ITEM NO. 12

STAFF REPORT *CITY OF OCEANSIDE*

DATE: March 18, 2015

TO: Honorable Mayor and City Councilmembers

FROM: Water Utilities Department

SUBJECT: **APPROVAL OF PLANS AND SPECIFICATIONS FOR THE MISSION BASIN GROUNDWATER PURIFICATION FACILITY OPERATIONS BUILDING AND AUTHORIZATION FOR THE CITY ENGINEER TO CALL FOR BIDS; AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR THE PROJECT**

SYNOPSIS

Staff recommends that the City Council approve the plans and specifications for the Mission Basin Groundwater Purification Facility Operations Building Project, and authorize the City Engineer to call for bids; and adopt a resolution approving the Mission Basin Groundwater Purification Facility Operations Building Projects Mitigated Negative Declaration and mitigation monitoring and reporting program.

BACKGROUND

The Mission Basin Groundwater Purification Facility (MBGPF) is located at 215 Fireside Drive; it has a treated water production capacity of 6.4 million gallons per day. The facility was first constructed in 1992 and subsequently expanded in 2000, 2003, 2008, 2011, and most recently in 2013. The original operations building was considered a temporary structure and consisted of modular trailers. This temporary structure is still in use today and needs to be replaced with a permanent structure. The existing temporary structure is located where the future ocean desalination treatment process will be sited and the new Operations Building has been appropriately located to accommodate this future improvement.

ANALYSIS

The City Council approved an agreement with HB&A Architects of Escondido in September 2013 to prepare the plans and specifications for the MBGPF Operations Building project. The design includes a new Operations Building, site planning to accommodate the future desalination treatment processes, and demolition of the existing buildings. Staff has worked closely with treatment plant personnel to evaluate and coordinate the construction sequencing to ensure there are no interruptions to the plant production and/or reporting functions. The plans and specifications were completed in January 2015.

This project is designed to obtain a LEED – New Construction (NC) certification. The project has already been analyzed by the certifying agency and is currently registered as a project seeking certification at the Gold Level. The project is anticipated to gain this certification at project completion.

Staff anticipates commencement of work in June 2015, and estimates that construction of the project will take approximately 18 months. The Department is planning a comprehensive outreach program for residents that live near the construction zone.

A Mitigated Negative Declaration (MND) has been prepared stating that if the mitigation measures identified in the Mitigation Monitoring and Reporting Program are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the City Council will consider the Mitigated Negative Declaration during its approval on the project.

The original draft MND was circulated for public review from Thursday, November 13, 2014 to Saturday, December 13, 2014. All comments received on the Draft MND document have been included in the Final MND and appropriate responses to those comments have been provided as well.

FISCAL IMPACT

The Desalter Facility Major Improvements Project (908125600712) has an available balance of $3,776,659. The engineers estimate for this project is $2,250,000; therefore, adequate funds are available for the project. Water Sales and Water Meter Charges for service deposited under Water Fixed Asset Replacement accounts 712.4471.0001 and 712.4471.0003 respectively, are the funding sources

INSURANCE REQUIREMENTS

The City's standard insurance requirements will be met.

COMMISSION OR COMMITTEE REPORT

The Utilities Commission received an update at its regularly scheduled meeting on March 17, 2015.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council approve the plans and specifications for the Mission Basin Groundwater Purification Facility Operations Building Project; and authorize the City Engineer to call for bids; and adopt a resolution approving the Mission Basin Groundwater Purification Facility Operations Building Projects Mitigated Negative Declaration and mitigation monitoring and reporting program.

PREPARED BY:

Jason Dafforn
Interim Water Utilities Director

SUBMITTED BY:

