, Assistant Public Works Director/City Engineer/RR/mh

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



Surge Tank Vicinity Map



Water Main from Mission Tunnel (Abandoned)

Access Road

Relocate 2" Fire Valve

Heartwell Residence  
1530 Mission Canyon Road

Remove Abandoned 2"&3" Water Lines & 36" Water Main

Remove southeastern portion of access road & restore area

Access Road

Remove surge tank & restore site

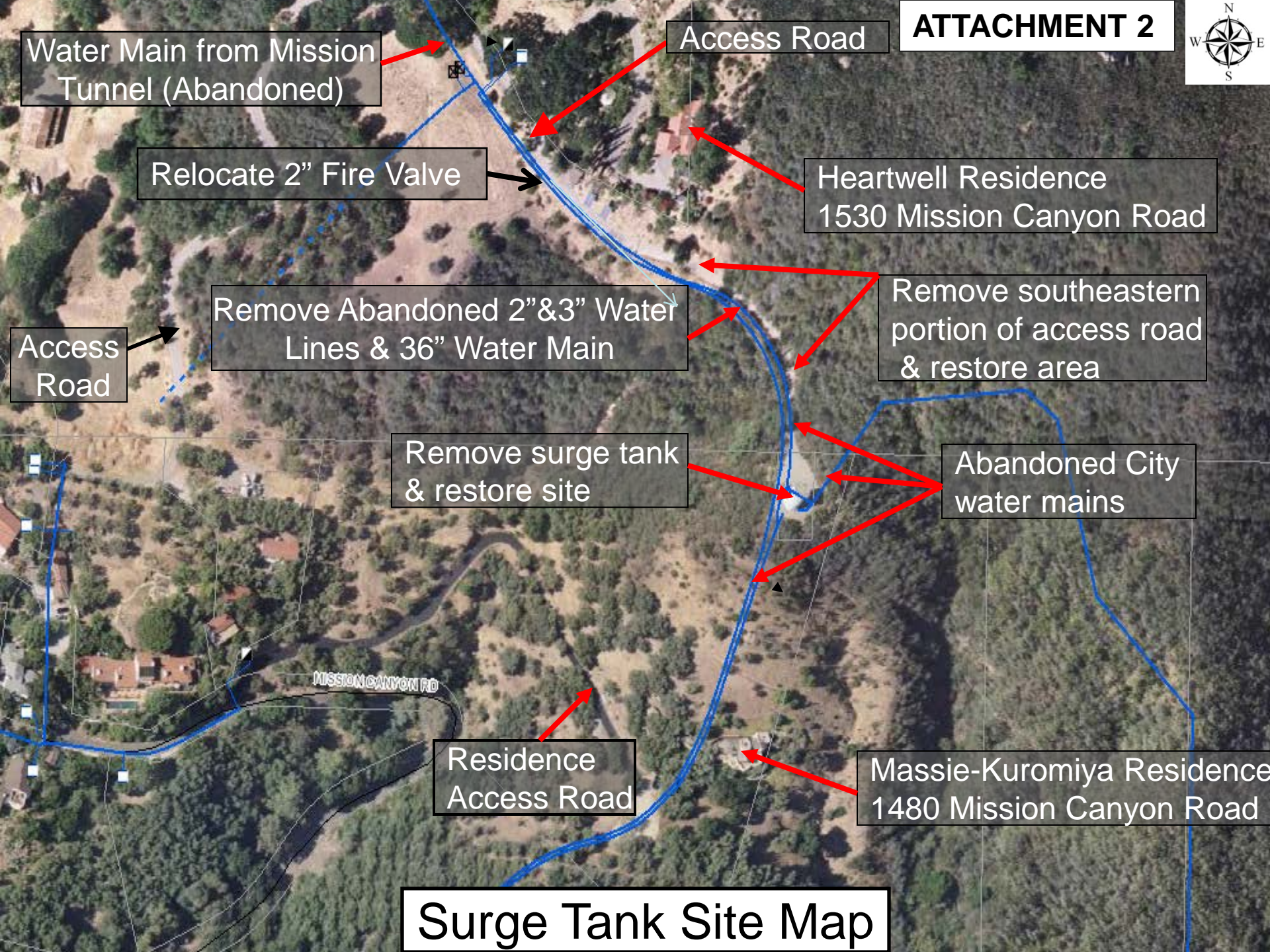
Abandoned City water mains

MISSION CANYON RD

Residence Access Road

Massie-Kuromiya Residence  
1480 Mission Canyon Road

**Surge Tank Site Map**



## SUMMARY OF COMMENTS RECEIVED AND CITY STAFF RESPONSE

Comment: Support proposed project. (7)

Response: *Acknowledged.*

Comment: Access road is unstable and constitutes risk of slope failure and landslides. (2)

