



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: February 19, 2019

Agenda Item 6L

Approvals:

City Manager JM

Dept. Head JB

Attorney

Finance GR

Department: Public Works
Prepared By: Tom Bonigut, Public Works Director

Subject: *APPROPRIATION FOR NORTH EL CAMINO REAL BLUFF FAILURE RESPONSE AND CLEANING.*

Fiscal Impact: Yes. There are available funds in the Developer Improvement Fund for this expense.

Summary: Approval of an appropriation to fund costs for responding to and cleaning up N. El Camino Real due to partial failure of the existing adjacent natural bluff.

Discussion: In January 2007, the City and the developer of the Marblehead Coastal development executed an Implementation Agreement to fully effectuate and implement the original 1998 Development Agreement for the project. The Implementation Agreement included a requirement for the developer to provide \$500,000 to the City for emergency removal, cleaning and repair of N. El Camino Real due to failure of the northernmost portion of the natural bluff. This provision was included in the agreement because the Coastal Commission rejected earlier versions of the development project that included remedial grading of the northernmost portion of the bluff that had not been stabilized with the prior bluff grading further to the south. In 2016, the City received the required funding contribution in conjunction with the building permit schedule specified in the agreement.

On February 13, 2019, City staff became aware of a landslide on part of the natural bluff. The initial slide broke through a small retaining wall and existing sidewalk, and staff and the OC Sheriff closed this portion of North El Camino Real as a precautionary measure. Staff and the City's contract geologist inspected the slide and bluff area. Although no cracks or fissures were observed on the adjacent bluffs or behind the slide area, the lower portion of the slide consisted of a large land mass which showed signs of very slow but continued movement. Given this and forecasted heavy rain, staff established a more permanent road closure, and by late evening had 300 feet of krail concrete barrier placed in the roadway to help contain expected mud and debris. A 10-foot wide path was left to allow emergency vehicle access. Since grading of the bluff is not allowed and it is within a designated habitat reserve area, the City is limited to cleaning up earthen debris that gets deposited on the sidewalk and roadway. At the time of this report, the City was still experiencing heavy rain. Staff was continuing to monitor the slide movement and weather forecast for an opportunity to begin cleanup. Given the size of the land mass and continued potential for bluff failure, North El Camino Real could remain closed for an extended period of time or be subject to periodic closures. It is important to note that runoff from the bluffs is originating in the natural, ungraded habitat area above the bluff. All runoff from developed portions of the Marblehead/Sea Summit project does not drain to this area, and instead is directed

south via storm drain pipes to engineered basins and additional pipes for ultimate discharge to the ocean further to the south. Also, there does not appear to be any impact to Colony Cove homes to the north, as those homes are protected by an engineered retaining wall (and graded bluff immediately to the south of Colony Cove) that were constructed after a significant bluff failure at that location in the 1990s.

As noted the City has funds dedicated for emergency response and cleanup, but a funding appropriation is needed to allocated funds into an expense line item to which costs can be charged. This report recommends approval of some of the available funds. It is unclear at this time what the total cost will be. If additional funds are needed staff will submit further appropriation requests, and any unused funds will remain in the line item for future response efforts.

Staff is tracking all costs in case these efforts become eligible for any potential disaster relief funds.

Recommended

Action: STAFF RECOMMENDS THAT the City Council approve a supplemental appropriation in the amount of \$250,000 from the Developer Improvement Fund undesignated fund balance to Account No. 037-867-43890-000-00000 for North El Camino Real bluff failure emergency response and cleaning.

Attachment: None.

Notification: None.