Michelle Skaggs Lawrence
Interim City Manager

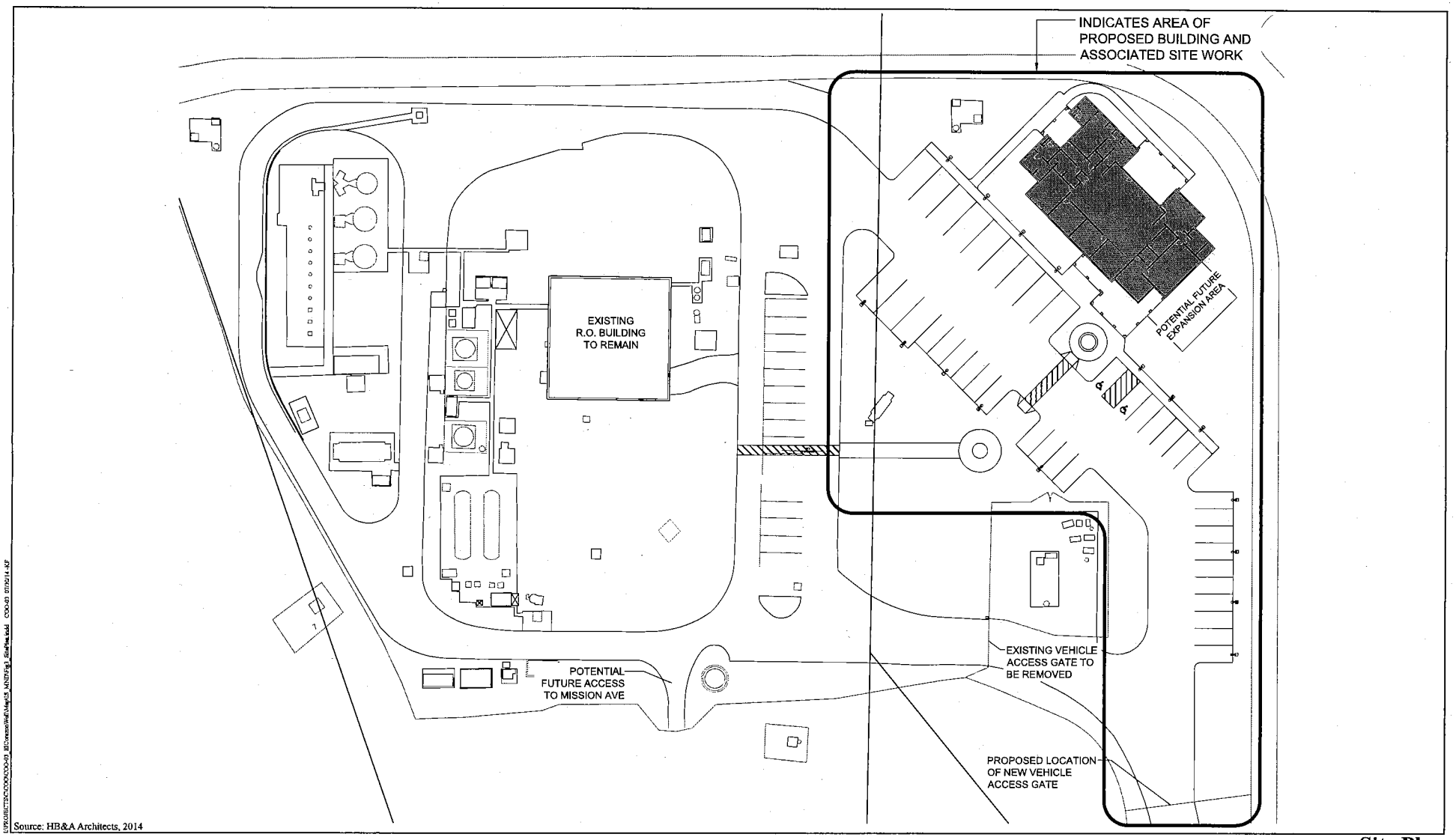
REVIEWED BY:

Peter Weiss, Assistant City Manager

Scott Smith, City Engineer

Jane M. McPherson, Interim Financial Services Director

Exhibit A: Project Location Map
Exhibit B: Resolution Approving Mitigated Negative Declaration



Source: HB&A Architects, 2014

Site Plan

MISSION BASIN DESALTING FACILITY OPERATIONS BUILDING PROJECT

HELIX Environmental Planning

Figure 3

EXHIBIT A - SITE MAP

EXHIBIT B

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE APPROVING THE FINAL MITIGATED NEGATIVE DECLARATION FOR THE MISSION BASIN GROUNDWATER PURIFICATION FACILITY OPERATIONS BUILDING PROJECT

WHEREAS, the City of Oceanside Water Utilities Department has determined that the temporary structure at the Mission Basin Groundwater Purification Facility needs to be replaced with a permanent structure. The existing temporary structure is located where the future desalination treatment process will be located and the new operations building has been appropriately located to accommodate future improvement;

WHEREAS, a Final Mitigated Negative Declaration was prepared and circulated for public and agency review and proper notification was given in accordance with the California Environmental Quality Act;

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project has been found to be subject to a Mitigated Negative Declaration per Article 6 of the California Environmental Quality Act;

WHEREAS, the Planning Division has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has conducted a Mitigation and Monitoring and Reporting Program (MMRP) in accordance with CEQA. Based upon the results of the Mitigation and Monitoring and Reporting Program (MMRP), the City's Environmental Coordinator has determined that the project as mitigated will not result in significant effects on the environment.

