

# City of Morro Bay

## City Council Agenda

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### *Mission Statement*

*The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life. The City shall be committed to this purpose and will provide a level of municipal service and safety consistent with and responsive to the needs of the public.*

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**REGULAR MEETING  
TUESDAY, MAY 13, 2014  
VETERANS MEMORIAL HALL - 6:00 P.M.  
209 SURF ST., MORRO BAY, CA**

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

MAYOR & COUNCILMEMBERS' REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PUBLIC PRESENTATIONS – None

PUBLIC COMMENT - Members of the audience wishing to address the Council on City business matters not on the agenda may do so at this time. For those desiring to speak on items on the agenda, but unable to stay for the item, may also address the Council at this time.

To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

- When recognized by the Mayor, please come forward to the podium and state your name and address for the record. Comments are to be limited to three minutes.
- All remarks shall be addressed to Council, as a whole, and not to any individual member thereof.
- The Council respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the City Council to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in City Council meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (805) 772-6205. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

A. CONSENT AGENDA

Unless an item is pulled for separate action by the City Council, the following actions are approved without discussion.

A-1 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON APRIL 22, 2014; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

A-2 PROCLAMATION RECOGNIZING MAY 2014 AS “BIKE MONTH AND DECLARING THE MORRO BAY BIKE COMMITTEE AS THE CITY’S “BIKE ADVOCATES”; (MAYOR)

**RECOMMENDATION: Present and approve as submitted.**

A-3 ADOPTION OF RESOLUTION 32-14, MODIFYING THE WATER ALLOCATION PROGRAM FOR 2014; (PUBLIC SERVICES)

**RECOMMENDATION: Adopt Resolution 32-14.**

A-4 STATUS REPORT OF A MAJOR MAINTENANCE & REPAIR PLAN (MMRP) FOR THE EXISTING WASTEWATER TREATMENT PLAN; (PUBLIC SERVICES)

**RECOMMENDATION: Approve as submitted.**

A-5 WATER RECLAMATION FACILITY (WRF) PROJECT STATUS AND DISCUSSION; (PUBLIC SERVICES)

**RECOMMENDATION: Approve as submitted.**

A-6 DEFERRAL OF DYNEGY COMMUNITY DEVELOPMENT FUND PAYMENT; (CITY ATTORNEY)

**RECOMMENDATION: Authorize the third deferral of Dynegy’s Community Development Fund (“CDF”) Payment until August 29, 2014, together with a waiver of any applicable late fees or default claims related to the deferral.**

A-7 RECERTIFICATION OF THE UPDATED SEWER SYSTEM MANAGEMENT PLAN; (PUBLIC SERVICES)

**RECOMMENDATION: Recertify the updated Sewer System Management Plan (SSMP).**

A-8 RESOLUTION 30-24 APPROVING AN ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION - MORRO CREEK MULTI-USE TRAIL AND BRIDGE PROJECT; (PUBLIC SERVICES)

**RECOMMENDATION: Adopt Resolution 30-14, making the necessary findings for approval of the Addendum to the adopted Mitigated Negative Declaration and reaffirm the Conditional Use Permit (#UP0-371) for the construction of the Morro Creek Multi-Use Trail and Bridge Project.**

B. PUBLIC HEARINGS

B-1 RESOLUTION NO. 29-14 DECLARING THE INTENTION TO CONTINUE THE PROGRAM AND ASSESSMENTS FOR THE 2014/15 FISCAL YEAR FOR THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT (MBTBID) AND SCHEDULING A PUBLIC HEARING TO LEVY THE ASSESSMENTS; (ADMINISTRATIVE SERVICES)

**RECOMMENDATION: Hold a public hearing to record testimony for/against the continuation of the MBTBID; review the MBTBID draft FY 2014/15 budget; adopt Resolution 29-14; and, set the date of May 27, 2014 for a public hearing to levy the assessments.**

B-2 RESOLUTION NO. 28-14 APPROVING THE ENGINEERS REPORT AND DECLARING THE INTENT TO LEVY THE ANNUAL ASSESSMENT FOR THE NORTH POINT NATURAL AREA LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (RECREATION & PARKS)

**RECOMMENDATION: Adopt Resolution No. 28-14 approving the Engineer's Report and declaring the intent to levy the annual assessment for the maintenance of the North Point Natural Area.**

B-3 RESOLUTION NO. 27-14 APPROVING THE ENGINEERS REPORT AND DECLARING THE INTENT TO LEVY THE ANNUAL ASSESSMENT FOR THE CLOISTERS LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT; (RECREATION & PARKS)

**RECOMMENDATION: Adopt Resolution No. 27-14 declaring the intent to levy the annual assessment for the maintenance of the Cloisters Park and Open Space and approving the Engineer's Report.**

C. UNFINISHED BUSINESS / SECOND READING AND ADOPTION OF ORDINANCES

C-1 ADOPTION OF ORDINANCE 585; AMENDMENTS TO TITLE 17 - ZONING TEXT AMENDMENT (#A00-013) AMENDING SECONDARY UNIT ORDINANCE; (PUBLIC SERVICES)

**RECOMMENDATION:** Adopt Ordinance No. 585 amending Title 17 of the City of Morro Bay Municipal Code (Zoning Ordinance #A00-013), which approves amendments to the City's Secondary Dwelling Unit ordinance, amending Title 17 of the Morro Bay Municipal Code (MBMC) including Section 17.48.320.

C-2 APPROVAL OF CONSULTANT AGREEMENT BETWEEN CITY OF MORRO BAY AND LISA WISE CONSULTING FOR COMPLETION OF BOATYARD AND HAULOUT MARKET ANALYSIS STUDY; (HARBOR)

**RECOMMENDATION:** Approve the proposed Consulting Agreement ("Agreement") between the City and Lisa Wise Consulting ("LWC") for completion of a boatyard and haulout market analysis.

C-3 ADOPT RESOLUTION 31-14 REAFFIRMING A LOCAL WATER EMERGENCY FOR MORRO BAY; (PUBLIC SERVICES)

**RECOMMENDATION:** Review and adopt Resolution 31-14 reaffirming the City's 2009 emergency declaration of a water shortage.

C-4 REVIEW OF THE REPORT FROM JOHN F. RICKENBACH CONSULTING REGARDING RECOMMENDED WATER RECLAMATION FACILITY (WRF) SITES AND RECLAMATION; (PUBLIC SERVICES)

**RECOMMENDATION:** Receive the report and presentation, take public testimony, provide any recommendations to staff for incorporation into the final document; provide direction to staff to commence preliminary negotiations for development of a new WRF on the Rancho Colina site, subject to confirmation in August; commence the recruitment of a 7-9 person Technical Review Committee to inform the WRF development process; and continue discussion on a parallel path regarding a regional facility at the CMC site with the potential partner agencies until the final selection is made in August.

C-5 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 586 AMENDING SECTION 2.08.120 OF THE MORRO BAY MUNICIPAL CODE RELATING TO MAYOR PRO TEMPORE; (CITY ATTORNEY)

**RECOMMENDATION:** Accept public testimony, move to waive reading of Ordinance 586 in its entirety, and introduce for first reading by number and title only, Ordinance 586.

D. NEW BUSINESS

D-1 INTRODUCTION AND FIRST READING OF ORDINANCE NO. 587 AMENDING SECTION 3.12.030 OF THE MORRO BAY MUNICIPAL CODE RELATING TO PRESENTING AND FILING CLAIMS AGAINST THE CITY; (CITY ATTORNEY)

**RECOMMENDATION:** Accept public testimony, move to waive reading of Ordinance 587 in its entirety, and introduce for first reading by number and title only, Ordinance 587.

E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

F. ADJOURNMENT

**THIS AGENDA IS SUBJECT TO AMENDMENT UP TO 72 HOURS PRIOR TO THE DATE AND TIME SET FOR THE MEETING. PLEASE REFER TO THE AGENDA POSTED AT CITY HALL FOR ANY REVISIONS OR CALL THE CLERK'S OFFICE AT 772-6205 FOR FURTHER INFORMATION.**

**MATERIALS RELATED TO AN ITEM ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKET ARE AVAILABLE FOR PUBLIC INSPECTION AT CITY HALL LOCATED AT 595 HARBOR STREET; MORRO BAY LIBRARY LOCATED AT 625 HARBOR STREET; AND MILL'S COPY CENTER LOCATED AT 495 MORRO BAY BOULEVARD DURING NORMAL BUSINESS HOURS.**

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN A CITY MEETING, PLEASE CONTACT THE CITY CLERK'S OFFICE AT LEAST 24 HOURS PRIOR TO THE MEETING TO INSURE THAT REASONABLE ARRANGEMENTS CAN BE MADE TO PROVIDE ACCESSIBILITY TO THE MEETING.**

MINUTES - MORRO BAY CITY COUNCIL  
REGULAR MEETING – APRIL 22, 2014  
VETERAN’S MEMORIAL HALL – 6:00P.M.

PRESENT:	Jamie Irons	Mayor
	Christine Johnson	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
STAFF:	Susan Slayton	Acting City Manager
	Joe Pannone	City Attorney
	Jamie Boucher	City Clerk
	Rob Livick	Public Services Director
	Amy Christey	Police Chief
	Steve Knuckles	Fire Chief
	Cindy Jacinth	Associate Planner
	Janeen Burlingame	Management Analyst

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE  
PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT – there was no Closed Session.

MAYOR AND COUNCILMEMBERS’ REPORTS, ANNOUNCEMENTS & PRESENTATIONS

PUBLIC PRESENTATIONS

Mayor Irons presented Proclamations to Raechelle Bowlay-Sutton for Month of the Child and Child Abuse Prevention Month; to Amy Burton and Robert Davis for Bike Month; and, Mark Machala for Autism Awareness Month.

PUBLIC COMMENT

Troy Wathan presented the Morro Bay Business Spot. Troy, along with his wife Summer, are founders of MindGym and provide tutoring services in the San Luis Obispo County area. They approach tutoring a bit differently and include physical activity as well as mental exercise. They help students with their studies as well as SAT preparation, college coaching, and resume building for applications to college. Their mission is to help children succeed. They are currently one of the incubator businesses at the Chamber of Commerce. Any student needing that little extra – they are here for them. You can contact them at (805) 286-6841 or at <http://www.classical-tutors.com> .

Anne O’Brien read excerpts from a Bay News article dated April 17, 2014 edition titled “Trouble with the Trees.” Ms. O’Brien is the resident who is experiencing trouble with a tree.

Robert Davis invited the public to the upcoming Friends of the Library Book Sale this Saturday, April 26<sup>th</sup> at the Morro Bay Community Center from 10am-2pm. All funds will go to support the library remodel. This is the last book sale this year as they will begin construction of the remodel this summer.

Cindy Batant spoke on behalf of the Morro Bay Neighborhood Watch program. This is a non-profit program that has been active in Morro Bay since 1982. They have many members with over 20 years' experience. Their focus is to promote neighborhood safety and crime prevention through community unity and partnership with the Morro Bay Police Department. They are attempting to reinvigorate themselves and encourage those interested to attend their meetings which are held on the 2<sup>nd</sup> Tuesday of every month at 1130am at Dorns.

Trina Dougherty spoke on behalf of Eco Rotary, stressing that 44 years ago, Earth Day was founded as an environmental teach-in and now is a global environmental event celebrated by more than a billion people around the world. She encouraged all event planners to make sure that all materials used are recyclable and if possible compostable. Eco Rotary, with enough advanced notice, can provide zero-waste services at any event. The Guerrilla Gardening Club can provide this service for larger events. Eco Rotary is hosting their 2<sup>nd</sup> Annual Green Light ECO Fair on Sunday, June 1<sup>st</sup> from noon-5pm at St. Timothy's. This is a benefit for Unite to Light solar reading lights whose goal is to send 150 lights to PACE Universal, a school for girls in India. Lights will also be donated to Hands in Nepal for schools and libraries in remote villages without electricity. Admission is free and there is a great line-up of eco-focused organizations, business, services, food and products.

Keith Taylor announced the Morro Bay Fire Department's Open House being held on Saturday, April 26<sup>th</sup> from 2-5pm. There will be activities for kids and adults. They are also holding a Friends of the Fire Department membership drive.

Cathy Novak spoke on behalf of Virg's Fishing. She gave a brief history stating that back on May 14, 2013, an RFP was distributed for 3 vacant lease sites on the Embarcadero. Virg's submitted their proposal for leases 107W and 108W before the August 15<sup>th</sup> deadline; they were the only ones to submit. Since that time, Virg's has been to the HAB once and the City Council twice, most recently on February 25<sup>th</sup>. Virg's has invested a significant amount of time and money into this proposal in hopes of bringing their business back to the Embarcadero. They are very frustrated with the process and the delays. Virg's would like the Council to consider an alternative while the entire lease site is being reviewed. They would like to propose they be granted consent of landowner to submit for a dock project only. This dock project could be installed in an east to west configuration adjacent to the T-Pier rather than the north to south as previously presented. They are also willing to accept a condition of approval that would remove the dock in the event that space is needed for a boat haul-out facility. They are asking this item be placed on the Council's agenda as soon as possible.

Joan Solu spoke representing the Morro Bay 50<sup>th</sup>. Their committee is partnering with several groups for ongoing City events. There will be a Bike Park Tour on May 10<sup>th</sup> and they are continuing to plan for the Morro Bay Founders Day Picnic on July 17<sup>th</sup>. She also spoke on Item C1, North Coast Transit Survey Project Recommendations for the 2014 Trolley Season regarding the North Route and Fares. The Morro Bay Community Foundation partners with the City to sell Trolley advertising. If the trolley goes up and down Highway 1, that would limit trolley

visibility and detract from their ability to sell advertising space. She hopes Council will change the trolley route up and back on Main Street so they can sell on both sides of the trolley, not just one.

Dawn Beattie stated that City representatives met with the Cloisters residents last night. She thanked the Council as they are now receiving financial information. She also stated that it shows they have a debt of \$66,000. She requests the Engineer's Report zero out the paper debt as they were unaware of the financial decisions being made without their knowledge.

Carla Wixom stated the Budget Workshop is not being planned until June 5<sup>th</sup> which is after the election. In past years, it's always been held earlier and included a lot of public participation. She questioned why we are holding the Budget Workshops after the election and not before, "what don't you want us to know."

Paul Nagy spoke on item D-2, asking that if Council passed the Resolution changing the permit process regarding water retrofits and fees, that it would be unfair to include applicants already in the permit process. The Planning Department has been short-handed and it's taken longer than usual to go through the process. Please don't make it retroactive as it would be punitive to those already in process.

The public comment period was closed.

A. CONSENT AGENDA

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A. CONSENT AGENDA

Unless an item is pulled for separate action by the City Council, the following actions are approved without discussion.

A-1 APPROVAL OF MINUTES FOR THE CITY COUNCIL MEETING HELD ON APRIL 8, 2014; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

A-2 PROCLAMATION DECLARING APRIL 2014 AS "MONTH OF THE CHILD" AND "CHILD ABUSE PREVENTION MONTH"; (ADMINISTRATION)

**RECOMMENDATION: Present and approve as submitted.**

A-3 PROCLAMATION DECLARING APRIL 2014 AS "AUTISM AWARENESS MONTH"; (ADMINISTRATION)

**RECOMMENDATION: Present and approve as submitted**

A-4 PROCLAMATION DECLARING MAY 2014 AS “BIKE MONTH;” MAY 16, 2014 AS “BIKE TO WORK DAY;” AND MAY 7, 2014 AS “BIKE TO SCHOOL DAY”; (ADMINISTRATION)

**RECOMMENDATION: Present and approve as submitted.**

A-5 PROCLAMATION DECLARING APRIL 2014 AS CALIFORNIA “SAFE DIGGING MONTH”; (ADMINISTRATION)

**RECOMMENDATION: Approve as submitted.**

A-6 ANNUAL REPORTING ON THE MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT AND SCHEDULING OF A PUBLIC HEARING; (ADMINISTRATIVE SERVICES)

**RECOMMENDATION: Acknowledge receipt of the annual report, and set the public hearing date for May 13, 2014, in order to declare the intent to continue the MBTBID activities and assessments.**

A-7 APPROVAL OF THE FINAL MAP FOR TRACT 2870, SEASHELL ESTATES, 1305 TERESA DRIVE (ROBERT ZINNGRABE); (PUBLIC SERVICES)

**RECOMMENDATION: Adopt Resolution No. 25-14, approving the Final Map for Tract 2870.**

A-8 RESOLUTION 26-14 DELEGATING AUTHORITY TO THE CITY ENGINEER TO EXECUTE DOCUMENTS FOR CALTRANS AND FHWA GRANT FUNDED PROJECTS; (PUBLIC SERVICES)

**RECOMMENDATION: Adopt Resolution No. 26-14, authorizing the City Engineer to execute Caltrans certifications and agreements related to State and Federal funded projects.**

A-9 APPROVAL OF WEBCAM LICENSE AGREEMENT BETWEEN CITY OF MORRO BAY AND SURFLINE/WAVETRAK, INC.; (HARBOR)

**RECOMMENDATION: Approval and execution of the webcam license agreement between the City of Morro Bay and Surflin/Wavetrak, Inc. (“Surflin”).**

A-10 APPOINTMENT OF THE VACANT PLANNING COMMISSION SEAT; (ADMINISTRATION)

**RECOMMENDATION: Fill the vacant position on the Planning Commission that was created with the resignation of Rick Grantham; this term will expire on January 31, 2015.**

Mayor Irons opened up the public comment period for items on the Consent Calendar.

Kurt Herrmann, Director of Camera Operations and Strategy for Surfline/Wavetrak, Inc., introduced himself and stated they had a proposal for a webcam on the restroom by the rock. He is here to address any concerns you may have on their proposal.

Roger Ewing spoke on Item A-7, Approval of Final Map for Tract 2870, Seashell Estates, 1305 Teresa Drive. He drove that road this morning which brought up a number of issues. All the curbs were painted red; he felt the street is less than 20 feet wide which wouldn't allow for 2 cars to pass each other; a few lots have a steep drop down to what looks like an ESHA; and where will guests park? When the project was approved, there were also plans to develop a 24 unit work-force housing complex which hasn't been done – why? The developer was also to have paid his fair share of the lift station – has he done that? He feels the 10 unit subdivision is ignoring the City's General Plan. He requests Council continue this item to do more research.

The public comment period for the Consent Calendar was closed.

Mayor Irons pulled Item A-7 and Councilmember Nancy Johnson pulled Item A-10.

MOTION: Councilmember Christine Johnson moved the City Council approve Items A-1, A-2, A-3, A-4, A-5, A-6, A-8, and A-9 of the Consent Calendar as presented. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-7 APPROVAL OF THE FINAL MAP FOR TRACT 2870, SEASHELL ESTATES, 1305 TERESA DRIVE (ROBERT ZINNGRABE); (PUBLIC SERVICES)

Mayor Irons pulled this item in order to that Public Services Director Rob Livick could address some of the concerns brought up in public comment.

MOTION: Councilmember Nancy Johnson moved to approve Item A-7 as presented. The motion was seconded by Councilmember Leage and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

A-10 APPOINTMENT OF THE VACANT PLANNING COMMISSION SEAT; (ADMINISTRATION)

Councilmember Nancy Johnson suggested re-advertising for the position again.

Councilmember Leage agreed with Councilmember Nancy Johnson as this same situation, only one applicant has occurred in the past and they re-advertised.

Councilmember Smukler thinks we should be consistent with previous actions with only one candidate applying, and recognizing the importance of this position, he feels we should re-notice and work to get applicants we can interview and appoint.

Councilmember Christine Johnson feels we should pass this on Consent tonight because it is such a short term, only through January 31, 2015, and feels we need to make a final decision and move on.

Mayor Irons agrees with Councilmember Christine Johnson, considering the time left to serve and having gone through this 3 times already.

MOTION: Councilmember Christine Johnson moved to approve A-10, appointment of the vacant Planning Commission seat. The motion was seconded by Mayor Irons and carried 3-2 with Councilmembers Nancy Johnson and Leage voting no.

Ayes: Irons, C. Johnson, Smukler

No's: N. Johnson and Leage

Councilmember Smukler, in listening to the conversation, the point about the short term nature of the appointment, is a good one. It can be considered a handicap for the Commission to have a short number of seats. It makes sense not avoid another round of applications and process and allow the Commission to become whole.

Councilmember Nancy Johnson voiced concerns about Mr. Sadowski's criticisms about how the City works, how the Planning Department works and how our JPA works and she worries about having him on the Planning Commission.

Councilmember Leage agreed, this is a very important position and putting somebody on that's going to rock the boat isn't a good idea.

Mayor Irons appreciated those comments; the appointment is to be a reflection of this Council.

Councilmember Smukler stated that in terms of behavior and actions of Planning Commissioners, those guidelines are clearly lined out. If any Planning Commissioners are identified as not carrying out the integrity and review/respect the applicants and process deserves, we would need to address that then. Let's move forward and see how it works.

## B. PUBLIC HEARINGS

### B-1 INTRODUCTION AND FIRST READING OF ORDINANCE 585; AMENDMENTS TO TITLE 17 -ZONING TEXT AMENDMENT (#A00-013) AMENDING SECONDARY UNIT ORDINANCE); (PUBLIC SERVICES)

Associate Planner Cindy Jacinth presented the staff report. There were slight revisions made due to Coastal Commission correspondence received earlier that day.

Mayor Irons opened up the public hearing for Item B-1; seeing none, the public hearing was closed.

Councilmember Smukler is glad we took the time to work with the Coastal Commission to ensure we will be successful in the process. The intent of the General Plan is to protect AG space and it's good to know we have enough space outside of the Ag areas to accommodate the

units we need to within the City limits. He is in support of moving forward with adjusting as the Coastal Commission has requested and the Planning Commission has reviewed and approved.

Councilmember Christine Johnson thanked staff and the Planning Commissioners for creating a process we can move forward with and is also in support of accepting Coastal's recommendation.

Mayor Irons appreciates the visuals available as quickly as possible given the conversation occurred today. Having the dialogue with Coastal as we move forward sets us up for a good collaborative relationship between the Coastal Commission and the City. The changes made are thoughtful and ensure our residential neighborhoods maintain their residential feel and is in favor of moving forward.

MOTION: Councilmember Christine Johnson moved for the introduction and first reading of Ordinance 585 as modified which thereby would approve Zoning Text Amendment A00-013 with direction to staff to forward the LCP amendment to the CCC. The motion was seconded by Mayor Irons and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

#### C. UNFINISHED BUSINESS

##### C-1 CONSIDERATION OF NORTH COAST TRANSIT SURVEY PROJECT RECOMMENDATIONS FOR THE 2014 TROLLEY SEASON REGARDING THE NORTH ROUTE AND FARES; (PUBLIC SERVICES)

Management Analyst Janeen Burlingame presented the staff report.

MV Transportation Manager Susan MacDonell answered questions posed by Council.

Mayor Irons opened the public comment period for Item C-1.

John Headding stated that the Chamber was in the process of trying to determine if the North businesses feel there will be an impact on them based on this route variation. He thinks it will take 30 days to determine and plans on bringing this back to Council. He asked Council to postpone a decision on this until the Chamber intervenes and brings the business information back to you.

Dawn Beattie rides the trolley and picks it up at San Jacinto and Highway 1 and is not in favor of the southbound route on Main Street because then she wouldn't be able to catch it.

Carla Wixom echoed Mr. Headding's comments. She hoped Council would be mindful of the North businesses. There are 6 restaurants and one grocery store out there that are dependent on the services provided by the City. If you are trying to promote business, they should be considered as part of the service providing these opportunities. She also felt that \$1 fare was a good way to go.

The public comment period for Item C-1 was closed.

Councilmember Smukler can understand where the intent to reduce the headway provides value for riders and the system, but removing the North Main route without some outreach and discussion to businesses and residents isn't going to be received well and would be disrespectful. He is glad to hear the Chamber is pursuing some outreach and feels it's important for Council to let that process take place. It's essential to reach out to businesses on this proposed route change and include information that we've expanded to Saturday service for Morro Bay transit.

Councilmember Nancy Johnson agrees we need more information yet we also have a good head's on this from our advertising sellers for the Community Foundation. They have found that the businesses on North Main aren't willing to advertise on the trolley; very likely due to there not being a stop up there. It really bothers her that we are pushing a major food chain and ignoring our local North Morro Bay businesses; it has to be more than a timing issue. She likes the flat \$1 fee. She questioned the safety of driving the trolley on Highway 1 and would like to see that addressed in a more formal way.

Councilmember Leage doesn't want to see the trolley on the freeway either. If we dropped to the \$1 fare, we may get less people because you'll now be paying more for children. He would like to see the age limit of under 12 ride free.

Councilmember Christine Johnson supports the \$1 flat fare with a little more discussion on the age limits for children riding free. She shares the sentiment of Council regarding supporting North Morro Bay businesses; as well as all Morro Bay businesses. Part of what North Morro Bay lacks is a strolling area; however, when you're on the trolley going north, you are able to see the businesses as a drive by. As such, she feels there is great value to a North Morro Bay route and supports not removing the north trolley route. She wondered if this was a rush item or can we go through the summer and have the Chamber and other businesses alert people about what's going on in an effort to increase ridership. She suggested using the existing service for now and then we'd have better data at the end of the summer season; that way, we don't have to rush this to come back by the next meeting.

Mayor Irons is supportive for business outreach in North Morro Bay. He was also concerned with the time frame of bringing back an item so quickly.

Councilmember Nancy Johnson stated that she still had concerns with safety of the trolley on Highway 1 and that needs to be answered; she is agreement with the fare charge and hopes discussions can occur regarding the age of children riding free. In order to honor and support the businesses on North Main Street, we need to run both north and south on Main Street at least for the summer; if it doesn't work or they're not using it, then that will make a difference. She hopes that there will also be a stop at Spencers.

Councilmember Smukler stated we need to take time to take advantage of the transit program working with the Chamber to work with the businesses in that district and identify how we can create a better relationship and hopefully increase their participation, awareness and the ridership. What we need to do to get there, is worth our effort.

Mayor Irons would like to go with the recommended fares as addressed in the staff report with the ability to evaluate the age component next year. These recommendations are driven by fare box ratios and ridership; it's about higher efficiency and increasing fare box ratio. We want to

be sure we are servicing our businesses well too. He recommends getting help from SLOCOG/RTA next year to be able to help with this evaluation.

Councilmember Leage is more concerned with the slowness of the trolley on the highway.

MOTION: Councilmember Christine Johnson moved to approve the staff recommended fare change for the 2014 trolley season. The motion was seconded by Councilmember Smukler and carried 3-2 with Councilmembers Nancy Johnson and Leage voting no.

Ayes: Irons, C. Johnson, N. Johnson

No's: Leage, Smukler

MOTION: Councilmember Smukler moved to retain the current route schedule and participate with an evaluation of improvement options for next season with a focus on the North Main route and the businesses within that route. The motion was seconded by Councilmember Leage and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

Councilmember Nancy Johnson hoped that this report would come back to Council in January/February so that there is enough time for discussion and revision.

#### D. NEW BUSINESS

D-1 REVIEW THE COUNTY DECLARATION OF LOCAL EMERGENCY DUE TO DROUGHT; DISCUSS OUR WATER PROJECTIONS AND RESOURCES INCLUDING THE DESALINIZATION PLANT; AND DISCUSS AND CONSIDER DECLARING A LOCAL EMERGENCY FOR MORRO BAY; (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

Mayor Irons opened up the public comment period for Item D-1; seeing none, the public comment period was closed.

There were many questions given to and answered by Mr. Livick.

MOTION: Mayor Irons moved to approve staff recommendation to bring back a Resolution reaffirming the City's 2009 Emergency Declaration of a water shortage. The motion was seconded by Councilmember Smukler and carried 4-1 with Councilmember Leage voting no.

Ayes: Irons, C. Johnson, N. Johnson, Smukler

No's: Leage

D-2 DISCUSSION OF RETROFIT POTENTIAL REQUIREMENTS AND REVIEW OF THE PUBLIC WORKS ADVISORY BOARD (PWAB) SPECIAL MEETING REGARDING WATER ALLOCATIONS; (PUBLIC SERVICES)

Public Services Director Rob Livick presented the staff report.

Mayor Irons opened up the public comment period for Item D-2; seeing none, the public comment period was closed.

Councilmember Nancy Johnson suggested that instead of imposing in-lieu fees you develop a portfolio of options providing incentives to reduce water use or improve the run off such as: points for putting in artificial lawn, for putting in impermeable surfaces, for tankless or on-demand water heaters, or for gray water systems.

Councilmember Smukler stated that it's exciting to update this program and is in favor of it because it's important that new projects pay their fair share. This will ultimately provide more stability for all of us in this shared system. The options represent a flexible program to allow a project to make sure it works for them. He wants to ensure we keep up the public review component.

Councilmember Christine Johnson stated that by extending this out, we've heard the voices of the construction community, the real estate community and they feel they have buy-in and have been heard. She is pleased to see how the community has worked together as a team crafting a policy that works.

Mayor Irons also stated we've had good input from the community of builders who provided great information. PWAB also did a great job.

MOTION: Councilmember Christine Johnson moved to approve staff recommendation for agenda Item D-2 as presented. The motion was seconded by Councilmember Smukler and carried unanimously, 5-0.

Ayes: Irons, C. Johnson, N. Johnson, Leage, Smukler

No's: None

#### E. COUNCIL DECLARATION OF FUTURE AGENDA ITEMS

Councilmember Smukler requested an item to discuss Virg's request to evaluate consent of landowner to submit for a dock project only to include their kiosk proposal; there was unanimous consensus for this item.

#### ADJOURNMENT

The meeting adjourned at 10:16pm.

Recorded by:

Jamie Boucher  
City Clerk

**A PROCLAMATION OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA  
RECOGNIZING MAY 2014 AS “BIKE MONTH” AND  
DECLARING THE MORRO BAY BIKE COMMITTEE  
AS THE CITY’S “BIKE ADVOCATES”**

**CITY COUNCIL  
City of Morro Bay, California**

**WHEREAS**, the City of Morro Bay Citizens Bike Committee (the “Bike Committee”) was first formed on April 9, 2001; and

**WHEREAS**, the Bike Committee is made up of volunteers who meet regularly to advise the City’s Recreation and Parks Commission, Public Works Advisory Board and City Council on bicycling and pedestrian issues; and

**WHEREAS**, the Bike Committee contributed to the development of the Morro Bay Bicycle and Pedestrian Master Plan; and

**WHEREAS**, the Bike Committee contributed materially toward development of the first City bike map in the County; and

**WHEREAS**, the Bike Committee advocates for the creation and maintenance of an efficient interconnected network of safe, scenic bikeways and community paths in the Morro Bay area; and

**WHEREAS**, the City of Morro Bay and the Bike Committee recognize May 2014 as “Bike Month;” and

**WHEREAS**, the Bike Committee is instrumental in advocating for a bike friendly community.

**NOW, THEREFORE**, the City Council of the City of Morro Bay does hereby proclaim the recognition of May 2014 as “Bike Month” and the declaration of the Morro Bay Bike Committee as the City’s “Bike Advocates.”

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the City of Morro Bay to be affixed this 13<sup>th</sup> day of May, 2014.

---

JAMIE L. IRONS, MAYOR  
City of Morro Bay, California

**AGENDA NO: A-3**

**MEETING DATE: May 13, 2014**

**RESOLUTION NO. 32-14**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA,  
MODIFYING THE WATER ALLOCATION PROGRAM FOR 2014**

**THE CITY COUNCIL**  
City of Morro Bay, California

**WHEREAS**, Chapter 13.20 of the Morro Bay Municipal Code, calls for the City Council of the City of Morro Bay to adopt a yearly Water Allocation Program based on a report by the Public Services Director after review by the City of Morro Bay Planning Commission and Public Works Advisory Board; and

**WHEREAS**, the Local Coastal Program Land Use Plan and Ordinance Number 266, requires the City Council to set an annual limit on new residential units and to prescribe the mix of multi-family and single family residences allowed within that limit; and

**WHEREAS**, on January 17, 2014, California Governor Jerry Brown declared a water emergency, due to drought conditions; calling for a voluntary 20-percent reduction in water consumption; and

**WHEREAS**, on January 22, 2014, the City of Morro Bay implemented Mandatory Water Conservation Requirements for Severely Restricted Water Supply Conditions; and

**WHEREAS**, on January 31, 2014, County staff informed the City of Morro Bay that the State Water Project allocation for 2014 is now officially at 0-percent, and only stored water is available to meet delivery requests; and

**WHEREAS**, on February 11, 2014, City Council did hold a duly noticed Public Hearing on the 2013 Annual Water Progress Report and the proposed 2014 Water Allocation Program, and

**WHEREAS**, on February 11, 2014, City Council did also direct staff to develop a water retrofit program that will offset water demand from new development, held a duly noticed Public Hearing on the 2013 Annual Water Progress Report and the proposed 2014 Water Allocation Program, and

**WHEREAS**, on April 18 2014, the California Department of Water Resources increased the State Water Project allocation for 2014 to 5-percent, plus stored water within the State Water Project available to meet delivery requests; and

**WHEREAS**, the City's approximately 3,000 Acre Feet of stored water available is finite; and with adequate conservation may last three years.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Morro Bay, California, as follows:

A Water Allocation Program for the year 2014 is hereby modified to contain the following element:

New water allocations requested for 2014 be offset on a two-to-one basis (or 440 gallons per day) by providing retrofits to existing uses or providing non-required water savings features for new development that is seeking the water allocation. The Public Services Director is responsible for the review and approval of the proposed retrofits to ensure that they offset the water supply requested by new development. Retrofits may include any of the following water saving best management practices:

- Irrigation Retrofits
- Waterless Urinals
- Ultra-Low Flow Toilets
- Lawn/Landscape Replacement Program
- Gray water system installation in new construction
- Installation of Rainwater Recovery Systems
- Other Water Savings Best Management Practices as approved by the Public Services Director
- Payment of an “In-Lieu” fee program of \$2,900 per Water Equivalency Unit

**PASSED, APPROVED, AND ADOPTED**, by the City of Morro Bay City Council, at a regular meeting held on this 13th day of May, 2014 by the following vote:

AYES:

NOES:

ABSENT:

---

Jamie L. Irons, Mayor

ATTEST:

---

Jamie Boucher, City Clerk



**AGENDA NO: A-4**

**MEETING DATE: May 13, 2014**

# Staff Report

**TO: Honorable Mayor and City Council      DATE: April 30, 2014**

**FROM: Rob Livick, PE/PLS - Public Services Director/City Engineer**

**SUBJECT: Status Report of a Major Maintenance & Repair Plan (MMRP) for the Existing Wastewater Treatment Plan**

## **RECOMMENDATION**

Staff recommends this report be received and filed.

## **ALTERNATIVES**

As no action is requested, there are no recommended alternatives.

## **FISCAL IMPACT**

No fiscal impact at this time as a result of this report. Fiscal impact is addressed through the budget process.

## **BACKGROUND**

This staff report is intended to provide an update on the development of the MMRP for the WWTP. At the February 14, 2013, joint meeting, the Council and District Board approved of the development of an MMRP and made the following motion:

- Direct staff to prepare a time sensitive and prioritized MMRP for the WWTP with an anticipated rolling 2-year budget;
- The City and District solicit proposals from a qualified firm, or firms, to provide technical advice and analysis on an as needed basis as determined by Morro Bay's Public Services Director and Cayucos Sanitary District Manager; and
- The Morro Bay Public Services Director and Cayucos Sanitary District Manager report back to both bodies on a semi-annual basis on the progress and costs associated with the MMRP.

Development of a MMRP will assist the City and District in projecting the budgeting of expenditures required to keep the current plant operating in compliance with regulatory requirements.

Staff's primary focus has continued to be on executing the projects contained within the FY 13/14 WWTP budget and budgeting new projects for the next Fiscal Year. The adopted budget contains \$1.04M in funding for MMRP projects presented during the budget hearing at

**Prepared by: RL/BK/RS    Dept. Review: RL**

**City Manager Review: \_\_\_\_\_**

**City Attorney's Review: \_\_\_\_\_**

The JPA meeting. Staff has continued to work on developing and refining an implementation schedule for the projects funded in the FY 13/14 budget.

## **DISCUSSION**

### **Digester #2 Repair**

Cor-Ray Painting Co. commenced work on the sandblasting and coating project on April 7. They are currently on schedule and have finished the sandblasting and concrete repairs. Cor-Ray expects to complete coating of the tank by May 9<sup>th</sup>. MCS Inspection group has provided coating inspection throughout the project and MKN & Associates is providing overall construction management of the project.

Staff has continued to refine work tasks and schedules for completing associated maintenance projects required to bring the digester back on-line. Plant staff has completed repair and replacement of valves both above ground and below grade used to transfer sludge in the solids handling process. Plant staff have also completed all repairs to the heat exchanger piping (HEX) for digester #2, including having an insulation contractor finish installing new insulation on the HEX.

### **Headworks Influent Screening Project**

- Vulcan Industries has revised shop drawings based on initial comments and is working with MKN to resolve a few remaining issues. Approval of Final Shop Drawings is expected by May 8th; Delivery of Equipment is expected by Sept 17, 2014.

During the procurement process for the screens, a set of plans and specifications (bid package) is being developed by MKN for hiring a contractor to install the screen units. City staff has continued to work with MKN to refine the scope of work for various components of the project that will be included in the installation process RFP. Draft plans are expected for staff review on May 16, 2014.

### **Chlorine Contact Basin Improvements**

Based on increases to the cost estimates for various aspects of the chlorine contact tank improvements, staff has opted to delay the completion of the draft bid package for the purchase and installation of new chains and flights in the chlorine contact tank as well as various concrete repairs to the basin. Plant staff will be draining the chlorine contact tank during May for further assessment and investigation of tank components in order to better define the scope of work for the project. While the tank is drained, plant staff will be performing minor repairs as time allows.

### **Development of MMRP Projects and Budget for FY 14/15**

Plant staff submitted a draft 14/15 budget to the City Manager and Finance Director that will be reviewed as part of the City/CSD's budget adoption process. The draft budget contains project descriptions and estimated costs for future MMRP projects.

## **CONCLUSION**

Staff will continue to bring a status report on the development of the MMRP at City Council meetings on a monthly basis.



AGENDA NO: A-5

MEETING DATE: May 13, 2014

# Staff Report

**TO: Mayor and City Council**

**DATE: May 1, 2014**

**FROM: Rob Livick, PE/PLS – Public Services Director/City Engineer**

**SUBJECT: Water Reclamation Facility (WRF) Project Status and Discussion**

### **RECOMMENDATION**

Staff recommends the City Council review this informational item.

### **ALTERNATIVES**

Not applicable at this time.

### **FISCAL IMPACT**

Not applicable at this time.

### **SUMMARY**

Staff provides this report as a monthly update to the progress made to date on the new WRF project.

### **BACKGROUND**

With the denial of the permit for the WWTP project in its current location, the City has embarked on a process for a WRF. This staff report provides a review of what has occurred to date.

### **DISCUSSION**

Below is a brief review of dates, status and accomplishments on the WRF facility project. Note the bolded information has been added since your last review.

<b>Date</b>	<b>Action</b>
01/03/13	Special City Council meeting – City Adopted Resolution No. 07-13 supporting the California Coastal Commission staff recommendation for denial.
01/08/13	WWTP Project denied by the California Coastal Commission (CCC).
01/08/13	January JPA not held due to CCC meeting.
01/24/13	City Staff, Morro Bay JPA Sub-Committee, Cayucos SD representatives, staff and attorney meet and discuss strategy and moving forward.

Prepared By: RL

Dept Review: \_\_\_\_\_

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

02/14/13 February JPA meeting held, “Discussion and Consideration of Next Steps for the WWTP Upgrade Project” was on the agenda and discussed.

02/26/13 City Council meeting - draft schedule/project timeline presented to City Council.  
City Council directed staff to prepare an RFP for a project manager.

03/11/13 City Council goal session, WRF established as Essential City Goal.

03/14/13 City Council goal session, WRF established as Essential City Goal.

03/14/13 March JPA meeting held, “Status Report on the Discussion with RWQCB Staff Renewal Process for the WWTP NPDES Permit No. CA0047881” and “Verbal Report by the City and District on the Progress of the future WWTP” were on the agenda and discussed.

03/18/13 RFP issued.

03/26/13 City Council meeting - City Council approves citizens to serve on the RFP selection committee.

03/27/13 Announcement placed on City website, etc. regarding citizen selection committee application period.

04/05/13 Citizen selection committee deadline.

04/09/13 City Council meeting - appointment of 5 citizens for the RFP selection committee at City Council meeting.

04/10/13 Addendum to RFP issued, re: selection committee

04/11/13 April JPA meeting held, “Verbal Report by the City and District on the Progress of the future WWTP” and Discussion and Approval to Terminate the Consultant Services Agreements with Delzeit; Dudek, McCabe and Company; and Montgomery Watson Harza (MWH)” were on the agenda and discussed.

04/15/13 RFP due.

04/16/13 Study Session on WRF facility announced for April 29, 2013

04/23/13 City Council meeting –reaffirmation of 5 members of citizen selection committee.

04/25/13 Quarterly Meeting with California Coastal Commission staff, WRF discussion and status report on the meeting agenda.

04/25/13 Initial meeting with Selection Committee for the RFP for Planning Services for the WRF.

04/29/13 WRF Study Session at Veteran’s Hall.

05/02/13 Interviews to recommend the individual/team for the WRF project manage

05/09/13 May JPA meeting held, “Verbal Report by the City and District on the Progress of the future WWTP” was on the agenda and discussed.

05/14/13 City Council meeting – Approval of John F. Rickenbach, Consulting as the Preliminary Planning Consultant for the WRF project.

05/14/13 City Council meeting – Approval of John F. Rickenbach, Consulting as the Preliminary Planning Consultant for the WRF project

05/15/13 Public Services staff continues to work with John F. Rickenbach, Consulting to finalize the consultant contract.

05/28/13 Closed Session Item scheduled to discuss Righetti appraisal.

06/13/13 JPA Meeting – Cayucos Veteran’s Hall

06/24/13 Kick-off Meeting with John Rickenbach and team members

06/24/13-06/28/13 Work with Rickenbach to determine updated schedule pursuant to the scope of work in the RFP. Determination of Stakeholder groups/individuals

07/03/13 Tentative Schedule from Rickenbach for the New WRF posted online and available.

07/03/13 Working with Coastal Commission staff to finalize date for quarterly meeting/teleconference.

07/11/13 July JPA Meeting Cancelled.

07/18/13 Quarterly Coastal Commission/City of Morro Bay meeting, Rickenbach Team participated in review and discussion of the status of the WRF project.

07/19/13 WSC Report entitled Conceptual Wastewater Treatment Alternatives Technical Memorandum commissioned by the Cayucos Sanitary District (CSD) released on the CSD website and delivered to the City. Report located at the following address:  
[www.cayucossd.org/documents/Conceptual%20WW%20Treatment%20AltTM\\_CSD.pdf](http://www.cayucossd.org/documents/Conceptual%20WW%20Treatment%20AltTM_CSD.pdf)

07/24/13-07/25/13 Stakeholder Interviews conducted by Rickenbach team

08/08/13 August JPA Meeting Cancelled

08/15/13 Community Workshop #1 held at MB Veteran’s Hall

Week of 8/19/13 Workshop Summary posted on City’s website  
Comments Form available on City’s website for additional comments on the workshop and/or project

09/12/13 September JPA Meeting held

09/16/13 Biosolids and Treatment Options Workshop at MB Veteran’s Hall

09/27/13 October 2013 JPA Meeting cancelled

10/21/13 Quarterly Coastal Commission/City of Morro Bay Meeting

10/29/13 Release of Public Draft – Options Report

11/04/13 Public Works Advisory Board – Options Report to Board for Public Feedback

11/05/13 Second Public Workshop – Presentation of Options Report for Public Feedback

11/12/13 Presentation of Options Report to City Council

11/14/13 November 2013 JPA Meeting Cancelled

11/19/13 Meeting with RWCQB Staff regarding project Status and Permit Renewal

12/10/13 Presentation of Options Report to City Council

12/19/13 December JPA Meeting held – Verbal update by both CMB and CSD

01/16/14 January JPA Meeting canceled

01/20/14 Received proposal from Cleath-Harris to study Chorro Creek discharge and effect on City water supply. Estimated fees not to exceed \$7,500.

01/23/14 Onsite staff meeting with property owner at Rancho Colina to tour a potential location

01/23/14 Telephone discussion with City’s Water Attorney regarding water rights to creek discharge of wastewater.

1/29/14 Received proposal from Rickenbach for a contract amendment to perform

due diligence on alternative WRF sites for final site selection. Estimated fees not to exceed \$63,806.

01/31/14 Status report preparation assigned to Public Services Director

02/11/14 Mid-year Budget adjustment to include additional funding for WRF alternative site analyses. \$100,000 was approved.

02/13/14 WRF Sub-Committee meeting to discuss the 5 year time schedule and grant opportunities.

02/13/14 February JPA Meeting held.

02/25/14 City Council received a status update on the New WRF and adopted Resolution 17-14 prescribing a 5-year time frame for the construction of the New WRF.

02/28/14 Received a revised scope of work for a contract amendment received from Rickenbach recognizing the accelerated time schedule for the WRF. Estimated fees not to exceed \$76,129

03/06/14 Scheduled WRF Subcommittee meeting with staff to discuss grant opportunities and schedules.

03/10/14 March JPA Meeting cancelled.

03/20/14 WRF Sub-Committee meeting along with staff and property owner at the "Rancho Colina" Morro Valley site to get an overview of the potential for it as a project location..

03/21/14 Meeting between City of Morro Bay (Irons/Smukler) and CSD (Enns/Lloyd) Sub-Committees along with Morro Bay and CSD County and Water Board Staff to discuss overall project status and the CMC option.

**04/10/14 April JPA Meeting cancelled**

**04/11/14 "Rancho Colina" site visit with staff and Council person C. Johnson**

**04/18/14 Letter sent to property owners of potential WRF sites, inviting a discussion regarding siting potential**

**04/21/14 "Rancho Colina" site visit with staff and Council persons Leage and N. Johnson**

**04/23/14 Meeting to review the "Rancho Colina" site with the Morro Bay and CSD Sub-Committees along with Water Board staff.**

**05/01/14 Scheduled site visit at Giannini site with WRF Subcommittee, JRF Consulting and Property Owner.**

**05/08/14 May JPA Meeting cancelled.**

**05/13/14 Council Meeting New Water Reclamation Facility Project Report on Reclamation and Council Selection of a WRF Site to continue forward with the CMC evaluation**

## **CONCLUSION**

City Council, since the Coastal Commission's denial of the WWTP Coastal Development Permit in January 2013, has made measured and deliberate progress in the WRF project, as outlined above.



AGENDA NO: A-6

MEETING DATE: May 13, 2014

# Staff Report

**TO:** Honorable Mayor & City Attorney                      **DATE:** April 28, 2014  
**FROM:** Joseph W. Pannone, Interim City Attorney  
**SUBJECT:** Deferral of Dynegy Community Development Fund Payment

## RECOMMENDATION

Staff recommends Council authorize the third deferral of Dynegy's Community Development Fund ("CDF") Payment originally due January 21, 2014, currently deferred to May 16, 2014, until August 29, 2014, together with a waiver of any applicable late fees or default claims related to the deferral.

