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Dan Galvin, Chair  
William Arnone, Vice Chair  
Lisa Badenfort  
Chris Grabill  
J. Matthew Mullen  
Mary Watts  
Glen Wright

Re: Agenda Item 6.1  
C00158 – North Trunk Sewer Replacement, Mendocino Avenue to Terra Linda Drive

Chair Galvin, and Members of the Board of Public Utilities:

You are being asked to approve a contract for the North Trunk Sewer Replacement project, on the consent calendar.

I request, with this letter, that you have a discussion about this project and this contract award.

As you know, this is a massive project that will negatively impact hundreds of residents living immediately adjacent to the project, and thousands of individuals who travel on every day on Chanate Road, for at least two years. While the project is necessary, it is essential that the City and the selected contractor do everything possible to ameliorate the negative impacts to the greatest possible extent.

I well understand the tension between wanting to complete a project efficiently to get it over with quickly, and making all the neighbors suffer. In this case, since the project will go on for at least two years, it is unreasonable to subject the neighbors to two years of misery for the contractor's convenience.

When there is a choice between the contractor's convenience or saving money, and the neighbor's quality of life, I request that you instruct the City to always choose making the neighbors' lives better, or at least less bad.

Unfortunately, after finally obtaining the bid document and the plans, it is clear that there a number of areas where there has been no acknowledgement of or attempt to mitigate negative effects, particularly on the residents living in the immediate vicinity of the project. Some of these negative effects were not contemplated, perhaps, but are very real and are "unusual," due to the continuing COVID-19 emergency. In fact, the current reality (and likely for the foreseeable future) is that the majority of residents living in close proximity to the project will be in their homes all day, every day, attempting to work and go to school, so no assumption can be made about the "normal" noise levels that might be permissible for a project of this size.

While I have been working with Public Works staff for over a year, expressing my concerns, and some of those concerns have been addressed<sup>1</sup>, a number of other problems still remain, or have arisen, and I would like you to understand, acknowledge and direct staff to amend the contract so as to adequately address those concerns.

## **1. STREET PARKING**

This project will impact residents living along Chanate Road, Lomitas Avenue north of Chanate, Lomitas Lane, Plum Drive and Strawberry Drive. There is no provision in the contract for providing a secure location to park vehicles that are now parked along those streets, and those vehicles are numerous (these vehicles are owned by residents – this does not include visitor traffic). None of those locations is in a typical street grid, so it is impossible for those residents to park their vehicle a block away and walk home.

I have been requesting for at least a year that the contract provide a secure location for all vehicles currently parked along streets, along with transportation back and forth if said location is more than a reasonable walking distance away, and that request has fallen on deaf ears. Instead, the contract assumes that the owners of those vehicles, living in the homes directly adjacent to this water/sewer project, will magically find a place to park their vehicles during the extended periods they will no longer be able to park on the street in front of their homes.

This is unacceptable.

With this letter I request that you require the contract to be amended to make it the contractor's responsibility to find a secure location to park residents' vehicles when on street parking is unavailable, and that you require that if said secure location is more than a block or so away from the resident's home, that transportation back and forth be provided, all at the contractor's expense.

## **2. NOISE/HOURS OF OPERATION**

There are numerous residences very close to Mendocino Avenue, along Chanate Road, Lomitas Avenue and Lomitas Lane, where all work performed will be done at night, from midnight to 6 am. Further, the project will be doing construction on private commercial property at 2604 Mendocino Avenue, and all of THAT work will take place at night, as well. There are residences – including mine – immediately adjacent to and very near 2604 Mendocino Avenue.

It is unquestionable that many residents will be subjected to noise not only from 7 am to 7 pm, but also from midnight to 6 am in the same 24 hour period, leaving no reasonable time to sleep or have any ability to conduct a normal life.

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<sup>1</sup> I am continuing to work with City staff about how the terminus of Lomitas Lane will be addressed during this project, and expect that it will ultimately be resolved to my and my neighbors' satisfaction. If, however, that situation changes, I will address any problems directly to you in the future.

