

AGENDA ITEM:           A-2          

DATE:           February 14, 2013          

ACTION:           APPROVED          

**JOINT MEETING  
CITY OF MORRO BAY AND CAYUCOS SANITARY DISTRICT  
WASTEWATER TREATMENT PLANT  
(UNDER JOINT POWERS AGREEMENT)**

**MINUTES**

**CAYUCOS SANITARY DISTRICT  
BOARD OF DIRECTORS:**

Robert Enns, President  
Vacant, Vice-President  
Shirley Lyon, Director  
Michael Foster, Director  
Dan Chivens, Director

**CITY OF MORRO BAY CITY COUNCIL  
MEMBERS:**

William Yates, Mayor  
Noah Smukler, Vice-Mayor  
Carla Borchard, Councilmember  
George Leage, Councilmember  
Nancy Johnson, Councilmember

**MEETING DATE:**

6:00 p.m., Thursday, November 8, 2012

**HOSTED BY:**

City of Morro Bay

**MEETING PLACE:**

Multi-Purpose Room  
Community Center  
1001 Kennedy Way  
Morro Bay, CA 93442

**CALL TO ORDER AND ROLL CALL**

Mayor Yates called the meeting to order at 6:04 p.m. and asked the record to show all Council members are present. President Enns asked the record to show all Cayucos Sanitary District Board members present with the exception of Vice-President Hal Fones who has moved out of the district and is no longer on the Board. He stated a new Director will be seated in December.

Morro Bay Staff members present were Andrea Lueker, Rob Livick, Rob Schultz, Bruce Keogh, and Katie Mineo.

Cayucos Staff members present were Lewis Brookins, District Counsel Tim Carmel, and Rick Koon. Also present was JPA WWTP Project Manager Dennis Delzeit.

**PUBLIC COMMENT PERIOD**

Members of the audience wishing to address the governing bodies on Morro Bay-Cayucos Wastewater Treatment Plant (WWTP) business matters may do so at this time. By the conditions of the Brown Act, the governing bodies may not discuss issues not on the agenda, but may set items for future agendas. When recognized by the Chair, please come forward to the podium and state your name and address for the record. Comments should be limited to three minutes.

Mayor Yates opened Public Comment period and hearing none closed public comment period.

**A. CONSENT CALENDAR**

**A-1 MINUTES OF SEPTEMBER 13, 2012 JPA MEETING**

**Recommendation: Approve as submitted**

President Enns made one correction to the minutes, noting Rick Koon was also in attendance.

**MORRO BAY MOTION:** Councilmember Borchard moved to approve the minutes as corrected. Councilmember Johnson seconded and the motion passed unanimously. (5-0).

**CAYUCOS MOTION:** Director Lyon moved to approve the minutes as corrected. Director Chivens seconded and the motion passed unanimously. (4-0).

**B. OLD BUSINESS**

**B-1 STATUS REPORT ON UPGRADE PROJECT AS OF NOVEMBER 1, 2012**

**Recommendation: Receive the Status Report and direct staff accordingly**

Dennis Delzeit presented the status report.

President Enns congratulated Andrea Lueker for her efforts in encouraging Coastal Commission staff to proceed with the project.

**C. NEW BUSINESS**

**C-1 DISCUSSION OF THE PERMIT RENEWAL PROCESS FOR THE WASTEWATER TREATMENT PLANT NPDES PERMIT NO CA0047881**

**Recommendation: Receive the Status Report and direct staff accordingly**

Bruce Keogh presented the staff report.

Director Foster noted the City of Goleta operates under the same discharge permit as the City of Morro Bay and asked Keogh if Morro Bay has discussed with them the potential issues in the settlement agreement process. Keogh stated he has been in contact with the Goleta Sanitary District, and because Goleta has always been ahead of Morro Bay in the permit renewal process, Morro Bay is able to track their progress. Keogh stated Morro Bay's Settlement Agreement is modeled on Goleta's agreement.

President Enns asked Keogh to clarify the outcome if the City does not complete the permit renewal process in time. Keogh stated the current law is such that there are minimum mandatory penalties for violating parameters in the effluent permit. He stated he is going to contact Regional Board for clarification regarding the procedure for extending the permit renewal process, especially in terms of fines.

Director Foster asked Bruce to clarify if the permit renewal extension is a legal issue. Keogh stated it is written into the standard provisions of the NPDES permit, and between legal counsel and himself, he stated he could get a response from Regional Board.

**C-2 DISCUSSION OF A CAPITAL IMPROVEMENTS PLAN (CIP) FOR THE WWTP AND CONSIDERATION OF ENTERING INTO AN AGREEMENT WITH CANNON CORPORATION FOR DEVELOPMENT OF A CIP**

**Recommendation: Following discussion and consideration of this item that the Council and District Board direct staff to enter into an agreement with Cannon Corporation.**

Keogh presented the staff report.

Councilmember Smukler asked Keogh to clarify why the City is sole-sourcing to Cannon. Keogh stated the City chose Cannon because the City was hoping to expedite the process and Cannon is very familiar with the plant and its treatment processes. He stated he is willing to release the bid to more than one firm if needed, and Smukler stated he would prefer that.

Director Chivens asked if the scope of work included bringing the existing plant to full secondary treatment, and Keogh stated it did not.

### C-3 SCHEDULE NEXT JOINT MEETING AND AGENDA ITEMS

Mayor Yates stated the Board and Council intended to cancel the December meeting.

Councilmembers and Directors expressed appreciation for each other's work and dedication to the City.

President Enns introduced Dan Loyd, Boardmember-elect.

### **ADJOURNMENT**

Mayor Yates adjourned the meeting at 6:26 pm.

Minutes Recorded by:

Katie Mineo, Morro Bay Public Services Department