## ALTERNATIVES

1. Defer Dynegy payment currently due May 16, 2014, until August 29, 2014, at Dynegy's request to conclude negotiations relating to possible City acquisition of Dynegy property, in lieu of some or all of that payment.
2. Defer payment but direct staff to negotiate a deferral fee, different due date, or other direction.
3. Do not defer payment.

## FISCAL IMPACT

If deferred, the City will not receive \$525,000 until approximately seven months after its original due date together with possible loss of minimal interest, late fees, and/or lost opportunity costs.

## SUMMARY

In November 2004, the City and Duke Energy Morro Bay LLC ("Duke") entered into an Agreement to Lease and Agreement Regarding Power Plant Modernization ("2004 Agreement") as well as a Lease Agreement ("Outfall Lease"). By Resolution 59-12, on December 5, 2012, the City and Dynegy Morro Bay LLC ("Dynegy") amended both the 2004 Agreement and the Outfall Lease due to the power plant not reaching New Plant Commencement Construction (as defined in the 2004 Agreement) by November 12, 2012. Among numerous other amendments, Dynegy replaced Duke throughout the documents, and Section 4.2.1 of the 2004 Agreement was amended to increase the

Prepared By: JWP

Dept Review: \_\_\_\_\_

City Manager Review: \_\_\_\_\_

City Attorney Review: JWP

amount of the CDF payment to \$525,000 (from \$500,000) effective January 21, 2014.

In November 2013, Dynegy filed a notice with the California Independent System Operator (“ISO”) initiating the retirement process for the Morro Bay Power Plant. In February 2014, the ISO accepted the plant retirement. The retirement process will continue with an estimated final closure in June 2014.

Dynegy requested deferral of the January 2014, CDF payment in the amount of \$525,000, to allow Dynegy to obtain more information as to the plant’s future, and to allow both sides to explore a possible trade of property in-lieu of that payment. At its January 14, 2014, meeting, the Council approved a deferral until March 14, 2014. At the March 11, 2014 meeting, Council approved a second deferral until May 16, 2014. An appraisal on properties Dynegy is willing to sell, which includes Lila Keiser Park, Fisherman’s Gear Storage Area, Harbor and Coast Guard Storage Yard, and other property on the northern end of Dynegy’s property has been completed and staff is currently in negotiations for their possible purchase.

The January CDF payment is neither budgeted nor planned.

Dynegy had the option of cancelling future CDF payments by giving the City notice by February 28, 2014. Dynegy gave the requisite notice.

**CONCLUSION**

Deferral of the CDF payment until August 29, 2014, and waiver of any applicable late fees or default claims related to the deferral, will allow the City to continue negotiations and possibly acquire property from Dynegy.



**AGENDA NO: A-7**

**MEETING DATE: May 12, 2014**

# Staff Report

**TO: Honorable Mayor and City Council      DATE: April 30, 2014**

**FROM: Bruce Keogh, Wastewater Division Manager  
Dave Zevely, Collections System Supervisor  
Damaris Hanson, Engineering Tech IV**

**SUBJECT: Recertification of the Updated Sewer System Management Plan**

## **RECOMMENDATION**

Staff recommends the City Council recertify the updated Sewer System Management Plan (SSMP).

## **ALTERNATIVES**

Recertification of the SSMP every five years by the City Council is a requirement of Water Quality Order No. 2006-003-DWQ General Waste Discharge Requirements for Sanitary Sewer Systems. Failure to recertify the updated SSMP by June 8, 2014, would result in the City being out of compliance with Order No. 2006-003-DWQ General Waste Discharge Requirements for Sanitary Sewer Systems. Therefore no alternative is recommended.

## **FISCAL IMPACT**

No fiscal impact at this time as a result of this report. Fiscal impact is addressed through the budget process.

## **BACKGROUND AND DISCUSSION**

In 2006, the State Water Resources Control Board (SWRCB) adopted Order No. 2006-003-DWQ Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR). In May 2013, the SWRCB approved Order No WQ 2013-0058-EXEC amending the Monitoring and Reporting Program (MRP) for the WDR. The amended MRP is an effort to more accurately and completely capture information pertaining to Sanitary Sewer Overflows (SSO) and includes revisions to SSO categories and their associated reporting requirements.

The WDR created a centralized statewide mechanism to manage all publicly owned wastewater collection agencies. A principal element of the WDR is the requirement the Collection Agencies adopt and maintain a management plan for the system referred to as an SSMP. The WDR requires the owners of a wastewater collection system, with more than a mile of pipeline, have a SSMP to reduce the number and severity of sanitary sewer

Prepared by: BK/DH/DZ Dept. Review: RL

City Manager Review: \_\_\_\_\_

City Attorney's Review: \_\_\_\_\_

overflows.

The SSMP includes eleven mandatory elements ranging in complexity from preparing goals and a mission statement, to performing a complete collection system capacity assessment. The SSMP must include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems while taking into consideration risk management and cost benefit analysis. Additionally, an SSMP must contain a spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions. The purpose of the SSMP is to implement a set of Best Management Practices into the operations of all the collection systems in the State.

The City Council approved the first SSMP in June 2009, following presentations to the Council and Public Works Advisory Board that allowed for review and public comments during the development of the specific sections of the SSMP. That approval process followed the requirements of the SWRCB for the SSMP to be approved by the enrollee's governing board at a public meeting. A copy of the 2009 SSMP is available on the City website at: <http://www.morro-bay.ca.us/SSMP2009>.

The WDR requires the City conduct periodic internal audits at a minimum of every two years. The audit should focus on evaluating the effectiveness of the SSMP and the City's compliance with the SSMP requirements, including identification of any deficiencies in the SSMP and steps to correct them. Audits were conducted and completed by staff from the City's Collection and Engineering Divisions in June 2011 and June 2013. Overall, the audits indicated the City's SSMP is meeting the requirements of both the SSMP and SWRCB. Minor modifications were made to reflect current operations and maintenance practices and to correct any noted deficiencies. Copies of the completed audits are posted on the City website.

The WDR requires the SSMP must be updated every five years, capture any significant program changes, and be re-certified by the City Council. To complete the re-certification process, City staff must upload a City Council approved SSMP e-copy into the Online SSO Database or provide a URL address where the SSMP is located on the City's website. The due date for the re-certification of the SSMP is June 8, 2014.

This is the first update to the SSMP since its approval by the City Council in June 2009. The updated SSMP was presented at the April 17, 2014, Public Works Advisory Board (PWAB) meeting for discussion and to receive comments. PWAB voted unanimously to recommend recertification of the updated SSMP as written.

#### Summary of Revisions

Overall, the SSMP meets the requirements and the intent of the WDR. It contains elements and programs that have been field tested and refined through work practices in the field. The SSMP has been used effectively as a management and planning guide since its adoption in 2009. The SSMP has also been a valuable reference document for field

crews. Prior to 2009, the City and its collection crews performed most of the elements contained within the SSMP; they just weren't contained within a single document that had been approved by City Council. The effectiveness of the SSMP is also demonstrated by the reduction/lack of SSOs within the City collection system.

One of the major revisions to the SSMP was to incorporate new requirements included in the SWRCB's 2013 amendment to the MRP. The amended MRP included revisions to the categories of SSOs and their associated reporting requirements. For example, the SWRCB added a third category of SSOs and included specific monitoring requirements for each category of SSO. The updated SSMP has been modified to include these new SSO categories and associated monitoring requirements.

Another SSMP revision concentrated on modifications and revisions to reflect changes in collection system assets or modifications to operations and maintenance activities. For example, the recent upgrades to Lift Stations 2 and 3 eliminated the confined space requirements and entry procedures required to enter the old lift stations. Both new lift stations have above ground control systems with submersible pumps in the wet wells. Language within the SSMP was modified to reflect those changes.

Another SSMP revision is based on the fact the SSMP was completed for the first time in June 2009 and has been utilized as a management guide since its adoption. The original SSMP approved in 2009, contained a detailed schedule for drafting and approving each of the eleven elements of the SSMP. Language within the updated SSMP was modified to reflect the updated SSMP is a mature plan and the various development and adoption schedules were removed from the updated SSMP.

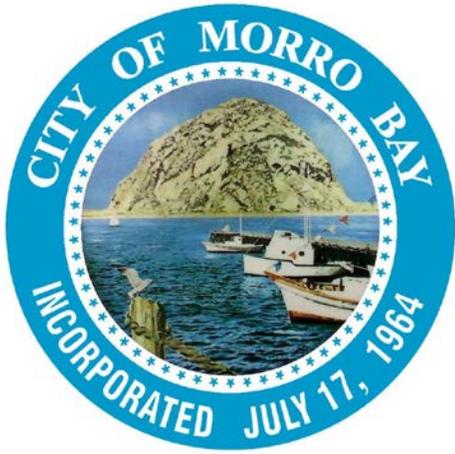
The MRP recognizes the SSMP may need to be modified or refined more frequently than every five years. For that reason, it requires all changes made to the SSMP since its last certification be recorded indicating when a subsection was changed or updated and who authorized the change or update. It requires those records be attached to the SSMP. That provision allows City staff to make minor revisions to the SSMP, as needed, to ensure the information within the document is current and valid. Any major changes would certainly be brought before the Council for approval as needed. Examples of minor revisions would include updating organizational charts, or minor modifications to O&M procedures to reflect actual practice.

**CONCLUSION:**

Staff recommends the City Council recertify the updated Sewer System Management Plan (SSMP).

**ATTACHMENT**

Public Draft - Sewer System Management Plan (SSMP)



# City of Morro Bay Sewer System Management Plan



**Adopted by City Council  
2014**

**Final Report**

Public Services Department  
Wastewater Collections  
Division

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# Introduction

## Regulatory Requirement

On May 2, 2006, the State Water Resources Control Board (SWRCB) enacted Order No. 2006-0003, State General Waste Discharge Requirements for Sanitary Sewer Systems (WDR). The WDR requires any public agency that owns or operates a sanitary sewer system more than one mile in length that conveys untreated or partially treated wastewater to a publicly owned treatment works (POTW) in the State of California; comply with the requirements of the WDR.

The City of Morro Bay (City) owns and operates a wastewater collection system more than one mile in length that conveys untreated wastewater to a publicly owned treatment works (POTW) and therefore is required to comply with the WDR. The City submitted a Notice of Intent (NOI) to the SWRCB on October 4, 2006 for coverage under the WDR and has developed and maintained this Sewer System Management Plan (SSMP) to satisfy the requirements of the WDR. The SSMP was originally adopted by the Morro Bay City Council on June 08, 2009. Per the requirements of the WDR, the City has performed two audits of the SSMP (June 2011 and June 2013), that focused on the effectiveness of the SSMP and the City's compliance with the SSMP requirements identified within the WDR, including identification of any deficiencies in the SSMP and the steps to correct them. In addition, the WDR requires that the SSMP must be updated and adopted by the City Council at least every five years. The revisions contained within this SSMP comply with the requirements of the WDR by updating the SSMP on a five year schedule.

## Collection System Description

The City of Morro Bay's collection system serves residential and commercial users. The collection system includes approximately 60 miles of gravity sewer line, approximately 2.5 miles of force main, approximately 1116 manholes, lampholes and clean-outs and three lift stations which are monitored daily. The mainlines are made of a variety of materials, depending on the age; terra cotta salt glazed pipe, vitrified clay pipe (VCP), polyvinyl chloride (PVC), asbestos concrete (AC) and cast iron. There are three lift stations all of which operate with submersible pumps and above ground control panels.

Satellite agencies include the San Luis Coastal Unified School District, the State Parks (2) at the north end of town (Morro Strand State Park) and south end of town (Morro Bay State Park).

## Wastewater Collections Division

The City has a separate Wastewater Collections Division, to oversee the operations and maintenance of the collection system. The Department operates under the general supervision of the Public Services Director and the Wastewater Division Manager. The

division includes a Wastewater Collection Supervisor and three Wastewater Collection System Operator levels. The division responds to sewage spills and other calls 7 days a week, 24 hours per day. To expedite cleaning and emergency response, the city also owns and operates a combination cleaner (Hydro-Vac), trailer-mounted jetter, five emergency generators, a diesel powered hydraulic pump, maintains an inventory of spare pumps and motors, confined space entry and safety equipment, and other tools and equipment. The division operates a scheduled preventive maintenance and enhanced maintenance program to maintain the system, and utilizes a contractor for Closed Circuit Television (CCTV) inspection. The division records and maintains historical data about the system, and utilizes this information to prioritize maintenance activities. The programs contained and outlined within the City's SSMP meet the requirements of the WDR.

### **Source Control**

In 1999 businesses in Morro Bay were surveyed for possible industrial-waste discharges. The survey included business names, addresses, names of contacts, telephone numbers, inventories of chemicals, discharge volumes, and other pertinent information. Based on this information and a master list of businesses developed from business license applications, certain businesses were found to have no potential for industrial discharge, such as offices, and retail stores. Others were excluded from further consideration as industrial dischargers because they discharged only domestic wastewater. For the remaining industries, waste discharge volumes were estimated in proportion to water usage determined from billing records provided by the City Water Department. Follow-up activities for these businesses include scheduled return visits, surprise on-site inspections and formal tours of the facilities. These include but may not be limited to a commercial laundry, car washes, a dry cleaner, print shops and the oil-water separator maintained by the Harbor Department.

### **Fats, Oil and Grease (FOG)**

In 2002, restaurants were surveyed for grease removal devices. Based on this survey a grease trap and interceptor inspection program was begun. A Site Visit Book (SVB) was developed and inspections are conducted on a regular basis.

### **SSMP Development Plan and Schedule**

The original SSMP was developed using the Schedule contained within the WDR that outlined the compliance dates and necessary program components that the City was required to incorporate into the SSMP. This document is required to be approved by the City Council during a public meeting at least every five years. As noted earlier, The SSMP was originally adopted by the Morro Bay City Council on June 08, 2009. Per the requirements of the WDR, the City has performed two audits of the SSMP, in 2011 and 2013, that focused on the effectiveness of the SSMP and the City's compliance with the SSMP requirements identified within the WDR, including identification of any deficiencies in the SSMP and the steps to correct them. In addition, the WDR requires

that the SSMP must be updated and adopted by the City Council at least every five years. The revisions contained within this SSMP comply with the requirements of the WDR by updating the SSMP on a five year schedule.

The SSMP is a living document, meaning that it will evolve and modifications will be made as necessary to meet the required regulations. The Collections Division recognizes that the SSMP may be amended during the five year recertification time frame as a result of recommendations contained within the biennial audit of the SSMP or to reflect a change in organizational structure or changes based on modifications to the O&M program or equipment changes. For this reason, the Collections Division has requested and been granted permission from the City Council to have the Director of Public Services authorize and approve any significant changes to the SSMP during this time period. Any amendments incorporated would be highlighted during the public recertification process. Appendix D contains all modifications to the SSMP, this will be a working list used if regulations change or through our internal audit changes to the document are warranted.

### **Electronic reporting of Sewer System Overflows (SSO)**

All Enrollees are required to obtain SSO Database accounts and receive a “Username” and “Password” by registering through the California Integrated Water Quality System (CIWQS) web-site. On an annual basis, all enrollees are required to complete an update to the “Collection System Questionnaire”, which collects pertinent information regarding an Enrollee’s collection system. This questionnaire must be updated at least annually. The questionnaires were first completed on April 17, 2007 and have been updated annually per the requirements of the WDR or as changes have been made. The Morro Bay Collection System has been assigned a Waste Dischargers Identification Number (WDID) of 3 SSO 11429.

Electronic reporting of SSOs was begun on May 2, 2007. This reporting of Category 1 and Category 2 SSOs and other spills will be ongoing. The Collection Department maintains a spread-sheet regarding SSOs on the City’s computer network shared drive; it is kept up-to-date listing all spills including spills originating from private laterals. Written spill reports will be maintained at the Collection Department Office, and will be reported on the Monthly Operation Summary.

### **Collection System Assessment**

The City has an on-going commitment to conducting a sewer system management assessment to ensure that the City continues to meet the requirements of the WDR. This on-going assessment ensures the Collection Division activities meet the requirements of the WDR, and identifies any programs that may require modification or expansion. This program will be on-going, and the SSMP will continue to be modified and refined based on demonstrated need, the outcome of the biennial audit, and any amendments to the WDRs or the Monitoring and Reporting Programs adopted by the SWRCB.

### **The Eleven Elements of the SSMP:**

1. Goals- The stated goals for the SSMP
2. Agency Organizational Structure and SSO reporting chain of communications
3. Document Legal Authority
4. Operation and Maintenance
  - a. Mapping
  - b. Preventative Maintenance Program
  - c. Rehabilitation and replacement program
  - d. Inspection Program
  - e. Staff training
  - f. Equipment and parts inventory
5. Design and Performance
  - a. Design Standards
  - b. Inspection and testing standards
6. Overflow Emergency Response Plan
7. Fats, Oils and Grease (FOG) Control Program
  - a. Fog Ordinance
  - b. A program to reduce or eliminate FOG SSOs
8. System Evaluation and Capacity Assurance Plan
9. Monitoring, Measurements and Program Modifications
10. SSMP Audits
11. Communication Program
  - a. Communications with the public
  - b. Communications with satellite agencies

# Glossary and Acronyms

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Terms and acronyms used in this document and/or the Statewide GWDR, along with their definitions, are as follows:

**AR or (Authorized Representatives)** - The person designated, for a municipality, state, federal or other public agency, as either a principal executive officer or ranking elected official, or a duly authorized representative of that person.

**BAT-** Best Available Technology

**Blockage or stoppage-** something that fully or partially blocks the wastewater from flowing through a sewer pipeline.

**BMP-** Best Management Practice

**CWEA (California Water Environment Association)** - CWEA is an association of professionals in the wastewater field. CWEA trains and certifies wastewater professionals, disseminates technical information, and promotes sound policies to protect and enhance the water environment. CWEA provides technical references for sewer system operation and maintenance.

**CCTV-** Closed Circuit Television

**CFR-** Code of Federal Regulations

**CIP-** Capital Improvement Program

**CIWQS (California Integrated Water Quality System)** - All SSO reporting is done on the CIWQS website.

**CMMS-** Computerized Maintenance Management System

**Clean-out or CO-** Access hole on a sewer line, normally at the end of the line and normally smaller than a manhole.

**Dynamic Model-** Computer hydraulic model simulation that solves dynamic flow equations for accurate simulation of backwater, looped connections, surcharging, and pressure flow in a collection system.

**FOG (Fats, Oils and Grease)-** Fats, Oils and Grease that are discharged into the sanitary sewer system by food service establishments (FSE), homes, apartments, retirement homes, and other sources. FOG is a major cause of blockages leading to increased maintenance and sometimes SSOs.

**FOG Control Program** - Establishes inspection criteria for FOG discharge at various businesses.

**GIS (Geographical Information System)**- A database linked with mapping, which includes various layers of information, such as sewer maps, storm drain maps, parcels and other features. The City uses ARCGIS.

**Governing Board**- In the City of Morro Bay this is the City Council.

**GPS**- Global Positioning System

**GWDR or WDR (General Waste Discharge Requirements)**- Order No. 2006-0003, State General Waste Discharge Requirements for Sanitary Sewer Systems (WDR) is designed to ensure proper design, and safe operation and maintenance of the sanitary sewer systems throughout California. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California were required to comply with the terms of this Order. The Statewide General WDR for Sewer systems was adopted by the SWRCB and is implemented by the RWQCB and SWRCB.

**I/I**- Infiltration and Inflow

**Infiltration**- The seepage of groundwater into a sewer system, including service connections. Seepage can be through cracked pipes, pipe joints, connections, or manhole walls and joints.

**Inflow**- Water discharged into a sewer system and service connections from roof leaders, cellars, yard and area drains, foundation drains, springs, swampy areas, around manhole covers, surface runoff, drainage etc. Inflow differs from infiltration in that it is a direct discharge into the sewer rather than a leak.

**Lamphole**- In the past this was used to lower a lamp into the line for inspection. They are currently used the same as an end of the line clean-out.

**Lateral**- The portion of a sewer that connects the customer with the City's main line.

**Upper lateral**: Portion from the building to the property line.

**Lower Lateral**: Portion from the property line to the sewer main either in an easement or street. Upper and lower lateral are privately owned and maintained.

**Lift Station (LS) or Pump Station**- A station with redundant pumps, which raise sewage to a level from which it can flow by gravity.

**LRO (Legally Responsible Official)**- A legally responsible official (LRO) is any individual authorized to enter and certify data into the online sanitary sewer overflow (SSO) database on behalf of an agency enrolled under Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WQO No. 2006-0003). A LRO must certify any submitted SSO report. A LRO is defined as either a principal executive

officer or ranking elected official for an agency, or a duly authorized representative of that person.

**Manhole or MH** - Access hole on a sewer line with cones and barrels. Installed every 300-400 feet to facilitate cleaning, or change in direction.

**MRP (Monitoring and Reporting Program)** - Established in the WDR for monitoring, reporting, recording and public notification requirements of the WDR.

**O&M**- Operation and Maintenance

**OES**- Office of Emergency Services

**Order**- SWRCB Order No. 2006-0003-DWQ adopted May 2, 2006

**OERP (Overflow Emergency Response Plan)** - Identifies a plan for notification procedure(s), appropriate response, procedures to address emergency operations and insure that all reasonable steps are taken to contain and prevent discharges.

**PM (Preventive Maintenance)** - Regularly scheduled servicing of machines, infrastructure and other equipment.

**PLSD (Private Lateral Sewage Discharge)** – Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the City’s sanitary sewer system or from other private sewer assets.

**R&R**- Rehabilitation and Replacement can also be CIP.

**RWQCB (Regional Water Quality Control Board)**- There are nine regional water quality control boards that exercise rulemaking and regulatory activities by basins. The City is in RWQCB Region 3.

**POTW**- Publicly Owned Treatment Works (WWTP)

**SCADA (Supervisory Control and Data Acquisition)** - A computerized control and data recording system that operates a wastewater, treatment or water system remotely, recording operational data.

**SOP**- Standard Operating Procedure

**SSO (Sanitary Sewer Overflow)** - Any overflow, spill, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system.

Category 1: Discharges of untreated or partially treated wastewater of **any volume** resulting from an enrollee’s sanitary sewer system failure or flow condition that:

- Reach surface water and/or reach a drainage channel tributary to a surface water; or
- Reach a Municipal Separate Storm Sewer System (MS4) and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).

Category 2: Discharges of untreated or partially treated wastewater of **1,000 gallons or greater** resulting from an enrollee's sanitary sewer system failure or flow condition that do not reach surface water, or a drainage channel, or a MS4 unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.

Category 3: All other discharges of untreated or partially treated wastewater resulting from an enrollee's sanitary sewer system failure or flow condition. All other releases from the enrollee's sewer system.

Private Lateral Sewage Discharges (PLSD): Discharges of untreated or partially treated wastewater resulting from blockages or other problems **within a privately owned sewer lateral** connected to the enrollee's sanitary sewer system or from other private sewer assets. PLSD's that the enrollee becomes aware of may be voluntarily reported to the California Integrated Water Quality System (CIWQS) Online SSO Database.

**SSMP (Sewer System Management Plan)** - This management plan preparation was required by the SWRCB Order No. 2006-0003, State General Waste Discharge Requirements for Sanitary Sewer Systems (WDR or GWDR).

**SCSMP (Sewer Collection System Master Plan)** - This refers to the Master Plan submitted by the Wallace Group in 2006 also referred to as the Wallace report 2006.

**Sanitary Sewer System-** A system of pipes, pump stations, sewer lines or other conveyances upstream of the Wastewater Treatment Plant, used to collect and transport wastewater to the publicly owned treatment works.

**Satellite Collection System or Agency-** The portion of a sanitary sewer system owned and operated by a different public agency other than the agency that owns the wastewater treatment plant, to which the sanitary sewer system is tributary.

**SWRCB or State Board (State Water Resources Control Board)** - the State Board protects water quality by setting statewide policy, coordinating and supporting the Regional Water Board efforts, and reviewing petitions that contest Regional Board actions. There are nine regional water quality control boards that exercise rulemaking and regulatory activities by basins. The State Board is the agency responsible for developing and adopting the GWDR (WDR) for collection systems.

**WDR- See: General Waste Discharge Requirements (GWDR)**

**WWC- Wastewater Collections**

**WWTP- Wastewater Treatment Plant**

# Element I: Goals

The collection system agency must develop goals to manage, operate, and maintain all parts of its collection system. The goals should address the provision of adequate capacity to convey peak wastewater flows, as well as a reduction in the frequency of sanitary sewer overflows (SSOs) and the mitigation of their impacts.

## **SWRCB Requirement**

The collection system agency must develop goals to properly manage, operate, and maintain all parts of its wastewater collection system in order to reduce and prevent SSOs, as well as to mitigate any SSOs that occur.

## **Mission Statement and Goals**

The mission of the Collections Division is to preserve and enhance the quality of life in the City of Morro Bay and to protect the public health and the environment by collecting and conveying wastewater in a safe, environmentally conscientious, and efficient manner.

This can most readily be accomplished by:

- Maintaining and improving the sewer lines and lift stations within the City in a manner consistent with the adopted Sewer System Master Plan now and into the future.
- Aggressively minimizing the number and impact of sanitary sewer overflows (SSOs) that may occur throughout the City of Morro Bay.
- Cost-effectively minimizing inflow/infiltration (I/I) and provide adequate sewer capacity to accommodate design storm flows.
- Controlling source discharges to the Wastewater Treatment Plant in accord with State and Federal regulations.
- Developing and implementing programs necessary to comply with State and Federal mandates, rules, and regulations.
- Developing training programs necessary to teach; up-to-date industrial systems required by State and Federal mandates, rules, and regulations, describing the duties and responsibilities for all positions including supervisory implementation and advancement certification, and additional training on standards and codes to gain additional understanding of the California Building and Plumbing code, trenchless technology (preventative maintenance and repairs) and standard construction methods.

# Element II: Organization

The collection system agency's SSMP must identify staff responsible for implementing measures outlined in the SSMP, including management, administration, and maintenance positions. Identify the chain of communication for reporting and responding to SSOs.

## SWRCB Requirement

The collection system agency's SSMP must identify:

- (a) The name of the responsible or authorized representative;
- (b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. Include lines of authority as shown in an organization chart or similar document with a narrative explanation; and
- (c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).

## Organization Discussion

The Wastewater Division is part of the City Public Services Department. The Wastewater Division is responsible for administration and implementation of the SSMP. The Division includes Wastewater Plant Operations and Collections. The Collections Operators are responsible for the daily maintenance and response to SSOs during regular work hours and after hours and weekends on standby.

The name of the responsible or authorized representative;

The authorized representative or Legally Responsible Official (LRO) for implementing and administering the City's SSMP and completing and certifying spill reports electronically are the Collections System Supervisor, Wastewater Division Manager, Public Services Director and the Collections System Maintenance Worker III.

- (a) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. Include lines of authority as shown in an organization chart or similar document with a narrative explanation; and

Figure 1 is the organization chart for the Wastewater Division as a part of the Public Services Department.

- (b) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).

Figure 2 illustrates the City's chain of communication and responsible staff for receiving reports, responding to SSOs. This flow chart then refers to the notification checklist (Appendix B, Attachment C) which is used for notifying the proper authorities and for reporting and certifying the spills electronically.

Figure 1 Organization Chart

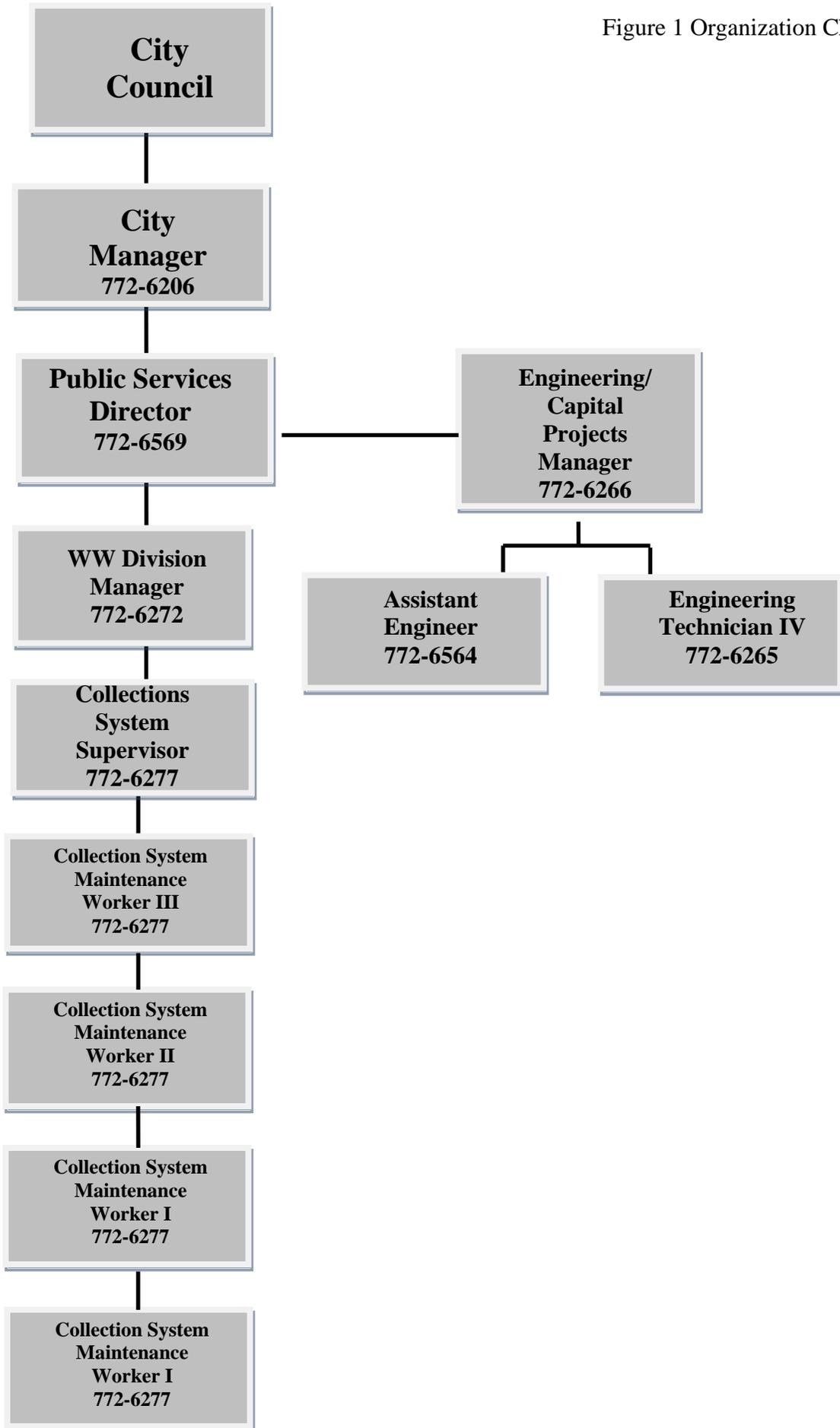
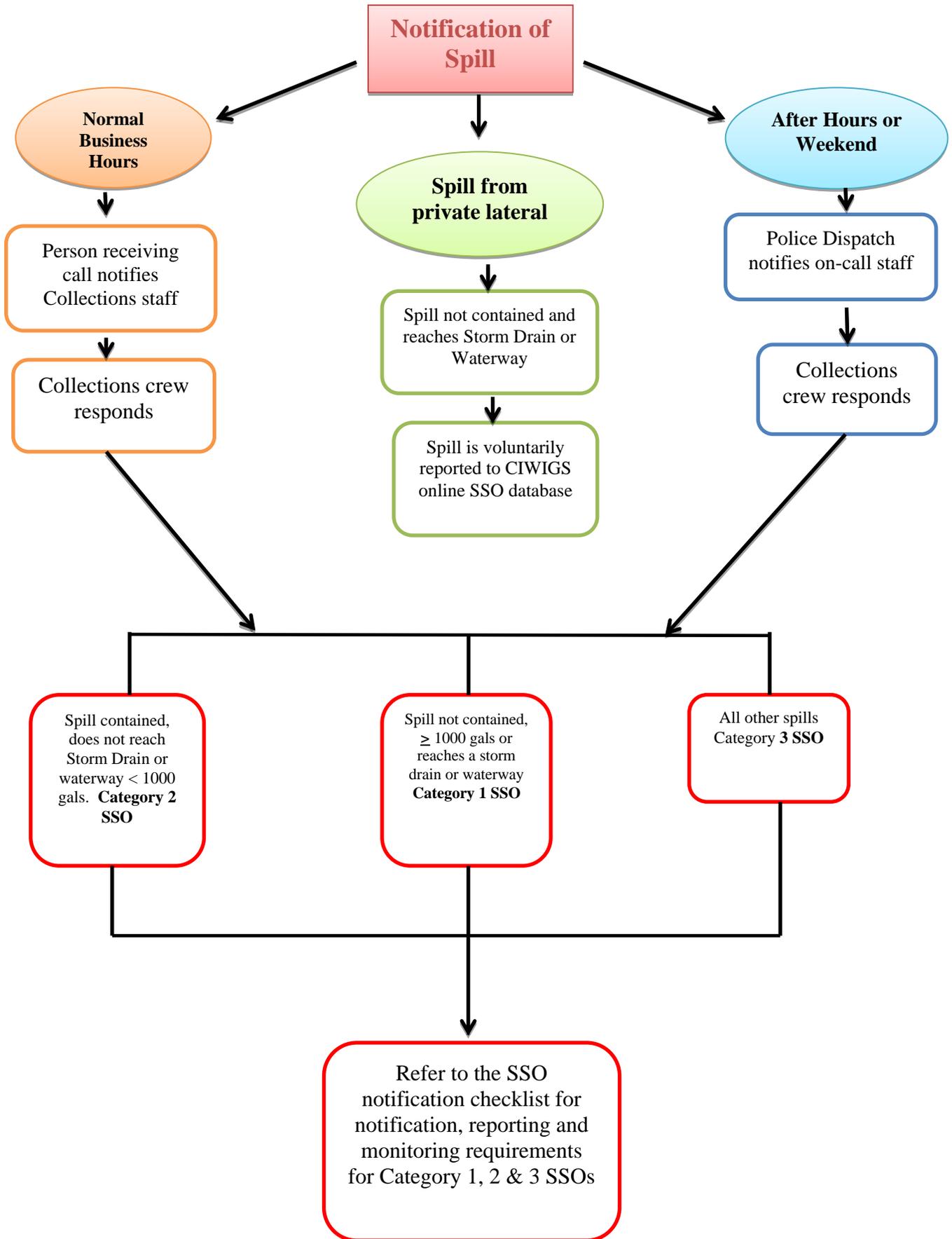


Figure 2 Chain of Communication



# Element III: Legal Authority

This section of the SSMP discusses the City of Morro Bay's Legal Authority including Municipal Code and agreements with other agencies. This section is to fulfill the Legal Authority element of the SWRCB (Element 3) SSMP requirements.

## SWRCB Requirement

The City must demonstrate, through collection system use ordinances, service agreements, or other legally binding procedures that it possesses the necessary legal authority to:

- (a) Prevent illicit discharges into its wastewater collection system (examples may include infiltration and inflow (I/I), stormwater, chemical dumping, unauthorized debris and cut roots, etc.);
- (b) Require that sewers and connections be properly designed and constructed;
- (c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency;
- (d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and;
- (e) Enforce any violation of its sewer ordinances.

# Legal Authority Discussion

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The City of Morro Bay's Municipal Code, Standard Specifications and Development Fee Schedule contain the legal authority the SSMP by the SWRCB requires.

- (a) Chapter 13.12 Sewers of the Municipal Code is dedicated to the city's sewer system. This chapter contains sections stating the city's requirements for the use of sanitary sewer within the city. This chapter includes provisions to protect public health and prevent pollution.
- (b) Title 8 of the Engineering Standard Drawings and Specifications contains the city's requirements for the construction of sanitary sewer facilities installed, altered, or repaired within the city.
- (c) Development Fee Schedule contains policies pertaining to fees, including service charges, billing and collection, and calculation of fees.

The City's Sewer ordinance Chapter 13.12 of the Municipal Code and Title 8 of the Engineering Standard Drawings and Specifications, provide the City staff with the authority to enforce Element III of the SSMP requirements, are included in full in Appendix A. Segments of these documents are discussed in the following sub-sections as they pertain to the prevention of illicit discharges, proper design and construction of sewer mains and connections, maintenance access, and enforcement measures.

## 3a. Prevention of Illicit Discharges

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Chapter 13.12 outlines legal discharges to the City of Morro Bay's sewer system. The chapter also contains measures prohibiting illicit discharges to prevent damage to the collection system, treatment process, or cause harm to the public health or environment.

- (a) Stormwater and I/I Section 13.12.100 prohibits the discharge or cause of discharge of any stormwater, surface water, groundwater, roof runoff, subsurface drainage, unpolluted industrial cooling or unpolluted industrial process waters to any sanitary sewer. Section 13.12.110 requires that all unpolluted discharge shall be discharges to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the director of public works. Unpolluted industrial cooling or unpolluted process waters maybe discharged, upon approval of the director of public works, to a storm sewer, combined sewer or natural outlet.
- (b) Prohibited discharges Section 13.12.120 prohibits the discharge or cause of discharge of any of the following described waters or wastes to any public sewers.
- Any liquid or vapor having a treatment temperature higher than one hundred fifty degrees Fahrenheit;
  - Any water or waste which may contain more than one hundred parts per million, by weight, of fat, oil, or grease;
  - Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
  - Any garbage that has not been properly shredded;
  - Any ashes cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
  - Any water or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;
  - Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans, plants or animals, or create any hazard in the receiving waters of the sewage treatment plant;
  - Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
  - Any noxious or malodorous gas or substance capable of creating a public nuisance;
  - Any wastes which will exceed the limitations set forth in federal pretreatment standards;
  - Any wastes which will interfere with the disposal, reclamation or refuse of the wastewater treatment plant effluent or sludge;

- Any wastes which will cause the wastewater treatment plant to violate its NPDES permit;
- Any radioactive wastes or isotopes or half-life or concentration which exceed limits established by the water quality control superintendent;
- Any wastes which cause a hazard to human life or create a public nuisance.

## **3b. Proper Design and Installation of Sewers and Connections**

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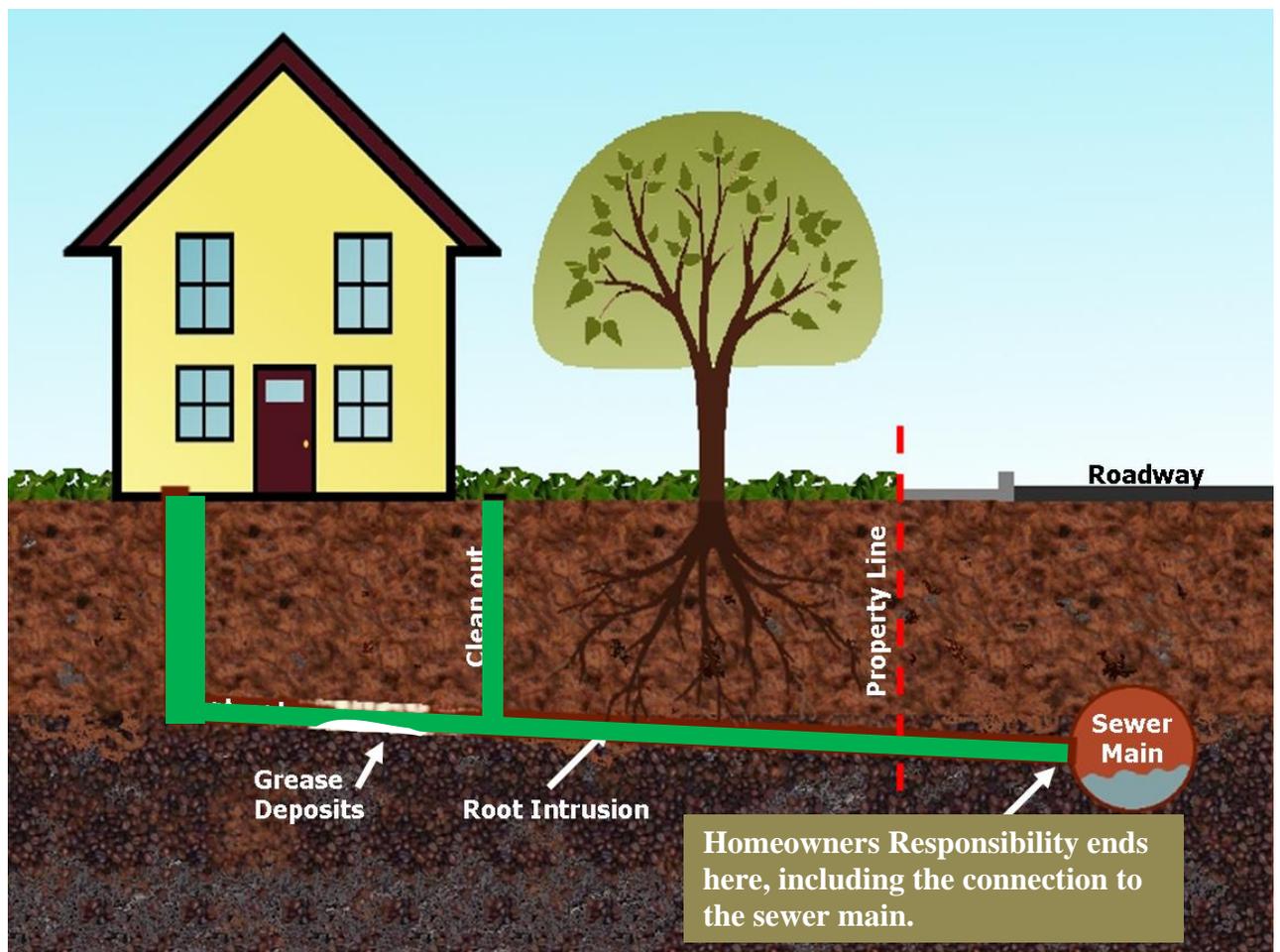
Regulations pertaining to the design, construction and inspection of private sewer systems, building sewers, and connections are included in Chapter 13.12 of the Municipal Code and Title 8 of the Engineering Standard Drawings and Specifications.

- (a) Permit Required: Section 105 of the California Building Code requires a permit to be obtained for the installation of a sewer.
- (b) Design Requirements: Section 8.02 of the Standard Specifications specifies the minimum size and slope of a building sewer. Design requirements are contained in the Standard Specifications and are assessed and revised on a 2 year basis or as needed.
- (c) Installation of Sewers: Section 8.09 states the requirements of lines and grades, trench widths, excavation for sewers, bracing and shoring, laying of pipe, trench backfill, testing of sewer lines, and cleaning for the construction of all sewer lines and connections.

### 3c. Lateral Maintenance Access

Property owners are responsible for maintaining in satisfactory and effective operation the street and sewer laterals all the way to the main lateral (see image below). Chapters 13.12 and 14.07.030(c) of the City of Morro Bays municipal code are the basis for the property owner maintaining their sewer lateral to the public sewer main. The Universal Plumbing Code also regulates property owners maintain their sewer laterals. The city has a map of city maintained sanitary sewer system.

The director of public works has the authority to enter all properties or send an authorized representative of the city, without prior notice, for the purpose of inspecting, sampling and testing in accordance with the provisions of chapter 13.12 of the Municipal Code.



### 3d. Limited Discharge of FOG and Other Debris

The Fats, Oils, and Grease (FOG) Control Program contained in this SSMP goes into detail about the city's FOG control measures. Section 13.12.120 of the Municipal Code prohibits specific discharges including any waste containing more than one hundred parts per million, by weight, of fat, oil, or grease.

Section 13.12.130 and 13.12.140 requires grease or oil and sand interceptors to be installed when deemed necessary and where installed to be maintained by the owner at their expense.

Debris discharge into the City of Morro Bay's sanitary sewer is prohibited as a discharge in section 13.12.120 which prohibits the discharge of any ashes cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

Section 14.07.030 (c) states that the property owner is responsible for the maintenance of the sewer lateral, up to and including, the connection to the public main.

## **3e. Enforcement Measures**

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The City of Morro Bay holds legal right to terminate water service through section 13.12.310 of the Municipal Code if any user fails to meet the requirements set forth in chapter 13.12. The director of public works shall have the authority to terminate water service or use alternate actions to protect the wastewater treatment facilities, employees, and surrounding environment from hazardous discharges.

Section 13.12.320 holds any person violating a provision of chapter 13.12 liable for all damages resulting from such violation, or which arise from actions taken in the correction of such violation, which are incurred by the city. These damages include but are not limited to attorney's fees, court costs, and fines levied on the city by regulatory agencies.

# Satellite Collection Systems

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There are several agencies that discharge to the City wastewater collection system that we consider to be satellite agencies. These are:

1. Morro Bay High School (San Luis Coastal Unified School District)
2. Morro Bay State Park (2 sources California State Parks)

These systems are owned and operated by other agencies, and may have more than a mile of lines. Under the Morro Bay Municipal Code these agencies are treated like any other discharger. The City does not maintain those systems, but does have the right to regulate the discharge flow into our sewer system.

The Cayucos Sanitary District (CSD) does discharge to the Wastewater Treatment Plant through both a separate main and a shared main. A Joint Powers Agreement (JPA) specifies that their discharge must be such that it does not cause harm to the treatment process, however since the CSD has an ownership interest in the WWTP, the City of Morro Bay does not consider them a satellite agency.

The current Joint Powers Agreement with the CSD is currently under review, and should be updated in conjunction with an upgrade to the WWTP. This agreement specifies ownership and operational contract that detail our legal standing.

# Element IV: Operation and Maintenance

The Wastewater Collection System Division is responsible for the operation and maintenance of approximately 60 miles of sewer line; three lift stations; more than 1100 manholes/cleanouts; and equipment and facilities related to wastewater collection and conveyance. Collection Staff administer local, state, and federal regulations to control pollutants discharged into the system that can interfere with treatment processes. Some of these pretreatment programs include a FOG inspection program, a public outreach program, and other programs as necessary to ensure regulatory compliance. Staff works with local businesses to minimize pollutant discharges. Also, Staff schedules; perform maintenance and repairs and construction to the collection system and its appurtenances. Staff inspects mainlines with a CCTV camera and monitors and inspects private lateral repair and replacement. In addition, staff records historical information concerning the system and/or repairs, changes, or other information.

Staff maintains a systematic video inspection of the sewer lines, and a systematic root control program. Collection Staff's goal is to hydro-clean all the City's main lines over a two-year cycle. Lines identified with potential problems are cleaned more frequently.

Employees respond to calls and emergencies twenty-four hours a day, 7 days a week, 365 days a year.

Staff operates and maintains a combination cleaner (Hydro-Vac), a trailer mounted jetter, several emergency generators, a by-pass pump, two service trucks, and other fleet vehicles and equipment.

## SWRCB Requirement

### **Element 4 Operations and Maintenance Program**

The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's (City of Morro Bay) system:

#### **4a. Collection System Map**

Each wastewater collection system agency shall maintain up-to-date maps of its wastewater collection system facilities, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater pumping and piping facilities.

#### **4b. Preventive Operation and Maintenance**

Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventive Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders.

**4c. Rehabilitation and Replacement Plan**

Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the conditions of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short-term and long-term plans plus a schedule for developing the funds needed for the capital improvement plan.

