



STAFF REPORT

April 30, 2024

File Number 0600-10; A-3503

SUBJECT

RATIFICATION OF LOCAL EMERGENCY PROCLAMATION AND APPROVE EMERGENCY REPAIR OF THE ESCONDIDO LAND OUTFALL

DEPARTMENT

Utilities Department

RECOMMENDATION

Request the City Council take the following actions:

1. Adopt Resolution No. 2024-52, ratifying Proclamation No. 2024-01 by the Director of Emergency Services and declaring that pursuant to the California Public Contract Code AND Escondido Municipal Code, the City Council affirms that it was appropriate for City staff to forego competitive bidding procedures and to award a contract for emergency repairs of the Escondido Land Outfall.
2. Approve a Budget Adjustment in the amount of \$1,700,000.

Staff Recommendation: Approval (Utilities: Angela Morrow)

Presenter: Angela Morrow, Interim Director of Utilities

ESSENTIAL SERVICE – Yes; Keep City Clean for Public Health and Safety; Sewer

COUNCIL PRIORITY – Improve Public Safety

FISCAL ANALYSIS

Funding for the emergency Land Outfall repairs will be from the Outfall Maintenance Capital Improvement Project (“CIP”) No. 800078, which currently has an available balance of approximately \$312,000. A budget adjustment in the amount of \$1,700,000 from the Unallocated Wastewater Reserves is requested to fully fund the Project.

PREVIOUS ACTION

None



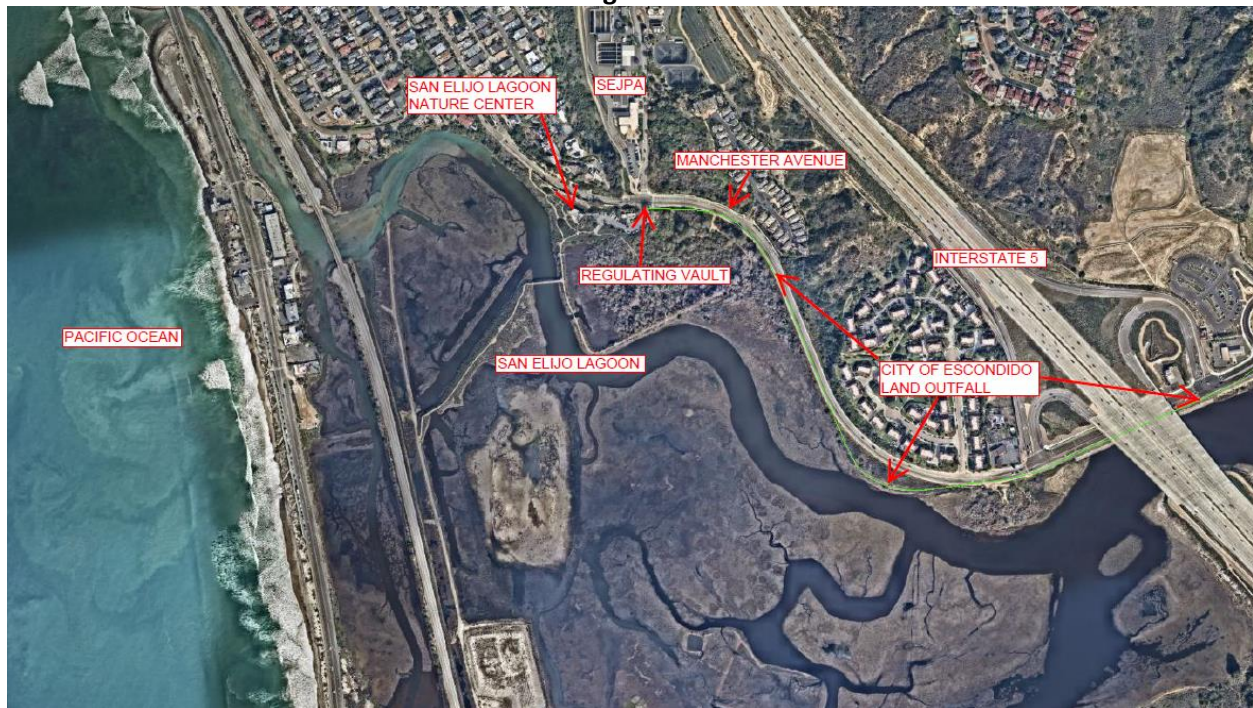
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BACKGROUND