WHEREAS, the City's Environmental Coordinator has determined that an Environmental Impact Report (EIR) is not required because there is no substantial evidence in light of the whole record that the project as mitigated may have a significant effect on the environment.

WHEREAS, a Mitigated Negative Declaration was prepared by the Resource Officer of the City of Oceanside for the Mission Basin Groundwater Purification Facility Operations Building project;

WHEREAS, the City Council does hereby find that the Mitigation and Monitoring and Reporting Program (MMRP) /Mitigated Negative Declaration has been prepared in accordance with requirements of CEQA, the State CEQA Guidelines, and the Ordinance 04-OR300-1 of the City of

Oceanside adopting procedures and guidelines to implement CEQA, and hereby adopts the Mitigated Negative Declaration and the Mitigation, Monitoring and Reporting Program; and

WHEREAS, the Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (MMRP) have been determined to be accurate and adequate documents, which reflect the independent judgment and analysis of the City Council. On the basis of the entire record before it, the City Council finds that there is no substantial evidence that the project, with implementation of the mitigation measures proposed, will have a significant impact on the environment.

WHEREAS, studies and investigations made by this Council and in its behalf reveal the following facts:

For the Final Mitigated Negative Declaration:

1. The Final Mitigated Negative Declaration and Initial Study were completed in compliance with the provisions of the California Environmental Quality Act (CEQA).

2. There are potentially certain significant environmental effects detailed in the Final Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (MMRP) which have been avoided or substantially lessened by the establishment of measures which are detailed in the Mitigation and Monitoring and Reporting Program (MMRP).

3. The Final Mitigated Negative Declaration and Initial Study were presented to the City Council, and the City Council reviewed and considered the information contained in these documents prior to making a decision on the project. The Final Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (MMRP) have been determined to be accurate and adequate documents which reflect the independent judgment of the City Council.

4. The documents and materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based are located in the City of Oceanside Planning Division, Development Services Department, 300 N. Coast Hwy., Oceanside, CA 92054.

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

1. The Final Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (MMRP) for the Mission Basin Groundwater Purification Facility Operations Building IS ADOPTED, effective as of this day and the mitigation measures provided herein and incorporated as conditions of approval, as follows:

Environmental:

A. Biological : Avoidance of Nesting Birds and Raptors. The City shall require that initial grading and vegetation activities (i.e., earthwork, clearing, and grubbing) for Phase I and Phase II are performed outside of the general breeding season for migratory birds and raptors, which is defined as occurring between February 1 and August 31. If activities must occur during the general bird breeding season, the City or its contractor shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. The pre-construction survey shall be performed no more than seven days prior to the commencement of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, vegetation clearing/trimming shall not occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.

B. Cultural:

i. Archaeological and cultural resources monitoring will be conducted during ground-disturbing activities at the site. The cultural resources monitoring will be conducted by a Luiseño Native American monitor. In the event that potentially significant archaeological materials are encountered during construction activities, the archaeological and Luiseño Native American monitors shall each have the authority to temporarily halt/redirect construction in the area of the discovery while the artifact(s)/resource(s) is(are) evaluated. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted. Both the lead archaeological monitor and Luiseño Native American monitor shall be present at a preconstruction meeting with the City and its contractor.

ii. The City shall enter into a pre-excavation agreement with the San Luis Rey Band of Mission Indians prior to beginning ground-disturbing activities associated with the project. This agreement will outline the roles and responsibilities of the archaeological monitor and Luiseño Native American monitor, ability of these monitors to temporarily halt construction in the vicinity of archaeological resources found on site (if any), the disposition of archaeological/cultural resources found on site, and the treatment of any Native American human remains uncovered during excavation (this is not anticipated).

iii. To the extent allowed by law, cultural resources material found on site will be provided to the San Luis Rey Band of Mission Indians or, if applicable, the most likely descendant. If examination of archaeological material found on site is required, a Luiseño Native American monitor shall be provided the opportunity to be present during the examination of that material, and the archaeological material shall be provided to the San Luis Rey Band of Mission Indians following completion of the testing.

iv. Only fill certified as being clean of cultural resources material shall be imported to the project site.

v. In the unlikely event that potentially significant paleontological materials (e.g., fossils) are encountered during construction of the project, all work shall be halted in the vicinity of the paleontological discovery until a qualified paleontologist can visit the site of discovery, assess the significance of the paleontological resource, and provide proper management recommendations. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted. The treatment and disposition of paleontological materials that might be discovered during excavation shall be in accordance with applicable laws and regulations.