**4d. Training**

Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained.

**4e. Contingency Equipment and Replacement Inventories**

Provide equipment and replacement part inventories, including identification of critical replacement parts.

## 4a. Collection System Maps

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As a reference for collection system operation and maintenance, collection staff refers to and annotate hand-drawn and GIS generated maps. These maps divide the City into 14 numbered sections. All manholes are numbered and nearly all sewer line distances are labeled. There are additional notations on these maps concerning street names, force mains, valves, manholes with weirs, lift station locations, and pipe diameters, to aid the collections team during routine cleaning and maintenance.

On these maps, the numbering system generally follows flow direction, in that the lower numbers indicate either the highest point in a section, the end of a line, or where one section ties into another. Additionally, clean-outs and lampholes are also numbered. These set of maps are constantly being updated. When errors in distance or other issues are noticed they are updated on the maps. The information is then passed to the engineering department for inclusion in the digital Geographical Information System (GIS) sewer database described below.

Collection system Staff record lateral information during new building construction, remodels or additions of a bathroom or kitchen require a video inspection of the sewer lateral to ensure the lateral is in good working order prior to building permit issuance. The Sewer Lateral Installation Data Sheet includes a diagram with the distance from the property line, depth at the property line, installation date, contractor name, and inspector's name. This data, the attached sketch and any relevant photographs are kept at the division office, and on the City's shared drive, along with the sewer encroachment permit. The sketch and form are filled out by collections department staff with each lateral inspection.

There are as-built drawings of the three lift stations in the Collection Division office and at the Public Services office. These contain engineering information and drawings of each station. The most complete set of as-built drawings can be found in the Public Services office. There are areas of Morro Bay where sufficient as-built information does not exist. Some portions of the sewer were built prior to the incorporation of the City, and recorded information is scarce or nonexistent.

There is also a Geographical Information System (GIS) called ARCGIS available at the Public Services and collection system offices. The ArcGIS program is updated on a regular basis. Collections staff has incorporated this program into the system operation and maintenance programs.

The Public Services Division also maintains a map of the stormdrain system. Maintenance of the stormdrain maps are the responsibility of the Engineering Department which is permitted under a separate NPDES permit issued by the RWQCB. Work has begun on the updating and recording of GPS data concerning the stormdrains. The stormdrain system can also be laid over the ArcGIS system to enable rapid location of stormwater conveyance facilities in the event of a sewer spill.

In summary, the Public Services Department maintains as-built maps and databases, with the assistance of field staff. As time goes on, the continuous effort required to collect and record as-built documentation will lead to the creation of an even more complete and accurate sets of maps for use in both the office and field.

## **4b. Preventive Operation and Maintenance**

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Routine operations and maintenance activities are most readily categorized by dividing them into the normal frequency of occurrence. The time intervals we use are:

- Daily
- Monthly
- Semi-Annual
- Annual
- Others

### **Daily**

Collection Staff inspect vehicles before use and then performs morning rounds. Morning rounds consist of Lift Station checks, USA marking, and periodic inspections of known problem areas.

#### **Safety and Vehicle Inspection**

Safety equipment is checked prior to use and/or daily, for faults and preparedness, so Staff can safely respond to an emergency. Vehicles are inspected and maintenance is performed if any problems are found to ensure a reliable operating vehicle fleet.

#### **Underground Service Alerts**

Each day operations staff checks for Underground Service Alerts (USAs) received by the Public Services Department. The Administration Utilities Tech forwards all requests to Collection Staff via email. Staff marks sewer facilities in and around the marked excavation area; the operator initials and dates the printed USA ticket. A record of this activity is logged into the locator's daily log, and the completed USA ticket is passed on to the Water Department for their use.

#### **Lift Station checks**

Each lift station is checked regularly and most often in the mornings, Monday through Friday. When Staff perform maintenance on pumps, piping system or motor control centers at lift stations, at least one trained stand-by personnel is required in addition to the trained worker performing the work.

Staff uses standard criteria to assess lift station performance. The inspection list includes: 1) check the auto dialer for normal lights and/or faults, 2) observe pump and other indicator lights at the motor control center, 3) record total pump hours and pump run hours since last station check, and if a pump is operating during inspection, observe amp readings and physical indicators of possible problems 4)

inspect wet well surface for unusual objects and mat build up, and inspect equipment inside the wet well for unusual appearance, location within the wet well, or defects 5) inspect the area around the lift station for any unusual appearance and general condition. Staff records the data and observations on lift station record sheets. Any abnormal operations and/or data are assessed, noted in a lift station record log kept at the station and on that day's lift station record sheet, reported to supervisory staff, and additional work or maintenance is scheduled.

Morning rounds may include problem area inspections and 'blind' areas where a Sanitary Sewer Overflow (SSO) could potentially go unnoticed, such as easements and creek crossings.

Electrical problems that cannot be solved or repaired will be contracted to a local electrician for troubleshooting and repair.

Following the morning rounds noted above, Staff performs various other scheduled tasks. These tasks can include PM (Preventive Maintenance) of sewer lines, manhole inspections, lateral/tie-in inspections, pretreatment program inspections, logging and recording of tasks completed or planned, or any of the other required tasks.

### **Customer and Interdepartmental Calls**

Wastewater Collection Staff respond to calls 24 hours-a-day, 7 days-a-week, 365 days-a-year. At least one operator is always on-call and carries a standby duty phone.

Customer calls are prioritized and responded to as soon as possible. All calls are recorded in a daily log for inclusion in the Monthly Operation Summary. Standby personnel record after-hours calls on a call out form and submit this to their supervisor for review and possible staff discussion about the event(s).

Calls may come from different sources, including Public Services Department Staff, the Police Department, directly from customers, or from other City Staff. When possible, staff records the date, time, phone number, name of the reporting party, reported situation, and the resolution of the call. In some instances, Wastewater Collection Staff may not be able to solve a problem because it involves facilities on privately-owned property, which the City neither owns nor maintains. In these cases Collection Staff record the call and assists to the degree possible but does not take responsibility for the incident. Collection Staff will respond to calls associated with Private Lateral Sewage Discharges (PLSD) and assist as possible, but in general they do not perform work on private facilities. Staff may assist with cleanup of PLSDs to City streets, and provide other assistance, where such assistance is necessary to protect the public health and

welfare. The City encourages citizens to hire licensed plumbers to do repairs, maintenance, and facility cleaning on private property.

On-duty standby personnel assess and respond to after-hours calls. On-duty personnel decide on a course of action, and may call other City Staff for assistance or additional equipment.

### **Line Cleaning**

Line cleaning with the Hydro-Vac is one of the primary tasks Collection Staff perform. The City maintains approximately 345,897 linear feet of sewer line and 1116 manholes and cleanouts.

Line cleaning is broken into two maintenance activities:

1. Scheduled maintenance, and
2. Enhanced maintenance.

### **Scheduled Line Cleaning**

The waste water division's goal is to clean all collection system main lines on a 2-year cycle. Line cleaning is recorded in the daily log and in the Simms program on the collection division computer. The Simms program is a work management system that has outlived its useful life and will need to be replaced with a GIS-centric maintenance program.

### **Enhanced Line Cleaning**

Typically, Collection Staff print enhanced maintenance work orders the first week of each month. The print outs provide detailed information about each line. Vac-Con and trailer jetter operators record the cleaning date and debris type and volume captured during enhanced line cleaning.. Main lines on enhanced maintenance are suspected of having FOG, roots, or other debris that could lead to a SSO before their scheduled routine cleaning. Enhanced maintenance is performed on 30, 60, 90, and 180 day intervals. Staff utilizes records, past practices, and operator familiarity to schedule enhanced maintenance.

Main lines on the enhanced maintenance list that have a history of roots will be chemically treated to control roots in main lines. Main lines on the enhanced maintenance list known for FOG and/or debris are hydro-cleaned to reduce any potential problems.

Staff maintain a list of known potential problem areas and periodically checks these areas during morning rounds for soft blockages and stoppages. Staff clean these lines and manholes as needed.

## **Closed Circuit Television (CCTV)**

The City currently contracts CCTV main line inspections. It is the goal of the Collections Department that the collection system is inspected every five years. Other lines may be CCTV'd as problems occur or as requested for project planning purposes.

CCTV inspections are used for discovering mainline defects, prioritizing repairs to familiarizing operators with the system, and developing a conditions-based system assessment for prioritizing CIP projects. Priorities are set in accordance to the NASSCO codes in section 4c Rehabilitation and replacement. Repairs are prioritized according to condition, location, capacity and other criteria determined by Engineering and WWC staff.

## **Roots**

The City has a systematic chemical root control program to avoid sewer main line stoppages and collection system structural deterioration caused by root intrusion. The chemical root control program consists of treating approximately 13 miles of sewer main lines over a three-year recurring cycle. Main lines included in this program include root infested lines discovered by operators while hydro-cleaning, SSOs caused by excessive roots in main lines, and CCTV observations. A contractor applies the chemical root control treatment in annual installments on one, two, and three-year cycles. During these applications, pre-selected city mains are treated, along with additional lines discovered since the last treatment. After the initial application, the current root treatment product must be reapplied within two years and then within 3 years thereafter, unless Collection Staff determine more aggressive treatment is required. This schedule is used to plan root treatment for existing and future line treatment.

## **Work Orders**

Public Service Work Orders (WOs) are assessed, and attended to by WWC Staff in a timely manner. After the WO is complete staff record the outcome, sign and date the WO, make a copy for WWC files, and return the original WO to the Public Services Department for records retention. Work orders are usually generated from calls to Public Services by citizens or other City Staff.

## **Monthly Tasks**

WWC Staff perform the following tasks on a monthly basis:

- a. Prepare the enhanced maintenance list and perform the maintenance.
- b. Prepare and submit the Wastewater Collections Monthly Report. The Monthly Report documents accomplishments, difficulties, collection system

maintenance and repairs, calls/complaints, spill reports , other WWC subjects that occurred over the last month, , and includes associated records. Staff submits these reports to the Wastewater Division Manager and City Engineer and file reference copies at Public Services and WWC Offices. Monthly Report information is compiled from WWC Staff Daily Logs, Source Control Logs, and other documents staff may use to record operation and maintenance activities.

- c. Report Category III SSOs or ‘No Spill’ certifications on the CIWQS website. Staff report Category I and II SSOs according to current Monitoring and Reporting Program requirements (see notification checklist Appendix B, Attachment C).
- d. Calibrate atmospheric monitors and log test data in the Calibration Log.

### **Annual Tasks**

The following tasks are completed on an annual basis:

- a. Request a copy of the current business license list from staff at City Hall. This list is used for the FOG and Source Control Programs. The list should contain the business names, addresses and other phone and contact information. This yearly list is used to keep track of changes in ownership, and also helps locate any new businesses that may have opened or moved in the last year. From this list an operational list for FOG and Source control inspections is generated, and referenced as part of the FOG program.
- b. Schedule Root Treatment for approximately 4 miles of sewer line. WWC Staff maintain records from previous treatment cycles for scheduling future treatment. Also Staff maintains records of the root treatment guarantees, treated manhole-to-manhole reaches, and treatment costs.
- c. Plan, schedule, and contract CCTV sewer pipeline inspections, so the gravity portion of the sanitary sewer system is CCTV’d approximately every five-year.
- d. Update emergency notification sheet as appropriate. Call all the phone numbers to insure the proper number and contact are current. Assess and update any programs that may have changes to them including, personnel or phone number changes.
- e. Inflow and infiltration (I&I) into the sanitary sewer system is evaluated and discovered by smoke testing, video inspection, visual inspections, and flow meters at lift stations. WWC Staff can set portable flow meters throughout the sewer system to discover, assess, and reduce I&I.

This list is not all-inclusive, as numerous tasks are assigned to WWC throughout each year. Numerous other tasks are also addressed such as: DOT testing; Personnel Evaluations; Driver’s physicals; Certification Testing; Driver’s License Testing; Specialty Training (Confined Space Training, Trenching and shoring training, First Aid/CPR, Safety and other WWC related training); Daily logs, reports, emergency

operations and assisting with satellite agencies; Tie-in inspections, public relations and outreach; Monitoring contract work; FOG issues and source control, and others.

## **4c. Rehabilitation and Replacement Plan**

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The City contracts Closed-Circuit Television (CCTV) inspections and requires camera operators be NASSCO certified, a standardized pipeline assessment and certification program. This pipeline assessment program is used for ranking sewer pipeline condition throughout the City and aids City Staff in prioritizing and planning replacement and rehabilitation tasks and projects. In addition to the City's comprehensive GIS-centric condition assessment program, WWC Staff provide regular, detailed line cleaning and manhole assessments and lift station operation checks that can lead to conducting in-house or contracted point repairs, pipeline replacement, manhole rehabilitation/replacement, manhole/cleanout cover and ring replacements, and lift station upgrades or repairs. Also, WWC Staff conduct CCTV inspections in order to further inspect and evaluate the system.

During collection system CCTV, the CCTV operator uploads pipeline assessment data into a formula-based CCTV software program that evaluates and prioritizes pipeline conditions based on NASSCO codes. These conditions are uploaded into the City's GIS and ranked using four pipe line colors: Red indicates severe condition, Orange poor condition, Yellow average condition, and Green good condition.

These monitoring and inspecting efforts are recorded and ranked in accordance with the above color-coded priority ranking. From a priority list generated through GIS, City Staff plan sewer rehabilitation and replacement (R&R) projects.

The Morro Bay Sewer Collection System Master Plan Update, May 2006, which is the City's adopted planning document, describes short-term and long-term projects that focus on proper management and protection of the collection system infrastructure. This document delineates Capital Improvement Projects (CIPs) necessary to provide an adequate and operable sewer system for both current and future customers.

Several important techniques are available for sewer rehabilitation. The types used are best determined by an economic analysis after sewer evaluation.

### **Mainline Repairs**

#### **Point Repairs and Replacement**

Point repairs consist of repairing cracked, corroded, or broken gravity sewers and force mains. This work typically includes excavation to the location of the break, removal of the broken pipe section(s) and replacement with new pipe.

#### **Joint Testing and Grouting**

Joint testing and grouting are done on sewer line sections with leaking joints but no structural defects. This work can be done in conjunction with the routine

televising of lines. Grouting has a limited life and must be repeated every 5-10 years.

### **Sewer Lining**

Sewer lining is a technique which returns pipe to new condition. Many of the current systems can be used where pipe is structurally deficient. Due to the limited excavation required for these techniques, they are good choices where surface construction would cause much disruption.

### **Pipe Bursting**

Pipe Bursting is a technique used to replace an existing pipe by splitting the existing pipe and putting the new pipe inside. This technique can be used to put in a larger pipe or replace broken sections of pipe. Due to the limited excavation required for this technique, it is a good choice where surface construction would cause much disruption.

## **Manhole Repairs**

Manhole repairs consist of repairing structural defects or leakage in individual manholes and castings. The structural repair work may include:

### **Replacement of casting (lid and frame)**

The castings of a manhole protect the integrity of the inside of the manhole and help prevent inflow of surface stormwater. Replacement of the casting is used when the lid and frame of a manhole have deteriorated. This technique involves replacing the old lid and frame with a new lid and frame.

### **Replacement of defective adjusting rings or top sections**

The concrete rings that make up a sewer manhole deteriorate over time causing weak spots in the manhole walls. Rings that show extensive wear can be replaced as an alternative to replacing the whole manhole. This technique is best used for manholes that have only a few worn rings near the top section of the manhole.

### **Replacement of Complete manhole**

Manhole replacement involves demolition and removal of the existing manhole and the construction of a new manhole. This technique is commonly used to replace damaged or caved manholes.

### **Relining the existing manhole**

Existing Manholes can be lined with an epoxy liner to seal the manhole to prevent infiltration. Wire mesh is placed before the liner in cases where addition structural support is needed. Due to the limited excavation required for this technique, it is a good choice where surface construction would cause much disruption.

**Grouting to eliminate leakage**

Grouting to eliminate leakage is a technique used to seal joints between manhole rings or cracks in a manhole. By grouting joints and cracks in the sides of a manhole inflow and infiltration of stormwater and groundwater can be reduced.

**Lift Station Maintenance**

WWC Staff maintain three lift stations at least twice a week. Maintenance activities include checking pump station operation, removing surface mat and grease and grit build up in wet wells, checking alarm functions, inspecting and maintaining lift station check valves and checking and maintaining other lift station appurtenances in order to maintain lift stations in good, operable working order. These and other repairs that are necessary for reliable operation of the lift stations are scheduled by the Collection Supervisor.

## 4d. Staff Training

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Training Staff is important to keep sewer systems operating efficiently. The City of Morro Bay encourages and sends staff to training seminars to teach sewer maintenance and operation skills. In addition staff also brings ideas for new technology to the City for possible adoption into the sewer program.

The table below represents the minimum level of training for the Waste Water Collections Staff. In addition to these training requirements, topics of interest to collections operations and maintenance are

- Annual training of water utility personnel and service contractors (sampling, smoke/dye testing, and CCTV inspection).
- California Water Environment Association trainings
- CJPIA online and classroom training
- Safety and other WWC related training

Training	Frequency
Injury Illness and Prevention Program	Initially, then at least annually
Hazard Communication	Initially, then at least annually
Bloodborne Pathogens	Initially, then at least annually
Heat Stress	Initially, then at least annually
Fire Extinguisher Operation	Offered annually
First Aid/CPR	Initially, then every two years
Forklift Operator Training	As needed, every 3 Years
Confined Space Entry	Recommended Every 2 Years
Lockout/Tagout/Basic Electrical Safety	Recommended Every 2 Years
Driver Awareness Traffic Control and Flagging Safety	Recommended Every 3 Years
Preventing Substance Abuse in the Workplace	Recommended Every 2 Years
Ladder Safety	Recommended Every 2 Years
Ergonomics - Office Personnel	Recommended Every 2 Years
Safe Workplaces	Recommended Every 2 Years
Hand and Portable Power Tool Safety Technology	Recommended Every 2 Years
Trench Safety Competent Person	Recommended Every 3 Years
Safety through Maintenance and Construction Zones	Recommended Every 3 Years
Fall Protection Awareness	As Needed
Backhoe Operator Training	As Needed

## **4e. Contingency Equipment and Replacement Inventories**

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WWC keeps an inventory log of all operations equipment and replacement parts. The item description, quantity, and storage location are recorded. This inventory list is kept in the WWC office, to track and manage equipment held by WWC. The list is updated on a periodic basis as equipment and replacement inventory changes. Every year the list is reviewed to verify inventory. In the event something is missing from the inventory list WWC staff investigates and updates the inventory log.

Staff operate and maintain a combination cleaner (Hydro-Vac) used for scheduled and enhanced maintenance. This tool allows the city to clean main sewer lines on a routine basis and clean mains in response to an emergency. WWC owns five emergency generators to operate lift stations during a power outage. When a lift station is being worked on, WWC owns a trash pump to move wastewater.

Spare parts are kept on hand at the City yard in order to be used to make repairs at night or on weekends when supplies are hard to obtain. Spare parts on hand include:

- Fittings
- Wyes
- Pumps
- Seals
- Blind flanges for lift stations
- Check valve parts
- Valves
- Hydro-Vac parts
- Cleaner supplies
- Paint

In the event of a catastrophic event where major repairs are needed, WWC will provide a safe, temporary solution until a specially qualified repair crew is able to make needed repairs.

# Element V: Design and Performance Provisions

This section of the SSMP identifies the City of Morro Bay's design and performance provisions found in the City's Municipal Code, Standard Drawings, and Specifications. This section is to fulfill the Design and Performance Provisions element of the SWRCB (Element 5) SSMP requirements.

## SWRCB Requirement

### **Element 5 Design and Performance Provisions**

The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:

#### **5a. Standards for Installation, Rehabilitation and Repair**

The SSMP must identify design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems.

#### **5b. Preventive Operation and Maintenance**

The SSMP must identify the procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

## 5a. Standards for Installation, Rehabilitation and Repair

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The City requires specific standards for new construction and rehabilitation of existing sewer lines. The City of Morro Bay Department of Public Works Engineering Standards Drawing and Specifications communicate these standards. These Engineering Standards are currently under review to incorporate new technologies in sanitary sewer installation, rehabilitation, and repair techniques.

The Engineering Standards are available on the City's website at:  
[www.morro-bay.ca.us/engineeringstandards](http://www.morro-bay.ca.us/engineeringstandards)

The City is in the process of updating its standard drawings and specifications. The update is currently in draft format and is expected to be completed in 2014. The previous update was in 1987. The City Engineer has the authority of maintaining and modifying these documents as needed.

Section 8 of the City's Engineering Standards addresses Sanitary Sewer Installation. This section includes specifications on pipe, manhole, cleanout, and sewer lateral materials and construction methods, including acceptable methods for sewer taps, as well as sewer line testing, acceptance, and abandonment of existing sewer mains. These requirements are used to ensure that sewers are constructed to meet or exceed the City's specifications and will perform adequately with minimal infiltration or maintenance problems and will maintain their structural integrity for the duration of their intended service lives.

Many of the specifications included in Section 8 of the City's Engineering Standards also apply to sewer pipeline rehabilitation and repair projects. Additional specifications related to specific sewer rehabilitation and repair projects will be added as the City selects the preferred method of such rehabilitations and repairs. Additional requirements will be included in project-specific specifications as needed to ensure a quality product.

- The City owns and operates three lift stations and does not anticipate building additional lift stations. Therefore, lift station plans and specifications are not included in the standards and will be reviewed on a project specific basis. Design standards and construction specifications for lift stations will be developed as needed on a project-specific basis should any new municipal lift stations or major lift station rehabilitation or repair projects be implemented.

All public sewer mains within the City are designed and constructed by the City or by consultants under contract to the City. The City's Engineering Standards contains design requirements for building sewers, including minimum sizes and slopes. Design flow and capacity criteria for sewer mains and trunk lines are described in the Sewer Collection System Master Plan.

## **5b. Standards for Inspection and Testing of New, Rehabilitated, and Repaired Facilities**

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In order to prevent sanitary sewer overflows and operating problems attributed to poor construction or design, inspection and testing are performed to ensure project construction conforms to contract specifications and City standards. Completed construction is not accepted by the City until the facilities are tested in accordance with the provisions of the contract and meets City standards. Inspection and testing of construction projects may be conducted by the City Engineering Department, the Wastewater Collection Staff, or by the contractor while a representative of the City monitors inspections.

Acceptance testing for gravity sewers can include:

- Low pressure air test or water test to identify leakage
- Mandrel test to identify deflection in flexible pipe
- Water, spark, or vacuum test of manholes to identify leakage
- Television inspection to identify grade variations or other construction defects
- Visual inspection

Larger construction projects, such as newly constructed or rehabilitated lift stations, are considered complete when the construction is sufficiently complete and when the facility is tested in accordance with the contract and its specifications and can be used for its intended purpose. Before acceptance of a facility, Wastewater Collection Staff and Engineering receive O&M manuals, record and as-built drawings, permanent keys, final cleanup, final repairs, etc. The testing and startup is completed when factory trained technicians start-up test results are City Staff approved and a systems reliability test demonstrates the system functions as designed.

# Element VI: Overflow Emergency Response Plan

The collection system agency must develop an overflow emergency response plan (OERP) that provides procedures for SSO notification, response, reporting, and impact mitigation. The response plan should be developed as a stand-alone document and summarized in the SSMP.

## SWRCB Requirement

The collection system agency shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

- (a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
- (b) A program to ensure appropriate response to all overflows;
- (c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, regional water boards, water suppliers, etc...) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDR or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;
- (d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;
- (e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and
- (f) A program to ensure that all reasonable steps are taken to contain untreated wastewater and prevent discharge of untreated wastewater to waters of the United States and minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

# Overflow Emergency Response Plan

## Discussion

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The mission of the Collection Division is to provide wastewater collection and source control in a safe, environmentally conscientious and efficient manner: to implement preventive maintenance and improvements that accommodate the community's adopted goals and objectives; to develop and implement programs that comply with State and Federal mandates, rules, and regulations; to protect the health and safety of the environment, the public, and the employees; to protect the City's investment in infrastructure and equipment; to perform preventive maintenance of the City's 60 miles of collection lines and three lift stations; to assure control of source discharges to the wastewater treatment plant in accord with State and Federal regulations; to reduce storm water sources flowing into the collection system by encouraging the use of BMP's; and to aggressively minimize the potential of discharge of untreated waters to the Bay and Ocean, and throughout the City of Morro Bay.

Preventative maintenance is the best method for reducing Sanitary Sewer Overflows (SSO) throughout the City's wastewater collection system. However, SSOs can occur from time-to-time and WWC Staff are trained on quick response to the SSO site, safe use of equipment to restore collection system flow, methods to mitigate effects of SSOs on the environment, and safeguards to protect City Staff and the public.

WWC Staff respond to sewage overflow reports 24-hours-a-day, seven-days-a-week. If WWC Staff requires additional assistance, they may call upon other City Staff, including City Fire and Police.

### Laterals

Sewer Laterals: The Collection Division responds to Sewer System Overflows (SSO's) and maintains manholes and main lines up to, but **not** including sewer laterals. Property owners are responsible for the repair and maintenance of private laterals. A "lateral is defined as any facility installed and intended to be used by one or more private properties, not the general public, including but not necessarily limited to, piping from City main to building and main connection. (See: Private lateral spills to city streets (PLSD), Page 44)

### Current Information

Current Information: It is the responsibility of the Collection Division to ensure that all phone numbers and other references in this manual are up-to-date.

# Categories of Sanitary Sewer Overflows (SSO's) update

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Categories of SSO's: The State Water Resources Control Board Order No. WQ 2013-0058-EXEC, Amending Monitoring and Reporting Program (MRP), for the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR's) categorizes SSO's as follows:

Category 1: Discharges of untreated or partially treated wastewater of any volume resulting from an enrollee's sanitary sewer system failure of flow condition that:

- a. Reach surface water and/or reach a drainage channel tributary to a surface water; or
- b. Reach a Municipal Separate Storm Sewer System (MS4) and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).

Category 2: Discharges of untreated or partially treated wastewater of 1,000 gallons or greater resulting from an enrollee's sanitary sewer system failure of flow condition that do not reach surface water, a drainage channel, or a MS4 unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.

Category 3: All other discharges of untreated or partially treated wastewater resulting from an enrollee's sanitary sewer system failure or flow condition.

Private Lateral Sewage Discharges (PLSD): Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the enrollee's sanitary sewer system or from other private sewer assets. PLSDs that the enrollee becomes aware of may be voluntarily reported to the California Integrated Water Quality System (CIWQS) Online SSO Database.

# Reporting SSO's

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All Category 1, Category 2, and Category 3 sanitary sewer overflows are reported on the California Integrated Water Quality System (CIWQS) Online SSO Database. Also, City WWC Staff may report PLSDs depending on the severity and category, even though reporting PLSD's is voluntary. The four different categories of SSOs require different reporting timeframes, reporting information, and agency notification. Morro Bay is unique because the estuary/bay is adjacent to City infrastructure and is used for commercial aquaculture. For this reason City Staff are obligated to contact commercial interests and other parties that may be affected by a SSO that discharges to the estuary/bay. City Staff developed a notification checklist with the required agencies and additional organizations' contact information and required timeframes for SSO categories (see Appendix B, Attachment C for Morro Bay Sanitary Sewer Overflow Notification Checklist).

In order to capture reporting data required by CIWQS, WWC Staff developed a SSO Field Report that Staff complete when at a SSO and/or during SSO follow up (Appendix B, Attachment C).

This section describes procedures for external notifications and reporting to the California Office of Emergency Services (Cal OES), the State Water Board, and other agencies.

## **Reporting Directly to Cal OES**

### **Category 1 SSO and PLSD 1,000 Gallons or More to Surface Water other than Bay/Estuary and Ocean**

For Category 1 SSOs greater than or equal to 1,000 gallons discharged to surface water or spilled in a location where it will probably discharge to a surface water, WWC Staff notifies Cal OES as soon as possible but not later than two hours after (A) the WWC Staff becomes aware of the discharge; (B) reporting is possible; and (C) notification can be provided without substantially impeding cleanup or other emergency measures. The Wastewater Division Manager, Collection System Supervisor, Collection Worker III, or Designee conducts these notifications.

Information requested by Cal OES may include:

- Name of person notifying Cal OES and direct return phone number,
- Estimated SSO volume discharged (gallons),
- If ongoing, estimated SSO discharge rate (gallons per minute),
- SSO Incident Description:
  - a. Brief narrative
  - b. On-scene point of contact for additional information (name and cell phone number)
  - c. Date and time the WWC Staff became aware of the SSO
  - d. Name of sanitary sewer system agency causing the SSO

e. SSO cause (if known)

- Indication of whether the SSO has been contained,
- Indication of whether surface water is impacted,
- Name of surface water impacted by the SSO, if applicable,
- Indication of whether a drinking water supply is or may be impacted by the SSO,
- Any other known SSO impacts,
- SSO incident location (address, city, state, and zip code).

At the end of the conversation with a Cal OES representative, WWC Staff will obtain and record a Cal OES notification control number unique to each SSO,

Following initial notification to Cal OES and until the City certifies a final SSO report in CIWQS Online Database, WWC Staff will update Cal OES if there are substantial change(s) to the previously estimated SSO volumes and known impact(s).

If the CIWQS Online Database is not available, WWC Staff will fax all required information to the San Luis Obispo Regional Water Quality Control Board office at (805) 543-0397 in accordance with the reporting time schedules. When the CIWQS Online database becomes available, WWC staff will enter the required information.

For reporting purposes, if one SSO event results in multiple appearance points in a sewer system asset, WWC Staff will complete one SSO report in the CIWQS, which includes the GPS coordinates for the location of the SSO appearance point closest to the failure point, blockage, or location of the flow condition that caused the SSO, and provide descriptions of the location of all other discharge points associated with the SSO event.

**For Category 1 SSO of Any Volume to Bay/Estuary and Ocean**

Follow above category 1 SSO reporting procedure and report to agencies and organizations as outlined on the Morro Bay Sanitary Sewer Notification Checklist (See Appendix B, Attachment C).

**SSO Reporting to CIWQS SSO Online Database-Timeframes**

Category 1 and Category 2 SSOs

WWC Staff will **submit draft reports** to CIWQS SSO Online Database within three (3) business days of becoming aware of the SSO and **certify a final report** for these SSOs within fifteen (15) calendar days of the end date of the SSO.

Category 3 SSO

WWC Staff will report and certify Category 3 SSOs to the CIWQS SSO Online Database within 30 calendar days after the end of the calendar month in which the SSO occurs. For example, a category 3 that occurred in February is entered into the database and certified by the end of March.

### **No Spill Certification**

WWC Staff will certify a no spill certification statement in the CIWQS Online SSO Database within 30 days after the end of each calendar month. This certification states there were no spills for the reporting month. Also, the WWC Staff may certify no spill reports on a quarterly basis.

If there are no SSOs during a calendar month but the enrollee reported a PLSD, the WWC Staff will still certify a ‘No Spill’ certification statement for that month.

### **Amended SSO Reports**

City Staff that are CIWQS registered Legally Responsible Officials may update or add additional information to a certified SSO report within 120 calendar days after the SSO end date by amending the report or by adding an attachment to the SSO report on the CIWQS Online SSO Database. After 120 days, City LROs may contact the SSO Program Manager to request to amend an SSO report if the LRO submits justification for why the additional information was not available prior to the end of the 120 days.

### **SSO Technical Report (50,000 gallons or Greater Spilled to Surface Waters)**

City Staff will submit an SSO Technical Report in the CIWQS Online SSO Database within 45 calendar days of the SSO end date for any SSO in which 50, 000 gallons or greater are spilled to surface waters. This report, which does not preclude the Water Boards from requiring more detailed analyses if requested, will include at a minimum, the following:

- i. Causes and Circumstances of the SSO:**
  - a. Complete and detailed explanation of how and when the SSO was discovered.
  - b. Diagram showing the SSO failure point, appearance point(s), and final destination(s).
  - c. Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.
  - d. Detailed description of the cause(s) of the SSO.
  - e. Historical maintenance records for the failure location.
  
- ii. City’s Response to SSO:**
  - a. Chronological narrative description of all actions taken by enrollee to terminate the spill.
  - b. Explanation of how the SSMP Overflow Emergency Response plan was implemented to respond to and mitigate the SSO.
  - c. Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed.
  
- iii. Water Quality Monitoring:**
  - a. Description of all water quality sampling activities conducted including analytical results and evaluation of the results.
  - b. Detailed location map illustrating all water quality sampling points.

- c. WWC Staff and other City Staff plan to develop and implement an SSO Water Quality Monitoring Program. This program will assess impacts from SSOs to surface waters in which 50,000 gallons or greater are spilled to surface waters. The SSO Water Quality Monitoring Program, at a minimum, will:
  1. Contain protocols for water quality monitoring.
  2. Account for spill travel time in the surface water and scenarios where monitoring may not be possible, such as safety, access restrictions, etc..
  3. Require water quality analyses for ammonia and bacterial indicators to be performed by an accredited or certified laboratory.
  4. Require monitoring instruments and devices used to implement the SSO Water Quality Monitoring Program to be properly maintained and calibrated, including any records to document maintenance and calibration, as necessary, to ensure their continued accuracy.
  5. Within 48 hours of the WWC Staff becoming aware of the SSO, require water quality sampling for, at a minimum, the following constituents:
    - i. Ammonia
    - ii. Appropriate Bacterial indicator(s) per the applicable Basin Plan water quality objective or Regional Board direction which may include total and fecal coliform, enterococcus, and e-coli.

### **Record Keeping Requirements**

The City and/or WWC Staff will maintain the following records for five (5) years and make available for review by the Water Boards during an onsite inspection or through an information request:

1. General records that document compliance with all provisions of the SSS WDRs and MRP Order No. 2013-0058-EXEC, including any required records generated by the City's sanitary sewer system contractors.
2. SSO records for each SSO event, including but not limited to:
  - i. Complaint records documenting how the City responded to all notifications of possible or actual SSOs, both during and after business hours, including complaints that do not result in SSOs. The following information will be recorded for each complaint:
    - a. Date, time, and method of notification
    - b. Date and time the complainant or informant first noticed the SSO.
    - c. Narrative description of the complaint, including any information the caller can provide regarding whether or not the complainant or informant reporting the potential SSO knows if the SSO has reached surface waters, drainage channels or storm drains.
    - d. Follow-up return contact information for complainant or informant for each complaint received, if not reported anonymously.
    - e. Final resolution of the complaint.
  - ii. Records and information documenting steps and/or remedial actions undertaken by City Staff,
  - iii. Records documenting how all estimate(s) of volume(s) discharged and, if applicable, volume(s) recovered were calculated.

3. Records documenting all changes made to the SSMP since its last certification indicating when a subsection(s) of the SSMP was changed and/or updated and who authorized the change or update. These records will be attached to the SSMP.
4. Electronic Monitoring records relied on for documenting SSO events and/or estimating the SSO volume Discharged, including, but not limited to records from:
  - i. Supervisory Control and Data Acquisition (SCADA) systems
  - ii. Alarm system(s)
  - iii. Flow monitoring device(s) or other instrument(s) used to estimate wastewater levels, flow rates and/or volumes.

The Morro Bay Sanitary Sewer Overflow Notification Checklist (Refer to Appendix B, Attachment C) is posted in the Collection Division office, available the Wastewater Treatment Plant, and part of the SSO packet stowed in WWC service vehicles.

As part of the required notifications for Category 1 SSOs, WWC Staff will contact the Wastewater Division Manager and The City Public Works Director. Then the Public Works Director or Designee will notify City Council by telephone or E-mail.

# Overflow Policies and guidelines

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As with any wastewater collection system, the possibility exists that SSOs may occur due to unforeseen circumstances. WWC Staff must be prepared to take the necessary steps to safely contain a SSO, correct the source of the SSO, Clean the affected area(s), and comply with all necessary reporting requirements.

The following procedures and information should serve as a guide for the safe and effective response to a SSO. It should be recognized that these are guidelines; they are not a substitute for the ability of the responder(s) to use their knowledge, experience, and good judgment to protect the public, the environment, and comply with current regulatory requirements.

When called to the scene of a SSO, the first concern of any responder shall be the safety of the public, City Staff, and others nearby. Staff shall follow all applicable safety procedures when responding. Close attention should be paid to potential hazards that may exist upon arrival, such as electrical hazards, slip/trip/fall hazards, traffic hazards, and other potential hazards.

**Safety concerns always take precedence over the potential time required to mitigate a SSO.**

Responder(s) to any SSO should follow applicable safety procedures and assess the site for hazards, establish the best course of action, and call for additional aide as needed and/or conditions change. After establishing a safe work zone, control and containment are the primary concerns, especially in the event of a Category 1 SSO. In the event of a Category 1 SSO, additional staff will be required to assist with the control, containment, correction, reporting, and potential collection and submission of lab samples.

When discussing SSOs with the public or other agencies, do not volunteer or disown liability. Neutral comments should be used, indicating remediation of the SSO is the primary concern. Liability cannot be addressed or assigned until all relevant information has been thoroughly evaluated. If there is a customer complaint regarding liability for a SSO, direct them to the City Risk Manager at City Hall (772-6200).

## **Upon arrival at a blockage, spill, or SSO on public property or Right of Way:**

1. **Assess the SSO** to determine the logical course of action to control, contain, correct, cleanup, and estimate the number of personnel necessary and type of equipment used for eliminating the SSO and restoring collection system flow.
2. **Secure the area** to prevent public exposure and provide a work zone if safe to do so.
3. **Contact needed personnel**, apprise them of the location, situation, course of action, and ask them to pickup additional tools, equipment, reporting paperwork, etc. in order to effectively accomplish the course of action.
4. **Wear appropriate PPE** and replace PPE that no longer protects from exposure.

5. **Contain the overflow** to the greatest extent possible and prevent it from entering any drainage area, the Bay, the Ocean or any waterway. If an overflow has entered any storm drain, block the storm drain outlet and/or use sandbags or waddles to divert the overflow, Control the overflow as close to the source as possible in order to help reduce area affected by the overflow.
6. **Clear the blockage** using the appropriate course of action
7. **Return the overflow** to the collection system by vacuuming or sweeping as much liquid and/or solids as possible. Materials used for containment need to be disposed of in an appropriate manner.
8. **Disinfect affected area** by spraying about a 1:10 solution of household bleach and water to disinfect the area; wait for the solution to dry. Ensure that no liquid leaves the containment area or enters surface water or drainage channel.
9. **Post Sewage Pollutions signs**, near any body of water that is affected by the SSO for 72 hours or until no threat can be demonstrated. (Signs are available in the Collection Division office, in the closet.)
10. **Make appropriate notifications.** Refer to Sanitary Sewer Overflow Notification Checklist & Numbers- (Appendix B, Attachment B).
11. **Sample Creeks and/or Bay** up-stream and down-stream and a remote sample site if appropriate and safe to do so. Use proper sample bottles. Samples must be handled as required by Standard Methods. They must be iced and transported to a certified laboratory, in an ice chest at your earliest possible convenience. A Chain of Custody must be filled out and accompany the samples. At the certified laboratory the party accepting the samples will sign the Chain of Custody and the person delivering the samples will get a copy of the Chain of Custody and name the requested tests (total and fecal coliforms, normally).
12. **Gather information for reports.** Refer to State Waste Discharge Requirements SSO-WDR Reporting Requirements Flow Chart- (Appendix B, Attachment A).
13. **Report to CIWQS** website.

### **Spills on private property**

Current City Policy is as follows:

1. Do not call or recommend any cleaning company.
2. Private property owners/renters must call a cleaning company and submit a claim to the City Risk Manager. The telephone number for the Risk Manager is 772-6200.
3. If clean up is needed on private property, instruct the owners/occupants to avoid contact with contaminated articles and engage professional clean-up companies. If the owner/occupant believes the City is responsible direct them to the City Risk Manager at City Hall, during regular work hours.

### **Private Property spills to city streets**

Collection Division personnel do not clear blockages in private laterals. The property owner is responsible for lateral maintenance/repair and must contact a plumber to clear blockages and restore flow in the lateral. In the event a PLSD overflows to city streets or right of ways and presents a health and safety hazard, WWC Staff may assist in containment and cleanup in the street or right of way.

### **Traffic and crowd control**

In the case that traffic or crowd control is needed, employees from other divisions may be called. If none are available or more traffic and crowd control is needed personnel may call the Morro Bay Police Department, to dispatch officers or volunteers on an as needed basis. The Police Dispatch phone number is 772-6225.

### **Lift Station Policies**

#### **Station By-pass**

If a lift station must be by-passed, it may be necessary to contract a pump truck, set up the by-pass pump, or both. If a pump truck is required, one of several local firms should be available.

There are manifolds at Lift Stations 1, 2, and 3 for by-pass pumping. If the by-pass pump is required along with Lift Station work it may be necessary to ask for additional personnel from the Treatment Plant to operate and monitor the pump. Emergency short-term by-pass at all three stations may be accomplished by use of the Hydro-Vac, however, long term by-pass requires a pump truck, because the Hydro-Vac may be called to a plug at any time.

### **Telemetry and Electrical Problems**

For electrical and telemetry problems that cannot be resolved by WWC Staff, call one of several local electrical contracting firms that have a knowledge of our system.

## Element VII: FOG Control Program

The City has determined that a FOG control program is necessary per the SSMP requirements. There is an average of between 45 and 55 food service facilities located within the city limits that discharge to the City sewers. Operations staff has also noted the tendency for grease to build-up in specific sewer lines and in certain sections of the City.

The City's FOG control program consists of focused cleaning and maintenance as well as source control. The collection division also maintains a spread-sheet of all spills and blockages to localize areas requiring further attention. The following subsections discuss identification and cleaning of grease prone areas or sewer lines that are prone to grease build-up, legal authority to prohibit grease discharge or require a grease removal device, facility inspection, public outreach, and Best Management Practices (BMPs) that can be instituted at each agency.

### **SWRCB Requirement**

The City shall evaluate its service area to determine whether a FOG control program is needed. If the City determines that a FOG control program is not needed, the City must provide justification for why it is not needed. If FOG is found to be a problem, the City must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. The FOG source control program shall include the following as appropriate:

- (a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;
- (b) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer service area;
- (c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;
- (d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the grease removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;
- (e) Authority to inspect grease producing facilities, enforcement authorities, and whether the City has sufficient staff to inspect and enforce the FOG ordinance;
- (f) An identification of sewer system sections subject to FOG blockages and establish a cleaning maintenance schedule for each section; and
- (g) Development and implementation of source control measures, for all sources of FOG discharged to the sewer system, for each sewer system section identified in (f) above.

# FOG Control Discussion

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Fats, oils and grease (FOG) can have negative impacts on wastewater collection and treatment systems. Most wastewater collection system blockages can be traced to FOG and roots. Blockages in the collection system are serious, causing sewage spills, manhole overflows and can cause back-ups into homes and businesses.

Problems caused by wastes from restaurants and other grease producing establishments are the basis for ordinances and regulations governing the discharge of grease materials to the sanitary sewer system. This type of waste requires the installation of preliminary treatment facilities, commonly known as grease traps or interceptors.

There are two kinds of FOG pollutants common to wastewater systems:

1. Petroleum-based oil and grease (non-polar concentrations) occur at businesses (automotive related normally) using oil and grease. These disperse on the surface of water causing a sheen. These concentrations are regulated by other agencies (local, state and federal), and are not a part of this program.
2. Animal and vegetable based fats, oils and grease (polar concentrations) are more difficult to regulate due to the large number of restaurants in Morro Bay. These do not disperse in water, but instead congeal and regroup into large masses. These concentrations are the basis for this program.

Grease is singled out for special attention because of its poor solubility in water and its tendency to separate from the liquid solution. Grease in a warm liquid may not appear harmful. As the liquid cools, the grease or fat congeals and causes “nauseous mats” on the surface of settling tanks and digesters. FOG can coat the interior of pipes, wet-wells and other surfaces. It can cause the shut-down of wastewater treatment units. It is the cause for enhanced maintenance of specific mainlines throughout the City.

## Traps and Interceptors

A trap is a small reservoir built into the wastewater piping a short distance from the grease producing area. Baffles in the reservoir retain the wastewater long enough for the grease to congeal and rise to the surface. The grease can then be removed and disposed of properly.

An interceptor is a vault with a minimum capacity of 500 gallons. It is normally located on the exterior of the building. The vault includes a minimum of two compartments. Flow between each compartment is through a 90-degree fitting designed for grease retention. The capacity of the interceptor provides adequate detention time for wastewater to cool down and allow the grease to congeal and rise to the surface where it accumulates until the interceptor is cleaned.

Maintenance staff, or other employees of the establishment, usually perform grease trap maintenance. Permitted haulers, licensed septic services, or recyclers usually perform interceptor maintenance. The entire volume of the interceptor (liquids and solids) is removed from the interceptor and properly disposed of. When performed properly and at

the appropriate frequency, grease interceptor and trap maintenance can greatly reduce the discharge of FOG into the collection system.

The required maintenance frequency for grease interceptors and traps depends greatly on the amount of FOG a facility generates, as well as any best management practices (BMPs) that the establishment implements to reduce the FOG discharged into its sanitary sewer system.

Any establishment that introduces fats, oils or grease into the sewer system in quantities large enough to cause line blockages, hinder treatment, or in quantities greater than 100 parts per million (Municipal Code 13.12.120 B.) shall install a grease trap or interceptor. Interceptors are the best choice for larger, high volume restaurants, hotels, retirement homes and other larger commercial establishments. Smaller restaurants and take-out restaurants with limited menus, minimum dishwashing and/or minimal seating may find a trap suitable. Medium volume establishments may find that a trap will be too small and opt to install an interceptor.

Any establishment that doesn't install a trap or interceptor and generates or uses FOG in food preparation will eventually encounter a maintenance problem that will be grease related. If the blockage is in the building the establishment has direct responsibility for paying for maintenance. If a blockage or restriction is in the public sewer, the establishment may have to pay to have the city main maintained. If the blockage affects other establishments or homes there may be civil issues and penalties involved.

This section of the SSMP discusses the City of Morro Bay's FOG control measures, including identification of problem areas, focused cleaning and source control. This section is to fulfill the FOG control element of the SWRCB (Element 7) SSMP requirements.

# Identification and Sewer Cleaning

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The City Collection Staff utilizes records, past practices and operator familiarity to identify and prioritize enhanced maintenance procedures. A list of known areas that are prone to grease build-up and root problems has been established and schedules maintenance on 30, 60, 90, and 180 day rotations. The reason that root lines are included in this list is that grease is prone to accumulate on roots. The City has established a cyclical root control program using chemical root control measures to kill and retard the growth of roots in the sewer system. This program will expand to include areas where roots are noted by operators and CCTV inspections.

- (a) Identification of Grease Problem Areas. The City identifies potential problem areas by tracking locations and causes of blockages and SSOs. A review of the City sewer overflow spread-sheet for instance shows that most SSOs are caused by roots and grease. Additionally, debris type and severity are noted by operations staff during routine and enhanced maintenance. Areas with several restaurants or grease producing facilities are also considered potential grease problem areas.
- (b) Enhanced Maintenance. Included in the enhanced maintenance program are lines cleaned specifically for FOG control, root control, and other lines prone to problems in the past. Cleaning frequency depends on the history of stoppages, as well as areas expected to be prone to grease build-up.

