



# AGENDA REPORT

## CITY OF SAN CLEMENTE

### City Council Meeting

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**Meeting Date:** 9/6/2022

Agenda Item: 4G

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**Department:** City Manager

**Prepared By:** Jonathan Lightfoot, Economic Development Officer

**Subject:**

SUPPLEMENTAL APPROPRIATION FOR SLOPE ANALYSIS AT 100 PRESIDIO

**Fiscal Impact:**

Yes. Staff anticipates an unbudgeted cost of \$110,000. The Public Works department already has active Professional Service Agreements with three on-call geotechnical consultants. Staff will solicit bids from amongst those firms on a time and materials basis for not to exceed \$110,000.

**Summary:**

The proposed scope of services is to perform a geotechnical landslide evaluation of the ancient landslide beneath the area of Old City Hall at 100 Avenida Presidio. Regional geologic maps of the area and previous subsurface, geotechnical evaluations depict the subject site and surrounding community as underlain by a large, suspected ancient landslide, although only limited subsurface data has been gathered to date. Staff will seek to expand that knowledge base through contracting for additional geotechnical investigation and modeling to demonstrate the depth and lateral extent of the ancient landslide. Based on this model, the City will have a better understanding of the current stability of the landslide and whether any actions or mitigations could be undertaken to improve the stability. This information will inform what scale of future development may be suitable on this City owned property.

**Background:**

The City Council declared the former City Hall site as surplus property on May 4, 2021. Staff subsequently initiated the state-required Surplus Land Act (SLA) procedures, including providing a Notice of Availability (NOA) to the California Department of Housing and Community Development (HCD) to other public agencies and interested affordable housing developers. The City received multiple letters of interest through the 60 day waiting period and proceeded into the required 90-day negotiation stage. The City has exceeded that period of time; however, to complete good faith negotiations, it is important to gain a better understanding of the geotechnical conditions of the site in order to complete negotiations.

**Discussion:**

Typically, the City would evaluate soils reports and geotechnical information during the building permit review of construction drawings. However, given the known (or assumed) ancient landslide under this site, and the requirement to specifically address unit counts of proposals and corresponding offers for sale or lease, the City must evaluate the environmental implications of development prior to entering into any form of disposition agreement. This additional analysis by a qualified on-call geotechnical consultant will assist the City in determining whether any special mitigation activity will be required in order to support development at the site. This information is

necessary for the City to conclude its good faith negotiations with the parties that have submitted qualified offers pursuant to the SLA process.

**Plan and Policy Consistency:**

The action is consistent with the following General Plan Goals and Policies:

- **Safety Element Goal:** Minimize risk to life, property, economic and social dislocation and disruption of vital services that could result from geologic and seismic hazards.
  - Policy S-1.01. **Up to Date Information.** We collect and maintain relevant data on fault locations, soils reports and other information that can help identify seismic or liquefaction potential and areas at risk of landslides.
  - Policy S-1.04. **Landslide Risk.** Where development is proposed on unstable terrain, excessively-steep slopes and other areas deemed hazardous due to landslide risk, it is prohibited unless acceptable mitigation measures are implemented.
  - Policy S-1.05. **Assessment and Mitigation.** Where appropriate, we require new development to assess the potential for liquefaction, slope instability and landslides and require that appropriate measures be incorporated into the project to mitigate such hazards.

The action is also consistent with Purchasing Policies, including:

- 201-10-4: **Supplemental Appropriations**, which requires that supplemental appropriations and transfers between budget funds be reviewed and approved by the City Council; and
- 201-2-2: **Purchasing Policies and Procedures for Public Works Projects**, which requires that staff solicit bids from a list of qualified contractors for projects that are estimated between \$30,001 - \$125,000. The City estimates this project to be under \$125,000 and will solicit bids from the previously established on-call geotechnical consultant list.

**Council Strategy:**

The action is consistent with Council Strategy 1 - Ensure financial stability as demonstrated by low debt, high ratings, and new revenue generation - in that it furthers the City's opportunity of receiving one time or recurring revenues through the disposition of surplus property.

**Recommended Actions:**

Staff Recommendation

Staff recommends that the City Council approve an appropriation of one hundred and ten thousand dollars (\$110,000.00) from the General Fund Unassigned Fund Balance into account 001-411-43690-000-00000, Development Engineering - Other Professional Services and authorize the Public Works Director to execute a contract with the selected firm to perform the scope of services as depicted in their proposal and pursuant to their existing Professional Services Agreement.

**Attachment:**

None

**Notification:**

None