C. Geology and Soils: An erosion and sediment control plan shall be prepared and submitted for review and approval prior to grading. The plan shall outline methods that shall be implemented to control erosion from graded or cleared portions of the site, including but not limited to straw bales, sandbags, soil binders, diversion fences, desilting basins, etc. The plan shall be prepared in accordance with the City's grading ordinance, the City's water quality ordinance, the latest National Pollutant Discharge Elimination System (NPDES) Permit and to the satisfaction of the City Water Utilities Department.

2. Pursuant to Public Resources Code Section 21081.6 the City Council adopts the MMRP and finds and determines that said program is designed to ensure compliance with the measures during project implementation. The City Council finds that the Mitigation measures set forth in the Mitigated Negative Declaration mitigate or avoid all environmental impacts.

3. Notice is HEREBY GIVEN that the time within which judicial review must be sought on this decision is governed by the provisions of the Public Resources Code Section 21167 California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby adopt the Final Mitigated Negative Declaration;

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____ _____day of _____, 2015 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

FILED
Ernest J Dronenburg, Jr. Recorder County Clerk

NOV 18 2014

BY J. Vargas
DEPUTY

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
City of Oceanside

Subject: City of Oceanside Mission Basin Desalting Facility Operations Building (Water Utilities CIP Project No. 908125600712)

NOTICE IS HEREBY GIVEN that the City of Oceanside has prepared and intends to adopt a Mitigated Negative Declaration in connection with the subject project. The Mitigated Negative Declaration identifies potential effects with respect to Biological Resources, Cultural Resources, and Geology/Soils. The Mitigated Negative Declaration also includes proposed mitigation measures that will ensure that the proposed project will not result in any significant, adverse effects on the environment. The City's decision to prepare a Mitigated Negative Declaration should not be construed as a recommendation of either approval or denial of this project.

PROJECT DESCRIPTION: The proposed project would allow the construction of an approximately 5,250 square foot (sf.) administration and laboratory building with associated parking in the northeast corner of the approximately 4.0-acre MBDF property. The existing operations building within the property would be demolished once construction of the new building is complete. The new building would provide more space for eight additional field staff and supervisors, and would include an open office area or "bullpen" with work station for field staff, mudroom/locker and restroom facilities, offices for supervisors, laboratory for basic water testing needs, a small kitchen and seating area for staff use, conference/community meeting room sized to accommodate up to 16 persons, a control room for monitoring plant operations, and a SCADA equipment room. The proposed building would be one story high with a flat roof system that incorporates an architectural style that would be complimentary to the designs of other buildings in the City, with simple forms and detailing. Other site improvements would include a parking lot for staff, public, and City vehicles; connections to on-site utilities; and water-efficient landscaping.

PUBLIC REVIEW PERIOD: the public review period is from **Thursday, November 20, 2014 to Monday, December 22, 2014.**

PROJECT MANAGER: Jason Dafforn, Water Utilities Division Manager; Phone: (760) 435-5811; Fax number: (760) 435-6811; mailing address: City of Oceanside Water Utilities, 4927 Oceanside Boulevard, Oceanside, CA 92056. E-mail: JDafforn@ci.oceanside.ca.us.

NOTICE IS FURTHER GIVEN that the City invites members of the general public and agencies to review and comment on this environmental documentation. Written comments may be mailed, e-mailed, or faxed to the project manager. The Draft MND and supporting documents are available for public review and inspection at the Planning Division located in City Hall at 300 North Coast Highway, Oceanside, CA 92054. The Draft MND is also available online at http://www.ci.oceanside.ca.us/gov/dev/planning. The City Council will conduct public hearing(s) at a future date to be determined. A legal ad in a local newspaper will be used to notice the public for those hearings. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised during the public review period on the proposed Draft MND or at the future public hearing(s).

By order of Richard Greenbauer, Senior Planner

Date: November 18, 2014

FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on NOV 18 2014

Posted NOV 18 2014 Removed DEC 18 2014

Returned to agency on DEC 18 2014

Deputy J. Vargas