The Wastewater Collection Division maintains records of each manhole to manhole reach scheduled for enhanced maintenance. These records are also used for cleaning logs, on which operator's note the date and time of cleaning, as well as the debris type and severity.

These records include additional lines that are cleaned for reasons other than FOG. Sewer lines not included in the enhanced maintenance program are cleaned on about a two-year cycle.

Two satellite agencies within the service area have restaurants. They are the San Luis Coastal Unified School District and the State Park on the south end of town. They are responsible for FOG generated in their areas.

# **Legal Authority to Control Sources of FOG**

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Legal measures available to the City to control sources of FOG include the following:

1. Authority to prohibit specific discharges
2. Authority to require grease removal devices
3. Preliminary treatment facility maintenance
4. Manhole installation
5. Inspection of premises
6. Enforcement measures, as appropriate

## **Legal authority to prohibit discharges**

Chapter 13.12.120 of the City's municipal code prohibits specific discharges, as follows:

Except as provided in this chapter, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers.

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit;
- B. Any water or waste which may contain more than one hundred parts per million (PPM), by weight, of fat, oil, or grease;
- C. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;
- D. Any garbage that has not been properly shredded;
- E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, woods, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
- F. Any water or waste having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works
- G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans, plants or animals, or create any hazard in the receiving waters of the treatment plant;
- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
- I. Any noxious or malodorous gas or substance capable of causing a public nuisance;
- J. Any wastes which will exceed the limitations set forth in federal pretreatment standards;
- K. Any wastes which will interfere with the disposal, reclamation or refuse of the wastewater treatment plant effluent or sludge;
- L. Any wastes which will cause the wastewater treatment plant to violate its NPDES permit;

- M. Any radioactive wastes or isotopes or half-life or concentration which exceed limits established by the water quality control superintendent;
- N. Any wastes which cause a hazard to human life or create a public nuisance.

### **Authority to install grease, oil and sand interceptors**

Chapter 13.12.130 authorizes the installation of grease removal equipment as follows:

Grease, oil, and sand interceptors shall be provided when, in the opinion of the director of public works (Public Services), they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the director of public works (Public Services), and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

### **Grease, oil and sand interceptors-Maintenance**

Chapter 13.12.140 provides the following:

Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Chapter 13.12.160 Preliminary treatment facility maintenance states the following:

Where preliminary treatment facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

### **Manhole installation**

Chapter 13.12.170 provides for the following:

When required by the director of public works (Public Services), the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurements of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the director of public works (Public Services). The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

## **Inspection of premises**

Chapter 13.12.185 provides for inspection as follows:

The director of public works (Public Services), or authorized representative of the city, shall be permitted to enter all properties, without prior notice, for the purpose of inspection, sampling and testing in accordance with the provisions of this chapter.

## **Enforcement measures where appropriate**

Chapter 13.12.310 provides the right to terminate water service as follows:

If any user of the city sewer system fails to meet the requirements set forth in this chapter, the director of public works (Public Services) shall have the authority to terminate water service or use alternate actions to protect the wastewater treatment facilities, employees and surrounding environment from hazardous discharges.

Chapter 13.12.320 provides liability for damages from violation as follows:

Any person violating a provision of this chapter shall be liable for all damages resulting from such violation, or which arise from actions taken in the correction of such violation, which are incurred by the city, including but not limited to attorney's fees, court costs, and fines levied on the city by regulatory agencies.

# Facility Inspection

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In 2002 the City conducted a survey of grease producing facilities. This included restaurants, retirement homes, markets and liquor stores with delicatessens, hotels and schools, sandwich shops, fast food agencies, and others. Inspections were based on a list of business licenses provided by the City of Morro Bay. A Site Visit Book (SVB) was developed which records the date, name of the business, owner/contact information, inspector, condition of trap and purpose of visit. There is a 'remark' section on which field notes, conditions noted and warnings can be noted. A master list was then made and a record book was instituted.

The SVB has an owner/contact signature line, which is signed at the time of the inspection. The first sheet is then torn off and given to the owner/contact and the second page stays in the book with the inspector. The inspector then uses the SVB to record data in the record book.

Inspections are conducted using the guidelines outlined in EPA publication 831-B-94-001, entitled Industrial User Inspection and Sampling Manual for POTW's. This manual provides guidelines for the conduct of inspections and recording of field notes. Other guidelines and information is gained from a publication entitled Fats, Oil and Grease, Best Management Practices Manual, Information, Pollution Prevention, and Compliance Information for Publicly-Owned Treatment Plants. This manual was produced by Brown and Caldwell, with the notation "*Reproduction with credits encouraged*".

## Inspection Guidelines

1. Inspectors will maintain a professional, courteous demeanor at all times.
2. Inspections should be performed at times other than a facility rush hour.
3. The facility owner/contact or representative will open the trap or interceptor.
4. All records and field notes will be kept in ink.

The criteria used for the SVB will be as follows;

Percent of trap filled	Trap Condition
25%	Good
25%-50%	Fair
>50%	Poor

If the trap is in FAIR condition the establishment should be advised to keep an eye on the maintenance schedule. The cleaning frequency may need to be increased.

If the Trap is in POOR condition it should be noted in the 'Remarks' section of the SVB page and the owner/contact should be advised to clean it immediately. The establishment should then be re-inspected in about 30 days. Traps should not be allowed to be habitually kept in POOR condition.

In the field, grease trap inspection is best accomplished by using a manila folder cut into 2” wide strips to test the traps. This is done by using the manila strip as a dipstick. The manila strip should pierce the layer of grease in the trap, giving a good measurement of the depth of the grease and liquid. If it will not pass through the top layer the trap needs to be cleaned immediately. With interceptors a length of ½”- ¾” PVC pipe with tape on the handle works the same way with the same results. Establishments with interceptors shall also keep receipts from the agency contracted for service. These should be checked for frequency of cleaning.

The City has “No Grease-No Grasa” stickers available for sinks in establishments. These should be placed near all sinks as a reminder that it’s best to remove the grease prior to washing and introducing FOG into the system. Removing as much FOG as possible and sending it to landfill will also help keep FOG from filling a trap prematurely, causing more maintenance.

For cleaning frequency, it is best for each establishment to keep a cleaning log. This will be the best way to find and maintain each facility’s cleaning frequency. The Collection division has produced a log sheet that is being made available for businesses to log cleaning frequency. Note: A BMP for establishments with interceptors is for the manager to monitor the agency cleaning the interceptor.

### **Public Outreach**

The City produces a newsletter that discusses each division’s accomplishments and difficulties along with educational information twice per year. The City also produces a flyer entitled, Morro Bay & Cayucos Wastewater Disposal Tips. The Wastewater Collection Division has produced a “No Grease/No Grasa”, sticker that has been made available to restaurants, as well as a cleaning log for grease traps. Work has begun on a brochure to be entitled, Help Stop The Grease. This brochure discusses the importance of keeping Fats, Oils, and Grease (FOG) out of the system, and storm drains.

The division is available to meet with businesses and others to discuss Best Management Practices (BMPs), concerning FOG, and other collection system related issues. Appointments can be made by calling the Public Services office, the Collection Department, the Wastewater Treatment Plant, or the Stormwater Program Manager.

Public Services:	772-6261
Wastewater Collections Department: Collection System Supervisor	772-6277
Wastewater Treatment Plant: WWTP Superintendent	772-6272
Stormwater Program Manager: City Engineer	772-6569
Engineering Technician	772-6265

# Element VIII: System Evaluation and Capacity Assurance Plan

This section of the SSMP identifies the City of Morro Bay's plan for system evaluation and capacity assurance. The City completed a comprehensive Sewer Collection System Master Plan Update in May 2006. This Master Plan includes a capacity evaluation and identifies necessary capacity-related future improvement projects. The Master Plan is a separate document from this SSMP; this section of the SSMP summarizes key capacity-related portions of the Master Plan and adopts it by reference. This master planning process is used to fulfill the Evaluation and Capacity Assurance Plan element of the SWRCB (Element 8) SSMP requirements.

## SWRCB Requirement

### Element 8 Evaluation and Capacity Assurance Plan

The Enrollee shall prepare and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:

#### 8a. Evaluation:

Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events.

#### 8b. Design Criteria:

Where design criteria do not exist or are deficient, undertake the evaluation identified in 8a above to establish appropriate design criteria; and

#### 8c. Capacity Enhancement Measures:

The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I&I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.

#### 8d. Schedule:

The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in 8a - 8c above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.

## 8a. System Evaluation

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Capacity assessments are completed as part of the City's Sewer Collection System Master Plan update in 2006. The Master Plan capacity analysis is based on hydraulic modeling of the City's collection system under both current and future design flows. The following sub-sections provide a brief summary of the modeled system, flow estimates, and evaluation criteria used for the City's sewer system capacity evaluation.

Note that the City does not have a history of sanitary sewer overflows caused by hydraulic deficiencies in the sewer system. Likewise, modeling of the City's sewer system conducted during the preparation of the 2006 Sewer Collection System Master Plan also shows no likely dry weather overflows due to current hydraulic deficiencies. The Master Plan shows that there are some areas of the collection system that will need to be upsized to handle wet weather flow conditions at build out. The sections in need of upsizing are identified in the Master Plan and are prioritized in the capital improvement project schedule.

As part of the effort to reduce I&I, the City has purchased and will be installing flow monitoring equipment. These devices will allow the City to determine baseline flow conditions and that data will be used to calibrate and check future models.

### **Hydraulic Model**

As a part of the City's Sewer Master Plan, a hydraulic model was developed using a spreadsheet model, based on Manning's Equation, to evaluate existing and ultimate build-out capacity. Nearly all of the City's collectors, ranging in size from 6 to 27 inches in diameter, were included in the model. As discussed in previous sections of this SSMP, the City also receives flow from the Cayucos Sanitary District (CSD). No pipes from outside agencies were included in the model, but the model did include flow inputs from the locations where flow discharges into to the City's system from the CSD.

### **Flow Estimates**

As noted above, flows were considered from within the City, as well as from the CSD.

Existing and ultimate flow demands were estimated based on the City of Morro Bay Planning Department's estimates of the City build-out population. Flows estimates were based on the number, type, and location of connections. During the development of the Master Plan, flow meters were installed at eleven temporary monitoring sites within the City to confirm the projected estimates and to calibrate the model.

Further discussion of the collection system analysis can be found in Chapter 5 of the Master Plan. Current and future average daily base wastewater flows are summarized in Table 8-1. As discussed under Capacity Evaluation Criteria below, peak wet weather flows were projected to be about three times greater than average daily flows. This coordinates with the FMP prepared for the wastewater Treatment Plant Project which used a peaking factor of 4.5.

<b>Table 8-1. Collection System Model Average Daily Flows</b>	
<b>Existing (2006) Flow</b>	0.833 mgd
<b>Projected Ultimate Build Out Flow</b>	0.99 mgd

\*Source: City of Morro Bay Sewer Collection System Master Plan Update

## **8b. Design Criteria**

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Since the adoption of the SSMP in 2009, the City of Morro Bay has not experienced any dry weather sanitary sewer overflows due to hydraulic deficiencies in the sewer system. The City's design criteria account for wet weather flows by reserving additional capacity for those events.

## **8c. Capacity Enhancement Measures**

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The City relies on several documents, which plan for future growth, secure needed funding, and prioritize projects based on the service area needs and to design and construct improvements. In general, the Master Plan and Capital Improvement Project Prioritization process consider the needs of the service area as well as capacity or other operational needs.

A Capital Improvement Project Prioritization process consists of ranking a list of projects from the latest Master Plan, operational issues, and modeling results. A project prioritization list is developed and ranked by City staff to identify and prioritize projects to be conducted. Projects are evaluated on an annual basis as part of the City's budgeting process. This process considers the needs, risks, and funding priorities for the various projects.

The City uses the Master Plan to determine what projects are needed to prevent hydraulic deficiencies from occurring. Projects that are identified and prioritized in the Capital Improvement Project Prioritization process are scheduled and constructed under the direction of the manager of the Engineering Department. It is a goal of the City to update the Master Plan on a regular basis or when projects identified are largely completed; or when a significant change is made to the system (such as the addition of a large new development).

## **8d. Capital Improvement Schedule**

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The City of Morro Bay maintains a list of capital improvement projects (CIPs) for the Wastewater Collection System. This list is generated through the Capital Improvement Program Prioritization process and review of the current Master Plan. A complete list of Capital Improvement Projects can be found in Table 7-3 of the Master Plan.

The Morro Bay Public Services Department has an up-to-date list of current CIPs including description, priority, and progress. The City reviews the capital projects, available funding, anticipated staff resources available, and priorities on an annual basis as part of the City's budgeting process.

# Element IX: Monitoring, Measurement, and Program Modification

This section of the SSMP discusses parameters the City tracks to monitor the success of the SSMP and how the City plans to keep the SSMP current. This section fulfills the Monitoring, Measurement, and Program Modifications requirement for the SWRCB (Element 9) SSMP requirements.

## SWRCB Requirement

### Element 9 Monitoring, Measurement, and Program Modification

The Enrollee shall:

- a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;
- b) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;
- c) Assess the success of the preventative maintenance program;
- d) Update program elements, as appropriate, based on monitoring or performance evaluations; and
- e) Identify and illustrate SSO trends, including: frequency, location, and volume.

## 9a. Maintain Relevant Information

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The City tracks several performance measures through tracking logs and annual reports. The City plans to continue tracking these performance measures. Tracking tools include:

- Monthly and Annual Reports
- Asset Management Software
- SSO Reporting and Tracking
- Staff Training Records
- Flow Monitoring Reports
- System Modeling and Capacity
- SSMP Audits Program
- Video Inspection Results
- Fog Inspection Log

## **9b. Monitor and Measure the Effectiveness**

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In order to monitor the effectiveness of each element of the SSMP, the City has selected specific parameters that can be documented and compared on an annual basis in a simple format. These parameters were selected because they are straightforward, quantitative, and focused on results. Although the parameters may not track everything associated with SSMP implementation, changes in these parameters over time will indicate the overall success of the SSMP or, conversely, underlying problems that can then be investigated further.

There are eleven required elements to the SSMP. Our Monitoring, Measurement, and Program Modification efforts for each element are:

### **Element I: Goals**

The goal of the collection system is unlikely to change significantly. As part of the SSMP audit process (Element 10) we will review the goal and make necessary modifications

### **Element II: Organization**

The dynamics of organizations can change dramatically with time. The effectiveness and staffing levels of the current organization will be reviewed and compared to required SSMP efforts to determine when adjustments will need to be made to either organizational or staffing levels.

### **Element III: Legal Authority**

The legal authority by which the City operates and maintains its sewer system lies nested in the Municipal Code which can be changed as necessary through a formed City Council process. Changes to the City's legal authority will most frequently be made to stay in alignment with changes to both State and Federal requirements. Changes to our legal authority will occur on an as needed basis.

### **Element IV: Operation and Maintenance Program**

Collections Operations and Maintenance (O&M) practices have evolved rapidly in the last several years and will continue to evolve as new technologies are developed. Modifications to the collections O&M Program are an ongoing effort. The process of auditing the SSMP every two years as required by element 10 will be used as a systematic evaluation of the effectiveness of our O&M Program. Significant changes made to the O&M practices currently in place will be documented in the audit process and included in the updated SSMP.

### **Element V: Design and Performance Provisions**

Design and performance provisions do not require frequent adjustment. On occasion new products, techniques, or practices are developed that warrant changes or revisions to design and performance standards. More frequently, rules, regulations, and code changes are made that need to be reflected in the City's standards. The authority to make these changes lies with the City Engineer and can be made as frequently as necessary. These changes will be documented in the SSMP which will be posted on the City's website and available at the Public Services Office.

## **Element VI: Overflow Emergency Response Plan**

Each spill from a sanitary sewer system is a unique event with its own set of circumstances. It is likely that as crews respond to events there maybe refinements necessary to the adopted Overflow Emergency Response Plan (OERP). The general approach for dealing with SSOs defined in the OERP is not likely to change. Adjustments will be made as necessary and will be documented, reviewed and adopted in the SSMP audit process. The number and type of SSOs within the City are tracked, and this log will be used to determine trends in SSO events with the intent of reducing or eliminating future SSOs.

## **Element VII: F.O.G. Control Program**

The F.O.G. control program in Morro Bay is viewed as the primary element of the Source Control Program. The effectiveness of site visits and other outreach efforts can be directly measured by the impact of F.O.G. on the system. The City has had a fairly mature F.O.G. Control/Source Control program in place for a number of years so major changes are not anticipated. Refinements made to the program will be documented, reviewed and adopted in the SSMP audit process.

## **Element VIII: System Evaluation and Capacity Assurance Plan**

The City of Morro Bay uses the Master Plan process as the Capacity Assurance Plan (CAP). It is a goal of the City to update the Master Plan on a regular basis or when projects identified are largely completed; or when a significant change is made to the system (such as the addition of a large new development).

## **Element XI: Communication Program**

The Utilities and/or Public Services Department sends out a biannual newsletter and posts the information on the City's website. Through these media as well as through the televised Public Works Advisory Board and City Council Meetings the department reaches out to the Public. Collections Division staff is the first line of communication with the public on a daily basis. During their normal business practices they provide information to the public including information on O&M procedures, lateral condition assessment and lateral repair/replacement, information pertaining to SSO's, as well as BMPs during site visits to commercial establishments. The effectiveness of this effort will be audited within the SSMP framework and any necessary changes will be made during the SSMP audit process.

## **9c. Success of Preventative Maintenance**

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The City's preventative maintenance program is designed to minimize corrective and emergency maintenance as well as equipment failures. The City will assess the success of the preventative maintenance program by monitoring Operation and Maintenance records, asset inventories, equipment failures, and SSOs. If it is determined that the cause of any SSOs may have been prevented through preventative maintenance, job plans and schedules will be adjusted accordingly to help protect against the reoccurrence of future SSOs.

## **9d. Update Program Elements**

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Program elements will be updated or modified based on the review of the monitoring and reporting data through the self audit process as described in Element 10: SSMP Program Audit of this SSMP.

## **9e. Identify and Illustrate SSO Trends**

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The City reports all SSO events to the California Integrated Water Quality System (CIWQS) per the WDR and MRP 2013-0058. The frequency, causes, volumes, locations, and other SSO details and trends are tracked and analyzed by the City. The Wastewater Collections Division keeps a historical listing of all SSO events. SSO events are investigated and a report is generated per the WDR and MRP 2013-0058, providing event details and causes of the SSO. SSO causes and actions taken to prevent similar SSO events from occurring will be included in the Element 10: SSMP Program Audit of this SSMP.

# Element X: SSMP Program Audits

This section of the SSMP discusses the City's SSMP auditing program. This section fulfills the SWRCB (Element 10) SSMP Audit requirements.

## SWRCB Requirement

### Element 10 SSMP Program Audits

As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the Enrollee's compliance with the SSMP requirements identified in this subsection (D.13), including identification of any deficiencies in the SSMP and steps to correct them.

## SSMP Program Audits

The City of Morro Bay will produce internal audits every two years to determine the effectiveness of the SSMP elements and programs. The program audit will include a review of relevant data and trends maintained as part of the SSMP Monitoring and Measurements Program to determine opportunities to improve compliance with the SSMP requirements and system performance. A prioritized list of improvements will be updated as part of the audit program. An overview of SSMP related progress between audits will be included in the program audit.

As part of the audit process, the Wastewater Collections Division will review the SSOs from the previous years and will provide details in the Audit on the causes of the SSOs and what actions were taken to prevent similar SSOs from occurring in the future. If any deficiencies are determined, the appropriate elements of the SSMP will be updated as well as corresponding reference material.

The biennial audit evaluates the effectiveness of the SSMP and includes steps to correct any noted deficiencies. The report will be posted on the City's website and will be kept on file as an update to the City's SSMP, and will be included in State of the Sewer Reports to the City Council. When major changes are made to the SSMP the modified elements may be presented to City Council to be readopted.

To date, per the SWRCB requirements, two audits of the SSMP have been performed. The audits were performed in June 2011 and June 2013. Those audits were conducted by Collection Division and Engineering Division staff members and the audits were posted on the City web site.

# Element XI: Communication Program

This section of the SSMP discusses the City of Morro Bay's Communication during the development, implementation, and performance of the SSMP. This section also discusses the communication between the City of Morro Bay and systems that are satellite to the City's sanitary sewer system. This section is to fulfill the Communication Program element of the SWRCB (Element 11) SSMP requirements.

## SWRCB Requirement

The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

## **Communication Program for Development of SSMP**

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During the development of this SSMP, each element of the SSMP was presented to the Public Services Advisory Board (PWAB) prior to presentation to the Morro Bay City Council for approval and adoption. PWAB and City Council presentations were televised on the local public access television channel 20 and allowed for public review and comment.

The completed SSMP is posted on the City's website along with the biennial audits. This ensures public access to the adopted SSMP.

## **Communication Program for Implementation of SSMP**

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The City's Collection Division in conjunction with the Public Services Department and the Wastewater Treatment Plant have a proactive public outreach program designed to provide information regarding best management practices to both commercial and residential customers. The outreach program utilizes utility newsletters, community outreach, the City's web site and individual source control site visits as appropriate to provide information on the SSMP and best management practices. Topics include but are not limited to FOG, proper disposal of unused medications, what not to flush, pet waste disposal, and any newsworthy items from the Collections Division.

Feedback on implementation and performance of the adopted SSMP elements will be recorded and taken into consideration for areas of review for the next revision of the SSMP. The document is required to be audited on a biennial basis, and the results of the audits are posted on the City web site. The current revisions to the SSMP will be adopted via a public process, ensuring continued public involvement and outreach opportunities.

# **Communication Program with Satellite Systems**

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There are several agencies that discharge to the City Wastewater Collection System that we consider to be satellite agencies. These are:

1. Morro Bay High School (San Luis Coastal Unified School District)
2. Morro Bay State Park (2 sources)

Regular communication with these satellite agencies will continue, and concerns regarding these satellite agencies will be discussed with the agency as needed.

The City of Morro Bay and the Cayucos Sanitary District operate under a Joint Powers Agreement (JPA) which outlines the joint ownership and operation of the wastewater treatment plant and sewer line. The Cayucos Sanitary District is not considered a satellite agency because they own, operate, and maintain a collection system that is tributary to the wastewater treatment plant they jointly own and operate. Communication with the Cayucos Sanitary District is necessary to operate the jointly owned sewer line that runs along North Main Street into the wastewater treatment plant. JPA meetings are routinely scheduled to discuss issues and make decisions regarding elements of the JPA.

# Appendix A

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Legal Authority Element Reference Documents

**Attachment A:** City of Morro Bay Municipal Code Chapter 13.12

**Attachment B:** City of Morro Bay Standard Specifications: 8. SEWERAGE

**Attachment C:** City of Morro Bay Engineering Standard Drawings: Sewer Section

Morro Bay, California, Code of Ordinances >> **Title 13 - PUBLIC UTILITIES** >> **Chapter 13.12 SEWERS\***  
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**Chapter 13.12 SEWERS\* <sup>1</sup>**

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**Sections:**

- [13.12.010 Connection permit for annexed territory.](#)
- [13.12.020 Annexed territory connection—Computation of cost.](#)
- [13.12.030 Annexed territory connection—Existing bonds excepted.](#)
- [13.12.040 Main extensions to new customers other than subdivisions.](#)
- [13.12.050 Calculation of sewer main extension charges.](#)
- [13.12.060 Refunds.](#)
- [13.12.070 Main extensions to subdivisions.](#)
- [13.12.080 Refunds to subdividers.](#)
- [13.12.090 Use of existing sewer.](#)
- [13.12.100 Quality of sewer discharge.](#)
- [13.12.110 Discharge of storm water, unpolluted drainage and industrial cooling waters.](#)
- [13.12.120 Prohibited discharge.](#)
- [13.12.125 Federal and state requirements.](#)
- [13.12.130 Grease, oil and sand interceptors—Installation.](#)
- [13.12.140 Grease, oil and sand interceptors—Maintenance.](#)
- [13.12.150 Review and preliminary treatment of waters and wastes.](#)
- [13.12.160 Preliminary treatment facility maintenance.](#)
- [13.12.170 Manhole installation.](#)
- [13.12.180 Analysis of waters and wastes.](#)
- [13.12.185 Inspection of premises.](#)
- [13.12.190 Agreement between city and industry.](#)
- [13.12.200 Sewer charges.](#)
- [13.12.205 Sewer use charges.](#)
- [13.12.210 Collections.](#)
- [13.12.215 Collection of past due accounts.](#)
- [13.12.220 Discharging sewage onto city lands.](#)
- [13.12.230 Discharging sewage from septic tanks.](#)
- [13.12.240 Designated sewage dumping places.](#)
- [13.12.250 Discharge fees.](#)
- [13.12.260 Commercial facilities.](#)
- [13.12.270 Private facility—Construction.](#)
- [13.12.280 Private facility—Operation.](#)
- [13.12.290 Private facility—Permit revocation.](#)
- [13.12.300 Private facility—Appeals.](#)
- [13.12.310 Right to terminate water service.](#)
- [13.12.320 Liability for damages for violation.](#)

**13.12.010 Connection permit for annexed territory.**

Before a permit shall be issued for a sewer connection in any area now outside the city limits which shall hereafter be annexed to the city, the owner or applicant shall pay to the city for such privilege a sum in accordance with the Master Fee Schedule.

*(Ord. 225 § 66, 1982; Ord. 13 § 1 (part), 1965: prior code § 9200)*

### **13.12.020 Annexed territory connection—Computation of cost.**

The sum shall be the equivalent of the cost to similar properties then within the city which have paid for the facilities so to be used.

*(Ord. 13 § 1 (part), 1965: prior code § 9201)*

### **13.12.030 Annexed territory connection—Existing bonds excepted.**

The sum shall not include any amounts for which bonds of the city are then outstanding and to which the property shall become subject upon annexation.

*(Ord. 13 § 1 (part) 1965: prior code § 9202)*

### **13.12.040 Main extensions to new customers other than subdivisions.**

Mains will be extended to serve new customers under the following terms and conditions:

- A. No main extension will be made by the city except on an approved dedicated street, alley or recorded easement;
- B. Prior to construction of the main, every applicant for sewer service shall enter into a written form agreement for such extension and shall deposit with the department of public works an amount equal to ten percent of the estimated cost of the extension, including engineering and administration. The estimated cost shall be based on the actual size of facilities required to meet the service demands from that extension, except that six inch pipe shall be the minimum size considered for general use. Should the sewer department desire to install facilities greater than are needed to meet said service demands, the cost of the excess size of facilities shall be borne by the city. The engineering department shall then proceed with plans and specifications and shall solicit and open bids for the proposed work. On the basis of the approved bid, plus engineering and administration costs, the department of public works shall inform the applicant as to the cost of the proposed extension. Upon receipt by the city of an amount which, with the original deposit, is equal to the cost of the work, the engineering department shall proceed with the construction of the extension;
- C. In the event that the applicant or applicants fail to deposit the required funds within sixty days after determination of the cost, the extension will not be made and no refund on the ten percent deposit will be made, except that where actual costs are less than the amount of such deposit, the city may refund the unused amount.

*(Ord. 13 § 1 (part), 1965: prior code § 9203)*

### **13.12.050 Calculation of sewer main extension charges.**

Immediately upon completion of the sewer extension, the city engineer shall prorate the entire cost thereof against all lots or property that may ultimately be benefited by direct connection to said sewer extension in proportion to the frontage thereof, or if the lots be irregular in shape, then

in such manner as may, in the opinion of the city engineer, provide an equitable distribution of costs. In no case shall any applicant pay an amount less than the prorated cost of the extension for the length of his frontage as determined in this section. The sewer main extension charges shall be in addition to the specified service connection charges.

*(Ord. 13 § 1 (part), 1965: prior code § 9204)*

### **13.12.060 Refunds.**

- A. The original applicant or applicants shall, up to ten years from the date of signing the form agreement, be entitled to a refund for each connection made to the extension, based on the prorated cost as determined in [Section 13.16.060](#) for each lot or parcel. The engineering department may make extensions to the facilities constructed under this subsection without obligation to applicant and refunds will not be made for services connected to said additional extensions.
- B. No interest shall be paid on or accrue on such deposits for sewer main extensions. Refunds of the deposit shall be made only if, as and when sewer main extension charges are collected from other consumers requiring service from this sewer main extension.

*(Ord. 13 § 1 (part), 1965: prior code § 9205)*

### **13.12.070 Main extensions to subdivisions.**

Where sewer main extensions are required for subdivisions, it will be the responsibility of the owner or subdivider to pay the cost for complete installation of all sewer facilities required within the subdivision and for extension of sewer transmission mains from the subdivision to the nearest existing main of adequate capacity for the area to be served. Such transmission main shall be subject to all the requirements as set forth in standard improvement specifications and drawings of the city, and to any and all modifications and supplements thereto. Upon official acceptance by the city, the city shall assume full ownership, maintenance and control of such mains.

*(Ord. 13 § 1 (part), 1965: prior code § 9206)*

### **13.12.080 Refunds to subdividers.**

- A. Upon completion of any sewer transmission main to a subdivision as outlined in [Section 13.12.070](#), the subdivider may submit to the city engineer a certified statement showing the actual cost of such extension. If said extension is larger than six inches in diameter, the city engineer shall adjust the actual cost to the equivalent of a six-inch-diameter main. He shall then prorate the cost for a six-inch main against all lots or parcels which in the future may be served by direct connection to said main. Any and all connections to said main shall be subject to the charges specified in [Section 13.12.050](#). The city may make extensions to facilities constructed under this regulation without obligation, and refunds will not be made for services connected to said additional extension.
- B. The subdivider or owner shall, for a period of ten years from the date of official acceptance of the subdivision, be eligible for a refund on each connection made to the main extension, as provided herein.
- C. No interest shall be paid on or accrue on any funds subject to such refund. Refunds shall be made only if, as, and when sewer connection charges are collected by the city.

*(Ord. 13 § 1 (part), 1965: prior code § 9207)*

### **13.12.090 Use of existing sewer.**

Before a permit is issued for a sewer connection in any areas within the city, which property shall use any then-existing sewerage facilities of the city for which such property shall not have made full payment of its share of the cost thereof, the owner or applicant shall pay a sewer availability charge in accordance with the Master Fee Schedule.

A sewer availability charge is a sum of money required to be paid by any person to buy into the municipal sewer system.

*(Ord. 225 § 67, 1982; Ord. 155 § 3, 1977; Ord. 13 § 1 (part), 1965: prior code § 9208)*

### **13.12.100 Quality of sewer discharge.**

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, unpolluted industrial cooling or unpolluted industrial process waters to any sanitary sewer.

*(Ord. 279 Exh. A (part), 1986: Ord. 13 § 1 (part), 1965: prior code § 9209 (part))*

### **13.12.110 Discharge of storm water, unpolluted drainage and industrial cooling waters.**

Stormwater and all unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the director of public works. Unpolluted industrial cooling or unpolluted process waters may be discharged, upon approval of the director of public works, to a storm sewer, combined sewer or natural outlet.

*(Ord. 279 Exh. A (part), 1986: Ord. 13 § 1 (part), 1965: prior code § 9209A)*

### **13.12.120 Prohibited discharge.**

Except as provided in this chapter, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers.

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit;
- B. Any water or waste which may contain more than one hundred parts per million, by weight, of fat, oil, or grease;
- C. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- D. Any garbage that has not been properly shredded;
- E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, woods, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
- F. Any water or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;
- G.

Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans, plants or animals, or create any hazard in the receiving waters of the sewage treatment plant;

- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
- I. Any noxious or malodorous gas or substance capable of creating a public nuisance;
- J. Any wastes which will exceed the limitations set forth in federal pretreatment standards;
- K. Any wastes which will interfere with the disposal, reclamation or reuse of the wastewater treatment plant effluent or sludge;
- L. Any wastes which will cause the wastewater treatment plant to violate its NPDES permit;
- M. Any radioactive wastes or isotopes or half-life or concentration which exceed limits established by the water quality control superintendent;
- N. Any wastes which cause a hazard to human life or create a public nuisance.

*(Ord. 279 Exh. A (part), 1986; Ord. 13 § 1 (part), 1965; prior code § 9209B)*

### **13.12.125 Federal and state requirements.**

Federal and/or state discharge requirements will apply in any case where they are more stringent than those in this chapter.

*(Ord. 279 Exh. A (part), 1986)*

### **13.12.130 Grease, oil and sand interceptors—Installation.**

Grease, oil and sand interceptors shall be provided when, in the opinion of the director of public works, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the director of public works, and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

*(Ord. 13 § 1 (part), 1965; prior code § 9209C)*

### **13.12.140 Grease, oil and sand interceptors—Maintenance.**

Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

*(Ord. 13 § 1 (part), 1965; prior code § 9209D)*

### **13.12.150 Review and preliminary treatment of waters and wastes.**

- A. The admission into the public sewers of any waters or wastes having:
1. A five day biochemical oxygen demand greater than three hundred parts per million by weight; or
  2. Containing more than three hundred fifty parts per million by weight of suspended solids; or
  3. Containing any quantity of substances having the characteristics described in [Section 13.12.120](#); or
  4. Having an average daily flow greater than two percent of the average daily sewage flow of the city, shall be subject to the review and approval of the director of public works.
- B. Where necessary in the opinion of the director of public works, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:
1. Reduce the biochemical oxygen demand to three hundred parts per million and the suspended solids to three hundred fifty parts per million by weight; or
  2. Reduce objectionable characteristics or constituents to within the maximum limits provided for in [Section 13.12.120](#); or
  3. Control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the director of public works and of the Water Pollution Control Board of the state, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

*(Ord. 13 § 1 (part), 1965: prior code § 9209E)*

### **13.12.160 Preliminary treatment facility maintenance.**

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

*(Ord. 13 § 1 (part), 1965: prior code § 9209F)*

### **13.12.170 Manhole installation.**

When required by the director of public works, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurements of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the director of public works. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

*(Ord. 13 § 1 (part), 1965: prior code § 9209G)*

### **13.12.180 Analysis of waters and wastes.**

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Sections [13.12.120](#) and [13.12.150](#) shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control manhole provided for in [Section 13.12.170](#), or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

*(Ord. 13 § 1 (part), 1965: prior code § 9209H)*

### **13.12.185 Inspection of premises.**

The director of public works, or authorized representative of the city, shall be permitted to enter all properties, without prior notice, for the purposes of inspection, sampling and testing in accordance with the provisions of this chapter.

*(Ord. 279 Exh. A (part), 1986)*

### **13.12.190 Agreement between city and industry.**

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor by the industrial concern.

*(Ord. 13 § 1 (part), 1965: prior code § 9209I)*

### **13.12.200 Sewer charges.**

All users other than single and multiple family residences, trailer parks, motels, business establishments, schools, churches, fraternal and nonprofit organizations using more than one thousand five hundred cubic feet per month of sewage, shall be charged on the basis of cubic feet of sewage treated for the installation. Such quantities of sewage shall be determined by the city engineer, based upon the flow of sewage through a measuring device. Any occupant so charged who may disagree with the city engineer's determination may, at the occupant's own expense, install private measuring devices in accordance with the specifications approved by the city engineer.

*(Ord. 13 § 1 (part), 1965: prior code § 9210)*

### **13.12.205 Sewer use charges.**

All sewer users including but not limited to single-family and multiple-family residences; trailer parks; motels; business establishments; schools; churches; public utility and industrial facilities; district, county, state and federal facilities; fraternal and nonprofit organizations shall pay a sewer use charge in order to provide funds to supplement the general taxes in financing construction, maintenance and operation of sewage collection, transport and treatment facilities in and for the city.

*(Ord. 155 § 4, 1977)*

### **13.12.210 Collections.**

Sewer use charges shall be in addition to the water charges and shall be included in the customer's bimonthly utility bill. Such charges shall be based upon rates in accordance with the Master Fee Schedule.

*(Ord. 225 § 68, 1982; Ord. 155 § 5, 1977; Ord. 13 § 1 (part), 1965: prior code § 9211)*

### **13.12.215 Collection of past due accounts.**

Nothing contained in this chapter shall limit the right of the city to proceed against any customer for any delinquencies due under [Title 13](#) of this code. Nothing contained in this chapter shall prevent the city from availing itself of any other legal remedy by which the city might collect such charges, fees, or penalties.

*(Ord. No. 560, 8-23-10)*

### **13.12.220 Discharging sewage onto city lands.**

It is unlawful for any person to dump or discharge raw or chemically treated sewage from any source onto the surface of any lands within the city.

*(Ord. 43 § 1 (part), 1966: prior code § 9212.1)*

### **13.12.230 Discharging sewage from septic tanks.**

It is unlawful for any person to dump or discharge within the city, septic tank cleanings or any raw or chemically treated sewage from septic tanks.

*(Ord. 43 § 1 (part), 1966: prior code § 9212.2)*

### **13.12.240 Designated sewage dumping places.**

Raw or chemically treated sewage from chemical toilets and sources other than septic tanks may be discharged or dumped within the city only at the places owned and/or operated by the city and designated by the director of public works or at such privately owned facilities for which a current operating permit has been issued as provided in this chapter.

*(Ord. 43 § 1 (part), 1966: prior code § 9212.3)*

### **13.12.250 Discharge fees.**

Each person dumping or discharging raw or chemically treated sewage from sources other than septic tanks into the facilities of the city shall pay the following fees:

- A. House trailers or campers — See Master Fee Schedule;
- B. Tank trucks or other commercial carriers — For each vehicle, see Master Fee Schedule for charge for each one thousand gallon capacity or fraction thereof, regardless of the actual amount discharged.

*(Ord. 225 §§ 69 and 70, 1982; Ord. 43 § 1 (part), 1966: prior code § 9212.4)*

### **13.12.260 Commercial facilities.**

It is unlawful for any person to discharge or dump raw or chemically treated sewage from commercial tank trucks or from other commercial sources into privately owned and/or privately operated facility. Such commercial source shall discharge or dump such sewage only into the facilities owned and/or operated by the city.

*(Ord. 43 § 1 (part), 1966: prior code § 9212.5)*

### **13.12.270 Private facility—Construction.**

No person shall install or construct any facility for receiving raw or chemically treated sewage from sources other than septic tanks without having first secured a building permit for said installation from the building official in accordance with Sections 14.04.030 through 14.04.050 of this code. All such private facilities shall be installed in strict conformance with the approved plans and specifications of the city.

*(Ord. 43 § 1 (part), 1966: prior code § 9212.6)*

### **13.12.280 Private facility—Operation.**

No owner or operator of any facility for the reception of raw or chemically treated sewage shall permit any raw or chemically treated sewage to be dumped into such facility until an operating permit for such facility has been obtained from the director of public works as provided for in this chapter and conspicuously posted near such facility. Upon application to the director of public works, the director of public works shall issue, in accordance with the Master Fee Schedule, an operating permit to the owner of any such privately owned facility upon certification to the director of public works by the building official that such facilities have been constructed in conformance with the approved plans and specifications of the city. Such operating permit shall be conditional upon continued operation of such facilities in compliance with the rules, regulations and directives of the director of public works relating to such operation, including maintenance and cleaning of such facilities. The owner or operator of such facilities shall keep a log of discharger's name, driver's license number, vehicle type and license number, date and time of discharge. The owner or operator of the facility shall not permit commercial use of the discharge facility. Any officials of the city shall have the right of entry into buildings or premises regulated by this chapter in accordance with the provisions of [Section 1.08.010](#) of this code.

*(Ord. 279 Exh. A (part), 1986: Ord. 225 § 71, 1982; Ord. 115 § 2, 1973; Ord. 114 § 7, 1973; Ord. 43 § 1 (part), 1966: prior code § 9212.7)*

### **13.12.290 Private facility—Permit revocation.**

In the event any privately owned facility for the collection of raw or chemically treated sewage from sources other than septic tanks is operated in violation of or contrary to or inconsistent with the rules, regulations and directives of the director of public works or this code, the director of public works, may in his discretion, suspend or revoke the operating permit theretofore issued for such private facility, with or without notice, provided, however, that in the event such suspension or revocation is immediate, notice of such action and the causes therefore shall be promptly sent to the owner of such facility by certified mail, postage prepaid, at the address indicated on the operating permit.

*(Ord. 43 § 1 (part), 1966: prior code § 9212.8)*

### **13.12.300 Private facility—Appeals.**

The owner or operator of any privately owned facility for the collection of raw or chemically treated sewage from sources other than septic tanks may appeal the decision of the director of public works suspending or revoking the operating permit for such facility, in accordance with Section 14.12.050 of this code; provided, however, that the order of the director of public works which is appealed from shall remain in full force and effect pending the determination of such appeal.

*(Ord. 43 § 1 (part), 1966: prior code § 9212.9)*

### 13.12.310 Right to terminate water service.

If any user of the city sewer system fails to meet the requirements set forth in this chapter, the director of public works shall have the authority to terminate water service or use alternate actions to protect the wastewater treatment facilities, employees and surrounding environment from hazardous discharges.

*(Ord. 279 Exh. A (part), 1986)*

### 13.12.320 Liability for damages for violation.

Any person violating a provision of this chapter shall be liable for all damages resulting from such violation, or which arise from actions taken in the correction of such violation, which are incurred by the city, including but not limited to attorney's fees, court costs, and fines levied on the city by regulatory agencies.

*(Ord. 279 Exh. A (part), 1986)*

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#### FOOTNOTE(S):

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\* For statutory provisions regarding municipal sewer districts, see Health & Saf. Code § 4600 et seq.; for provisions authorizing cities to construct and maintain drains and sewers, see Gov. Code § 38900. ([Back](#))

## 8. SEWERAGE

### 8.01 GENERAL

Sanitary sewer lines and appurtenances within City jurisdiction shall be constructed in accordance with the details shown on plans and specifications approved by the Engineer, these Standards and Specifications, and State Specifications where applicable.

### 8.02 DESIGN FLOW AND GRADIENT

An average flow of 100 gallons per person per day shall be used for hydraulic design purposes, with the peak flow double the average flow. Pipes shall be sized to handle peak flows with pipes flowing three-quarters (3/4) full.

Sanitary sewer grades shall be designed to provide a minimum velocity of 2 feet per second when flowing full. The following table indicates the slopes which will provide that velocity, and these shall be used as the minimum standard for design.

Diameter	Slope in Feet/Foot Min. Acceptable
6"	.0050
8"	.0035
10"	.0025
12"	.0020
15"	.0015
18"	.0012
House Lateral	.02

Whenever a change in the size of the pipe, or an angle of 20 degrees or greater in alignment occurs, the flowline of the pipe flowing into the manhole shall be a minimum of 0.17 foot above the flowline of the pipe flowing from the manhole, or an amount necessary to match the inside crowns of the pipes, whichever is greater.

Design velocities for sanitary sewers shall not exceed 10 feet per second, unless approved by the Engineer. The maximum design discharge shall not exceed the flow at critical slope and velocity. Sanitary sewers should not be designed for flow conditions at critical slope and velocity.

### 8.03 LOCATION AND ALIGNMENT

All sanitary sewers shall be constructed and installed within City right-of-way. Location of sewer lines in easements shall be kept to a minimum. Width and location of easements are subject to the approval of the Engineer. (See also Section 6.03)

Sewerage systems shall be designed so as to have a minimum curvature both horizontal and vertical. Whenever possible sewer

lines shall be laid out in a straight line between structures.

#### 8.04 DEPTH AND SIZE

The normal design depth of a sanitary sewer system shall be such as to obtain a minimum cover of 36 inches for the house lateral at the property line. Sewer mains and laterals shall be designed so as to be usable by each lot without the need for an ejector pump. Exceptions may be granted by the Engineer on a case-by-case basis.

The minimum sewer main size shall be 6 inches.

#### 8.05 MANHOLES

Manholes shall be installed in accordance with Standard Drawings S-3 and S-4, and these Specifications.

Manholes shall be watertight structures constructed by placing precast concrete sections on a poured concrete base. Eccentric cones shall be used with openings over the upstream side of the manhole. Steps shall not be permitted in manholes.

Whenever the inverts of sewer lines enter a manhole at different elevations, a standard drop manhole shall be constructed.

Normal maximum spacing for manholes shall be 400 feet. The maximum spacing of manholes on trunk sewer lines shall be as follows:

12" to 24" diameter - 400 feet  
24" to 36" diameter - 500 feet.

Cleanouts at the end of a line shall not be further than 400 feet from the nearest manhole. Cleanouts shall be installed in accordance with Standard Drawing S-2.

Brick or block manholes shall not be allowed except under special circumstances where it is not feasible to construct pre-cast manholes.

#### 8.06 HOUSE SERVICE LINES

When a new sewer line is constructed, house service lines from the sewer to the property line or existing house service lines shall be installed at the same time. Whenever house service laterals are installed as a part of the construction of the sewer line, the use of wye or tee saddles shall not be permitted. Laterals shall not enter the main at an angle greater than 45 degrees.

Each house service line shall be referenced to the plan stationing. Location of the service lines shall be marked at the curb with an "S". Where curbs are not present laterals shall be marked with a brass tag stamped "S" on an iron pipe or 2" x 2" hub. The minimum size of any sanitary lateral shall be 4 inches.

FOR sewer laterals installed after construction of the main line, the main shall be cut and a precast wye installed in accordance with Standard Drawing S-1.

Laterals shall have approved backflow preventers installed wherever the top of the lowest fixture is lower than the rim elevation of the upstream manhole.

Cast iron shall be used for laterals under driveways when there is less than 3'-0" of cover.

Excavation for laterals shall be in accordance with Section 8.09C of these Specifications.

#### 8.07 PIPE

All sanitary sewer lines shall be clay pipe, PVC pipe, or cast iron pipe, or approved by the Engineer. All pipe and pipe fittings shall be marked or stamped with the trade brand name of the manufacturer, and strength or class of pipe. All pipe, fittings, and joints shall conform to ASTM Standards.

Abestos-cement pipe shall not be used for sewers.

Bituminous fiber pipe shall not be permitted for mains or laterals.

PVC pipe may only be used for gravity sewers. However, the Engineer may approve PVC for installation under low head pressure where surge forces are minimal.

#### 8.08 CASTINGS

All castings for manhole rings and covers, flushing branch frames and covers, or other purposes, shall be cast iron meeting the requirements of ASTM Designation A48, Class 25.

#### 8.09 INSTALLATION OF SEWERS

A. Lines and Grade - All lines and grades shall be given by the Consultant and established in the field by the Consultant or Contractor. All stakes and marks shall be protected and preserved. Flow-line elevations shall be established at all changes in grade and at 50 foot intervals.

B. Trench Widths - The maximum width of trench measured at the top of pipe shall be governed by the size of the pipe to be installed in accordance with these Standards and Specifications.

C. Excavation for Sewers - Unless otherwise specified, the excavation for sewer pipe shall be an open trench in accordance with Standard Drawing W-6, excavated to three inches below the outside diameter of the bell. This undercutting shall be refilled with suitable bedding material as specified in the section on backfill, and thoroughly compacted into place.

When the trench is in an existing paved area, the pavement shall be sawcut and broken ahead of the trenching operations. The pavement shall be cut accurately in neat and parallel lines at

the width required for the trench, except when in the opinion of the Engineer the remaining pavement has been damaged.

Trenches shall not be left open farther than 100 feet in advance of pipe laying operations or 50 feet to the rear thereof, unless approved by the Engineer. No trenches shall be left open overnight.