Response: *The southerly end of the access road has presented a maintenance challenge for City staff. A road fill failure occurred on January 10, 2005.*

Comment: Move forward with the project as soon as practicable. (1)

Response: *Agreed. The project timing will be affected by the City and County permit process, the rainy season and fire season, and possibly by any major construction project creating significant traffic on Mission Canyon Road.*

Comment: Surge tank project is unnecessary and extreme. (1)

Response: *The surge tank is not being used and the access road creates maintenance responsibilities. These facilities are no longer necessary for the operation of the City's water system.*

Comment: Removal of the road and fill is overkill. Place debris fence below access. (1)

Response: *Please see previous response. A debris fence will not stop a road fill failure and would not achieve the goal of removing the unused surge tank and access road which create maintenance responsibilities.*

Comment: Request water pipes be removed from Mission Creek. (1)

Response: *Removal of water pipes in Mission Creek is outside of the scope of this project.*

Comment: Slope restoration and stabilization is important. (1)

Response: *Agreed.*

Comment: Revegetate with native plants and indigenous genetic stock. (2)

Response: *The County Grading Permit will contain requirements for revegetation of disturbed areas. A Geologic and Soils Engineering Exploration Report, May 11, 2012, Grover Hollingsworth and Associates, Inc. recommended "deep rooted groundcover to assist in stabilization of the surface soils."*

Comment: Community to review draft restoration plan. (1)

Response: *City staff will follow the review processes established by the City and County as required in their permitting process.*

Comment: Ensure success of vegetation restoration plan. (1)

Response: *The County Grading Permit will contain requirements to ensure successful erosion control and re-vegetation.*

Comment: Minimize construction period. (3)

Response: *Requirements in the City Building Permit and County permits as well as the construction plans and specifications determine the necessary construction period. Once all of this information is available, the design engineer will specify the construction and plant establishment period in the construction contract documents.*

Comment: Perform construction and restoration in low fire risk season. (2)

Response: *The County Grading Permit will contain requirements to address this issue.*

Comment: Condition project to protect against project increasing fire threat. (1)

Response: *See previous response.*

Comment: Coordinate construction timing with other access impacts such as the Botanic Garden Project. (1)

Response: *See previous response.*

Comment: Repair any damage to concrete plaza, environment, and other infrastructure. (3)

Response: *The project Contractor will repair damage caused by the construction.*

Comment: Repair any damage on Mission Canyon Road. (1)

Response: *Please see previous response.*

Comment: Courtyard surface slumps due to drainage pipe and waterline-City should repair it. (1)

Response: *The courtyard is in County right of way. This appears to be an existing condition that may best be discussed with the County Roads Department staff.*

Comment: At 1530 Mission Canyon Road- Move existing fire standpipe, connect waterline to new water meter box, construct asphalt driveway to access existing solar panels, propane tank, and for brush clearance removal. (1)

Response: *The project will remove the access road adjacent to and on 1530 Mission Canyon Road property. In order to mitigate impact to that property it is intended that the items contained in the comment will be constructed as part of the project.*

Comment: Support restriction on future development of surge tank parcel by new owner. (12)

Response: *City easements and the surge tank parcel will be needed during the vegetation establishment phase which could be several years. After the vegetation is established, City staff may recommend that the City Council declare the surge tank parcel to be excess to the City's needs and offer it for sale in accordance with State and City law.*

*At the time when staff presents the permit and design contract for approval to City Council, City staff will indicate staff's intent to return to Council after completion of the Project to request authority to initiate steps to vacate all excess portions of the 1919 waterline easement, quit claim the City interest in a 1968 road easement without warranty to existing property owners and users, and dispose of the 2,500 square feet City-owned surge tank parcel. Staff will also suggest that a deed restriction be imposed on the surge tank parcel prior to its disposal which prohibits future development and is compatible with a Santa Barbara Land Trust conservation easement on an adjacent 134 acre parcel.*

Comment: Support deed restriction against any human activity on City parcel. (1)

Response: *Please see previous comment.*

Comment: Request that City parcel be sold to a particular individual. (10)

Response: *The disposal of City land is governed by State and City law. Attached please find the applicable City statutes that govern the City land disposal process.*

Comment: Concerned regarding the stewardship of the existing Conservation Easement of land in the project area. (6)

Response: *The City has no authority concerning this comment.*

Comment: Closed bid process for parcel creates undue hardship. (3)

Response: *Please see previous comment.*

Comment: City should retain ownership of parcel. (1)

Response: *It is inappropriate for the City to retain land for which it has no use.*

Note: The neighbor comments above are not a quote but a paraphrasing of the comment. Each comment is followed by a number which represents the times the comment was found in the responses from the neighbors. A total of fourteen neighbor emails and letters were received by the City in response to City's letter of April 3, 2013.