Further, at the time this project was contemplated, and apparently at the time the Invitation for Bids document was prepared – and likely the contract you are being asked to approve – the impact of COVID-19 was not taken into account.

The reality is that at this point in time, and likely for the foreseeable future, every residence must be considered a school and a place of work, as well as a place to live and sleep, and that most residents and their families will be present in their homes 24/7. Clearly noise levels will significantly negatively impact everyone in the vicinity of this project, and these noises will not be transient or for a short duration in time. Again, this project will take two years to complete, and will subject residents to periods of essentially continuous noise above reasonably acceptable levels that will impact their ability to sleep, go to school and work.

The noise levels allowed by the Bid document and the contract are unacceptable under these circumstances. In fact, the noise levels allowed for this project are quite a bit higher than those allowed by Santa Rosa's Noise Ordinance (Santa Rosa City Code, Section 17-16.030).

All reasonable studies indicate that an average of greater than 40 dB at night will impact sleep, and can cause negative health effects – the bid documents allow noise at 60 dBA at night, which is 15 dBA higher than even the Santa Rosa Noise Ordinance allows in R1/R2 areas (which is much of what is adjacent to this project).

The Bid documents state that a daytime exterior noise level of 70 dBA is permissible at school classrooms. Again, this now means literally, at every single home adjacent to this project, and I question this permitted noise level as being too high to reasonably allow schooling to take place.

The Bid documents state that hotel vouchers will be offered to residents where noise levels in their home during nighttime construction are exceed the performance standards in the Bid documents.

I have two problems with this: first, I believe those performance standards are unacceptable. 60 dBA at night is too high to allow for uninterrupted sleep, and the nighttime work/noise will not be an occasional event, but instead will be continuous over an extended period of time, often followed by 12 hours of daytime work. Second, it is not enough to offer hotel vouchers for residents who will be disturbed by nighttime noise – vouchers must also be offered to residents who cannot attend school and/or work because of daytime noise.

I would request that you require amendment of the contract to require hotel vouchers to be offered for both nighttime AND daytime noise disturbances, to anyone who requests said vouchers.

Which brings up the subject of what type of hotel will be offered to negatively affected residents. Since it is clear that for many residents, moving to a hotel for an extended period of time will be necessary to sleep, attend school and work, the vouchers must include hotels with kitchens, and must allow pets. Please do not permit the contractor to insult affected residents with vouchers for the cheapest motel they can find.

### **3. FIRE SAFETY**

This project will take place almost entirely within Santa Rosa's Wildland Urban Interface area. Everyone living and working in this project's area was under a mandatory evacuation order in 2017 during the Tubbs fire, and had a very difficult time evacuating even without a project of this size underway.

Although City staff has repeatedly stated that in the event of any predicted high fire danger time, including during a Public Safety Power Shutoff, the contractor will be required to immediately cease all construction activities, reopen all streets in all directions, and move all equipment so that it poses no evacuation impediment or fire danger, I cannot find anything requiring this in the 269 page Bid documents or in the 28 page plans. While it is possible that I missed these requirements, or that they are contained in some other written documentation, it is obvious that this requirement cannot be left to chance or good intentions.

**It is essential that these conditions be required of the contractor and be memorialized in writing in the plans/contract prior to your approval thereof.**

### **4. PORTA POTTY LOCATION(S)**

I raised this issue almost a year ago, and have heard no response from anyone. A project this size will require multiple Porta Potties for project employees' use. Porta Potties stink, and they smell even worse when they are emptied.

No resident of any residents of any home adjacent to this project should be required to smell any Porta Potty during this project.

Further, we have a historic homeless and drug dealing problem in the Lomitas Avenue/Lomitas Lane neighborhood, including at the dead end of Lomitas Avenue. Any unsecured Porta Potty could become a draw for additional homeless individuals, which would be unacceptable.