When water is encountered, the trench shall be kept dewatered until the laying and jointing of the pipe, and placing of the bedding material has been completed, inspected, and approved. The Contractor shall place not less than 6 inches of 2-1/2 inch maximum size rock below the required bedding material, or otherwise de-water the trench in a manner which has been approved by the Engineer.

All safety orders, rules, or recommendations of the Occupational Safety and Health Administration (OSHA) and the Division of Industrial Safety of the Department of Industrial Relations of the State of California applicable to this work shall be obeyed and enforced.

D. Bracing and Shoring - As required by the "Trench Construction Safety Orders" of the California State Industrial Accident Commission, sufficient bracing and shoring shall be installed in trenches to insure the safety of workmen, and to protect and facilitate the work. Where practicable all such bracing and shoring shall be removed from the trench as the backfilling proceeds.

E. Tunneling shall not be permitted unless approved by the Engineer. If approved, tunneling shall be in accordance with Section 71-1.03 of the State Specifications.

F. Laying Sewer Pipe - The pipe shall be laid in conformity to the prescribed line and grade, and each pipe length checked to the grade line. Three consecutive points shown on the same rate of slope shall be used in common, in order to detect any variation from a straight grade. In case any such discrepancy exists, the work shall be stopped and the discrepancy directly reported to the Engineer. In addition, a string line or laser shall be used in the bottom of the trench to insure proper alignment and grade.

Pipe shall be laid continuously upgrade, with the bell of the pipe forward. Each length of pipe shall be laid on a firm bed and shall have a true bearing for the entire length. No wedging or blocking up of the pipe shall be permitted.

Connections to existing manholes shall be made by carefully breaking an opening in the wall of the manhole, inserting the end of the pipe through the opening flush with the inside wall, and packing the opening around the pipe with a stiff mix of cement mortar, thoroughly compacted to form a watertight connection. The mortar shall be trowelled smooth and flush with the inside wall of the manhole. Channeling of the flow through the manhole shall conform to the details shown on the Standard Drawings for new manholes. The contractor shall notify the Engineer 24 hours in advance before his connection is made to existing structures. The work shall be scheduled so that the interruption of flow is kept

to a minimum.

When the pipe is to be laid through a new manhole the top half of the pipe shall be sawcut and removed after the base is poured. Pipe elbows or bends shall be used when there is a change in direction.

Both bell and spigot shall be clean before the joint is made, and care shall be taken that nothing but the joint-making material enters joints. Cement joints, hot pour joints, and rubber rings shall not be permitted. Rubber coupler joints such as "Band Seal" may be used.

When for any reason pipe laying is discontinued for an hour or more the open end of each line shall be closed with a close-fitting stop.

G. Trench Backfill shall be per Section 6.06 of these specifications.

H. Testing of Sewer Lines - Prior to final approval, all sewer lines shall be tested for leakage by standard hydrostatic or low pressure air test as specified by the Engineer. Manholes shall be tested for watertight integrity either jointly with testing of sewer line or as separate units. All laterals shall be considered as part of the sewer for testing purposes.

PVC lines shall also be mandrel tested for roundness after completion of backfill.

I. CLEANING - Prior to the acceptance of any sewer line the Contractor shall clean all lines with a sewer cleaning ball under hydrostatic pressure. Any stoppage, dirt, or foreign matter shall be removed from the lines. All cleaning and testing of sewer lines shall take place after all construction is completed, up to but not including the final paving. The system will be inspected after final paving is completed and any damage to the system during final paving and cleanup will be corrected before approval.

#### 8.10 SPECIAL CONSTRUCTION

Special construction in areas of conflict between water and sewer lines shall be in accordance with the State of California Department of Health Services, Sanitary Engineering Branch, "Criteria for the Separation of Water Mains and Sanitary Sewers" dated April 5, 1983.

#### 8.11 REPLACEMENT OF ROAD SURFACES

Permanent paving replacement, in accordance with Standard Drawing W-6, shall not take place until other requirements have been met, but no less than 10 days after backfill has taken place. The replacement of all pavement and shoulder surfaces shall be in accordance with the Standard Drawings. Maintenance of permanent paving which may be required during a one-year period

after completion shall be provided by the Contractor at no expense to the City, including the complete restoration of all damaged property.

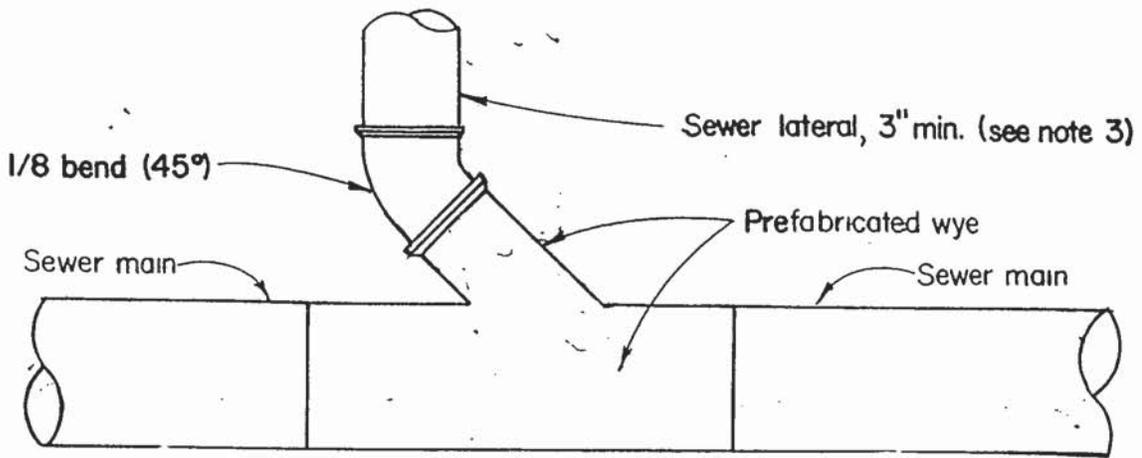
#### 8.12 TEMPORARY PAVEMENT

In any case a trench is cut across a thoroughfare a temporary coldpatch shall be placed immediately after backfill has been completed, and removed just prior to placing the permanent base and surfacing material. The temporary pavement shall be maintained smooth under traffic at all times.

#### 8.13 CLEAN UP

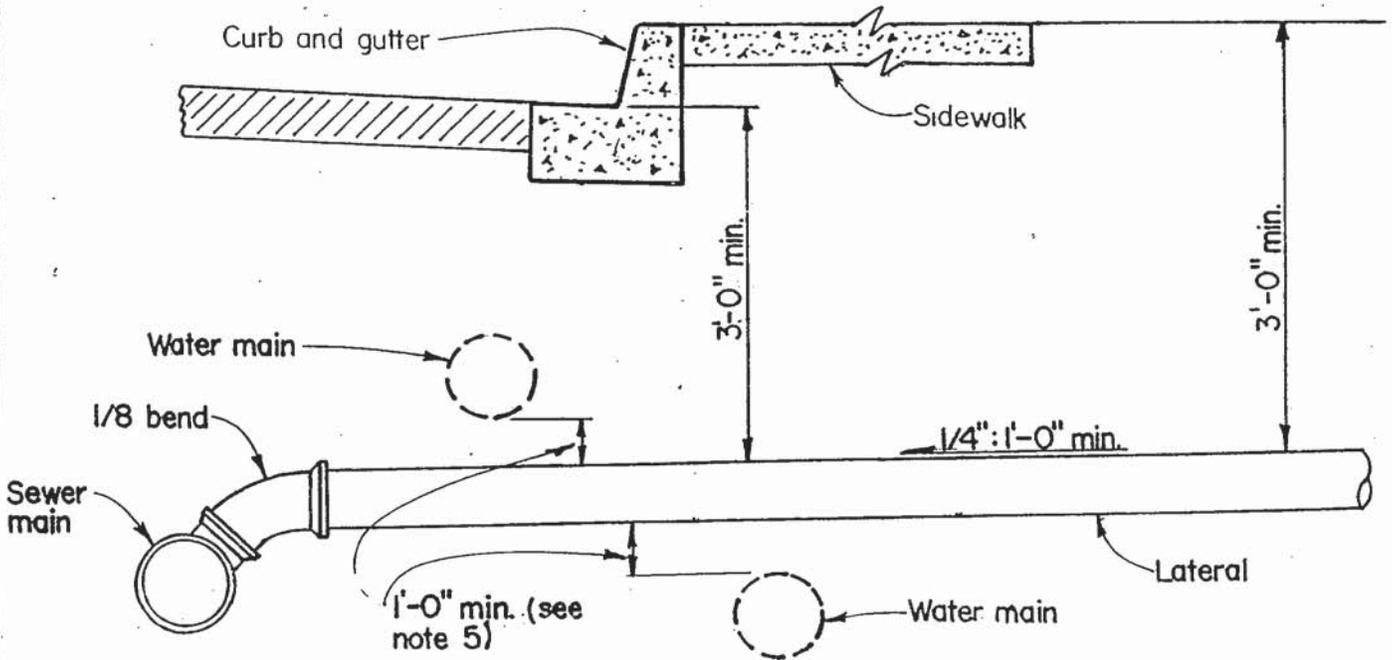
During the progress of the work, the Contractor shall keep the entire job site in a clean and orderly condition. Excess or unsuitable backfill material, broken pipe, or other waste material shall be removed from the job site. All gutters and roadside ditches shall be kept clean and free from obstructions.

Before final acceptance of the work, the Contractor shall carefully clean up the work and premises, remove all temporary structures built by or for him, remove all surplus construction materials and rubbish of all kinds from the grounds which he has occupied and leave them in a neat condition.

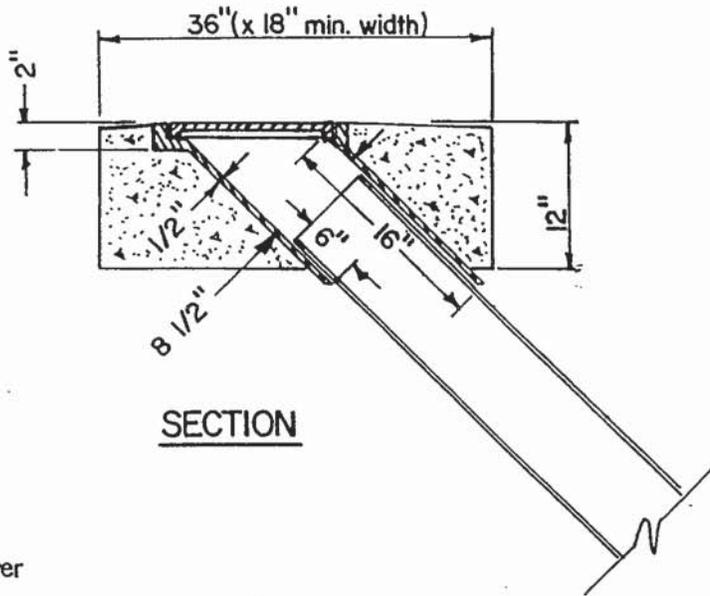


**NOTES:**

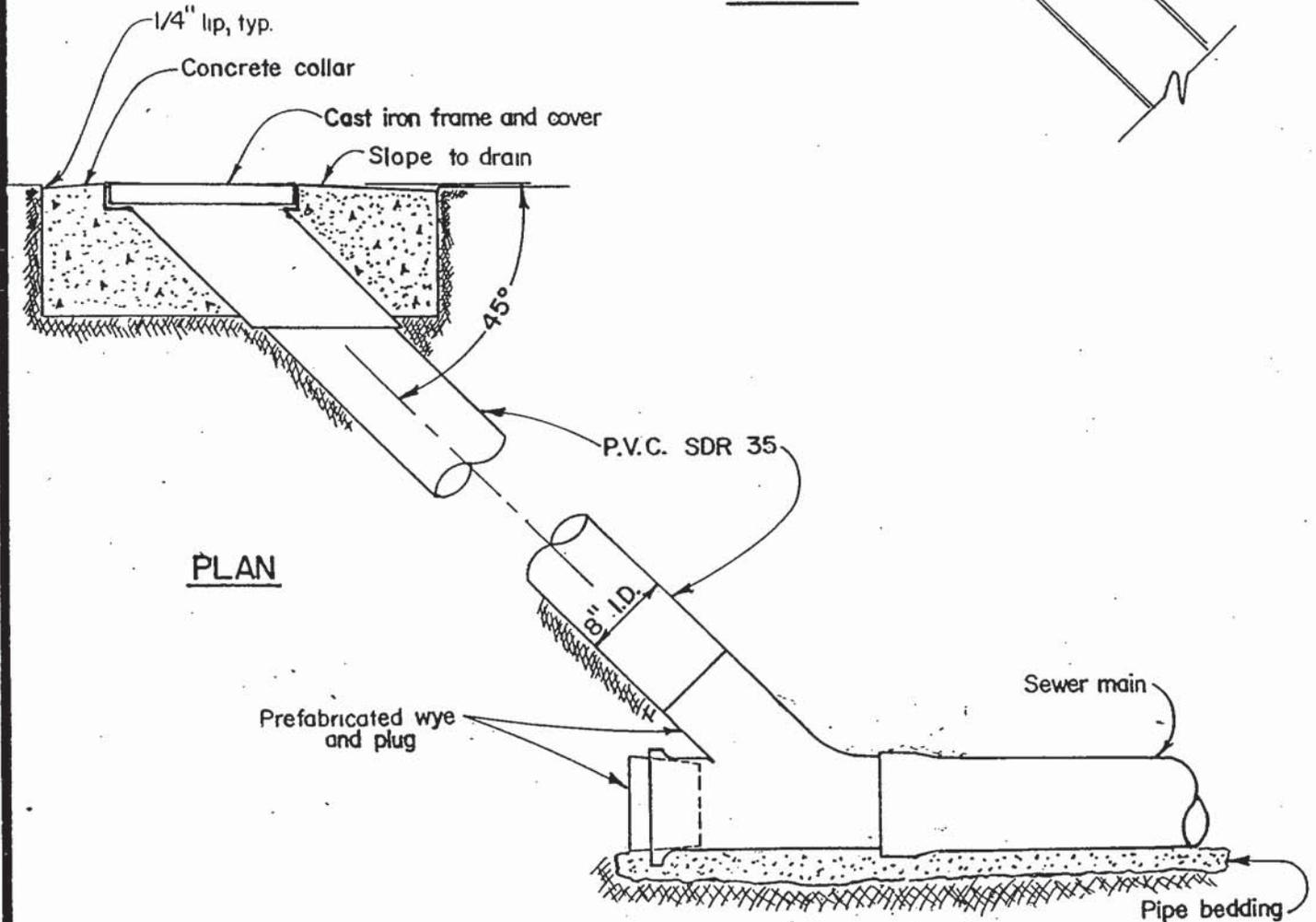
1. Sewer main shall be cut, and prefabricated wye installed; no saddle taps.
2. Lateral may be cast iron, ductile iron, V.C., PVC, or ABS sched. 40 pipe. Cast iron shall be used when cover over lateral is less than 36".
3. Lateral sizes to be determined by Community Development Department.
4. Sewer lateral and water service connection shall not be in same trench unless provisions of Section 1108 of the Uniform Plumbing Code are adhered to.
5. If minimum clearance of 1'-0" from water main cannot be obtained, Public Works Dept. shall determine joint spacing and lateral material. In the event a sewer lateral passes over a water main said main shall be exposed to determine clearance.
6. Trench backfill shall be select sand or sandy loam as approved by City Engineer.



APPROVED - CITY ENGINEER		DATE		<b>CITY OF MORRO BAY</b>		<b>SEWER MAIN CONNECTION</b>	
<i>[Signature]</i>		10-5-87					
REVISIONS	BY	APP	DATE	S-1			



**SECTION**



**PLAN**

**NOTES:**

1. Flushing branch (cleanout) shall be K.P. Foundrys model No. 2615 cast iron frame and model No. 3615 cast iron cover, or approved equals. Cover to be marked "SEWER".
2. Prefab. wye shall be same material as sewer main. If sewer main and wye are clay, bell on wye shall be snapped off and appropriate couplings shall be used to connect wye and PVC riser.
3. Concrete for collar shall have a minimum 2500 psi compressive strength in 28 days.

APPROVED-CITY ENGINEER

DATE

*[Signature]* 10-5-87

**CITY OF MORRO BAY**  
DEPARTMENT OF PUBLIC WORKS

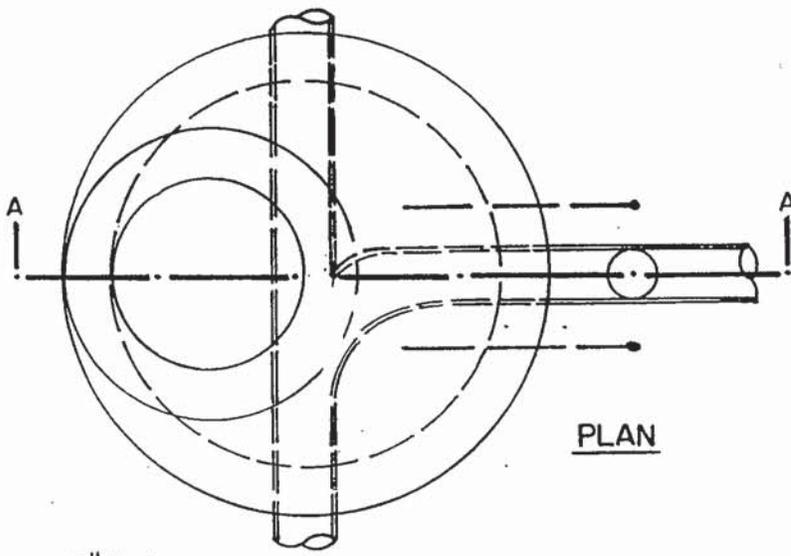
**SEWER FLUSHING BRANCH (CLEANOUT)**

SCALE: NONE

**S-2**

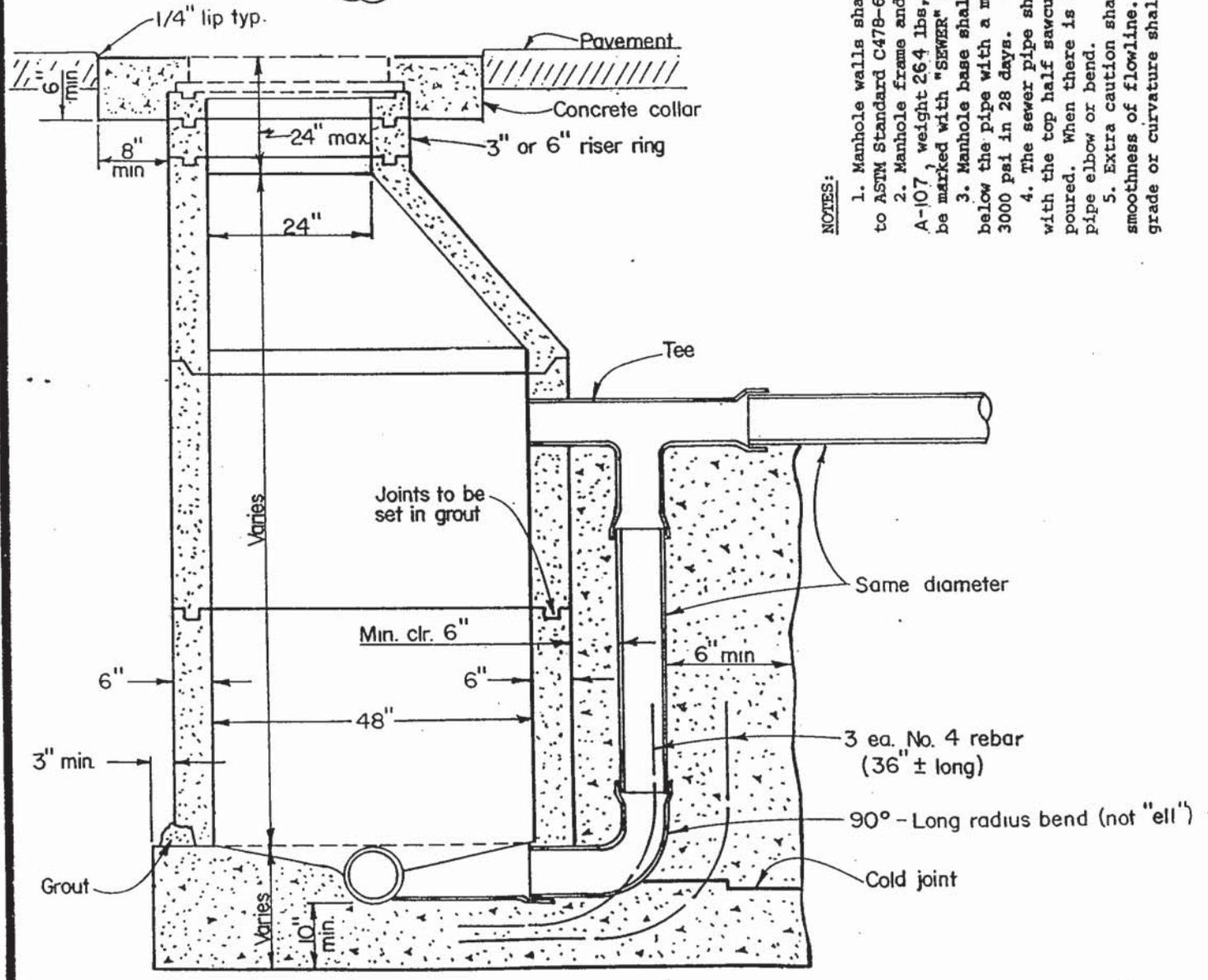
REVISIONS	BY	APP	DATE





PLAN

- NOTES:
1. Manhole walls shall be precast type conforming to ASTM Standard C478-61r for Class 2 reinforced pipe.
  2. Manhole frame and cover shall be Pinkerton No. A-107, weight 264 lbs, or approved equal. Cover shall be marked with "SEWER" in the center.
  3. Manhole base shall be a minimum of 10" thick below the pipe with a minimum compressive strength of 3000 psi in 28 days.
  4. The sewer pipe shall be laid through the manhole with the top half sawcut and removed after the base is poured. When there is a change in direction, use a pipe elbow or bend.
  5. Extra caution shall be taken to insure smoothness of flowline. Roughness or abrupt changes in grade or curvature shall not be permitted.



SECTION A-A

APPROVED-CITY ENGINEER	DATE
<i>[Signature]</i>	10-5-87
REVISIONS	BY APP DATE

**CITY OF MORRO BAY**  
 DEPARTMENT OF PUBLIC WORKS

**PRECAST CONCRETE DROP MANHOLE**  
 SCALE: NONE **S-4**

# Appendix B

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## Overflow Emergency Response Plan Element Reference Documents

**Attachment A:** State Waste Discharge Requirements (2006-0003) and Revised Monitoring and Reporting Program (2013-0058)

**Attachment B:** Sanitary Sewer Overflow Notification Checklist & Numbers

**Attachment C:** SSO Field Report

**STATE WATER RESOURCES CONTROL BOARD  
ORDER NO. 2006-0003-DWQ**

**STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS  
FOR  
SANITARY SEWER SYSTEMS**

The State Water Resources Control Board, hereinafter referred to as "State Water Board", finds that:

1. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California are required to comply with the terms of this Order. Such entities are hereinafter referred to as "Enrollees".
2. Sanitary sewer overflows (SSOs) are overflows from sanitary sewer systems of domestic wastewater, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters.
3. Sanitary sewer systems experience periodic failures resulting in discharges that may affect waters of the state. There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO. A proactive approach that requires Enrollees to ensure a system-wide operation, maintenance, and management plan is in place will reduce the number and frequency of SSOs within the state. This approach will in turn decrease the risk to human health and the environment caused by SSOs.
4. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow/infiltration, debris blockages, sanitary sewer system age and construction material failures, lack of proper operation and maintenance, insufficient capacity and contractor-caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures and operation and maintenance of the sanitary sewer system.

### **SEWER SYSTEM MANAGEMENT PLANS**

5. To facilitate proper funding and management of sanitary sewer systems, each Enrollee must develop and implement a system-specific Sewer System Management Plan (SSMP). To be effective, SSMPs must include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management and cost benefit analysis. Additionally, an SSMP must contain a spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions.
6. Many local public agencies in California have already developed SSMPs and implemented measures to reduce SSOs. These entities can build upon their existing efforts to establish a comprehensive SSMP consistent with this Order. Others, however, still require technical assistance and, in some cases, funding to improve sanitary sewer system operation and maintenance in order to reduce SSOs.
7. SSMP certification by technically qualified and experienced persons can provide a useful and cost-effective means for ensuring that SSMPs are developed and implemented appropriately.
8. It is the State Water Board's intent to gather additional information on the causes and sources of SSOs to augment existing information and to determine the full extent of SSOs and consequent public health and/or environmental impacts occurring in the State.
9. Both uniform SSO reporting and a centralized statewide electronic database are needed to collect information to allow the State Water Board and Regional Water Quality Control Boards (Regional Water Boards) to effectively analyze the extent of SSOs statewide and their potential impacts on beneficial uses and public health. The monitoring and reporting program required by this Order and the attached Monitoring and Reporting Program No. 2006-0003-DWQ, are necessary to assure compliance with these waste discharge requirements (WDRs).
10. Information regarding SSOs must be provided to Regional Water Boards and other regulatory agencies in a timely manner and be made available to the public in a complete, concise, and timely fashion.
11. Some Regional Water Boards have issued WDRs or WDRs that serve as National Pollution Discharge Elimination System (NPDES) permits to sanitary sewer system owners/operators within their jurisdictions. This Order establishes minimum requirements to prevent SSOs. Although it is the State Water Board's intent that this Order be the primary regulatory mechanism for sanitary sewer systems statewide, Regional Water Boards may issue more stringent or more

prescriptive WDRs for sanitary sewer systems. Upon issuance or reissuance of a Regional Water Board's WDRs for a system subject to this Order, the Regional Water Board shall coordinate its requirements with stated requirements within this Order, to identify requirements that are more stringent, to remove requirements that are less stringent than this Order, and to provide consistency in reporting.

## REGULATORY CONSIDERATIONS

12. California Water Code section 13263 provides that the State Water Board may prescribe general WDRs for a category of discharges if the State Water Board finds or determines that:

- The discharges are produced by the same or similar operations;
- The discharges involve the same or similar types of waste;
- The discharges require the same or similar treatment standards; and
- The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

This Order establishes requirements for a class of operations, facilities, and discharges that are similar throughout the state.

13. The issuance of general WDRs to the Enrollees will:

- a) Reduce the administrative burden of issuing individual WDRs to each Enrollee;
- b) Provide for a unified statewide approach for the reporting and database tracking of SSOs;
- c) Establish consistent and uniform requirements for SSMP development and implementation;
- d) Provide statewide consistency in reporting; and
- e) Facilitate consistent enforcement for violations.

14. The beneficial uses of surface waters that can be impaired by SSOs include, but are not limited to, aquatic life, drinking water supply, body contact and non-contact recreation, and aesthetics. The beneficial uses of ground water that can be impaired include, but are not limited to, drinking water and agricultural supply. Surface and ground waters throughout the state support these uses to varying degrees.

15. The implementation of requirements set forth in this Order will ensure the reasonable protection of past, present, and probable future beneficial uses of water and the prevention of nuisance. The requirements implement the water quality control plans (Basin Plans) for each region and take into account the environmental characteristics of hydrographic units within the state. Additionally, the State Water Board has considered water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect

water quality in the area, costs associated with compliance with these requirements, the need for developing housing within California, and the need to develop and use recycled water.

16. The Federal Clean Water Act largely prohibits any discharge of pollutants from a point source to waters of the United States except as authorized under an NPDES permit. In general, any point source discharge of sewage effluent to waters of the United States must comply with technology-based, secondary treatment standards, at a minimum, and any more stringent requirements necessary to meet applicable water quality standards and other requirements. Hence, the unpermitted discharge of wastewater from a sanitary sewer system to waters of the United States is illegal under the Clean Water Act. In addition, many Basin Plans adopted by the Regional Water Boards contain discharge prohibitions that apply to the discharge of untreated or partially treated wastewater. Finally, the California Water Code generally prohibits the discharge of waste to land prior to the filing of any required report of waste discharge and the subsequent issuance of either WDRs or a waiver of WDRs.
17. California Water Code section 13263 requires a water board to, after any necessary hearing, prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. The requirements shall, among other things, take into consideration the need to prevent nuisance.
18. California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
  - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
  - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
  - c. Occurs during, or as a result of, the treatment or disposal of wastes.
19. This Order is consistent with State Water Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California) in that the Order imposes conditions to prevent impacts to water quality, does not allow the degradation of water quality, will not unreasonably affect beneficial uses of water, and will not result in water quality less than prescribed in State Water Board or Regional Water Board plans and policies.
20. The action to adopt this General Order is exempt from the California Environmental Quality Act (Public Resources Code §21000 et seq.) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment. (Cal. Code Regs., tit. 14, §15308). In addition, the action to adopt

this Order is exempt from CEQA pursuant to Cal.Code Regs., title 14, §15301 to the extent that it applies to existing sanitary sewer collection systems that constitute “existing facilities” as that term is used in Section 15301, and §15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity.

21. The Fact Sheet, which is incorporated by reference in the Order, contains supplemental information that was also considered in establishing these requirements.
22. The State Water Board has notified all affected public agencies and all known interested persons of the intent to prescribe general WDRs that require Enrollees to develop SSMPs and to report all SSOs.
23. The State Water Board conducted a public hearing on February 8, 2006, to receive oral and written comments on the draft order. The State Water Board received and considered, at its May 2, 2006, meeting, additional public comments on substantial changes made to the proposed general WDRs following the February 8, 2006, public hearing. The State Water Board has considered all comments pertaining to the proposed general WDRs.

**IT IS HEREBY ORDERED**, that pursuant to California Water Code section 13263, the Enrollees, their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder, shall comply with the following:

#### **A. DEFINITIONS**

1. **Sanitary sewer overflow (SSO)** - Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:
  - (i) Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;
  - (ii) Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and
  - (iii) Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.
2. **Sanitary sewer system** – Any system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

For purposes of this Order, sanitary sewer systems include only those systems owned by public agencies that are comprised of more than one mile of pipes or sewer lines.

3. **Enrollee** - A federal or state agency, municipality, county, district, and other public entity that owns or operates a sanitary sewer system, as defined in the general WDRs, and that has submitted a complete and approved application for coverage under this Order.
4. **SSO Reporting System** – Online spill reporting system that is hosted, controlled, and maintained by the State Water Board. The web address for this site is <http://ciwqs.waterboards.ca.gov>. This online database is maintained on a secure site and is controlled by unique usernames and passwords.
5. **Untreated or partially treated wastewater** – Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks.
6. **Satellite collection system** – The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility to which the sanitary sewer system is tributary.
7. **Nuisance** - California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
  - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
  - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
  - c. Occurs during, or as a result of, the treatment or disposal of wastes.

## **B. APPLICATION REQUIREMENTS**

1. **Deadlines for Application** – All public agencies that currently own or operate sanitary sewer systems within the State of California must apply for coverage under the general WDRs within six (6) months of the date of adoption of the general WDRs. Additionally, public agencies that acquire or assume responsibility for operating sanitary sewer systems after the date of adoption of this Order must apply for coverage under the general WDRs at least three (3) months prior to operation of those facilities.
2. **Applications under the general WDRs** – In order to apply for coverage pursuant to the general WDRs, a legally authorized representative for each agency must submit a complete application package. Within sixty (60) days of adoption of the general WDRs, State Water Board staff will send specific instructions on how to

apply for coverage under the general WDRs to all known public agencies that own sanitary sewer systems. Agencies that do not receive notice may obtain applications and instructions online on the Water Board's website.

3. Coverage under the general WDRs – Permit coverage will be in effect once a complete application package has been submitted and approved by the State Water Board's Division of Water Quality.

### **C. PROHIBITIONS**

1. Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.
2. Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited.

### **D. PROVISIONS**

1. The Enrollee must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for enforcement action.
2. It is the intent of the State Water Board that sanitary sewer systems be regulated in a manner consistent with the general WDRs. Nothing in the general WDRs shall be:
  - (i) Interpreted or applied in a manner inconsistent with the Federal Clean Water Act, or supersede a more specific or more stringent state or federal requirement in an existing permit, regulation, or administrative/judicial order or Consent Decree;
  - (ii) Interpreted or applied to authorize an SSO that is illegal under either the Clean Water Act, an applicable Basin Plan prohibition or water quality standard, or the California Water Code;
  - (iii) Interpreted or applied to prohibit a Regional Water Board from issuing an individual NPDES permit or WDR, superseding this general WDR, for a sanitary sewer system, authorized under the Clean Water Act or California Water Code; or
  - (iv) Interpreted or applied to supersede any more specific or more stringent WDRs or enforcement order issued by a Regional Water Board.
3. The Enrollee shall take all feasible steps to eliminate SSOs. In the event that an SSO does occur, the Enrollee shall take all feasible steps to contain and mitigate the impacts of an SSO.
4. In the event of an SSO, the Enrollee shall take all feasible steps to prevent untreated or partially treated wastewater from discharging from storm drains into

flood control channels or waters of the United States by blocking the storm drainage system and by removing the wastewater from the storm drains.

5. All SSOs must be reported in accordance with Section G of the general WDRs.
6. In any enforcement action, the State and/or Regional Water Boards will consider the appropriate factors under the duly adopted State Water Board Enforcement Policy. And, consistent with the Enforcement Policy, the State and/or Regional Water Boards must consider the Enrollee's efforts to contain, control, and mitigate SSOs when considering the California Water Code Section 13327 factors. In assessing these factors, the State and/or Regional Water Boards will also consider whether:
  - (i) The Enrollee has complied with the requirements of this Order, including requirements for reporting and developing and implementing a SSMP;
  - (ii) The Enrollee can identify the cause or likely cause of the discharge event;
  - (iii) There were no feasible alternatives to the discharge, such as temporary storage or retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, collecting and hauling of untreated wastewater to a treatment facility, or an increase in the capacity of the system as necessary to contain the design storm event identified in the SSMP. It is inappropriate to consider the lack of feasible alternatives, if the Enrollee does not implement a periodic or continuing process to identify and correct problems.
  - (iv) The discharge was exceptional, unintentional, temporary, and caused by factors beyond the reasonable control of the Enrollee;
  - (v) The discharge could have been prevented by the exercise of reasonable control described in a certified SSMP for:
    - Proper management, operation and maintenance;
    - Adequate treatment facilities, sanitary sewer system facilities, and/or components with an appropriate design capacity, to reasonably prevent SSOs (e.g., adequately enlarging treatment or collection facilities to accommodate growth, infiltration and inflow (I/I), etc.);
    - Preventive maintenance (including cleaning and fats, oils, and grease (FOG) control);
    - Installation of adequate backup equipment; and
    - Inflow and infiltration prevention and control to the extent practicable.
  - (vi) The sanitary sewer system design capacity is appropriate to reasonably prevent SSOs.

- (vii) The Enrollee took all reasonable steps to stop and mitigate the impact of the discharge as soon as possible.
7. When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water.

The Enrollee shall implement all remedial actions to the extent they may be applicable to the discharge and not inconsistent with an emergency response plan, including the following:

- (i) Interception and rerouting of untreated or partially treated wastewater flows around the wastewater line failure;
  - (ii) Vacuum truck recovery of sanitary sewer overflows and wash down water;
  - (iii) Cleanup of debris at the overflow site;
  - (iv) System modifications to prevent another SSO at the same location;
  - (v) Adequate sampling to determine the nature and impact of the release; and
  - (vi) Adequate public notification to protect the public from exposure to the SSO.
8. The Enrollee shall properly, manage, operate, and maintain all parts of the sanitary sewer system owned or operated by the Enrollee, and shall ensure that the system operators (including employees, contractors, or other agents) are adequately trained and possess adequate knowledge, skills, and abilities.
9. The Enrollee shall allocate adequate resources for the operation, maintenance, and repair of its sanitary sewer system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures. These procedures must be in compliance with applicable laws and regulations and comply with generally acceptable accounting practices.
10. The Enrollee shall provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Capacity shall meet or exceed the design criteria as defined in the Enrollee's System Evaluation and Capacity Assurance Plan for all parts of the sanitary sewer system owned or operated by the Enrollee.
11. The Enrollee shall develop and implement a written Sewer System Management Plan (SSMP) and make it available to the State and/or Regional Water Board upon request. A copy of this document must be publicly available at the Enrollee's office and/or available on the Internet. This SSMP must be approved by the Enrollee's governing board at a public meeting.

12. In accordance with the California Business and Professions Code sections 6735, 7835, and 7835.1, all engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. Specific elements of the SSMP that require professional evaluation and judgments shall be prepared by or under the direction of appropriately qualified professionals, and shall bear the professional(s)' signature and stamp.
13. The mandatory elements of the SSMP are specified below. However, if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee's sanitary sewer system, the SSMP program does not need to address that element. The Enrollee must justify why that element is not applicable. The SSMP must be approved by the deadlines listed in the SSMP Time Schedule below.

### **Sewer System Management Plan (SSMP)**

- (i) **Goal:** The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.
- (ii) **Organization:** The SSMP must identify:
  - (a) The name of the responsible or authorized representative as described in Section J of this Order.
  - (b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and
  - (c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).
- (iii) **Legal Authority:** Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:
  - (a) Prevent illicit discharges into its sanitary sewer system (examples may include I/I, stormwater, chemical dumping, unauthorized debris and cut roots, etc.);

- (b) Require that sewers and connections be properly designed and constructed;
  - (c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency;
  - (d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and
  - (e) Enforce any violation of its sewer ordinances.
- (iv) **Operation and Maintenance Program.** The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:
- (a) Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities;
  - (b) Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders;
  - (c) Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan;
  - (d) Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained; and

- (e) Provide equipment and replacement part inventories, including identification of critical replacement parts.

(v) **Design and Performance Provisions:**

- (a) Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems; and
- (b) Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

(vi) **Overflow Emergency Response Plan** - Each Enrollee shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

- (a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
- (b) A program to ensure an appropriate response to all overflows;
- (c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;
- (d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;
- (e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and
- (f) A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

- (vii) **FOG Control Program:** Each Enrollee shall evaluate its service area to determine whether a FOG control program is needed. If an Enrollee determines that a FOG program is not needed, the Enrollee must provide justification for why it is not needed. If FOG is found to be a problem, the Enrollee must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:
- (a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;
  - (b) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area;
  - (c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;
  - (d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;
  - (e) Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance;
  - (f) An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and
  - (g) Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in (f) above.
- (viii) **System Evaluation and Capacity Assurance Plan:** The Enrollee shall prepare and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:
- (a) **Evaluation:** Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs

that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events;

- (b) **Design Criteria:** Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria; and
  - (c) **Capacity Enhancement Measures:** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
  - (d) **Schedule:** The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a)-(c) above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.
- (ix) **Monitoring, Measurement, and Program Modifications:** The Enrollee shall:
- (a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;
  - (b) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;
  - (c) Assess the success of the preventative maintenance program;
  - (d) Update program elements, as appropriate, based on monitoring or performance evaluations; and
  - (e) Identify and illustrate SSO trends, including: frequency, location, and volume.
- (x) **SSMP Program Audits** - As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the

Enrollee's compliance with the SSMP requirements identified in this subsection (D.13), including identification of any deficiencies in the SSMP and steps to correct them.

- (xi) **Communication Program** – The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

14. Both the SSMP and the Enrollee's program to implement the SSMP must be certified by the Enrollee to be in compliance with the requirements set forth above and must be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and subparts thereof, are in compliance with the general WDRs within the time frames identified in the time schedule provided in subsection D.15, below.

In order to complete this certification, the Enrollee's authorized representative must complete the certification portion in the Online SSO Database Questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to:

State Water Resources Control Board  
Division of Water Quality  
Attn: SSO Program Manager  
P.O. Box 100  
Sacramento, CA 95812

The SSMP must be updated every five (5) years, and must include any significant program changes. Re-certification by the governing board of the Enrollee is required in accordance with D.14 when significant updates to the SSMP are made. To complete the re-certification process, the Enrollee shall enter the data in the Online SSO Database and mail the form to the State Water Board, as described above.

15. The Enrollee shall comply with these requirements according to the following schedule. This time schedule does not supersede existing requirements or time schedules associated with other permits or regulatory requirements.

**Sewer System Management Plan Time Schedule**

<u>Task and Associated Section</u>	<b>Completion Date</b>			
	Population > 100,000	Population between 100,000 and 10,000	Population between 10,000 and 2,500	Population < 2,500
Application for Permit Coverage <b>Section C</b>	6 months after WDRs Adoption			
Reporting Program <b>Section G</b>	6 months after WDRs Adoption <sup>1</sup>			
SSMP Development Plan and Schedule <b>No specific Section</b>	9 months after WDRs Adoption <sup>2</sup>	12 months after WDRs Adoption <sup>2</sup>	15 months after WDRs Adoption <sup>2</sup>	18 months after WDRs Adoption <sup>2</sup>
Goals and Organization Structure <b>Section D 13 (i) &amp; (ii)</b>	12 months after WDRs Adoption <sup>2</sup>		18 months after WDRs Adoption <sup>2</sup>	
Overflow Emergency Response Program <b>Section D 13 (vi)</b>	24 months after WDRs Adoption <sup>2</sup>	30 months after WDRs Adoption <sup>2</sup>	36 months after WDRs Adoption <sup>2</sup>	39 months after WDRs Adoption <sup>2</sup>
Legal Authority <b>Section D 13 (iii)</b>				
Operation and Maintenance Program <b>Section D 13 (iv)</b>				
Grease Control Program <b>Section D 13 (vii)</b>	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
Design and Performance <b>Section D 13 (v)</b>				
System Evaluation and Capacity Assurance Plan <b>Section D 13 (viii)</b>				
Final SSMP, incorporating all of the SSMP requirements <b>Section D 13</b>				

1. In the event that by July 1, 2006 the Executive Director is able to execute a memorandum of agreement (MOA) with the California Water Environment Association (CWEA) or discharger representatives outlining a strategy and time schedule for CWEA or another entity to provide statewide training on the adopted monitoring program, SSO database electronic reporting, and SSMP development, consistent with this Order, then the schedule of Reporting Program Section G shall be replaced with the following schedule:

Reporting Program <b>Section G</b>	
Regional Boards 4, 8, and 9	8 months after WDRs Adoption
Regional Boards 1, 2, and 3	12 months after WDRs Adoption
Regional Boards 5, 6, and 7	16 months after WDRs Adoption

If this MOU is not executed by July 1, 2006, the reporting program time schedule will remain six (6) months for all regions and agency size categories.

2. In the event that the Executive Director executes the MOA identified in note 1 by July 1, 2006, then the deadline for this task shall be extended by six (6) months. The time schedule identified in the MOA must be consistent with the extended time schedule provided by this note. If the MOA is not executed by July 1, 2006, the six (6) month time extension will not be granted.

#### **E. WDRs and SSMP AVAILABILITY**

1. A copy of the general WDRs and the certified SSMP shall be maintained at appropriate locations (such as the Enrollee's offices, facilities, and/or Internet homepage) and shall be available to sanitary sewer system operating and maintenance personnel at all times.

#### **F. ENTRY AND INSPECTION**

1. The Enrollee shall allow the State or Regional Water Boards or their authorized representative, upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon the Enrollee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.

## **G. GENERAL MONITORING AND REPORTING REQUIREMENTS**

1. The Enrollee shall furnish to the State or Regional Water Board, within a reasonable time, any information that the State or Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Enrollee shall also furnish to the Executive Director of the State Water Board or Executive Officer of the applicable Regional Water Board, upon request, copies of records required to be kept by this Order.
2. The Enrollee shall comply with the attached Monitoring and Reporting Program No. 2006-0003 and future revisions thereto, as specified by the Executive Director. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 2006-0003. Unless superseded by a specific enforcement Order for a specific Enrollee, these reporting requirements are intended to replace other mandatory routine written reports associated with SSOs.
3. All Enrollees must obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within 30days of receiving an account and prior to recording spills into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding a Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.
4. Pursuant to Health and Safety Code section 5411.5, any person who, without regard to intent or negligence, causes or permits any untreated wastewater or other waste to be discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State, as soon as that person has knowledge of the discharge, shall immediately notify the local health officer of the discharge. Discharges of untreated or partially treated wastewater to storm drains and drainage channels, whether man-made or natural or concrete-lined, shall be reported as required above.

Any SSO greater than 1,000 gallons discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State shall also be reported to the Office of Emergency Services pursuant to California Water Code section 13271.

## **H. CHANGE IN OWNERSHIP**

1. This Order is not transferable to any person or party, except after notice to the Executive Director. The Enrollee shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new Enrollee containing a specific date for the transfer of this Order's responsibility and coverage between the existing Enrollee and the new Enrollee. This agreement shall include an acknowledgement that the existing Enrollee is liable for violations up to the transfer date and that the new Enrollee is liable from the transfer date forward.

## **I. INCOMPLETE REPORTS**

1. If an Enrollee becomes aware that it failed to submit any relevant facts in any report required under this Order, the Enrollee shall promptly submit such facts or information by formally amending the report in the Online SSO Database.

## **J. REPORT DECLARATION**

1. All applications, reports, or information shall be signed and certified as follows:
  - (i) All reports required by this Order and other information required by the State or Regional Water Board shall be signed and certified by a person designated, for a municipality, state, federal or other public agency, as either a principal executive officer or ranking elected official, or by a duly authorized representative of that person, as described in paragraph (ii) of this provision. (For purposes of electronic reporting, an electronic signature and accompanying certification, which is in compliance with the Online SSO database procedures, meet this certification requirement.)
  - (ii) An individual is a duly authorized representative only if:
    - (a) The authorization is made in writing by a person described in paragraph (i) of this provision; and
    - (b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.

## **K. CIVIL MONETARY REMEDIES FOR DISCHARGE VIOLATIONS**

1. The California Water Code provides various enforcement options, including civil monetary remedies, for violations of this Order.
2. The California Water Code also provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or

falsifying any information provided in the technical or monitoring reports is subject to civil monetary penalties.

**L. SEVERABILITY**

1. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
2. This order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Enrollee from liability under federal, state or local laws, nor create a vested right for the Enrollee to continue the waste discharge.

**CERTIFICATION**

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of general WDRs duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 2, 2006.