The City of Escondido (“City”) owns and operates a 14-mile Land Outfall that conveys secondary treated wastewater effluent westerly from Hale Avenue Resource Recovery Facility (“HARRF”) to San Elijo Joint Powers Authority (“SEJPA”) Ocean Outfall via a regulating vault that is owned, operated and maintained by SEJPA. The regulating vault is located west of Interstate 5 and Manchester Avenue, and north of the San Elijo Lagoon (See Figure 1). Seventy-nine percent of the Ocean Outfall’s capacity is leased to the City. The Land Outfall pipeline was constructed in 1974. On April 16, 2024, City staff was notified by staff from the SEJPA and the County of San Diego Department of Parks and Recreation (“County DPR”)/San Elijo Lagoon Nature Center that water was surfacing on the ground near an area where the City’s Land Outfall is located.

Figure 1



The weeping of the Land Outfall is located near the San Elijo Lagoon Nature Center at the northern border of the San Elijo Lagoon, west of Interstate 5 and south of Manchester Road. On April 16, 2024, City staff responded immediately to assess the situation. Water samples were collected and taken to the laboratory to determine the likely source of the water. Laboratory test results were consistent with the quality of the secondary effluent from the HARRF, indicating that there is a leak on the Land Outfall.



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Water from the weeping is currently confined in the area of the Nature Center near Manchester Avenue and has not gone, nor is it anticipated to go, into the San Elijo Lagoon. This portion of the Land Outfall is under pressure and City staff are concerned that the situation could escalate into a catastrophic failure if not addressed quickly.

On April 25, 2024, the City Manager, acting in his capacity as the Director of Emergency Services under Chapter 7 of the Escondido Municipal Code, proclaimed a local emergency via Proclamation No. 2024-01 thereby triggering the allowance for dispensing with competitive bidding procedures under state and local law to secure an immediate contract to expedite the containment and repair of the subject pipeline. See Attachment 2.

CCL Contracting, Inc. has the staff expertise and equipment to immediately mobilize to repair the Land Outfall on a time and material basis. A Public Improvement Agreement is being executed with CCL Contracting, Inc., by the City Manager under the emergency proclamation pursuant to Chapter 7 of the Escondido Municipal Code.

Utilities staff continue to coordinate with staff from the SEJPA, the San Diego Regional Water Quality Control Board ("Regional Board"), San Diego Gas & Electric ("SDG&E"), Army Corps of Engineers, Department of Fish and Wildlife, County of San Diego, City of Encinitas, San Elijo Nature Center and the Nature Collective. As required over the past week by the Regional Board, Utilities staff: prepared and submitted a report of non-compliance for National Pollutant Discharge Elimination System ("NPDES") permit violation, is preparing to perform a pre-disturbance damage assessment of the anticipated affected area due to both the weeping of the Land Outfall within the San Elijo Nature Center and the proposed construction associated with repairing the Land Outfall, and are continuing to collect and test water samples prior to next steps. The proposed construction approach will allow the HARRF to remain fully operational throughout the duration of construction, while minimizing environmental impacts. In addition, the proposed construction method will minimize impacts to the residents of the city of Encinitas, the San Elijo Nature Center, and the public. It is City staff's goal to mobilize the contractor as expeditiously as possible, while ensuring that appropriate regulatory agency requirements are met.

Resolution No. 2024-52, which must be passed by four-fifths vote pursuant to state law, also ratifies the Director's Proclamation as required by the Municipal Code and supports the declaration that public interest and necessity demand the immediate expenditure of funds to safeguard life, health, or property.

RESOLUTIONS

- a. Resolution No. 2024-52

ATTACHMENTS

- a. Attachment "1" – Budget Adjustment
- b. Attachment "2" – Proclamation No. 2024-01