Prior to approving this contract, I request that you require the contractor to identify the location(s) where all Porta Potties be located, and guarantee that none of them will be in front of anyone's home. I further request that you require the contractor to identify specifically the following:

- a. How they will secure any Porta Potty during the hours/days when the project is not in operation (typically nighttime hours, weekends and holidays),
- b. How they will guarantee that the owner of any Porta Potty will be subject to the same hours of operation as the entire project, and
- c. How they will ensure that all Porta Potties will be adequately secured and monitored to prevent their use by anyone other than project employees.

### **5. CONTRACTOR SHENANIGANS**

Of course, as required in the Bid documents, having access to immediate assistance in the event of problems will be necessary. Unfortunately, the Bid documents do not specifically state that such "Project liaison" be available 24/7 and be answered by a live, local individual who not only has the

authority to enforce all project conditions and laws, but can also can immediately take any necessary action.

With this letter, I request that this condition be a requirement of project approval.

As we all know, contractors are contractors. While they may have good intentions, I've never seen a project go smoothly, or seen a contractor religiously and consistently comply with the rules of operation. Never.

As just a couple of examples in my neighborhood, at the Peet's complex on the corner of Chanate and Mendocino, the buildings are 5' taller than permitted by the plans, and the contractor attempted to install light poles at least 8' taller than those the plans permitted. In another instance, the contractor building the multifamily housing at 2329 Chanate Road violated their permit multiple times by shutting down Chanate Road outside of the hours they were permitted to do so, and also attempted to build a required sidewalk that didn't connect to the existing sidewalk, in violation of their permit.

## **6. SEWER LATERAL REPLACEMENT**

Almost all of the homes on Lomitas Lane have sewer laterals of a material that seems similar to "transite," and most of them have had root infiltration over the years. They all still work but of course likely allow rainwater to infiltrate the sewage system. Since most of the homes adjacent to this project are also old, it is likely that the majority of those homes also have this situation, as well.

Santa Rosa's sewer department conducted a pilot project some years ago in the Proctor Terrace neighborhood where the City replaced the sewer laterals all the way onto private property, at no charge to the owners. The purpose of the project was to discover whether Santa Rosa would save money by replacing sewer laterals at City expense, because it would reduce the amount of fresh water needing to be treated at the sewage treatment plant. My understanding of the results of that pilot project was that it is indeed cheaper to replace all of the sewer laterals at City expense – sewer treatment costs decreased by more than the cost of said sewer laterals. Further, in the Lomitas Lane/Chanate Road neighborhood, we have an unusually high water table. Monitoring wells within 50 feet from our home have shown that the water table during winter months is often only 3 feet below the surface.

While this project will replace a few sewer laterals, there is no plan to replace every aging and potentially cracked sewer lateral, and it seems extremely short sighted not to take this action.

In fact, because all of the neighbors of this project will all be severely inconvenienced by this project, it would be a gesture that would both save the City money and provide good will to the neighbors if the project replaced any sewer lateral immediately adjacent to the project with a modern sewer lateral, all the way onto every private property.

I find it extremely unfortunate that this is not being required, and request that you discuss this matter and make it a requirement of this project.

## **7. MISSED OPPORTUNITY**

It is unfortunate that this project will not include the undergrounding of all utilities as part of the project, including the extension of internet fiber throughout the project area. I'm sure when this project

was originally planned, no one was thinking about the reality we are facing now, of continuous regular fire danger, but it strikes me as a missed opportunity not to have that undergrounding in these WUI areas as part of this project.

There are undoubtedly issues that I have not identified, particularly in neighborhoods I am less familiar with, and I would request, again, that you instruct City staff and the contractor that in the event of conflict with residents adjacent to this project, the neighbors' desires shall always take precedence over the contractor's convenience or expense.

Thank you for your close attention to this matter. Please do not hesitate to contact me if you have any questions or would like additional information.

Very truly yours,

Sonia E. Taylor

Cc: Jennifer Burke, Director of Santa Rosa Water  
Jason Nutt, Department Director  
Erich Rauber, Supervising Engineer  
Gregory Dwyer  
Victoria Fleming, Santa Rosa Vice Mayor  
Friends of Chanate