AYE: Tam M. Doduc  
Gerald D. Secundy

NO: Arthur G. Baggett

ABSENT: None

ABSTAIN: None



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Song Her  
Clerk to the Board

STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
ORDER NO. WQ 2013-0058-EXEC

AMENDING MONITORING AND REPORTING PROGRAM  
FOR  
STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR  
SANITARY SEWER SYSTEMS

The State of California, Water Resources Control Board (hereafter State Water Board) finds:

1. The State Water Board is authorized to prescribe statewide general Waste Discharge Requirements (WDRs) for categories of discharges that involve the same or similar operations and the same or similar types of waste pursuant to Water Code section 13263(i).
2. Water Code section 13193 *et seq.* requires the Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board (collectively, the Water Boards) to gather Sanitary Sewer Overflow (SSO) information and make this information available to the public, including but not limited to, SSO cause, estimated volume, location, date, time, duration, whether or not the SSO reached or may have reached waters of the state, response and corrective action taken, and an enrollee's contact information for each SSO event. An enrollee is defined as the public entity having legal authority over the operation and maintenance of, or capital improvements to, a sanitary sewer system greater than one mile in length.
3. Water Code section 13271, *et seq.* requires notification to the California Office of Emergency Services (Cal OES), formerly the California Emergency Management Agency, for certain unauthorized discharges, including SSOs.
4. On May 2, 2006, the State Water Board adopted Order 2006-0003-DWQ, "Statewide Waste Discharge Requirements for Sanitary Sewer Systems"<sup>1</sup> (hereafter SSS WDRs) to comply with Water Code section 13193 and to establish the framework for the statewide SSO Reduction Program.
5. Subsection G.2 of the SSS WDRs and the Monitoring and Reporting Program (MRP) provide that the Executive Director may modify the terms of the MRP at any time.
6. On February 20, 2008, the State Water Board Executive Director adopted a revised MRP for the SSS WDRs to rectify early notification deficiencies and ensure that first responders are notified in a timely manner of SSOs discharged into waters of the state.
7. When notified of an SSO that reaches a drainage channel or surface water of the state, Cal OES, pursuant to Water Code section 13271(a)(3), forwards the SSO notification information<sup>2</sup> to local government agencies and first responders including local public health officials and the applicable Regional Water Board. Receipt of notifications for a single SSO event from both the SSO reporter

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<sup>1</sup> Available for download at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2006/wqo/wqo2006\\_0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wqo/wqo2006_0003.pdf)

<sup>2</sup> Cal OES Hazardous Materials Spill Reports available Online at:

[http://w3.calema.ca.gov/operational/mal haz.nsf/\\$defaultview](http://w3.calema.ca.gov/operational/mal haz.nsf/$defaultview) and <http://w3.calema.ca.gov/operational/mal haz.nsf>

and Cal OES is duplicative. To address this, the SSO notification requirements added by the February 20, 2008 MRP revision are being removed in this MRP revision.

8. In the February 28, 2008 Memorandum of Agreement between the State Water Board and the California Water and Environment Association (CWEA), the State Water Board committed to re-designing the CIWQS<sup>3</sup> Online SSO Database to allow "event" based SSO reporting versus the original "location" based reporting. Revisions to this MRP and accompanying changes to the CIWQS Online SSO Database will implement this change by allowing for multiple SSO appearance points to be associated with each SSO event caused by a single asset failure.
9. Based on stakeholder input and Water Board staff experience implementing the SSO Reduction Program, SSO categories have been revised in this MRP. In the prior version of the MRP, SSOs have been categorized as Category 1 or Category 2. This MRP implements changes to SSO categories by adding a Category 3 SSO type. This change will improve data management to further assist Water Board staff with evaluation of high threat and low threat SSOs by placing them in unique categories (i.e., Category 1 and Category 3, respectively). This change will also assist enrollees in identifying SSOs that require Cal OES notification.
10. Based on over six years of implementation of the SSS WDRs, the State Water Board concludes that the February 20, 2008 MRP must be updated to better advance the SSO Reduction Program<sup>4</sup> objectives, assess compliance, and enforce the requirements of the SSS WDRs.

**IT IS HEREBY ORDERED THAT:**

Pursuant to the authority delegated by Water Code section 13267(f), Resolution 2002-0104, and Order 2006-0003-DWQ, the MRP for the SSS WDRs (Order 2006-0003-DWQ) is hereby amended as shown in Attachment A and shall be effective on September 9, 2013.

8/6/13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Thomas Howard  
Executive Director

<sup>3</sup> California Integrated Water Quality System (CIWQS) publicly available at <http://www.waterboards.ca.gov/ciwqs/publicreports.shtml>

<sup>4</sup> Statewide Sanitary Sewer Overflow Reduction Program information is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/ssol/](http://www.waterboards.ca.gov/water_issues/programs/ssol/)

## ATTACHMENT A

### STATE WATER RESOURCES CONTROL BOARD ORDER NO. WQ 2013-0058-EXEC

#### AMENDING MONITORING AND REPORTING PROGRAM FOR STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

This Monitoring and Reporting Program (MRP) establishes monitoring, record keeping, reporting and public notification requirements for Order 2006-0003-DWQ, "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems" (SSS WDRs). This MRP shall be effective from September 9, 2013 until it is rescinded. The Executive Director may make revisions to this MRP at any time. These revisions may include a reduction or increase in the monitoring and reporting requirements. All site specific records and data developed pursuant to the SSS WDRs and this MRP shall be complete, accurate, and justified by evidence maintained by the enrollee. Failure to comply with this MRP may subject an enrollee to civil liabilities of up to \$5,000 a day per violation pursuant to Water Code section 13350; up to \$1,000 a day per violation pursuant to Water Code section 13268; or referral to the Attorney General for judicial civil enforcement. The State Water Resources Control Board (State Water Board) reserves the right to take any further enforcement action authorized by law.

#### A. SUMMARY OF MRP REQUIREMENTS

Table 1 – Spill Categories and Definitions

CATEGORIES	DEFINITIONS [see Section A on page 5 of Order 2006-0003-DWQ, for Sanitary Sewer Overflow (SSO) definition]
CATEGORY 1	Discharges of untreated or partially treated wastewater of <b>any volume</b> resulting from an enrollee's sanitary sewer system failure or flow condition that: <ul style="list-style-type: none"><li>Reach surface water and/or reach a drainage channel tributary to a surface water; or</li><li>Reach a Municipal Separate Storm Sewer System (MS4) and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).</li></ul>
CATEGORY 2	Discharges of untreated or partially treated wastewater of <b>1,000 gallons or greater</b> resulting from an enrollee's sanitary sewer system failure or flow condition that <b>do not</b> reach surface water, a drainage channel, or a MS4 unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.
CATEGORY 3	All other discharges of untreated or partially treated wastewater resulting from an enrollee's sanitary sewer system failure or flow condition.
PRIVATE LATERAL SEWAGE DISCHARGE (PLSD)	Discharges of untreated or partially treated wastewater resulting from blockages or other problems <b>within a privately owned sewer lateral</b> connected to the enrollee's sanitary sewer system or from other private sewer assets. PLSDs that the enrollee becomes aware of may be <b>voluntarily</b> reported to the California Integrated Water Quality System (CIWQS) Online SSO Database.

**Table 2 – Notification, Reporting, Monitoring, and Record Keeping Requirements**

ELEMENT	REQUIREMENT	METHOD
<b>NOTIFICATION</b> (see section B of MRP)	<ul style="list-style-type: none"> <li>• Within two hours of becoming aware of any Category 1 SSO <b>greater than or equal to 1,000 gallons discharged to surface water or spilled in a location where it probably will be discharged to surface water</b>, notify the California Office of Emergency Services (Cal OES) and obtain a notification control number.</li> </ul>	Call Cal OES at: <b>(800) 852-7550</b>
<b>REPORTING</b> (see section C of MRP)	<ul style="list-style-type: none"> <li>• Category 1 SSO: Submit draft report within three business days of becoming aware of the SSO and certify within 15 calendar days of SSO end date.</li> <li>• Category 2 SSO: Submit draft report within 3 business days of becoming aware of the SSO and certify within 15 calendar days of the SSO end date.</li> <li>• Category 3 SSO: Submit certified report within 30 calendar days of the end of month in which SSO the occurred.</li> <li>• SSO Technical Report: Submit within 45 calendar days after the end date of any Category 1 SSO in which 50,000 gallons or greater are spilled to surface waters.</li> <li>• “No Spill” Certification: Certify that no SSOs occurred within 30 calendar days of the end of the month or, if reporting quarterly, the quarter in which no SSOs occurred.</li> <li>• Collection System Questionnaire: Update and certify every 12 months.</li> </ul>	Enter data into the CIWQS Online SSO Database ( <a href="http://ciwqs.waterboards.ca.gov/">http://ciwqs.waterboards.ca.gov/</a> ), certified by enrollee’s Legally Responsible Official(s).
<b>WATER QUALITY MONITORING</b> (see section D of MRP)	<ul style="list-style-type: none"> <li>• Conduct water quality sampling <b>within 48 hours</b> after initial SSO notification for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.</li> </ul>	Water quality results are required to be uploaded into CIWQS for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.
<b>RECORD KEEPING</b> (see section E of MRP)	<ul style="list-style-type: none"> <li>• SSO event records.</li> <li>• Records documenting Sanitary Sewer Management Plan (SSMP) implementation and changes/updates to the SSMP.</li> <li>• Records to document Water Quality Monitoring for SSOs of 50,000 gallons or greater spilled to surface waters.</li> <li>• Collection system telemetry records if relied upon to document and/or estimate SSO Volume.</li> </ul>	Self-maintained records shall be available during inspections or upon request.

## **B. NOTIFICATION REQUIREMENTS**

Although Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board (collectively, the Water Boards) staff do not have duties as first responders, this MRP is an appropriate mechanism to ensure that the agencies that have first responder duties are notified in a timely manner in order to protect public health and beneficial uses.

1. For any Category 1 SSO greater than or equal to 1,000 gallons that results in a discharge to a surface water or spilled in a location where it probably will be discharged to surface water, either directly or by way of a drainage channel or MS4, the enrollee shall, as soon as possible, but not later than two (2) hours after (A) the enrollee has knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures, notify the Cal OES and obtain a notification control number.
2. To satisfy notification requirements for each applicable SSO, the enrollee shall provide the information requested by Cal OES before receiving a control number. Spill information requested by Cal OES may include:
  - i. Name of person notifying Cal OES and direct return phone number.
  - ii. Estimated SSO volume discharged (gallons).
  - iii. If ongoing, estimated SSO discharge rate (gallons per minute).
  - iv. SSO Incident Description:
    - a. Brief narrative.
    - b. On-scene point of contact for additional information (name and cell phone number).
    - c. Date and time enrollee became aware of the SSO.
    - d. Name of sanitary sewer system agency causing the SSO.
    - e. SSO cause (if known).
  - v. Indication of whether the SSO has been contained.
  - vi. Indication of whether surface water is impacted.
  - vii. Name of surface water impacted by the SSO, if applicable.
  - viii. Indication of whether a drinking water supply is or may be impacted by the SSO.
  - ix. Any other known SSO impacts.
  - x. SSO incident location (address, city, state, and zip code).
3. Following the initial notification to Cal OES and until such time that an enrollee certifies the SSO report in the CIWQS Online SSO Database, the enrollee shall provide updates to Cal OES regarding substantial changes to the estimated volume of untreated or partially treated sewage discharged and any substantial change(s) to known impact(s).
4. PLSDs: The enrollee is strongly encouraged to notify Cal OES of discharges greater than or equal to 1,000 gallons of untreated or partially treated wastewater that result or may result in a discharge to surface water resulting from failures or flow conditions within a privately owned sewer lateral or from other private sewer asset(s) if the enrollee becomes aware of the PLSD.

### C. **REPORTING REQUIREMENTS**

1. **CIWQS Online SSO Database Account:** All enrollees shall obtain a CIWQS Online SSO Database account and receive a “Username” and “Password” by registering through CIWQS. These accounts allow controlled and secure entry into the CIWQS Online SSO Database.
2. **SSO Mandatory Reporting Information:** For reporting purposes, if one SSO event results in multiple appearance points in a sewer system asset, the enrollee shall complete one SSO report in the CIWQS Online SSO Database which includes the GPS coordinates for the location of the SSO appearance point closest to the failure point, blockage or location of the flow condition that caused the SSO, and provide descriptions of the locations of all other discharge points associated with the SSO event.
3. **SSO Categories**
  - i. **Category 1** – Discharges of untreated or partially treated wastewater of any volume resulting from an enrollee’s sanitary sewer system failure or flow condition that:
    - a. Reach surface water and/or reach a drainage channel tributary to a surface water; or
    - b. Reach a MS4 and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).
  - ii. **Category 2** – Discharges of untreated or partially treated wastewater greater than or equal to 1,000 gallons resulting from an enrollee’s sanitary sewer system failure or flow condition that does not reach a surface water, a drainage channel, or the MS4 unless the entire SSO volume discharged to the storm drain system is fully recovered and disposed of properly.
  - iii. **Category 3** – All other discharges of untreated or partially treated wastewater resulting from an enrollee’s sanitary sewer system failure or flow condition.
4. **Sanitary Sewer Overflow Reporting to CIWQS - Timeframes**
  - i. **Category 1 and Category 2 SSOs** – All SSOs that meet the above criteria for Category 1 or Category 2 SSOs shall be reported to the CIWQS Online SSO Database:
    - a. Draft reports for Category 1 and Category 2 SSOs shall be submitted to the CIWQS Online SSO Database within three (3) business days of the enrollee becoming aware of the SSO. Minimum information that shall be reported in a draft Category 1 SSO report shall include all information identified in section 8.i.a. below. Minimum information that shall be reported in a Category 2 SSO draft report shall include all information identified in section 8.i.c below.
    - b. A final Category 1 or Category 2 SSO report shall be certified through the CIWQS Online SSO Database within 15 calendar days of the end date of the SSO. Minimum information that shall be certified in the final Category 1 SSO report shall include all information identified in section 8.i.b below. Minimum information that shall be certified in a final Category 2 SSO report shall include all information identified in section 8.i.d below.

- ii. **Category 3 SSOs** – All SSOs that meet the above criteria for Category 3 SSOs shall be reported to the CIWQS Online SSO Database and certified within 30 calendar days after the end of the calendar month in which the SSO occurs (e.g., all Category 3 SSOs occurring in the month of February shall be entered into the database and certified by March 30). Minimum information that shall be certified in a final Category 3 SSO report shall include all information identified in section 8.i.e below.
- iii. **“No Spill” Certification** – If there are no SSOs during the calendar month, the enrollee shall either 1) certify, within 30 calendar days after the end of each calendar month, a “No Spill” certification statement in the CIWQS Online SSO Database certifying that there were no SSOs for the designated month, or 2) certify, quarterly within 30 calendar days after the end of each quarter, “No Spill” certification statements in the CIWQS Online SSO Database certifying that there were no SSOs for each month in the quarter being reported on. For quarterly reporting, the quarters are Q1 - January/ February/ March, Q2 - April/May/June, Q3 - July/August/September, and Q4 - October/November/December.  
  
If there are no SSOs during a calendar month but the enrollee reported a PLSD, the enrollee shall still certify a “No Spill” certification statement for that month.
- iv. **Amended SSO Reports** – The enrollee may update or add additional information to a certified SSO report within 120 calendar days after the SSO end date by amending the report or by adding an attachment to the SSO report in the CIWQS Online SSO Database. SSO reports certified in the CIWQS Online SSO Database prior to the adoption date of this MRP may only be amended up to 120 days after the effective date of this MRP. After 120 days, the enrollee may contact the SSO Program Manager to request to amend an SSO report if the enrollee also submits justification for why the additional information was not available prior to the end of the 120 days.

## 5. **SSO Technical Report**

The enrollee shall submit an SSO Technical Report in the CIWQS Online SSO Database within 45 calendar days of the SSO end date for any SSO in which 50,000 gallons or greater are spilled to surface waters. This report, which does not preclude the Water Boards from requiring more detailed analyses if requested, shall include at a minimum, the following:

- i. **Causes and Circumstances of the SSO:**
  - a. Complete and detailed explanation of how and when the SSO was discovered.
  - b. Diagram showing the SSO failure point, appearance point(s), and final destination(s).
  - c. Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.
  - d. Detailed description of the cause(s) of the SSO.
  - e. Copies of original field crew records used to document the SSO.
  - f. Historical maintenance records for the failure location.
- ii. **Enrollee’s Response to SSO:**
  - a. Chronological narrative description of all actions taken by enrollee to terminate the spill.
  - b. Explanation of how the SSMP Overflow Emergency Response plan was implemented to respond to and mitigate the SSO.

- c. Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed.

iii. **Water Quality Monitoring:**

- a. Description of all water quality sampling activities conducted including analytical results and evaluation of the results.
- b. Detailed location map illustrating all water quality sampling points.

6. **PLSDs**

Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the enrollee's sanitary sewer system or from other private sanitary sewer system assets may be voluntarily reported to the CIWQS Online SSO Database.

- i. The enrollee is also encouraged to provide notification to Cal OES per section B above when a PLSD greater than or equal to 1,000 gallons has or may result in a discharge to surface water. For any PLSD greater than or equal to 1,000 gallons regardless of the spill destination, the enrollee is also encouraged to file a spill report as required by Health and Safety Code section 5410 et. seq. and Water Code section 13271, or notify the responsible party that notification and reporting should be completed as specified above and required by State law.
- ii. If a PLSD is recorded in the CIWQS Online SSO Database, the enrollee must identify the sewage discharge as occurring and caused by a private sanitary sewer system asset and should identify a responsible party (other than the enrollee), if known. Certification of PLSD reports by enrollees is not required.

7. **CIWQS Online SSO Database Unavailability**

In the event that the CIWQS Online SSO Database is not available, the enrollee must fax or e-mail all required information to the appropriate Regional Water Board office in accordance with the time schedules identified herein. In such event, the enrollee must also enter all required information into the CIWQS Online SSO Database when the database becomes available.

8. **Mandatory Information to be Included in CIWQS Online SSO Reporting**

All enrollees shall obtain a CIWQS Online SSO Database account and receive a "Username" and "Password" by registering through CIWQS which can be reached at [CIWQS@waterboards.ca.gov](mailto:CIWQS@waterboards.ca.gov) or by calling (866) 792-4977, M-F, 8 A.M. to 5 P.M. These accounts will allow controlled and secure entry into the CIWQS Online SSO Database. Additionally, within thirty (30) days of initial enrollment and prior to recording SSOs into the CIWQS Online SSO Database, all enrollees must complete a Collection System Questionnaire (Questionnaire). The Questionnaire shall be updated at least once every 12 months.

i. **SSO Reports**

At a minimum, the following mandatory information shall be reported prior to finalizing and certifying an SSO report for each category of SSO:

- a. **Draft Category 1 SSOs**: At a minimum, the following mandatory information shall be reported for a draft Category 1 SSO report:
1. SSO Contact Information: Name and telephone number of enrollee contact person who can answer specific questions about the SSO being reported.
  2. SSO Location Name.
  3. Location of the overflow event (SSO) by entering GPS coordinates. If a single overflow event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the SSO appearance point explanation field.
  4. Whether or not the SSO reached surface water, a drainage channel, or entered and was discharged from a drainage structure.
  5. Whether or not the SSO reached a municipal separate storm drain system.
  6. Whether or not the total SSO volume that reached a municipal separate storm drain system was fully recovered.
  7. Estimate of the SSO volume, inclusive of all discharge point(s).
  8. Estimate of the SSO volume that reached surface water, a drainage channel, or was not recovered from a storm drain.
  9. Estimate of the SSO volume recovered (if applicable).
  10. Number of SSO appearance point(s).
  11. Description and location of SSO appearance point(s). If a single sanitary sewer system failure results in multiple SSO appearance points, each appearance point must be described.
  12. SSO start date and time.
  13. Date and time the enrollee was notified of, or self-discovered, the SSO.
  14. Estimated operator arrival time.
  15. For spills greater than or equal to 1,000 gallons, the date and time Cal OES was called.
  16. For spills greater than or equal to 1,000 gallons, the Cal OES control number.
- b. **Certified Category 1 SSOs**: At a minimum, the following mandatory information shall be reported for a certified Category 1 SSO report, in addition to all fields in section 8.i.a :
1. Description of SSO destination(s).
  2. SSO end date and time.
  3. SSO causes (mainline blockage, roots, etc.).
  4. SSO failure point (main, lateral, etc.).
  5. Whether or not the spill was associated with a storm event.
  6. Description of spill corrective action, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the overflow; and a schedule of major milestones for those steps.
  7. Description of spill response activities.
  8. Spill response completion date.
  9. Whether or not there is an ongoing investigation, the reasons for the investigation and the expected date of completion.

10. Whether or not a beach closure occurred or may have occurred as a result of the SSO.
  11. Whether or not health warnings were posted as a result of the SSO.
  12. Name of beach(es) closed and/or impacted. If no beach was impacted, NA shall be selected.
  13. Name of surface water(s) impacted.
  14. If water quality samples were collected, identify parameters the water quality samples were analyzed for. If no samples were taken, NA shall be selected.
  15. If water quality samples were taken, identify which regulatory agencies received sample results (if applicable). If no samples were taken, NA shall be selected.
  16. Description of methodology(ies) and type of data relied upon for estimations of the SSO volume discharged and recovered.
  17. SSO Certification: Upon SSO Certification, the CIWQS Online SSO Database will issue a final SSO identification (ID) number.
- c. **Draft Category 2 SSOs:** At a minimum, the following mandatory information shall be reported for a draft Category 2 SSO report:
1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO.
- d. **Certified Category 2 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 2 SSO report:
1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO and Items 1-9, and 17 in section 8.i.b above for Certified Category 1 SSO.
- e. **Certified Category 3 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 3 SSO report:
1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO and Items 1-5, and 17 in section 8.i.b above for Certified Category 1 SSO.

ii. **Reporting SSOs to Other Regulatory Agencies**

These reporting requirements do not preclude an enrollee from reporting SSOs to other regulatory agencies pursuant to state law. In addition, these reporting requirements do not replace other Regional Water Board notification and reporting requirements for SSOs.

iii. **Collection System Questionnaire**

The required Questionnaire (see subsection G of the SSS WDRs) provides the Water Boards with site-specific information related to the enrollee's sanitary sewer system. The enrollee shall complete and certify the Questionnaire at least every 12 months to facilitate program implementation, compliance assessment, and enforcement response.

iv. **SSMP Availability**

The enrollee shall provide the publicly available internet web site address to the CIWQS Online SSO Database where a downloadable copy of the enrollee's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP is posted. If all of the SSMP documentation listed in this subsection is not publicly available on the Internet, the enrollee shall comply with the following procedure:

- a. Submit an **electronic** copy of the enrollee's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP to the State Water Board, within 30 days of that approval and within 30 days of any subsequent SSMP re-certifications, to the following mailing address:

State Water Resources Control Board  
Division of Water Quality  
Attn: SSO Program Manager  
1001 I Street, 15<sup>th</sup> Floor, Sacramento, CA 95814

**D. WATER QUALITY MONITORING REQUIREMENTS:**

To comply with subsection D.7(v) of the SSS WDRs, the enrollee shall develop and implement an SSO Water Quality Monitoring Program to assess impacts from SSOs to surface waters in which 50,000 gallons or greater are spilled to surface waters. The SSO Water Quality Monitoring Program, shall, at a minimum:

1. Contain protocols for water quality monitoring.
2. Account for spill travel time in the surface water and scenarios where monitoring may not be possible (e.g. safety, access restrictions, etc.).
3. Require water quality analyses for ammonia and bacterial indicators to be performed by an accredited or certified laboratory.
4. Require monitoring instruments and devices used to implement the SSO Water Quality Monitoring Program to be properly maintained and calibrated, including any records to document maintenance and calibration, as necessary, to ensure their continued accuracy.
5. Within 48 hours of the enrollee becoming aware of the SSO, require water quality sampling for, at a minimum, the following constituents:
  - i. Ammonia
  - ii. Appropriate Bacterial indicator(s) per the applicable Basin Plan water quality objective or Regional Board direction which may include total and fecal coliform, enterococcus, and e-coli.

**E. RECORD KEEPING REQUIREMENTS:**

The following records shall be maintained by the enrollee for a minimum of five (5) years and shall be made available for review by the Water Boards during an onsite inspection or through an information request:

1. General Records: The enrollee shall maintain records to document compliance with all provisions of the SSS WDRs and this MRP for each sanitary sewer system owned including any required records generated by an enrollee's sanitary sewer system contractor(s).
2. SSO Records: The enrollee shall maintain records for each SSO event, including but not limited to:
  - i. Complaint records documenting how the enrollee responded to all notifications of possible or actual SSOs, both during and after business hours, including complaints that do not

result in SSOs. Each complaint record shall, at a minimum, include the following information:

- a. Date, time, and method of notification.
  - b. Date and time the complainant or informant first noticed the SSO.
  - c. Narrative description of the complaint, including any information the caller can provide regarding whether or not the complainant or informant reporting the potential SSO knows if the SSO has reached surface waters, drainage channels or storm drains.
  - d. Follow-up return contact information for complainant or informant for each complaint received, if not reported anonymously.
  - e. Final resolution of the complaint.
- ii. Records documenting steps and/or remedial actions undertaken by enrollee, using all available information, to comply with section D.7 of the SSS WDRs.
  - iii. Records documenting how all estimate(s) of volume(s) discharged and, if applicable, volume(s) recovered were calculated.
3. Records documenting all changes made to the SSMP since its last certification indicating when a subsection(s) of the SSMP was changed and/or updated and who authorized the change or update. These records shall be attached to the SSMP.
  4. Electronic monitoring records relied upon for documenting SSO events and/or estimating the SSO volume discharged, including, but not limited to records from:
    - i. Supervisory Control and Data Acquisition (SCADA) systems
    - ii. Alarm system(s)
    - iii. Flow monitoring device(s) or other instrument(s) used to estimate wastewater levels, flow rates and/or volumes.

## **F. CERTIFICATION**

1. All information required to be reported into the CIWQS Online SSO Database shall be certified by a person designated as described in subsection J of the SSS WDRs. This designated person is also known as a Legally Responsible Official (LRO). An enrollee may have more than one LRO.
2. Any designated person (i.e. an LRO) shall be registered with the State Water Board to certify reports in accordance with the CIWQS protocols for reporting.
3. Data Submitter (DS): Any enrollee employee or contractor may enter draft data into the CIWQS Online SSO Database on behalf of the enrollee if authorized by the LRO and registered with the State Water Board. However, only LROs may certify reports in CIWQS.
4. The enrollee shall maintain continuous coverage by an LRO. Any change of a registered LRO or DS (e.g., retired staff), including deactivation or a change to the LRO's or DS's contact information, shall be submitted by the enrollee to the State Water Board within 30 days of the change by calling (866) 792-4977 or e-mailing [help@ciwqs.waterboards.ca.gov](mailto:help@ciwqs.waterboards.ca.gov).

5. A registered designated person (i.e., an LRO) shall certify all required reports under penalty of perjury laws of the state as stated in the CIWQS Online SSO Database at the time of certification.

### CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of an order amended by the Executive Director of the State Water Resources Control Board.

7/30/13

Date



Jeanine Townsend  
Clerk to the Board

# MORRO BAY SANITARY SEWER OVERFLOW NOTIFICATION CHECKLIST

SSO Appearance Point(s): \_\_\_\_\_ SSO Date: \_\_\_\_\_

Contact Organization and timeframe requirements for SSO Category

CAT 1*			CAT 2**	CAT 3	PLSD		ORGANIZATION	PHONE NUMBER	FAX NUMBER	DATE	TIME	NAME OF CONTACT	CONTACTED BY	COMMENTS
Any volume that reaches surface water	SSO to Ocean	SSO to the Bay	>= 1000 gallons and doesn't reach a drainage channel or surface water, unless the entire SSO discharged to storm drain is fully recovered	other discharges from enrollee system	Reportable when >= 1000 gallons that result or may result in a discharge to surface water									
ASAP and then certified within 15 days	←	←	X	X	Report CAT 1 SSO's	1.	CIWQS Website <small>(www.ciwqs.waterboards.ca.gov/ciwqs/index.jsp)</small>							
<2 hrs	←	←				2.	Cal OES	(800) 852-7550	(916) 845-8910					
						3.	SLO County Department of Environmental Health	781-5544	781-4211			Curtis Batson	} If CIWQS not working fax report, otherwise notified by Cal OES	
						4.	Central Coast RWQCB (Regional Water Quality Control Board)	Sheila (549-3592) Katie (542-4638) General 549-3147	543-0397			Sheila Soderberg and/or Katie DiSimone		
X	X	X				5.	California Department of Public Health (CDPH) A. Joe Christen (Morro Bay Contact) B. Gregg Langlois C. Vanessa Zubkousky D. Sam Rankin	(510) 412-4638 (510) 412-4635 (510) 412-4631 (510) 412-4633	(510) 412-4637					
X	X	X				6.	County Board of Supervisors **24-Hour Message Number** (Administration)	781-5450 781-5011	781-1350					
	X	X				7.	California Fish and Game (Dispatch, Monterey) Jason Chance, Warden (Terrestrial)	(831) 649-2817 Cell: 610-3915	466-2361					
		X				8.	Morro Bay Oyster Company A. Neal Maloney (owner) B. Dwight Maloney	234-7102 (925) 980-3008						
		X				9.	Grassy Bar Oyster Company George Trevelyan (Abolone Farm, Cayucos)	471-9683						
	X	X				10.	Giovanni's Fish Market (Giovanni or Manager)	772-1276	772-7111			Richard Castillo		
	X	X				11.	Harbor Patrol	772-6254	772-6258					
		X				12.	Coast Guard	772-2167	772-9100					
		X				13.	Morro Bay Commercial Fisherman's Organization Pam Daniels (Manager)	234-7466						
		X				14.	Tognazzini's Dockside	772-8100	772-8811			BonnieTognazzini		
		X				15.	Morro Bay Fish Company A. Chris Battle	772-3100 Cell:835-2736				Chris Battle		
		X				16.	Bayshore Seafood Stelle Spangler	464-9452						

**\*Category 1 SSO:**

All discharges of sewage resulting from a failure in the sewer system that:

- A) result in a discharge to a drainage channel and/or surface water; or
- B) Discharge to a storm drainpipe that was not fully captured and returned to the sanitary sewer system.

**\*\* Category 2 SSO:**

A) >=1000 gallons that do not reach surface water, a drainage channel, or a MS4 unless the SSO discharged to the MS4 is fully recovered

**Category 3 SSO**

All other discharges of sewage resulting from a failure of the sanitary sewer system.

**PLSD:**

Discharges of wastewater resulting from blockages or other problems Within a privately owned sewer lateral. Enrollee may voluntarily report to CIWQS, and is encouraged to notify Cal OES and CIWQS of discharges of >=1000 gallons or discharge to surface water

\* Notify City Council if Cat 1 SSO to ocean or bay

\* Cat. 1 Notify Rob Livick (805) 772-6569 and Bruce Keogh - cell (805) 704-3647

**Important: Once Staff starts making phone calls do not stop until all parties are contacted**

\* Per MRP amendment WQ 2013-0058 EXEC, effective 9/9/2013, Cal OES to notify following agencies, SLO county department of environmental health, Central Coast RWQCB

# SSO Field Report

## Morro Bay Collection System

SSO

PLSD

Document with Photographs and/or Video

### Reporting party name and contact information

Date/Time Notified/Discovered the Spill

Estimated Arrival Date/Time

Estimated Spill Start Date/Time

Estimated Spill End Date/Time

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### SSO Location Details

Address, Location Description, and/or MH#

Cross Street

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### Spill Details

Number of Spill Appearance Points  1 to 10

Appearance Point(s) (Circle One or More)

Force Main	Lateral Clean Out (Public)	Other Sewer System Structure
Gravity Main	Lower Lateral (Private)	Pump Station
Inside Building or Structure	Lower Lateral (Public)	Upper Lateral (Private)
Lateral Clean Out (Private)	Manhole	Upper Lateral (Public)

Describe location(s) if other or multiple appearance points selected

---

### Final Spill Destination (Choose all areas the wastewater flowed through and ultimately reached)

Beach	Other (specify below)	Street/Curb and Gutter
Building or Structure	Paved Surface	Surface Water
Drainage Channel	Separate Storm Drain	Unpaved Surface

Explain Final Spill Destination if Other Circled

---

### Spill Cause (Circle One or More)

Air Relief Valve /Blow-Off Valve Failure	Grease Deposition (FOG)
Construction Diversion Failure	Inappropriate Discharge to CS
CS Maintenance Caused Spill/Damage	Natural Disaster
Damage by Others Not Related to CS	Non-Dispersibles
Construction/Maintenance (Specify Below)	Operator Error
Debris from Construction	Other (Specify below)
Debris from Lateral	Pipe Structural Problem/Failure
Debris – General	Pipe Structural Problem/Failure – Installation
Debris – Rags	Pump Station Failure – Controls
Flow Exceeded Capacity	Pump Station Failure – Mechanical

Describe Spill Cause

---

### Where Did Failure Occur (Circle One or More)

Air Relief Valve/Blow-Off Valve	Manhole	Pump Station – Power
Force Main	Other (Specify below)	Siphon
Gravity Mainline	Pump Station – Controls	Upper Lateral (Public)
Lower Lateral (Public)	Pump Station – Mechanicals	

Describe Where Failure Occurred if Other

---

Was This Spill Associated with a Storm Event?      Yes      No  
Pipe Diameter at Blockage or Failure? \_\_\_\_\_  
Pipe Material at Blockage or Failure? \_\_\_\_\_  
Estimated Age of Sewer Asset at Blockage or Failure? \_\_\_\_\_

**Spill Response Activities** (Circle One or More)

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| Cleaned Up                        | Returned All Spill to Sewer        |
| Mitigated Effects of Spill        | Returned Portion of Spill to Sewer |
| Contained All or Portion of Spill | Property Owner Notified            |
| Other (Specify below)             | Other Enforcement Agency Notified  |
| Restored Flow                     |                                    |

Describe Response Activities if Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Spill Response Completion Date/Time** \_\_\_\_\_

**Spill Corrective Action Taken**

- |   |  |
|---|--|
| •Adjust Schedule/Method of Preventative Maintenance | •Other (Specify below)                       |
| •Enforcement Action Against FOG Source              | •Plan Rehabilitation or Replacement of Sewer |
| •Inspected Sewer Using CCTV to determine Cause      | •Repaired Facilities or Replaced Defect      |

Describe Corrective Action Taken if Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Is There an Ongoing Investigation?**      Yes      No  
Reason for Ongoing Investigation \_\_\_\_\_  
\_\_\_\_\_

**Visual Inspection Results from Impacted Water**  
(Describe observations and **take Photographs**) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Health Warnings Posted?**      Yes      No  
**Did the Spill Result in a Beach Closure?**      Yes      No  
If Yes, Name of Closed Beach(es) \_\_\_\_\_  
\_\_\_\_\_

Name of Impacted Surface Water(s) \_\_\_\_\_  
\_\_\_\_\_

**Water Quality Samples Analyzed for** (Circle One or More)

- Dissolved Oxygen
- Other Chemical Indicators – Specify below
- Biological Indicators – Specify below
- No Water Quality Samples Taken
- Not Applicable to this Spill
- Other – Specify below

Water Quality Samples Analyzed for \_\_\_\_\_

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**Water Quality Samples Reported to** (Circle One or More)

County Health Agency

Regional Water Quality Control Board

Other (Specify Below)

No Water Quality Samples Taken

Not Applicable to This Spill

If Other, Enter Agencies Reported to

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**Cal OES Control Number** \_\_\_\_\_

**Cal OES Called Date/Time** \_\_\_\_\_

**SSO Contact Information** (Person Who can Answer Specific Questions about the Spill)

Name and Title \_\_\_\_\_

Phone Number \_\_\_\_\_

Estimated Spill Volume that reached a separate storm drain that flows to a surface water body?

Gallons

Estimated Spill Volume recovered from a separate storm drain that flows to a surface water body?

Gallons

Estimated spill volume that reached a drainage channel that flows to a surface water body?

Gallons

Estimated spill volume recovered from a drainage channel that flows to a surface water body?

Gallons

Estimated spill volume discharged directly to a surface water body?

Gallons

Estimated spill volume recovered from a drainage channel or surface water body?

Gallons

Estimated spill volume discharged to land?

Gallons

Estimated spill volume recovered from the discharge to land?

Gallons

**Volume Estimation Methods Used**

A Separate Note Sheet may include Drawings, Calculations, and other details that determine Spill Volume

PLSD Name and Contact Information

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Reported By/Date:

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# Appendix C

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## FOG Control Program Element Reference Documents

**Attachment A:** September 2013 Newsletter

**Attachment B:** Sample “No Grease/No Grasa” Sticker

**Attachment C:** Sample Maintenance Log

**Attachment D:** Fats, Oils, and Grease Brochure / Best Management Practices

**Attachment E:** Sample Site Visit/Trap Inspection Page

### Current Utility Projects

#### Schedule of Utility Improvement Projects \$ Your Dollars at Work \$

##### Water Department

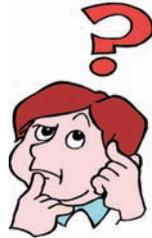
- \* 2012 City Water Treatment (Desalination) Plant Improvements: Current
- \* Citywide Water Valve Replacement Project: On-going 2013-2014
- \* New 1.2 MG Water Tank: Planning/Design Stage
- \* Water Main Upgrades along Olive St., Kennedy Way: Preliminary Design
- \* Contract (Alexander's) meter reading will begin in September 2013.

##### Wastewater Collections Department

- \* Citywide Manhole Rehabilitation Project: October 2013
- \* Section 11 (Embarcadero Rd.) Sewer Repairs: November 2014
- \* Lift Station #1 Rehabilitation Project: December 2013
- \* Section 3 (Elena to Sequoia St.) Sewer Repairs: January 2014

### Flushable Does Not Always Mean Flushable

Your toilet is not a trash can. Many items marked as disposable and/or flushable do not degrade like toilet paper, and they wind up clogging pipes, tangling pumps, and causing messy sewer problems. For example, wipes that are advertised as flushable do not degrade and cause sewer issues. **What can YOU do?** Only flush human waste and toilet paper. **Think Before You Flush.**



### State Water Shut Down

Every year around the first of November, State Water shuts down for maintenance and repair for approximately 2 to 3 weeks. During this time, our customers should not see or smell any changes in the quality of the water. Please continue water conservation efforts. The exact dates will be published on the city's website, once known.

### Water Use Calculator

Use this simple calculator to find your average annual water use and learn ways to save at:

<http://www.saveourh2o.org/water-use-calculator>

### Coastal Cleanup Day September 21st 9am - Noon

North Morro Stand  
Beach  
(Yerba Buena and  
Beachcomber)  
Contact Damaris  
772-6265 or  
dhanson@morro-  
bay.ca.us for info



### Water Reclamation Facility Project Update

The City is soliciting your input on the development of a NEW Water Reclamation Facility (WRF). In order for the City Council to make the best planning decisions for siting and developing a new WRF, the City has and will be soliciting citizen input on this important project. The team of John Rickenbach, Debbie Rudd, Kevin Merk, and Mike Nunley has been hired to assist the City in project planning based on community values for the planning, design, and construction of a new WRF at an alternative location. The team has conducted stakeholder interviews and moderated a workshop on August 15 to solicit public input on the project. Also, the City has set up a page on the project website to take in additional information. Additional workshops are scheduled for September and October to educate and gather input from the local community. This charts a path of site selection and other important community decisions that are needed to see the WRF project move forward with success. The Council's goal is to make these decisions by the end of 2013. Information on the new WRF is updated regularly on the City web site (<http://www.morro-bay.ca.us/newwrf>); sign up on the Notify Me list on the City's web site to receive information regarding upcoming activities related to the development of the new WRF.

# Utility Newsletter Update

## Who to Call

Ever wondered who to ask for at Public Services to get your Water and Wastewater questions answered? Here's your guide to the Public Services Department Utility Management Staff.  
Phone: 772-6261  
Fax: 772-6268

## Public Services Director

Rob Livick, PE/PLS

## Engineering/Capital Projects

Rick Sauerwein  
Barry Rands  
Jarrod Whelan  
Damaris Hanson  
Kay Merrill

## Water System

Jamie James

## Wastewater Collections

Dave Zevely

## Wastewater Treatment

Bruce Keogh

## Water Billing

Amy Watterworth  
Phone: 772-6222

## Are there **FROGS** in your sewer line? Fats, Roots, Oils, Grease and Swiffers



Pet Waste



Cleaning



Medication



Paper Towels

“FROGS” is an easy way to remember five things that can block your private sewer lines and must be avoided, namely: Fats, Roots, Oils, Grease and Swiffers

Roots from trees and shrubs are a major cause of obstructions in private sewer lines in our City. Root obstructions can cause sewage to back up into homes and businesses, flow onto private property and/or overflow from manholes into the street.

Fats, Oils and Grease are another major cause of blockages in private sewer lines and can cause similar blockage.

Swiffers, or disposable cleaning cloths, add to causes for sewer overflows and create additional sewer lift station maintenance because pumps tend to “rag up” with these products. Swiffers are not flushable, even though the product packaging may say they are disposable. These products should be thrown in the trash, not the toilet.

The maintenance and repair of the private sewer line that attaches your building to the city main is the responsibility of the property owner, so please keep FROGS out of your sewer line and you may prevent a sewage spill that can cause damage to your property, that is expensive to repair, and highly inconvenient to everyone. In addition, a spill may cause public

**THE CITY SEWERS ARE DESIGNED TO DISPOSE OF TWO AND ONLY TWO VERY SPECIFIC THINGS:  
HUMAN WASTE AND TOILET PAPER  
“FLUSHABLE” does not always mean flushable!**



Oil / Grease



Dental Floss



Wipes



Cotton Swabs

**POSTAL CUSTOMER**

PRRST STD  
U.S. POSTAGE  
**PAID**  
San Luis Obispo, CA  
Permit No. 7



City of Morro Bay  
955 Shasta Avenue  
Morro Bay, CA 93442

**NO GREASE**

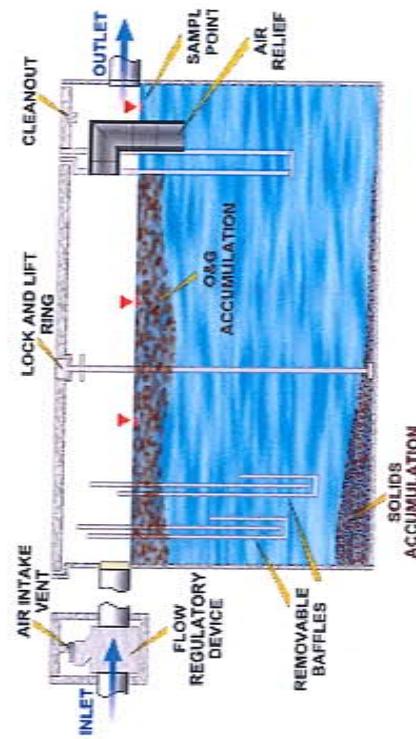


**NO GRASA**



**GREASE TRAP CLEANING PROCEDURE**

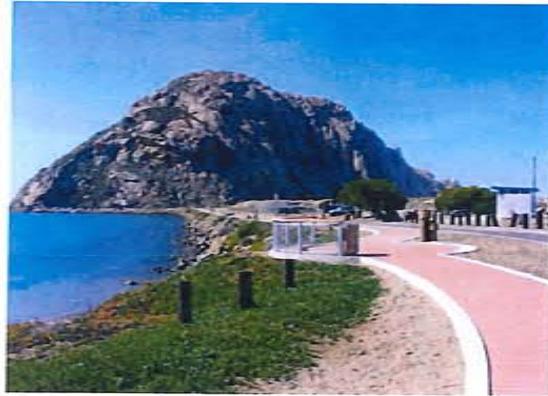
- 1 Dip the grease out of the trap and deposit it in a watertight container.
- 2 Remove baffles if possible.
- 3 Bail out water in the trap to facilitate cleaning. (Discharge water to the sewer.)
- 4 Scrape the interior parts of the trap with a putty knife and place the grease into the watertight container.
- 5 Replace the baffle and lid.
- 6 Contact a grease hauler to pick up the grease.
- 7 Complete the maintenance log.



Grease trap illustration & procedure by Brown & Caldwell

Fats, Oils and Grease degrade water quality in our creeks, estuary and bay when discharged to a storm drain. These materials can enter the storm drain system by washing off outdoor surfaces and cleaning grease-laden equipment outside.

**REMEMBER:** Anything that enters a storm drain ends up in our creeks, estuary, and bay then eventually flows untreated into the ocean. Although you may think the impact of one business is insignificant, the combined pollution of an entire city can be monumental.



Morro Bay Harborwalk

For more information about the Pretreatment Program or the City's Municipal Storm Water Program, please call Jim Hayes, Wastewater Collections Supervisor or Rob Livick, City Engineer at (805) 772-6261.



City of Morro Bay  
Public Services  
Department

*The City's sewer collection system is experiencing problems with Fats, Oil and Grease (FOG).* Excessive FOG coats the pipelines and can cause blockages in both private sewer laterals and in the City's sewer mains causing Sanitary Sewer Overflows (SSOs) which can flow to the creeks or Bay. Additionally, the water quality of our creeks, estuary and bay can be adversely affected by outdoor housekeeping practices.

Food establishments are the largest non-domestic contributors of FOG to the City's collection system. Although the City Municipal Code can require grease removal devices to be installed to capture the grease, the installation of these devices alone is not enough to prevent FOG from entering sewer laterals and City mains.

A City sewer main coated with grease.



**THE CITY NEEDS YOUR HELP** to prevent FOG from entering our sewers and storm drains. The City is asking food establishments to implement a training program for all employees that include Best Management Practices (BMPs) to reduce FOG from entering the city's collection system, creeks, estuary and bay. This brochure contains a list of common BMPs that should be reviewed with all current employees on a regular basis and any new hires. The BMPs are easy to

implement and will help to reduce the amount of FOG from passing through the grease removal device to the sewer lateral and City main.



City crew members cleaning a sewer main using the Vac-con truck.

Also included is the procedure for cleaning a grease trap for those establishments that perform the maintenance themselves.

**BENEFITS:** Both restaurant owners and the City will benefit from proper maintenance of grease removal devices combined with BMPs. Owners will reduce the possibility of sewer blockages and SSOs frequently caused by FOG that can require costly repairs and possible temporary closure of the business.

Additionally, less preventative maintenance and fewer SSOs caused by FOG will allow the Utilities Department to perform other required infrastructure work.

Special Thanks to:



BMPs	Reason	Benefits
<b>General Best Management Practices (BMPs)</b>		
Train all staff on BMPs.	Staff will be more willing to support an effort if they understand its basis.	Trained staff will be more likely to implement BMPs and work to reduce grease discharges to the sewer.
Post "No Grease" signs above sinks.	Signs serve as a constant reminder to staff of proper grease disposal practices.	Reduction of grease entering the drain and reduces the cleaning frequency of the grease removal device.
"Dry wipe" pot, pans and kitchen equipment before cleaning.	"Dry wiping" will reduce the amount of grease going into the grease removal devices and the sewer.	This will reduce the cleaning frequency and maintenance costs for grease removal devices and reduce the amount of grease entering the drain.
Use absorbents such as paper towels to pick up oil and grease spills prior to mopping.	Decreases the amount of grease that will be put down the drain.	This reduces the amount of grease entering the drain and protects sewers from grease blockages and overflows.
Dispose of food waste as solid waste.	Dispose of food waste to the trash.	Solid waste disposal of food waste will reduce the frequency and cost of grease removal device cleaning.
Use screens in sinks and floor drains to capture food waste and dispose of properly into the trash.	Food waste can cause sewer lateral blockages.	Proper disposal of food waste will protect laterals and sewer mains from blockages and overflows.
Collect and recycle waste cooking oil.	Excess oil is prevented from entering the grease removal device and the sewer.	Reduction in the cleaning frequency of the grease removal device and less grease being passed to the sewer.
<b>Grease Trap/Interceptor Maintenance BMPs</b>		
Complete grease trap or interceptor maintenance log to document cleaning intervals.	Maintenance log can help your facility determine if cleaning frequency of the grease removal device is sufficient.	A proper cleaning frequency will result in less grease accumulating in the lateral, fewer blockages and less pass through to the sewer lines.
Clean grease traps at a frequency that will prevent the accumulation of grease or pass through to the sewer.	Routine cleaning of the grease removal device ensures efficient operations.	Routine cleaning will prevent grease from passing through to the sewer lateral and from accumulating in the sewer mains.
Use water temperatures less than 140° F in all sinks, especially in the pre-rinse sink.	Temperatures above 140° F will dissolve grease, which will re-solidify in the sewer lines.	Reduces costs for the energy to heat the water. Sewer lateral remains free of grease.
Have a manager present during grease trap/interceptor cleaning to ensure the unit is properly serviced.	The manager can ensure that the grease removal device is properly cleaned and no shortcuts are taken.	Proper cleaning ensures that the grease removal device will function properly and efficiently.
Do not store anything on or around the grease removal device that will block access.	Proper maintenance is easier to complete if access to the grease removal device is not blocked.	Routine maintenance is more likely to be performed if the grease removal device is easily accessible.
<b>Outdoor Housekeeping/Storm Water BMPs</b>		
Clean floor mats and exhaust filters and other equipment inside.	Cleaning greasy equipment outside is one of the most common sources of FOG in our storm drains.	Grease and food waste will be properly disposed of and will not enter the storm drain where it will de-grade creek water quality.
Sweep or mop outdoor surfaces.	Sweeping and mopping outdoor surfaces will reduce non-storm water runoff and will save water.	Elimination of non-storm water discharges that degrade water quality.
Any water used to clean outside surfaces by contractors must be vacuumed up and disposed of properly.	The City Municipal Code prohibits discharging or dumping any sewage, garbage, rubbish or otherwise polluted water to any storm drain or natural outlet.	Improved water quality in our creeks and compliance with the City code.
Keep the area around the dumpster/trash storage clear of trash, debris, and grease.	Debris, trash, and grease can be washed into the storm drain during the rainy season.	Loose debris and trash will not enter the storm drain causing blockages and will not enter the waterways.



# City of Morro Bay

595 Harbor Street  
Morro Bay, CA 93442

Ph: (805) 772-6277  
Fax: (805) 771-1804  
E-mail: [jhayes@morro-bay.ca.us](mailto:jhayes@morro-bay.ca.us)

Nº 2076

DATE

## SITE VISIT / TRAP INSPECTION

NAME OF BUSINESS	PURPOSE OF VISIT SITE VISIT <input type="checkbox"/> SAMPLE <input type="checkbox"/> GREASE TRAP <input type="checkbox"/>
OWNER/CONTACT	
STREET	CONDITION OF TRAP GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR <input type="checkbox"/>
TELEPHONE	
FAX	INSPECTOR

## REMARKS

REMARKS

OWNER / CONTACT

# Appendix D

---

SSMP Modifications

**Attachment A:** Working list of modifications to the SSMP





AGENDA NO: A-8  
MEETING DATE: May 13, 2014

## Staff Report

**TO:** Honorable Mayor and City Council                      **DATE:** May 13, 2014  
**FROM:** Cindy Jacinth, Associate Planner  
**SUBJECT:** Resolution 30-24 approving an Addendum to the Mitigated Negative Declaration - Morro Creek Multi-Use Trail and Bridge Project.

### RECOMMENDATION

Staff recommends adopting City Council Resolution 30-14, making the necessary findings for approval of the Addendum to the adopted Mitigated Negative Declaration and reaffirm the Conditional Use Permit (#UP0-371) for the construction of the Morro Creek Multi-Use Trail and Bridge Project.

### ALTERNATIVES

Reject the Addendum and amend Planning Condition #1 to construct the project without lighting.

### FISCAL IMPACT

By approving this project, the City will commit to funding design and construction of the additional lighting as an integral part of the project. The estimated construction cost is an additional \$130,000.

### BACKGROUND

On January 14, 2014, City Council adopted the Mitigated Negative Declaration and approved Conditional Use Permit (#UP0-371) for the Morro Creek Multi-Use Trail and Bridge project. The approval included a modification of Planning Condition #1, as was approved by the Planning Commission, at its December 18, 2013 meeting. That action revised Planning Condition #1 by directing the applicant to coordinate with regulatory agencies as necessary to provide a minimum level of lighting along the path to assure basic safety and security of the public during non-daylight hours. Said lighting is to be no higher than 4' from the ground surface and shielded to prevent impacts to the visual beauty of the night skyline.

Prepared By:   CJ      Dept Review: \_\_\_\_\_  
City Manager Review: \_\_\_\_\_  
City Attorney Review: \_\_\_\_\_

## **DISCUSSION**

Layout of the lighting system is complete and final design will be submitted with the construction drawings. The lighting plans for the project depict a total of 29 light fixtures at approximately 40 foot intervals extending on the south side of the proposed trail, from the intersection of Embarcadero Road and Coleman Drive, across the proposed bridge, to the terminus of Embarcadero Road just north of Morro Creek. An additional six fixtures will illuminate the 130-foot long by 12.5-foot wide (interior dimensions), clear-span, pedestrian and bicycle bridge across Morro Creek.

The lighting fixtures are proposed to be ground-mounted LED lights with 180 degree output and narrow beam light distribution. The lighting will be less than four feet in height and will be directed onto the boardwalk, path and bridge to avoid spillover onto adjacent areas. While light will not spill over to adjacent residential uses, it will be visible from off-site viewpoints; however, the proposed lighting would be consistent with similar existing adjacent facilities, and would not result in changes to the visual character or quality of the area, as seen from adjacent and nearby land uses, including Morro Rock and Morro Rock City Beach. A Visual Impact Assessment has been completed and concludes that no significant impacts will result from the addition of the lighting.

The California Coastal Commission will consider a waiver of the Coastal Development Permit requirement at its May 15, 2014 meeting in Inverness, CA.

## **PROJECT SPECIFICS**

### ***Environmental Determination***

The original Initial Study/Mitigated Negative Declaration was routed to the State Clearinghouse (SCH#2013101083) pursuant to CEQA guidelines for public and agency review on October 28, 2013 for the required 30 day public comment period. The Visual Impact Assessment, as performed by Rincon Consultants, has determined that the addition of the low-level lighting as designed for this project will create no significant impacts so no additional mitigation is needed.

## **CONCLUSION**

This project will complete the Harborwalk project, and with the construction of the bridge, will close a gap in the State's Scenic Byway. The addition of lighting, as designed, will provide an added measure of safety and security for users of this much anticipated multi-use trail and bridge project. The project as conditioned remains consistent with the General Plan, Local Coastal Plan, and Municipal Code, therefore staff recommends approval of City Council Resolution 30-14 in order to satisfactorily comply with Planning Condition #1 as modified by City Council at its January 14, 2014 meeting.

## **ATTACHMENTS**

Exhibit A- City Council Resolution 30-14

Exhibit B- Addendum to the Mitigated Negative Declaration: Morro Creek Multi-use Trail and Bridge Project dated March 2014.

**RESOLUTION NO. 30-14**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA,  
ADOPTING THE ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION  
AND REAFFIRM CONDITIONAL USE PERMIT (#UP0-371) FOR THE MORRO  
CREEK MULTI-USE TRAIL AND BRIDGE PROJECT.**

**THE CITY COUNCIL  
City of Morro Bay, California**

**WHEREAS**, Planning Commission conducted a public hearing on December 18, 2013 and forwarded a favorable recommendation to the City Council to adopt the Mitigated Negative Declaration and conditionally approve the Conditional Use Permit (#UP0-371); and

**WHEREAS**, City Council conducted a public hearing on January 14, 2014, for the purpose of considering the Mitigated Negative Declaration and the Conditional Use Permit (#UP0-371); and

**WHEREAS**, City Council action revised Planning Condition #1 by directing the applicant to coordinate with regulatory agencies, as necessary, to provide a minimum level of lighting along the path to assure basic safety and security of the public. Said lighting will be no higher than 4' from the ground surface and shielded to prevent impacts to the visual beauty of the night skyline; and

**WHEREAS**, notices of said public hearing were made at the time and in the manner required by law; and

**WHEREAS**, City Council has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing; and

**WHEREAS**, the City Council has reviewed this project in compliance with the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Morro Bay as follows:

**Section 1.** Findings. Based upon all the evidence, the Council finds:

**California Environmental Quality Act (CEQA)**

1. That for purposes of the California Environmental Quality Act, an Initial Study was prepared for the project which resulted in a Mitigated Negative Declaration (SCH#2013101083). A Visual Impact Assessment Addendum was added to the Mitigated Negative Declaration to evaluate the addition of low level lighting to assure basic safety and security of cyclists and pedestrians using the trail during non-daylight hours. This Addendum determined that no significant impacts would result from the lighting and no additional mitigations are required.

Therefore, with the incorporation of low-level lighting, the proposed lighting has been determined to have a less than significant impact on the environment.

**Conditional Use Permit Findings**

1. No additional conditions or mitigations are required as a result of the Addendum.

**Section 2.** Action. The City Council does hereby adopt the amended Mitigated Negative Declaration with no additional mitigations and reaffirm Conditional Use Permit (#UP0-371):

**PASSED AND ADOPTED** by the City Council of the City of Morro Bay at a regular meeting thereof held on the 13th day of May 2014 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
JAMIE L. IRONS, Mayor

**ATTEST:**

\_\_\_\_\_  
JAMIE BOUCHER, City Clerk

*City of Morro Bay*

# **Morro Creek Multi-Use Trail and Bridge Project**

*Addendum to the  
Final  
Initial Study –  
Mitigated Negative  
Declaration*



**March 2014**

# EXHIBIT B

---

***ADDENDUM TO THE  
FINAL  
INITIAL STUDY - MITIGATED  
NEGATIVE DECLARATION***

**MORRO CREEK MULTI-USE  
TRAIL AND BRIDGE PROJECT**

*Prepared by:*

City of Morro Bay Public Services Department  
Rob Livick, Public Services Director  
955 Shasta Avenue  
Morro Bay, CA 93442

*Prepared with the assistance of:*

Rincon Consultants, Inc.  
1530 Monterey Street, Suite D  
San Luis Obispo, California 93401

March 2014

---

# EXHIBIT B

---

*This report prepared on 50% recycled paper with 50% post-consumer content.*

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## INTRODUCTION

This document is an addendum to the Initial Study-Mitigated Negative Declaration (IS-MND) for the Morro Creek Multi-Use Trail and Bridge Project that was adopted by the Morro Bay City Council in January 2014. The addendum is required to address the possible environmental effects associated with a revision to the project description to add lighting to the project. The IS-MND stated that the project does not propose the installation of any lighting fixtures. However, due to safety concerns for pedestrians and bicyclists utilizing the boardwalk, path, and bridge during non-daylight hours, the project description has been revised to add low-level lighting to the project. The lighting fixtures will be ground-mounted LED lighting with 180 degree output and narrow beam light distribution (refer to Appendix). The lighting will be less than four feet in height and will be directed onto the boardwalk, path and bridge to avoid spillover onto adjacent areas.

According to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, an addendum to a previously adopted Final IS-MND is the appropriate environmental document in instances when “only minor technical changes or additions are necessary” and when the new information does not involve new significant environmental effects beyond those identified in an adopted IS/MND. The change being contemplated involves a minor revision to the previously proposed project. In addition, as discussed below, the proposed revision would result in no new significant environmental effects. As such, the addendum is the appropriate environmental document under CEQA.

This addendum includes a description of the currently proposed project and a comparison of the impacts of the revised project to those identified for the previously approved project, which was evaluated in the January 2014 Final IS-MND.

## PROPOSED PROJECT

The project is located at 1500 Embarcadero within Morro Bay and along the northern portion of the Morro Bay Embarcadero, adjacent to the existing Morro Bay Power Plant (MBPP). The City of Morro Bay is located along Highway 1 in central San Luis Obispo County, approximately 15 miles west of the City of San Luis Obispo. The project site is designated by the City of Morro Bay General Plan as Open-Space, Commercial/ Recreational Fishing and Planned Development (QA-2/CF/ PD). The Morro Bay Waterfront Plan identifies the project site as “Area 1: Morro Rock/Coleman Park” (Morro Bay Waterfront Plan, adopted 1996). Portions of the project site are located on property owned by Dynegy, but with an easement for public access.

The proposed project would extend the existing Morro Bay Harborwalk with a pedestrian boardwalk and separated Class I bike path to provide a connection between the Morro Bay waterfront and north Morro Bay. A 12-foot wide paved separated Class I bike path would extend from the Morro Bay Power Plant entry way to the intersection of Embarcadero Road and Coleman Drive. The pedestrian boardwalk and separated Class I bike path would extend from the existing Morro Bay Harborwalk, south of the parking area at Embarcadero Road and Coleman Drive, and continue northward adjacent to the unpaved portion of Embarcadero Road, to Morro Creek. Along this segment, the boardwalk improvements would include an 8-foot wide pedestrian boardwalk, a 2-foot bioswale, a 12-foot wide Class I bicycle path, and a 2-



foot shoulder. An approximately 130-foot long, 13-foot wide, clear span, pedestrian and bicycle bridge would extend the pedestrian boardwalk and bike path across Morro Creek to connect to north Morro Bay on Atascadero Road (State Route 41).

The adopted IS-MND states that project does not propose the installation of any lighting fixtures. However, due to safety concerns for pedestrians and bicyclists utilizing the boardwalk, path, and bridge during non-daylight hours, the City is proposing to add low-level lighting to the project. The lighting plans for the project (refer to Appendix) depict a total of 35 light fixtures extending on the south side of the proposed trail, from the intersection of Embarcadero Road and Coleman Drive, across the proposed bridge, to the terminus of Embarcadero Road just north of Morro Creek. The lighting design will be less than four feet in height and will be directed onto the boardwalk, path and bridge to avoid spillover into adjacent areas.

## ENVIRONMENTAL IMPACTS

This section addresses the pertinent environmental issues studied in the Final IS-MND, comparing the effects of the project currently proposed to the effects of the project that was the subject of the adopted Final IS-MND.

The Final IS-MND analyzed the full range of environmental issues addressed in the CEQA Appendix G checklist; however, the incorporation of low-level lighting into the project would not result in any new environmental effects with regard to issues such as air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, recreation, transportation/traffic, and utilities and service systems. Therefore; this discussion focuses primarily on the potential aesthetic impacts of the project.

### Aesthetics

According to the CEQA Appendix G checklist for aesthetic impacts, the proposed project would substantially degrade the existing visual character or quality of the site and its surroundings, or result in a significant impact if it would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. As described in the project description, the lighting design will be less than four feet in height and will be directed onto the boardwalk, path and bridge to avoid spillover into adjacent areas.

As described in the adopted IS-MND, the proposed multi-use recreational path and low-profile bridge across Morro Creek would be an extension of similar existing adjacent facilities. The addition of low-level lighting to the project would be consistent with similar existing adjacent facilities, and would not result in changes to the visual character or quality of the area, as seen from adjacent and nearby land uses, including Morro Rock and Morro Rock City Beach.

The lighting plans prepared by Thoma Engineering indicate that light levels from the proposed low-level lighting would not exceed 12.5 foot-candles at the source, and light spillage would decrease to less than 0.1 foot-candle within approximately 60 feet of the fixtures (depicted as a black line around each light fixture in the Appended figures). Light spillage refers to light measured in foot-candles, which reaches and illuminates objects beyond the intended target.



## Comparative Illumination of Typical Outdoor Light Sources

Light Source	Illumination Expressed in Foot-Candles (fc)
Direct Sunlight	10,000 to 13,000 fc
Full Daylight	1,000 fc
Overcast Day	100 fc
Dusk	10 fc
Twilight	1 fc
Typical City Street Light	0.5 to 1.5 fc
Full Moon	0.01 to 0.02 fc
Typical Interior Office	30 to 40 fc
Typical Living Room at Night	6 fc
Front Porch Lit With 60-Watt Bulb	1.5 to 3 fc

Illuminance-Recommended Light Levels: [www.EngineeringToolBox.com](http://www.EngineeringToolBox.com)  
Typical Light Levels: [www.lashen.com](http://www.lashen.com)  
Lighting White Paper: <http://phoenix.gov>

As indicated in the above table, 0.5 to 1.5 foot-candles is similar to what would be expected of a typical street light. The Morro Dunes RV Park is located north of the proposed site across Morro Creek, approximately 200 feet from the nearest proposed light fixture. The nearest existing residences are located approximately 1,400 feet east of the project site. Light spillage would decrease to less than 0.1 foot-candle within approximately 60 feet of the fixtures (depicted as a black line around each light fixture in the Appended figures); therefore, light would not spill over to these adjacent residential uses due to distance between the proposed light fixtures and the residences, as well as the intervening topography and vegetation. Therefore, impacts associated with the proposed project would remain less than significant, and no mitigation is required.



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# EXHIBIT B

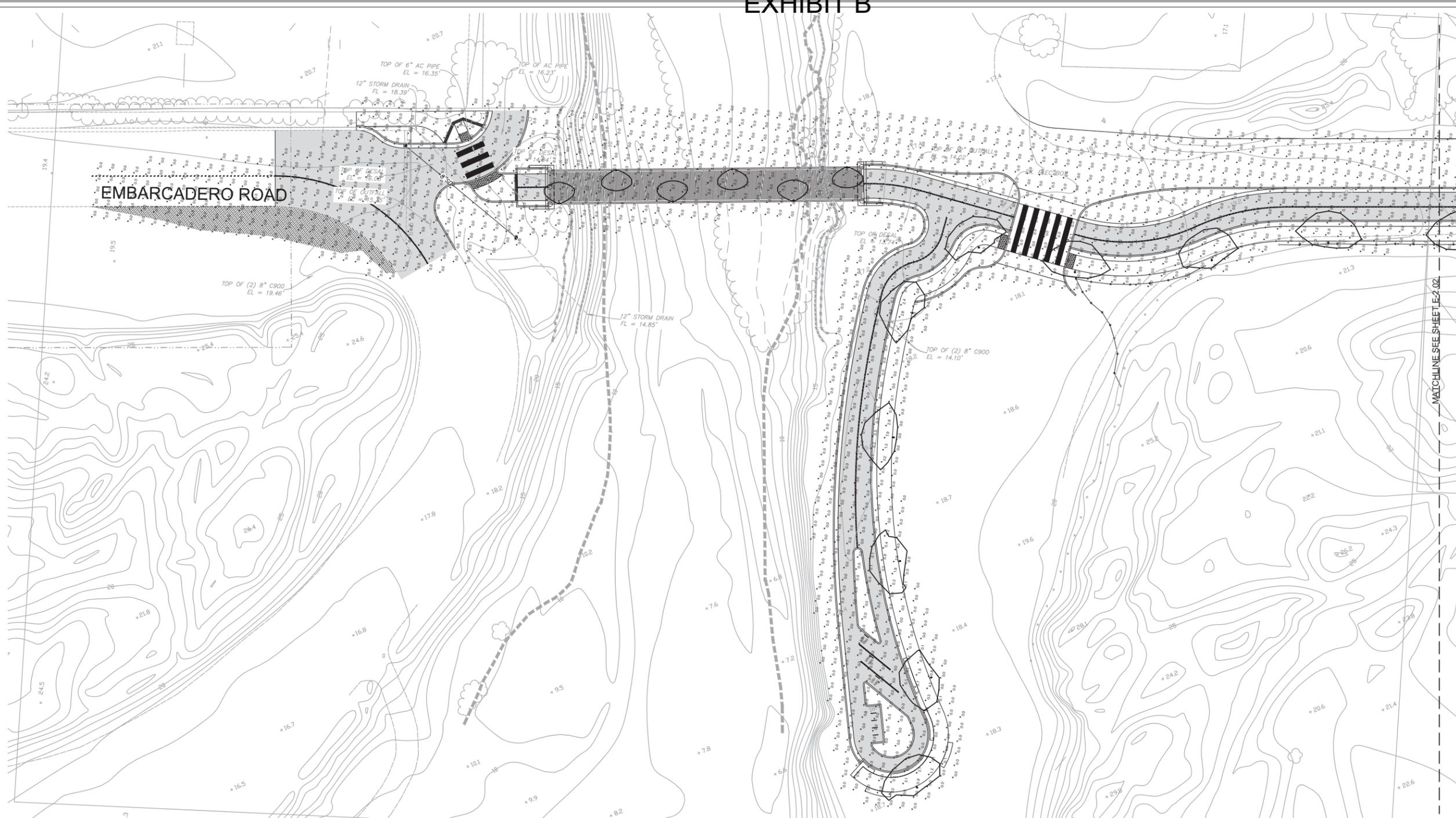
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## **Appendix** *Proposed Lighting*

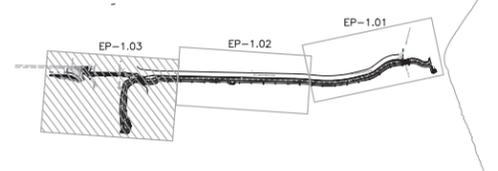




EXHIBIT B



NOTE: LIGHT FIXTURES CONTOUR LINES REPRESENT FOOT-CANDLES AT 0.1.



**KEY MAP**  
SCALE: 1" = 300'-0"  
NORTH

**SITE PLAN**  
SCALE: 1" = 20'-0"  
NORTH

**PRELIMINARY  
NOT FOR CONSTRUCTION**

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A California Corporation | Victor Montgomery, Architect FCI1100 | Larry McNeal, PE #3895, LS #278 | Jeff Foster, IA #784

MORRO CREEK MULTI-USE  
TRAIL & BRIDGE PROJECT  
PHOTOMETRIC SITE PLAN

NO.	REVISION	DATE

PROJECT MANAGER  
CJ  
DRAWN BY  
TH  
DATE  
FEBRUARY 21, 2013  
CAD FILE  
14-8019\_EP101-EP103.dwg  
JOB NUMBER  
1311040  
SHEET  
**EP-1.03**

Ground mounted luminaires with 180° light output with narrow beam light distribution

**Housing:** Constructed of one piece copper free die-cast aluminum alloy, removable for relamping, secured together with stainless steel screws which provide a pressure seal to gasket and glass.

**Enclosure:** Single "port" with clear borosilicate focusing lens or diffuse lens. Molded, one piece, high temperature silicone rubber gasket.

**Electrical:** 26W LED luminaire, 32 total system watts, -30°C start temperature. Integral 120V through 277V electronic LED driver, 0-10V dimming. LED module(s) are available from factory for easy replacement. Standard LED color temperature is 3000K with an 85 CRI. Available in 4000K (85 CRI); add suffix K4 to order.

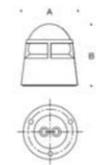
**Note:** LEDs supplied with luminaire. Due to the dynamic nature of LED technology, LED luminaire data on this sheet is subject to change at the discretion of BEGA-US. For the most current technical data, please refer to [www.bega-us.com](http://www.bega-us.com).

**Anchor Base:** Heavy duty stainless steel. Mounts to BEGA #891 A anchorage kit, supplied.

**Finish:** These luminaires are available in four standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV). To specify, add appropriate suffix to catalog number. Custom colors supplied on special order.

UL listed, suitable for wet locations. Protection class: IP67.

Type: \_\_\_\_\_  
 BEGA Product: \_\_\_\_\_  
 Project: \_\_\_\_\_  
 Voltage: \_\_\_\_\_  
 Color: \_\_\_\_\_  
 Options: \_\_\_\_\_  
 Modified: \_\_\_\_\_



1 port • 180° light output			
Lamp	A	B	Anchorage
8773LED 26W LED	9	9	891 A



BEGA-US 1000 BEGA Way, Carpinteria, CA 93013 (805) 684-0533 FAX (805) 566-9474 [www.bega-us.com](http://www.bega-us.com)  
 ©copyright BEGA-US 2013 Updated 10/13

winonaLED Project: \_\_\_\_\_

Qty: \_\_\_\_\_

Type: \_\_\_\_\_

STEP11 • Rectangle

STEP



STEP11 Rectangle  
 QUICK FIND #: QF-2050

**STEP11 Rectangle** is a surface mount step light with a concealed optic. Five LED white temperatures and six LED colors are available in both normal and high output configurations.

**Distribution:** Three light distribution patterns are available.

*Short:* For narrow corridors.  
*Medium:* For wide corridors.  
*Long:* For large area illumination.

**Construction:** Die-cast housing with solid aluminum, brass, or stainless steel faceplates.

**Mounting:** Luminaire is mounted to a Steel City 'CX' series or equivalent junction box (by others) with two exposed fasteners.

**Integral Driver:** Integral drivers available for 120V-277V AC in both dimming and non-dimming versions.

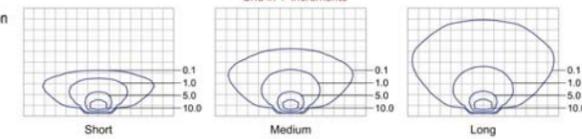
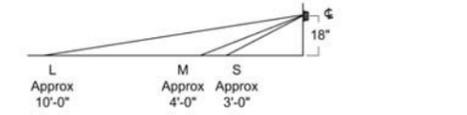
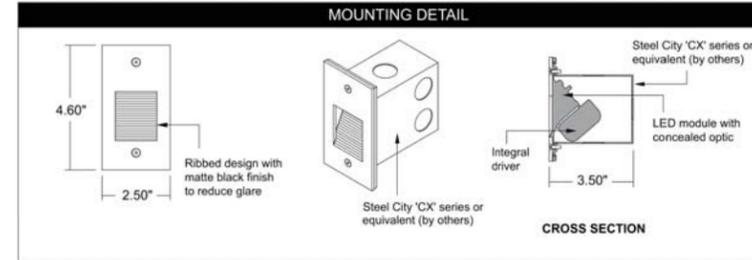
**Finish:** Recessed surfaces have a ribbed design with a matte black finish to reduce glare. Faceplates in *natural metal finishes* have protective clear top coat. Faceplates in *Painted* are finished with a two-part wet paint system. Primer only option allows for field painting.

**Dimming:** True 0-100% dimming is compatible with 0-10V fluorescent-type dimmer.

**Power Consumption:** Non-dimming unit consumes 2.5W (normal) or 3.5W (HO). Dimming unit consumes 4W (normal) or 6W (HO).

**ETL Listed:** Dry Location, Wet Location optional.

**Note:** Winona Lighting reserves the right to make design changes without prior notice.



Lumen Output at 30K/HO

Size	Lumens	Normal Lm/W	HO Lm/W
Short	50	7.1	14.1
Medium	60	8.6	17.3
Long	76	10.9	21.8

lighting facts®

See page 3 for lighting facts labels.

PRODUCT SPECIFICATION

LED - STEP11 - RECT		-		-		-		-	
SOURCE	MOUNT	FACEPLATE	DISTRIBUTION	LED CODE	VOLTAGE	FINISH	OPTIONS	SPECIAL	
LED	STEP11	RECT - rectangle  See individual submittals for these other options:  RND - round SQU - square	S - short M - medium L - long	27K - ansi-binned 2700K 27KH0 - ansi-binned 2700K high output 30K - ansi-binned 3000K 30KH0 - ansi-binned 3000K high output 35K - ansi-binned 3500K 35KH0 - ansi-binned 3500K high output 40K - ansi-binned 4000K 40KH0 - ansi-binned 4000K high output 50K - ansi-binned 5000K 50KH0 - ansi-binned 5000K high output 003 - amber normal output 003HO - amber high output 004 - blue normal output 004HO - blue high output 005 - cyan normal output 005HO - cyan high output 006 - green normal output 006HO - green high output 007 - red-orange normal output 007HO - red-orange high output 008 - red normal output 008HO - red high output  IES report available for normal & high output. (See website)	Non-Dimming ND120V - 277V  Dimming DM120V - 277V *  * 0-10V dimmer required (by others)	Natural Metal Finishes BAL - brushed aluminum BB - brushed brass BSS - brushed stainless steel PB - polished brass PSS - polished stainless steel CMF - custom metal finish (consult factory)  Painted Finishes AB5 - antique brass paint BBP - brushed brass paint LBPS - light bronze paint smooth LSP - light silver paint PGP - pale gold paint SGB - semi-gloss black paint SGW - semi-gloss white paint PRM - primer only CPF - custom paint finish (consult factory)	X - no options WL - wet location	STD - standard MOD - modified	
Modification:									

Visit [www.winonalighting.com](http://www.winonalighting.com) for the most complete and current information.

ETL All fixtures ETL listed, USA and Canada

WINONA solutions | forms | light AcuityBrands

Winona Lighting • 3760 West Fourth Street • Winona, MN 55987  
 800-328-5291 • [www.winonalighting.com](http://www.winonalighting.com)

Version 9/2013

Page 1 of 3

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 A California Corporation (Vestablogentry, Architect ACT1001) Amy Meador, PE #2686, LS #2076, LEED Accred. LEED AP

MORRO CREEK MULTI-USE  
 TRAIL & BRIDGE PROJECT  
 LIGHT FIXTURES

NO.	REVISION	DATE

PROJECT MANAGER: MS  
 DRAWN BY: RLH  
 CHECKED BY: MS  
 DATE: February 21, 2014  
 CAD FILE: EP-131104.dwg  
 JOB NUMBER: 1311040  
 SHEET: EP-1.04

K:\2011\1311040-Morro-Creek-Multi-Use-Trail-And-Bridge-Project\Drawings\EP-1.04.dwg, Feb 20, 2014, 11:52am, R/lospoke



AGENDA NO: **B-1**

MEETING DATE: **05/13/2014**

# Staff Report

**TO: Honorable Mayor and City Council      DATE: April 23, 2014**

**FROM: Susan Slayton, Administrative Services Director/City Treasurer**

**SUBJECT: Resolution No. 29-14 Declaring the Intention to Continue the Program and Assessments for the 2014/15 Fiscal Year for the Morro Bay Tourism Business Improvement District (MBTBID) and Scheduling a Public Hearing to Levy the Assessments**

## **RECOMMENDATION**

Council to:

1. Hold a public hearing to record testimony for/against the continuation of the MBTBID;
2. Review the MBTBID draft FY 2014/15 budget;
3. Adopt Resolution No. 29-14; and
4. Set the date of May 27, 2014 for a public hearing to levy the assessments.

## **ALTERNATIVES**

Council may:

1. Adopt Resolution No. 29-14, and set the date of May 27, 2014 for a public hearing to levy the assessments; or
2. Reject Resolution No. 29-14, and direct staff accordingly.

## **FISCAL IMPACT**

The 2014/15 draft budget from the Morro Bay Tourism Bureau is summarized below:

Revenues:	
Assessments	\$ <u>575,000</u>
Expenses:	
Marketing and promotion	\$ 573,000
Tourism Bureau administration	<u>2,000</u>
Total Expenses	\$ <u>575,000</u>

Prepared By: \_\_\_\_\_ Dept Review: \_\_\_\_\_  
City Manager Review: \_\_\_\_\_  
City Attorney Review: \_\_\_\_\_

## **SUMMARY**

This is the annual reaffirmation of the MBTBID and intention to continue the 3% assessments, as required by California Streets and Highway Code Sections 36530-36537. Staff requests Council hold the public hearing to receive testimony for or against the continuation of the MBTBID, review the draft FY 14/15 budget, adopt Resolution No. 29-14, and set the date of the public hearing to authorize levying the assessments for May 27, 2014.

## **BACKGROUND**

The Morro Bay Tourism Business Improvement District (MBTBID) was established by Ordinance 546, dated April 27, 2009. It is an improvement district, composed of hotel businesses that self-assess 3% of the charges, per occupied room, per night, for all transient occupancies. The improvement district was established under the State of California Streets and Highway Code Sections 36500 *et seq.* Annual reaffirmation of the improvement district is required.

## **DISCUSSION**

This is the second step in the reaffirmation of the MBTBID, as required by California law. The financial reports were provided to City Council with the April 22, 2014 staff report. The draft FY 14/15 budget is presented, along with Resolution No. 29-14, which is the intent to continue the activities of the MBTBID and levy the 3% assessments.

## **CONCLUSION**

Staff requests Council hold the public hearing to receive testimony for or against the renewal of the MBTBID, review the draft FY 14/15 budget, adopt Resolution No. 29-14, and set the date of the public hearing to authorize levying the assessments for May 27, 2014.

## **ATTACHMENTS**

1. Resolution No. 29-14
2. Draft 2014/15 budget from the Morro Bay Tourism Bureau

**RESOLUTION NO. 29-14**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MORRO BAY, CALIFORNIA,  
DECLARING THE INTENTION TO CONTINUE THE PROGRAM AND  
ASSESSMENTS FOR THE 2014/15 FISCAL YEAR FOR THE  
MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT (MBTBID)**

**THE CITY COUNCIL  
City of Morro Bay, California**

**WHEREAS**, the Parking and Business Improvement Area Law of 1989, Sections 36500 *et seq.*, of the California Streets and Highway Code authorizes cities to establish and review business improvement areas for the purpose of promoting tourism; and

**WHEREAS**, on April 13, 2009, City Council held a public hearing, and introduction and first reading of Ordinance 546 to establish the Morro Bay Tourism Business Improvement District (MBTBID), and

**WHEREAS**, on April 27, 2009, City Council, approved Ordinance 546; and

**WHEREAS**, on April 10, 2014, the advisory board requested the renewal of the TBID for the 2014/15 fiscal year to continue its activities; and

**WHEREAS**, all other findings of Ordinance 546 to establish the TBID remain unchanged; and

**WHEREAS**, on April 22, 2014, City Council conducted a public meeting where staff presented the annual financial report for the fiscal year 2012/13 (the fourth year of the TBID), the adopted budget for fiscal year 2013/14, and proposed fiscal year 2014/15 budget, all of which are attached to this Resolution as Exhibit A; and

**WHEREAS**, the budget generally describes the funded activities to be marketing, which attracts and extends overnight stays in Morro Bay hotels, as well as operation of the Visitors Center, whose outreach to potential visitors is key; and

**WHEREAS**, at the public meeting held on April 22, 2014, City Council additionally set the public hearing for the intent to levy the TBID assessment for May 13, 2014, at 7:00 p.m., to be held at the Morro Bay Veterans Memorial Hall located at 209 Surf Street, Morro Bay, California, in accordance with the California Streets and Highway Code Sections 36524 and 36525.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Morro Bay as follows:

1. The above recitations are true and correct, and incorporated herein by reference.

2. The City Council, having affirmed the annual report and budgets on April 22, 2014, at a regular meeting, declares its intention to renew the Morro Bay Tourism Business Improvement District for the 2014/15 fiscal year, and to levy and collect 3% assessments from hoteliers.
3. The City Council sets the date of the public hearing to adopt a Resolution to reaffirm the MBTBID, and levy and collect the 3% assessments from hoteliers as Tuesday, May 27, 2014.

**PASSED AND ADOPTED** by the City Council of the City of Morro Bay, at a regular meeting thereof held on the 13<sup>th</sup> day of May, 2014, by the following vote:

AYES:

NOES:

ABSENT:

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JAMIE L. IRONS, Mayor

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JAMIE BOUCHER, City Clerk

**CITY OF MORRO BAY**

**2014/15 PROPOSED FISCAL BUDGET**

**MORRO BAY TOURISM BUSINESS IMPROVEMENT DISTRICT**

		<b>2012/13 Actual</b>	<b>2013/14 Amended Budget</b>	<b>2014/15 Proposed Budget</b>
Beginning cash balance	\$	69,482	\$ 70,828	\$ 70,828
Revenues from:				
Assessments		567,434	550,000	575,000
Interest		264	-	-
Visitors Center - City Contribution		-	102,168	-
Promotion - City Contribution		58,425	58,425	-
Promotion - Council bequest		68,500	58,000	-
Transfer in		-	-	-
Subtotal		694,623	768,593	575,000
Expenditures for capital outlay:				
Tourism promotion		(662,277)	(766,593)	(573,000)
AGP video		(6,000)	(2,000)	(2,000)
Transfers to General Fund		(25,000)	-	-
Subtotal		(693,277)	(768,593)	(575,000)
Revenues over (under) expenditures		1,346	-	-
Ending cash balance	\$	70,828	\$ 70,828	\$ 70,828



AGENDA NO: B-2

MEETING DATE: May 13, 2014

# Staff Report

**TO:** Honorable Mayor and City Council **DATE:** May 13, 2014

**FROM:** Michael Wilcox, Acting Recreation and Parks Director

**SUBJECT:** Resolution No. 28-14 Approving the Engineers Report and Declaring the Intent to Levy the Annual Assessment for the North Point Natural Area Landscaping and Lighting Maintenance Assessment District

## **RECOMMENDATION**

Staff recommends City Council adopt Resolution No. 28-14 approving the Engineer's Report and declaring the intent to levy the annual assessment for the maintenance of the North Point Natural Area.

## **FISCAL IMPACT**

Based on the Engineer's Report, which estimates the annual costs of maintaining the North Point Natural Area for the upcoming fiscal year, the fiscal impact is estimated at \$5,645. Those costs will be offset by the collection of an assessment for the same amount from the parcel owners in the North Point Subdivision.

## **SUMMARY**

On April 8, 2014, City Council adopted Resolution No. 22-14, which initiated the proceedings to levy the annual assessment to fund the maintenance of the North Point Natural Area. Additionally, staff was directed to have an Engineer's Report prepared, detailing the estimated annual assessment for the parcel owners for fiscal year 2014/15. Upon adoption of Resolution No. 28-14, the next and final step in the annual levy of assessment process is the protest hearing/public hearing after which the City Council orders the levy of assessment.

## **BACKGROUND/DISCUSSION**

As part of the annual assessment process, staff is required to provide an Engineer's Report, which is an estimate of costs for maintenance of the North Point Natural Area. The cost estimates are based on the maintenance standards currently adhered to in existing parks within Morro Bay and included in the Flat Rate Manual for Parks Maintenance, as well as maintenance costs from the current fiscal year. The estimate for the maintenance of the North Point Natural Area is \$5,645 or \$564.50 per parcel for fiscal year 2014/15.

Prepared By: MW Dept. Review: MW

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

Personnel costs, as well as supplies and services, have risen significantly in the last several years. However, due to the small acreage, natural landscaping and little irrigation in the North Point Natural Area, the assessment amount collected is currently adequate to cover the costs of maintenance.

### **CONCLUSION**

The process for the annual levy of assessment for the North Point Natural Area Landscaping and Lighting Maintenance Assessment District requires the City Council to receive the Engineer's Report, approve and/or modify the report and adopt a Resolution of Intention. The Resolution of Intention gives notice of the time, date and place for a public hearing by the City Council on the issue of the levy of assessment. The protest hearing/public hearing has been set for June 24, 2014, at 7:00 p.m., at the Veteran's Memorial Building. Upon adoption, a summary of the Resolution of Intention shall be published in the newspaper as a legal notice of public hearing, at which all interested parties will be afforded the opportunity to be heard either through written or oral communication. In addition, the City sends public notices via first class mail to all property owners on record in the Assessment District. Upon completion of the protest hearing/public hearing on June 24, 2014, the City Council may adopt the resolution ordering the levy of the annual assessment.

**RESOLUTION NO. 28-14**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA,  
APPROVING THE ENGINEER'S REPORT AND  
DECLARING THE CITY'S INTENTION TO LEVY  
THE ANNUAL ASSESSMENT FOR THE MAINTENANCE  
OF THE NORTH POINT NATURAL AREA  
LANDSCAPING AND LIGHTING MAINTENANCE  
ASSESSMENT DISTRICT PURSUANT TO THE  
"LANDSCAPING AND LIGHTING ACT OF 1972"  
(STREETS AND HIGHWAYS SECTIONS 22500 *ET SEQ.*)**

**THE CITY COUNCIL  
City of Morro Bay, California**

**WHEREAS**, all property owners of the North Point subdivision requested the City of Morro Bay form a maintenance assessment district to fund the maintenance of the North Point Natural Area; and

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act") enables the City to form assessment districts for the purpose of maintaining public improvements; and

**WHEREAS**, pursuant to Section 22623 of the Act, the City Engineer has filed in the Office of the City Clerk, and submitted for review to the City Council, a report entitled "Engineers Report North Point Natural Area Landscaping and Lighting Maintenance Assessment", dated May 1, 2014, prepared in accordance with Article 4 of the Act, commencing with Section 22565 (the "Engineer's Report"); and

**WHEREAS**, pursuant to Section 22608.2 of the Act, the subdivider(s) were required by City ordinance to install improvements for which an assessment district was required in order to assure continued and uninterrupted maintenance of the North Point Natural Area; and

**WHEREAS**, pursuant to the intent of Article XIII, Section 4, of the California Constitution, the property owners have elected to form the North Point Natural Area Landscaping and Lighting Maintenance Assessment District.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Morro Bay,

Section 1. The City Council approves the Engineer's Report.

Section 2. It is the intent of the Council to order the annual levy and collection of assessments for the North Point Natural Area Landscaping and Lighting Maintenance Assessment District generally located as shown in Exhibit "A" attached hereto at a public hearing to be held June 24, 2014 at 7:00 p.m. in the Veteran's Memorial Building, 209 Surf Street, Morro Bay, CA.

Section 3. The improvements to be maintained at the North Point Natural Area are specified in the Engineer's Report dated May 1, 2014 which is hereby approved.

Section 4. The assessment upon assessable lots within the district is proposed to total \$5,645 or \$564.50 per assessable parcel for fiscal year 2014/15.

**PASSED AND ADOPTED** by the City Council of the City of Morro Bay at a regular meeting thereof held this 13<sup>th</sup> of May, 2014 by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

---

**JAMIE L. IRONS, MAYOR**

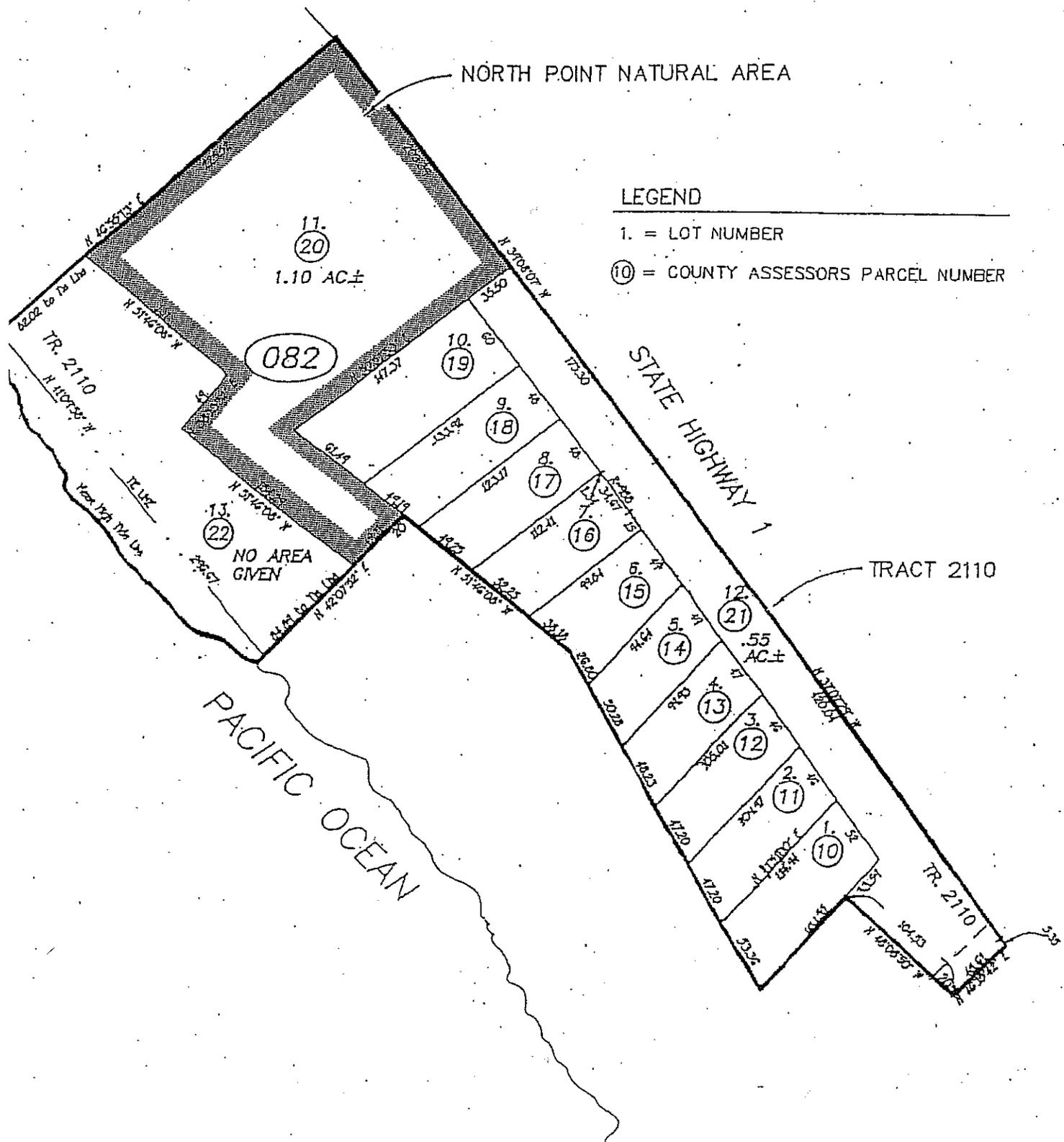
**ATTEST:**

---

**JAMIE BOUCHER, CITY CLERK**

# NORTH POINT NATURAL AREA LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT

## ASSESSMENT DIAGRAM



### LEGEND

1. = LOT NUMBER

⑩ = COUNTY ASSESSORS PARCEL NUMBER

**CITY OF MORRO BAY**

**NORTH POINT NATURAL AREA  
LANDSCAPING AND LIGHTING  
MAINTENANCE ASSESSMENT DISTRICT**

**ENGINEER'S REPORT**

**May 1, 2014**

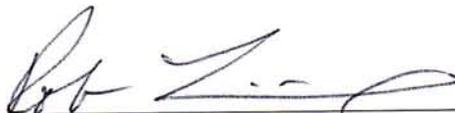
*AFFIDAVIT FOR THE ENGINEER'S ANNUAL REPORT*

CITY OF MORRO BAY

NORTH POINT NATURAL AREA  
LANDSCAPING AND LIGHTING  
MAINTENANCE ASSESSMENT DISTRICT

This report describes the proposed maintenance, improvements, budgets, zone of benefit and assessments to be levied on parcels of land within the NORTH POINT NATURAL AREA LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT for the fiscal year 2014/2015, as the same existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the San Luis Obispo County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council and, to the best of my knowledge, information, belief, the report, the assessments and diagrams have been prepared and computed in pursuant to the Landscaping and Lighting Act of 1972.

Dated this 1<sup>st</sup> day of May, 2014

  
\_\_\_\_\_  
Rob Livick, PE/PLS – Public Services Director/City Engineer



**CITY OF MORRO BAY**  
**NORTH POINT NATURAL AREA**  
**LANDSCAPING AND LIGHTING**  
**MAINTENANCE ASSESSMENT DISTRICT**  
**ENGINEER’S REPORT**

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3. Maintenance Costs	1
4. Apportionment of Assessment	2
Assessment Diagram	3
Maintenance Task List	Attachment A
Detailed Cost Analysis	Attachment B

**CITY OF MORRO BAY  
NORTH POINT NATURAL AREA  
LANDSCAPING AND LIGHTING  
MAINTENANCE ASSESSMENT DISTRICT**

**ENGINEER'S REPORT**

**I. Project Description**

As a condition of approval for Tract No. 2110, the North Point subdivision, the developers were required to offer to the City for dedication Lot 11 of the subdivision for park purposes, and to construct improvements on Lot 11 including a paved parking area, a stairway providing access to the beach, benches, landscaping and irrigation, lighting, and other improvements. The subdivision was also conditioned to provide maintenance of the park by establishing an assessment district. Lot 11 of Tract No. 2110 is identified as the North Point Natural Area.

For a detailed description of the improvements, refer to the plans and specifications on file in the office of the City Engineer.

The owners of the ten residential lots within the North Point subdivision have requested that the City form a maintenance assessment district to fund the maintenance of the North Point Natural Area.

**II. Maintenance Tasks**

A list of maintenance tasks required to maintain the North Point Natural Area in acceptable condition for public use was developed by the City Recreation and Parks Department based on maintenance standards established for existing parks within the City and is included in this report as Attachment A.

**III. Maintenance Costs**

The estimated annual cost of maintaining the North Point Natural Area was developed by the Recreation and Parks Department based on the tasks required and the City's Flat Rate Manual for Parks Maintenance. The annual cost of maintenance for the 2014/15 fiscal year is estimated to be \$5,645.00. The detailed cost estimate is included in this report as Attachment B.

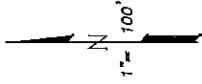
**IV. Apportionment of Assessment**

The total assessment for the District is apportioned to each of the ten residential lots equally. Lot 11, the North Point Natural Area; Lot 12, a private street; and Lot 13, an open space parcel to be granted to the State of California; are not assessed. Individual assessments are listed in the following table:

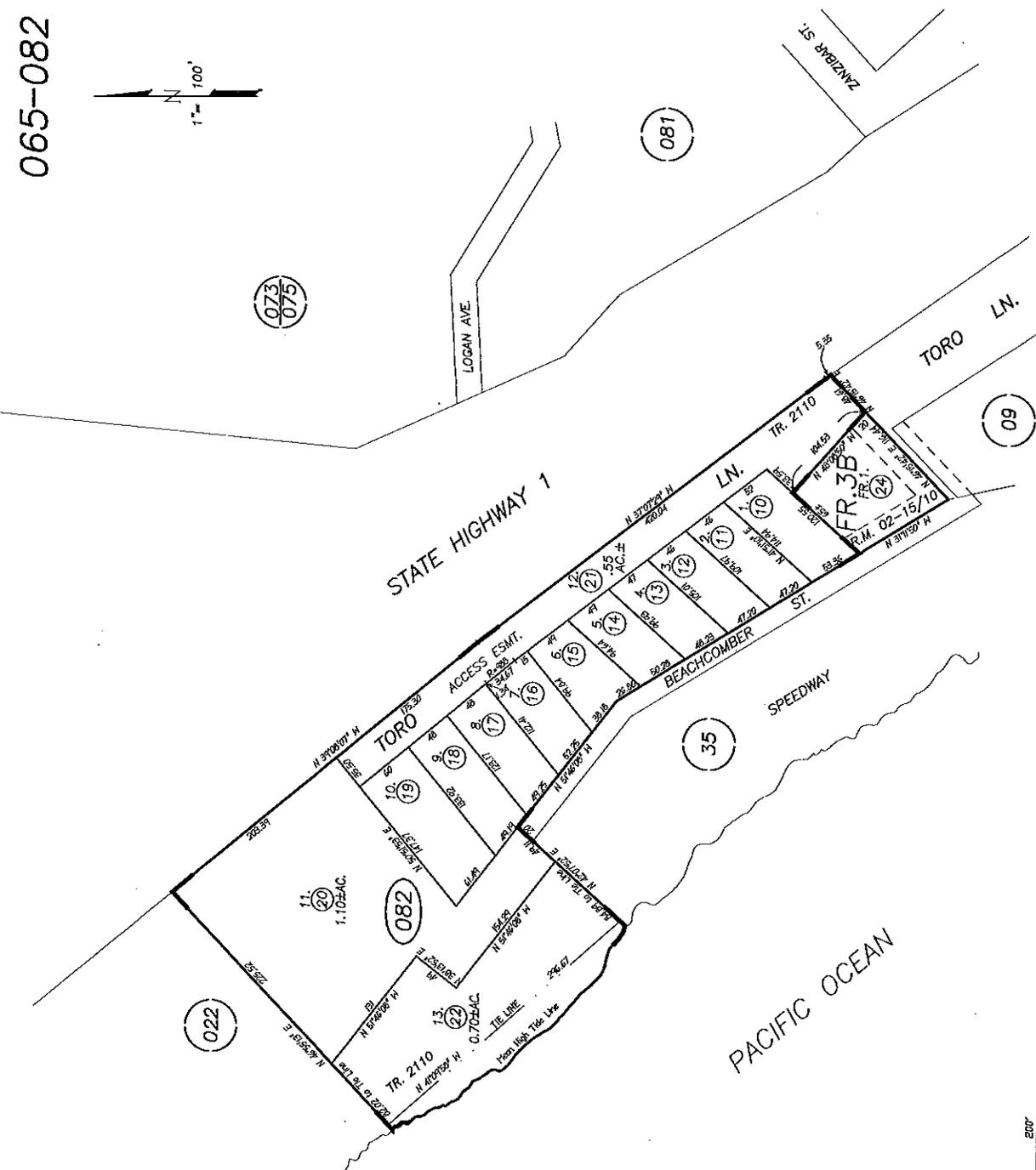
**Parcel/Assessment Table**

<b>Lot Number</b>	<b>County Assessor's Parcel Number</b>	<b>Annual Assessment</b>
1	065-082-10	\$564.50
2	065-082-11	\$564.50
3	065-082-12	\$564.50
4	065-082-13	\$564.50
5	065-082-14	\$564.50
6	065-082-15	\$564.50
7	065-082-16	\$564.50
8	065-082-17	\$564.50
9	065-082-18	\$564.50
10	065-082-19	\$564.50
11	065-082-20	\$ 0.00
12	065-082-21	\$ 0.00
13	065-082-22	\$ 0.00

065-082



065-082



CITY OF MORRO BAY  
ASSESSOR'S MAP COUNTY OF  
SAN LUIS OBISPO, CALIF.  
BOOK 065 PAGE 082

TRACT NO. 2110, R.M. Bk. 17, Pg. 28.  
ATASCADERO BEACH, R.M. Bk. 02, Pg. 15 (Sht. 10).

REVISIONS	
T.S.	DATE
MA	03-22-07
09-025	04-16-08

50' 0 100' 200'

THIS MAP IS PREPARED FOR  
ASSESSMENT PURPOSES ONLY.

CB  
09-25-04

## **Attachment A**

# **NORTH POINT NATURAL AREA LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT MAINTENANCE TASKS MAY 2013**

### **Routine Maintenance Tasks**

Review for vandalism/repair  
Pick-up - paper  
trash  
cigarette butts  
Empty - trash cans  
Clean - benches  
Check - fencing  
beach access stairway  
bike rack  
lights  
planting hillside, erosion

### **Weekly or as needed**

Blow paths, parking lot

### **Monthly or as needed**

Check trees  
Check/repair sprinkler system  
Trim trees and bushes as needed  
Critical parts inspections

### **Annually or as needed**

Paint beach access stairway, public access signage  
New plantings (replacement)  
General safety inspection  
Annual tree pruning  
Remove graffiti  
Mow open space  
Pest/gopher control  
Trim and spray paths  
Repair public access signage





step in the annual levy of assessment process is the protest hearing/public hearing after which City Council orders the levy of assessment.

Additional action that is recommended is for Council to acknowledge the City's previous subsidies of \$87,743.61 from the City's General Fund to cover the District for expenditures that exceeded the revenues achieved through the assessments. Because all but \$8,772.93 of those expenditures were made without express Council authorization or understanding from the property owners, the Interim City Attorney has advised the current Council should ratify those subsidies. That recommendation is also because, as a result of Proposition 218, the assessment cannot be increased to recover those subsidies without the property owners' approval.

### **BACKGROUND/DISCUSSION**

Tract 1996, known as the Cloisters development, is a 124-lot subdivision bounded by State Highway One at the east, Atascadero State Beach at the west, Morro Bay High School at the south, and Azure, Coral, and San Jacinto Streets at the north.

The Cloisters, prior to development, was a privately owned 80-plus acre expanse of open land. Prior to development, the property was historically used for lateral and vertical access and contained a large area of sensitive sand dunes abutting the eastern edge of Atascadero State Beach. Prior to development, the Cloisters was the subject of various land development proposals including an RV park, a 390-unit condominium development, a 466-unit single family residential development, a 455-unit mixed residential development, and a 213-unit residential development. None of these were approved.

It was well known, any development at the Cloisters was going to require a balance between continuation of lateral and vertical access within and through the property, while at the same time conserving the sensitive plant and wildlife resources present.

Zoning on most of the Cloisters site is Planned Development, Single-Family Residential with the sand dunes and wetlands zoned Environmentally Sensitive Habitat (ESH). The purpose of the Planned Development (PD) overlay zone is to provide for detailed and substantial analysis of development on parcels, which because of location, size or public ownership, warrant special review. That overlay zone was also intended to allow for the modification of, or exemption from, the development standards of the primary zone, which would otherwise apply if such action would result in better design or other public benefit.

On September 23, 1996, City Council passed Resolution No. 69-96, which accepted the final map for Tract 1996 known as the Cloisters Subdivision, consisting of 124 lots. Lots 1 through 120 were for single-family residential purposes, Lots 121, 122 (APN 065-386-005 & 016 on attached Assessor's Map) were for the 27.75-acre park and open space, Lot 124 was dedicated for a fire station and Lot 123 was offered to the state.

The findings and conditions of approval for the project were numerous. For example, City Council made findings the Cloisters project could cause significant environmental impacts relating to land use, visual/aesthetics, affordable housing, traffic generation, air quality noise, geology, drainage and

water quality, ecological resources, and public services; but those impacts were mitigated by the recommended conditions. In addition, City Council made further findings the Cloisters project was in compliance with the specific policies of the General Plan/Land Use Plan (GP/LUP) and Zoning Ordinance with respect to protection of views, environmentally sensitive resources, public access, circulation, hazards and other requirements so long as the environmental impacts were mitigated. Finally, City Council made other findings the Cloisters project complies with the Morro Bay Municipal Code (MBMC) with respect to optional subdivision design and related improvements, and the optional design is justified in order to contribute to a better community environment through the dedication of extensive public areas, restoration of the ESH area, provision of scenic easements, provision of larger than usual lots adjacent to such areas, and maintenance of a consistent lot layout pattern adjacent to existing development on the north side of Azure Street.

In order to mitigate the environmental impacts of the project, and to provide a greater than public benefit as required in a PD overlay zone, the conditions of approval for the project required the applicant to form an assessment district for the maintenance of the public park, bicycle pathway, right-of-way landscaping, coastal access ways, ESH restoration areas and any other improved common areas to be privately held or dedicated to the City. The public park area, as well as all open space improvements and the assessment district, were part of many detailed discussions during City and Coastal Commission hearings.

The assessment district formation proceedings began in August 1996, with all of the owners of the real property within the proposed district consenting in writing to the formation of the district pursuant to the Landscape and Lighting Act of 1972. The assessment district formation proceedings concluded with the final public hearing for formation on September 23, 1996, which levied the annual assessment of \$148,944 for the maintenance of the 27.75 acres of park and open space.

In preparing the various purchase and sale documents for each individual lot, including the Conditions, Covenants, and Restrictions, the developer was especially careful to call out the existence of the assessment district and to make certain the existence of the assessment district would not come as a surprise to anyone who purchased one of the lots. The Developer assured the City “There will be no surprises to prospective owners about the assessments or their amounts.”

In drafting all the project documents, the City and the developer reinforced the special benefits for the residents of the Cloisters Project with the public amenities and easements. Each Cloister’s lot directly benefits from the public park, bicycle pathway, right-of-way landscaping, coastal access ways, ESH restoration areas and coastal access ways. There was also created and reserved in favor of each owner in the Cloisters Development, Conservation Space in parcels 065-386-005 & 0065-386-016, and a Scenic Conservation Easement in parcel 065-386-020 for view, open space, scenic, passive recreation and coastal access, none of which will be developed with any improvements or structures, unless necessary and proper for the restoration and maintenance of the Environmentally Sensitive Habitat Area.

Each year since its formation, the City has used the same assessment rates and methodology, and assessed the Cloisters homeowners \$148,944 for the continued maintenance and operation of the public park, bicycle pathway, right-of-way landscaping, coastal access ways, ESH restoration areas

and coastal access ways as required by the conditions of approval and pursuant to the Landscape and Lighting Act of 1972. Unfortunately, the assessment district does not have a built-in cost of living increase, so each year the assessment does not automatically increase. The assessment has remained at the original \$148,944, even though costs to maintain the accessed parcels (065-386-005 & 065-386-016) have consistently increased over the years.

Attached to this staff report is a cash reconciliation that has been presented to the Cloisters residents. The reconciliation demonstrates in five separate fiscal years, expenditures exceeded revenues, with only one fiscal year (2004/05 in the amount of \$8,772.93) having supporting Council action approving that excess spending. The accumulation of this excess spending totals \$87,743.61. Based on that, the Interim City Attorney is recommending the current Council ratify those excess expenditures. With that ratification, the District will, for the first time, have a Capital Reserve Fund, and for the 2013/2014 Fiscal Year, that would be in the amount of \$25,271.36.

The Interim City Manager and Interim City Attorney have reviewed the manner in which the City's General Fund previous expenditures occurred. For most of those expenditures, the property owners were likely not aware of the needed additional funding, and with the passage of Proposition 218, those property owners cannot be required to pay increased assessments without their approval. Based on that, staff is recommending the Council not seek to recover those General Fund expenditures from the District.

As an alternative to creating a Capital Reserve Fund for the District, the Council could seek to have some or all of the \$25,271.36 used to repay some of those General Fund expenditures. However, staff believes that money could be better used to cover potential capital improvements needed by the District, and to cover increases in annual maintenance costs that are likely to occur. That Fund would help prevent the need for future subsidies from the General Fund.

## **CONCLUSION**

The process for the annual levy of assessment for the Cloisters Landscaping and Lighting Maintenance Assessment District requires the City Council receive the Engineer's Report, approve and/or modify the report and adopt a Resolution of Intention. The Resolution of Intention gives notice of the time, date and place for a public hearing by the City Council on the issue of the levy of assessment. The protest hearing/public hearing has been set for June 24, 2014, at the Veteran's Memorial Building. Upon adoption, a summary of the Resolution of Intention shall be published in the newspaper as a legal notice of public hearing, to which all interested parties are afforded the opportunity to be heard either through written or oral communication. In addition, the City sends public notices via first class mail to all property owners of record in the District. Upon completion of the protest hearing/public hearing on June 24, 2014, the City Council may adopt the resolution ordering the levy of the annual assessment.

**CITY OF MORRO BAY  
SCHEDULE OF CASH  
From February 1999 to Present**

<u>FISCAL YEAR</u>	<u>BEGINNING BALANCE</u>	<u>REVENUES</u>	<u>EXPENDITURES</u>	<u>G/F SUBSIDY</u>	<u>ENDING BALANCE</u>
1998/99	\$ 0.00	\$ 0.00	\$ (61,641.53)	0.00	\$ (61,641.53)
1999/2000	(61,641.53)	200,314.15	(129,191.08)	0.00	9,481.54
2000/01	9,481.54	154,270.92	(152,467.32)	0.00	11,285.14
2001/02	11,285.14	150,108.16	(178,932.97)	17,539.67	0.00
2002/03	0.00	152,743.02	(158,451.31)	5,708.29	(0.00)
2003/04	(0.00)	148,390.80	(153,200.34)	4,809.54	(0.00)
2004/05	(0.00)	151,937.62	(160,710.55)	8,772.93	(0.00)
2005/06	(0.00)	148,525.71	(148,488.87)	0.00	36.84
2006/07	36.84	149,096.82	(143,741.50)	0.00	5,392.16
2007/08	5,392.16	149,617.52	(151,124.81)	0.00	3,884.87
2008/09	3,884.87	148,944.00	(119,479.03)	0.00	33,349.84
2009/10	33,349.84	148,944.00	(143,232.53)	0.00	39,061.31
2010/11	39,061.31	148,944.00	(175,233.96)	0.00	12,771.35
2011/12	12,771.35	152,513.06	(216,197.59)	50,913.18	0.00
2012/13	0.00	145,374.94	(120,103.58)	0.00	25,271.36
				87,743.61	
			G/F subsidy		

**RESOLUTION NO. 27-14**

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA,  
DECLARING THE CITY'S INTENTION TO LEVY THE ANNUAL ASSESSMENT  
FOR CLOISTERS LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT  
DISTRICT PURSUANT TO THE "LANDSCAPING AND LIGHTING ACT OF 1972"  
(STREETS AND HIGHWAYS SECTIONS 22500 *ET.SEQ.*)**

**THE CITY COUNCIL  
City of Morro Bay, California**

**WHEREAS**, all property owners of the Cloisters subdivision requested the City of Morro Bay form a maintenance assessment district to fund the maintenance of the Cloisters Park and Open Space; and

**WHEREAS**, the Landscaping and Lighting Act of 1972 (Streets and Highways Code sections 22500 *et. seq.*) (the "Act") enables the City to form assessment districts for the purpose of maintaining public improvements; and

**WHEREAS**, pursuant to Section 22623 of the Act, the City Engineer has filed in the Office of the City Clerk, and submitted for review to the City Council, a report entitled "Engineer's Report - Cloisters Landscaping and Lighting Maintenance Assessment District", dated April 30, 2014, prepared in accordance with Article 4 of the Act, commencing with Section 22565; and

**WHEREAS**, pursuant to Section 22608.2 of the Act, the subdivider(s) were required by City Ordinance to install improvements for which an assessment district was required in order to assure continued and uninterrupted maintenance of the Cloisters Park and Open Space; and

**WHEREAS**, pursuant to the intent of Article XIII, Section 4, of the California Constitution, the property owners have elected to form the Cloisters Landscaping and Lighting Maintenance Assessment District.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Morro Bay it is the intent of the Council to order the annual levy and collection of assessments for the Cloisters Landscaping and Lighting Maintenance Assessment District generally located as shown in Exhibit "A" attached hereto at a public hearing to be held June 24, 2014 at 7:00 p.m. in the Veteran's Memorial Building, 209 Surf Street, Morro Bay, CA.

**BE IT FURTHER RESOLVED**, the improvements to be maintained at the Cloisters Park and Open Space are specified in the Engineer's Report dated April 30, 2014, which is hereby approved.

**BE IT FURTHER RESOLVED**, the assessment upon assessable lots within the district is proposed to total \$148,944 or \$1,241.20 per assessable parcel for Fiscal Year 2014/15.

**PASSED AND ADOPTED** by the City Council of the City of Morro Bay at a regular meeting held on this 13<sup>th</sup> day of May, 2014 by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

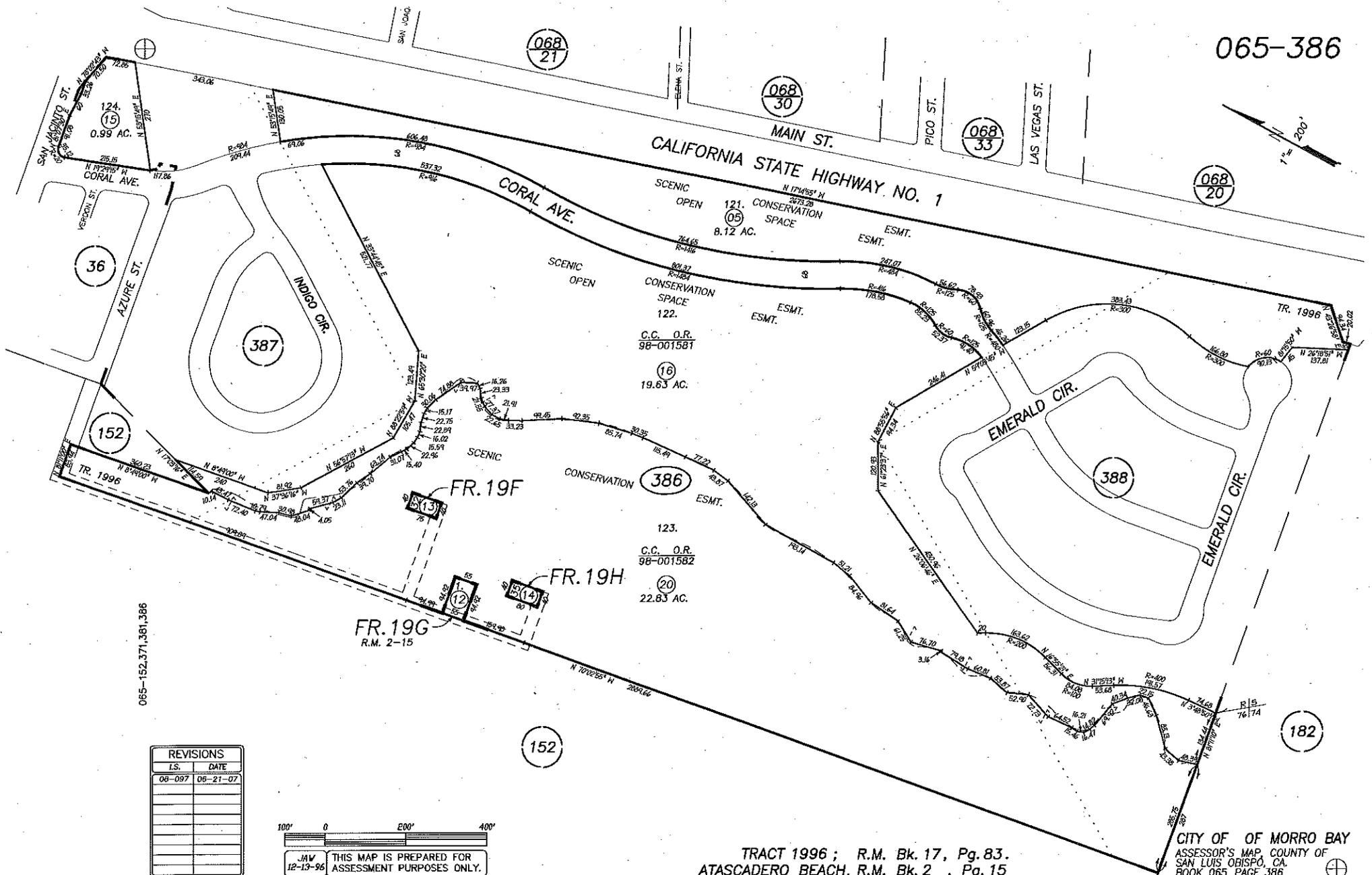
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**JAMIE L. IRONS, MAYOR**

**ATTEST:**

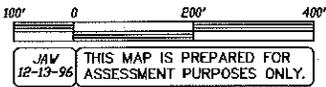
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**JAMIE BOUCHER, CITY CLERK**



065-152,371,381,386

REVISIONS	
I.S.	DATE
06-097	06-21-07



TRACT 1996 ; R.M. Bk. 17, Pg. 83.  
 ATASCADERO BEACH, R.M. Bk. 2 , Pg. 15

CITY OF MORRO BAY  
 ASSESSOR'S MAP, COUNTY OF  
 SAN LUIS OBISPO, CA.  
 BOOK 065 PAGE 386.

**CITY OF MORRO BAY**

**CLOISTERS**  
**LANDSCAPING AND LIGHTING**  
**MAINTENANCE ASSESSMENT DISTRICT**

**ENGINEER'S REPORT**

**April 30, 2014**

*AFFIDAVIT FOR THE ENGINEER'S ANNUAL REPORT*

CITY OF MORRO BAY

CLOISTERS  
LANDSCAPING AND LIGHTING  
MAINTENANCE ASSESSMENT DISTRICT

This report describes the proposed maintenance, improvements, budgets, zone of benefit and assessments to be levied on parcels of land within the *Cloisters Landscaping and Lighting Maintenance Assessment District* for the fiscal year 2014/2015, as the same existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the San Luis Obispo County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council and, to the best of my knowledge, information, belief, the report, the assessments and diagrams have been prepared and computed in pursuant to the Landscaping and Lighting Act of 1972.

Dated this 30<sup>th</sup> day of April, 2014



Rob Livick, PE/PLS – Public Services Director/City Engineer



**CITY OF MORRO BAY**  
**CLOISTERS**  
**LANDSCAPING AND LIGHTING**  
**MAINTENANCE ASSESSMENT DISTRICT**

**ENGINEER’S REPORT**

**Table of Contents**

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V. Maintenance Costs	5
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VII. Assessment Diagram	11
Maintenance Task List	Attachment A
Cost Analysis	Attachment B

**CITY OF MORRO BAY  
CLOISTERS  
LANDSCAPING AND LIGHTING  
MAINTENANCE ASSESSMENT DISTRICT**

**ENGINEER'S REPORT**

**I. Project Description**

Tract 1996, known as the Cloisters development, is a 124 lot subdivision bounded by State Highway One at the east, Atascadero State Beach at the west, Morro Bay High School at the south, and Azure, Coral, and San Jacinto Streets at the north (the "Cloisters").

The Cloisters, prior to development, was a privately owned 80-plus acre expanse of open land. Prior to development the property was historically used for lateral and vertical access and contained a large area of sensitive sand dunes abutting the eastern edge of Atascadero State Beach. Prior to development, the Cloisters was the subject of various land development proposals including an RV park, a 390-unit condominium development, a 466-unit single family residential development, a 455-unit mixed residential development, and a 213-unit residential development. The City of Morro Bay (the "City") approved none of these development proposals.

It was well known that any development at the Cloisters was going to require a balance between continuation of lateral and vertical access within and through the property, while at the same time conserving the sensitive plant and wildlife resources present. In addition, the negative impacts of development on the site would have to be sufficiently offset by public resources and public amenities from the site.

Zoning on most of the Cloisters site is Planned Development, Single-Family Residential with the sand dunes and wetlands zoned Environmentally Sensitive Habitat (ESH). The purpose of the Planned Development (PD) overlay zone is to provide for detailed and substantial analysis of development on parcels, which because of location, size or public ownership, warrant special review. This overlay zone is also intended to allow for the modification of or exemption from the development standards of the primary zone which would otherwise apply if such action would result in better design or other public benefit.

On September 23, 1996 the City Council passed Resolution No. 69-96 which accepted the final map for Tract 1996 known as the Cloisters Subdivision, consisting of 124 lots. Lots 1 through 120 were for single-family residential purposes. Lots 121, 122 were for the 27.65-acre park and open space and Lot 124 was dedicated for a fire station and Lot 123 was offered to the state.

The findings and conditions of approval for the project were numerous. For example, the City Council made findings that the Cloisters project could cause significant environmental impacts

relating to land use, visual/aesthetics, affordable housing, traffic generation, air quality noise, geology, drainage and water quality, ecological resources, and public services; but that these impacts can be mitigated by the recommended conditions. In addition, the City Council made further findings that the Cloisters project was in compliance with the specific policies of the GP/LUP and zoning ordinance with respect to protection of views, environmentally sensitive resources, public access, circulation, hazards and other requirements so long as the environmental impacts were mitigated. Finally, the City Council made further findings that the Cloisters project complies with MBMC with respect to optional subdivision design and related improvements, and that the optional design is justified in order to contribute to a better community environment through the dedication of extensive public areas, restoration of the ESH area, provision of scenic easements, and provision of larger than usual lots adjacent to such areas, and maintenance of a consistent lot layout pattern adjacent to existing development on the north side of Azure Street.

In order to mitigate the environmental impacts of the project, and to provide a greater public benefit as required in a PD overlay zone, the conditions of approval for the project required the applicant to form an assessment district for the maintenance of the public park, bicycle pathway, right of way landscaping, coastal accessways, ESH restoration areas and any other improved common areas to be privately held or dedicated to the City. The public park area, as well as all open space improvements and the assessment district were part of many detailed discussions during each City and Coastal Commission hearings. Without this Condition of Approval and the creation of the ongoing assessment district, the project would not have been approved and there would not be a Cloisters Development.

The assessment district formation proceedings began in August 1996, when all of the owners of the real property within the proposed district consented in writing to the formation of the Cloisters Landscaping and Lighting Maintenance Assessment District (the "District") pursuant to the Landscaping and Lighting Act of 1972 (the "Act"). The assessment district formation proceedings concluded with the final public hearing for formation on September 23, 1996, which levied the annual assessment of \$148,944 (the "Assessment") for the maintenance of the thirty-four (34) acres of public resource lands including open space and natural lands, wetland area and pond used for drainage mitigation for homes constructed in Cloisters, median landscaping, street trees, a neighborhood park and recreation area, fencing and other public improvements.

In preparing the various purchase and sale documents for each individual lot, including the Conditions, Covenants, and Restrictions, the owners and developer were especially careful to call out the existence of the assessment district and to make certain that the existence of assessment district was disclosed to anyone who purchased one of these lots. In drafting all the project documents, the City and the developer reinforced the special benefits for the residents of the Cloisters Project from the public amenities and easements maintained by the Assessments. Moreover, the City and the developer clearly understood that the creation and continuation of the Assessments was necessary for the approval of residential development within the Cloisters Project.

## **II. Improvements**

The work and improvements to be undertaken for the Cloisters Landscaping and Lighting

Maintenance Assessment District, and the costs thereof paid from the levy of the annual assessments (the “Improvements”), are generally described as follows:

Installation, maintenance and servicing of public improvements, including but not limited to, turf, ground cover, shrubs, and trees, other landscaping, irrigation systems, fencing, signage, trails, walkways, recreation facilities lighting, restroom facilities, parking and all necessary appurtenances, and labor, materials, supplies, utilities and equipment. The public resources maintained and improved by the assessments from the District are further summarized as follows:

- 4 acres of park land
- 18.15 acres of open space meadow and natural land
- 5.5 acres of wetland
- 1.6 acres of medians, street trees and public right-of-ways

Within those areas, the following improvements are maintained and improved by the assessments:

- |                                     |                             |
|-------------------------------------|-----------------------------|
| Parking lot                         | Monuments with lights       |
| Play equipment and sand lot         | Sound wall                  |
| Trash cans                          | 6’ and 3’ solid fence       |
| Demonstration garden                | Wetland area and pond       |
| Turf                                | Bridges                     |
| Decomposed granite paths            | Light bollards              |
| Habitat fencing                     | Drainage systems            |
| Observation pier                    | Barbeques                   |
| Scrub/meadow plantings              | Irrigation (spray and drip) |
| Hydro-seeded planting areas         |                             |
| ESHA fencing and keep out signs     |                             |
| Thickly planted medians             |                             |
| Street trees                        |                             |
| Gabion channels                     |                             |
| Asphalt path system                 |                             |
| Coastal access ways                 |                             |
| Play area surfacing                 |                             |
| Drinking fountains                  |                             |
| Restroom                            |                             |
| Picnic tables                       |                             |
| Bike rack                           |                             |
| Benches                             |                             |
| Concrete walks                      |                             |
| Wetland plantings                   |                             |
| Willows                             |                             |
| Interpretive exhibits               |                             |
| Trees & shrubs along the sound wall |                             |
| Directional signs                   |                             |

For a detailed description of the improvements, refer to the plans and specifications for Tract 1996 on file in the office of the City Engineer.

### **III. Method of Assessment**

This section of the Engineer's Report includes an explanation of the benefits to be derived from the installation, maintenance and servicing of the improvements; and the methodology used to apportion the total assessment to properties within the District.

The Assessment is an annual assessment pursuant to the Act, which was established prior to the effective date for Proposition 218 and which meets the conditions in Article XIID Section 5 of the California Constitution. Therefore, the Assessment is exempt from the requirements for new or increased assessments imposed by Article XIID.

The proceeds from the District are being used to fund the maintenance and upkeep of public resources within the Cloisters development project for the special benefit of the properties located within this project. In absence of the Assessments, such improvements would not be provided and the properties within the District would be negatively impacted by the demise and deterioration of the landscaping, median improvements, street trees, turf areas, open space lands, drainage areas, fencing, pathways and other improvements maintained by the Assessments and located within the District. Therefore, the continued maintenance and upkeep of these important improvements is a distinct and special benefit to properties within the District.

Easements were also created and reserved in favor of each owner in the Cloisters Development for view, open space, scenic, passive recreation and coastal access across the entirety of LOTS 121, 122 and 123, which shall not be developed with any improvements or structures unless necessary and proper for the restoration and maintenance of the Environmentally Sensitive Habitat Area. This is another distinct and special benefit conferred on property within the District.

Moreover, these improvements, and their continued maintenance, were an original requirement for the creation of the residential single family lots within Cloisters and the subsequent development of residential housing in the project.<sup>1</sup> Without the Assessments, these residential lots would not have been approved and created. Consequently, the creation of the residential lots approved for residential development is the primary special benefit from the Assessments. This special benefit is conferred exclusively on property within the District and is not a general benefit to the public at large.

### **IV. Maintenance Tasks**

A list of maintenance tasks required to maintain the Cloisters Park and Open Space in acceptable condition for public use was developed by the City Recreation and Parks Department based on maintenance standards established for existing parks within the City and is included in this report as Attachment A.

### **V. Maintenance Costs**

The estimated annual cost of maintaining the Cloisters Park and Open Space was developed by the Recreation and Parks Department based on the tasks required and the City's Flat Rate Manual for Parks Maintenance. The annual cost of maintenance, including any reserves, for the 2014/15 fiscal

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1 . It should be noted that the Assessments were unanimously approved prior to Proposition 218 by the owners of all property within the District.

year is estimated to be \$148,944. The cost estimate is included in this report as Attachment B.

**VI. Apportionment of Assessment**

The total assessment for the District is apportioned to each of the one hundred and twenty residential lots equally. Lots 121 and 122 (Parcel 1) Cloisters Park and Open Space, Lot 124 (dedicated for a fire station) and Lot 123 (now Parcel 2) was offered to the State: are not assessed. Individual assessments are listed in the following table:

**Parcel/Assessment Table**

<b>Lot Number</b>	<b>County Assessor's Parcel Number</b>	<b>Annual Assessment</b>
1	065-387-001	\$1,241.20
2	065-387-002	\$1,241.20
3	065-387-003	\$1,241.20
4	065-387-004	\$1,241.20
5	065-387-005	\$1,241.20
6	065-387-006	\$1,241.20
7	065-387-007	\$1,241.20
8	065-387-008	\$1,241.20
9	065-387-009	\$1,241.20
10	065-387-010	\$1,241.20
11	065-387-011	\$1,241.20
12	065-387-012	\$1,241.20
13	065-387-013	\$1,241.20

<b>Lot Number</b>	<b>County Assessor's Parcel Number</b>	<b>Annual Assessment</b>
14	065-387-014	\$1,241.20
15	065-387-015	\$1,241.20
16	065-387-016	\$1,241.20
17	065-387-017	\$1,241.20
18	065-387-018	\$1,241.20
19	065-387-019	\$1,241.20
20	065-387-053	\$1,241.20
21	065-387-054	\$1,241.20
22	065-387-055	\$1,241.20
23	065-387-023	\$1,241.20
24	065-387-024	\$1,241.20
25	065-387-025	\$1,241.20
26	065-387-026	\$1,241.20
27	065-387-027	\$1,241.20
28	065-387-028	\$1,241.20
29	065-387-029	\$1,241.20
30	065-387-030	\$1,241.20
31	065-387-031	\$1,241.20
32	065-387-032	\$1,241.20
33	065-387-033	\$1,241.20
34	065-387-034	\$1,241.20
35	065-387-035	\$1,241.20

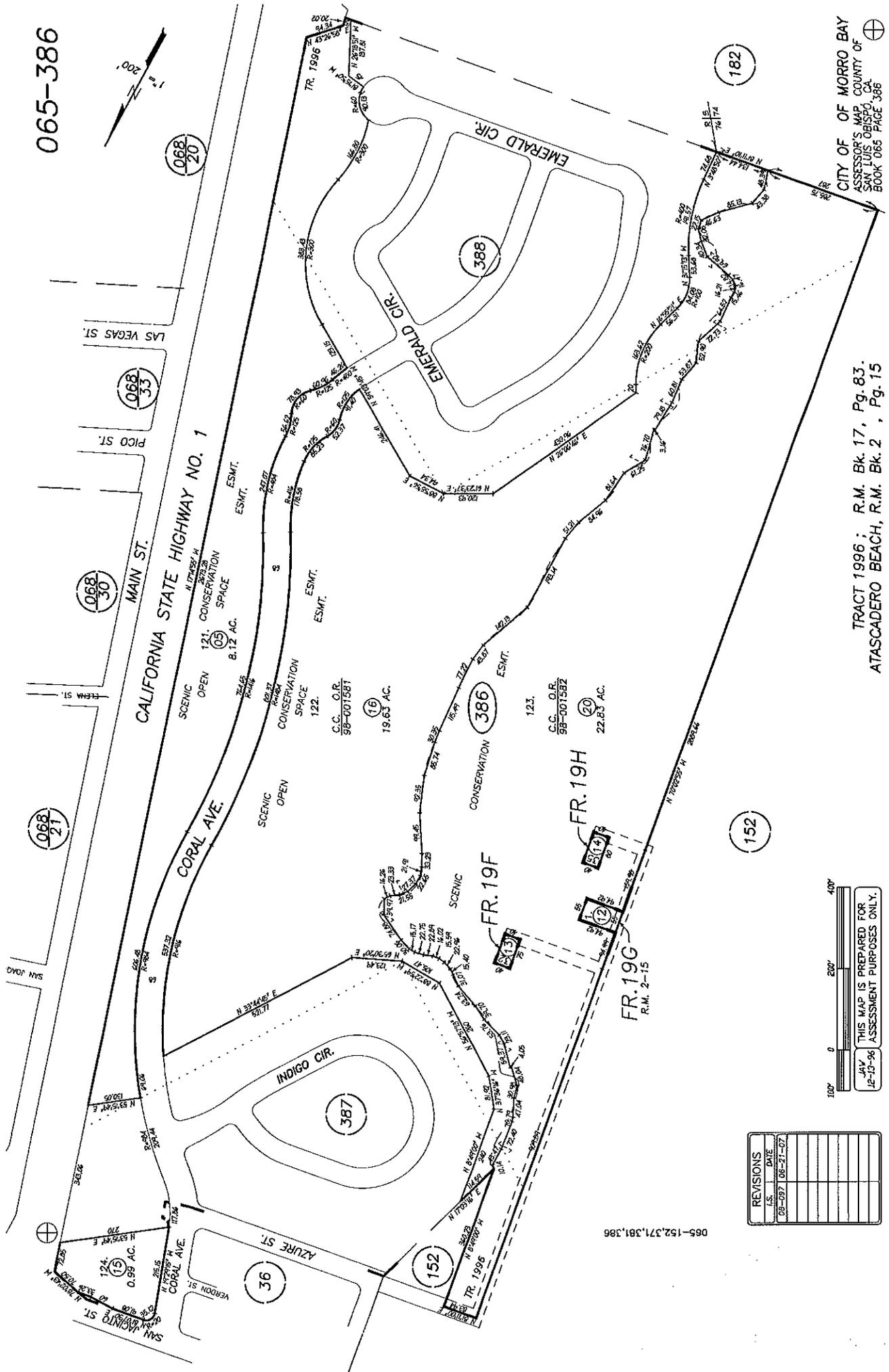
<b>Lot Number</b>	<b>County Assessor's Parcel Number</b>	<b>Annual Assessment</b>
36	065-387-036	\$1,241.20
37	065-387-037	\$1,241.20
38	065-387-038	\$1,241.20
39	065-387-039	\$1,241.20
40	065-387-040	\$1,241.20
41	065-387-041	\$1,241.20
42	065-387-042	\$1,241.20
43	065-387-043	\$1,241.20
44	065-387-044	\$1,241.20
45	065-387-045	\$1,241.20
46	065-388-001	\$1,241.20
47	065-388-002	\$1,241.20
48	065-388-003	\$1,241.20
49	065-388-004	\$1,241.20
50	065-388-005	\$1,241.20
51	065-388-006	\$1,241.20
52	065-388-007	\$1,241.20
53	065-388-008	\$1,241.20
54	065-388-009	\$1,241.20
55	065-388-010	\$1,241.20
56	065-388-011	\$1,241.20
57	065-388-012	\$1,241.20
58	065-388-013	\$1,241.20
59	065-388-014	\$1,241.20

<b>Lot Number</b>	<b>County Assessor's Parcel Number</b>	<b>Annual Assessment</b>
60	065-388-015	\$1,241.20
61	065-388-016	\$1,241.20
62	065-388-017	\$1,241.20
63	065-388-018	\$1,241.20
64	065-388-019	\$1,241.20
65	065-388-020	\$1,241.20
66	065-388-021	\$1,241.20
67	065-388-022	\$1,241.20
68	065-388-023	\$1,241.20
69	065-388-024	\$1,241.20
70	065-388-025	\$1,241.20
71	065-388-026	\$1,241.20
72	065-388-027	\$1,241.20
73	065-388-028	\$1,241.20
74	065-388-029	\$1,241.20
75	065-388-030	\$1,241.20
76	065-388-031	\$1,241.20
77	065-388-032	\$1,241.20
78	065-388-033	\$1,241.20
79	065-388-034	\$1,241.20
80	065-388-035	\$1,241.20
81	065-388-036	\$1,241.20
82	065-388-037	\$1,241.20
83	065-388-038	\$1,241.20
84	065-388-039	\$1,241.20

<b>Lot Number</b>	<b>County Assessor's Parcel Number</b>	<b>Annual Assessment</b>
85	065-388-040	\$1,241.20
86	065-388-041	\$1,241.20
87	065-388-042	\$1,241.20
88	065-388-043	\$1,241.20
89	065-388-044	\$1,241.20
90	065-388-045	\$1,241.20
91	065-388-046	\$1,241.20
92	065-388-047	\$1,241.20
93	065-388-048	\$1,241.20
94	065-388-049	\$1,241.20
95	065-388-050	\$1,241.20
96	065-388-051	\$1,241.20
97	065-388-052	\$1,241.20
98	065-388-053	\$1,241.20
99	065-388-054	\$1,241.20
100	065-388-055	\$1,241.20
101	065-388-056	\$1,241.20
102	065-388-057	\$1,241.20
103	065-388-058	\$1,241.20
104	065-388-059	\$1,241.20
105	065-388-060	\$1,241.20
106	065-388-061	\$1,241.20
107	065-388-062	\$1,241.20
108	065-388-063	\$1,241.20
109	065-388-064	\$1,241.20

<b>Lot Number</b>	<b>County Assessor's Parcel Number</b>	<b>Annual Assessment</b>
110	065-388-065	\$1,241.20
111	065-388-066	\$1,241.20
112	065-388-067	\$1,241.20
113	065-388-068	\$1,241.20
114	065-388-069	\$1,241.20
115	065-388-070	\$1,241.20
116	065-388-071	\$1,241.20
117	065-388-072	\$1,241.20
118	065-388-073	\$1,241.20
119	065-388-074	\$1,241.20
120	065-388-075	\$1,241.20
121	065-386-005	0
122 Parcel 1	065-386-016	0
123 Parcel 2	065-386-017 065-386-018 065-386-019 065-386-012 065-386-013 065-386-014 065-386-010	0
124	065-386-015	0

065-386



TRACT 1996; R.M. Bk. 17, Pg. 83.  
 ATASCADERO BEACH, R.M. Bk. 2, Pg. 15

100' 0 200' 400'

THIS MAP IS PREPARED FOR  
 JAV  
 12-13-96  
 ASSESSMENT PURPOSES ONLY.

REVISIONS	I.S.	DATE
	08-23-97	08-27-97

065-152,371,381,386

CITY OF MORRO BAY  
 ASSESSOR'S MAP  
 COUNTY OF SAN LUIS OBISPO  
 BOOK 065 PAGE 386

Attachment A

**CLOISTERS PARK AND OPEN SPACE  
MAINTENANCE TASKS**

**ROUTINE MAINTENANCE TASKS**

Review for vandalism/repair

Outdoor

- Pick-up ♦ trash
- ♦ paper
- ♦ cigarette butts
- Empty ♦ 6 trash cans
- Clean ♦ 7 tables
- ♦ 2 drinking fountains
- Check ♦ 5 interpretive panels
- ♦ 2 barbeques
- ♦ bike paths
- ♦ walkways
- ♦ 2 bridges
- ♦ 2 coastal access ways
- ♦ 1 observation pier
- ♦ 1 bike rack
- ♦ 2 play apparatus
- ♦ 25 light bollards
- ♦ play area surface
- ♦ 1 demonstration garden
- Clean ♦ 3 toilets
- ♦ 1 urinal
- ♦ 2 sinks
- ♦ restroom floors/walls
- ♦ 18 benches
- ♦ restock restrooms
- ♦

**WEEKLY OR AS NEEDED**

Mow turf

Edge turf

Remove weeds from demonstration garden, medians, planters

Trim turf around trees, posts and other hard to reach areas

Check and replace failed lamps

Blow all walkways, observation deck and parking lot

## Attachment A

### CLOISTERS PARK AND OPEN SPACE MAINTENANCE TASKS

#### BI-WEEKLY OR AS NEEDED

- Rake/redistribute gravel under picnic tables and benches
- Empty barbeques of ashes
- Litter pick-up open space area

#### MONTHLY OR AS NEEDED

- Check new trees and plantings
- Check/repair sprinkler system
- Trim trees and bushes as needed
- Critical parts inspection
- New plantings

#### BI-ANNUALLY OR AS NEEDED

- Fertilize turf/planter areas
- Paint restrooms, structures, signs, etc.
- Seed and aerate turf areas

#### ANNUALLY OR AS NEEDED

- General safety inspection
- Annual tree pruning

#### AS NEEDED

- Remove graffiti
- Pest/gopher control
- Trim and spray paths
- Mow open space area
- Wetland observation/maintenance

**TECHNICAL SPECIFICATIONS  
FOR**

**Landscape Maintenance  
Cloisters Landscaping and Lighting Maintenance Assessment District**

**LITTER CONTROL**

Litter is to be picked up as encountered during scheduled visits to each designated area. Particular care must be given to the removal of fecal matter from highly traveled and highly visible areas.

Trash removal from garbage cans as specified on the Project Area Map. Cans are to be dumped per the distributed seasonal frequency schedule.

All debris removed from the work site at the end of each work day.

**WALKWAYS/ HARDSCAPE/PARKING LOT**

Walkways and median hardscape and parking lots will be cleaned per the seasonal frequency schedule. All foreign objects, trash and weeds are to be removed from surfaces. Trash, clippings and foreign objects will be removed from the site.

A blow pack may used to clean walkways and median hardscape between 8:00 a.m. till 4:00 p.m., Monday through Friday only. All litter gathered by a blow pack must be picked up and removed from the site.

Walkways and median hardscape shall be kept clear of all shrubs and ground cover. Prune shrubs and ground cover as necessary to maintain safety.

**IRRIGATION**

All irrigation schedules shall comply with City watering restrictions, Irrigation shall be programmed to maintain proper plant growth in all areas.

Proper maintenance and/or replacement of all irrigation systems and their component parts is required. This includes, but is not limited to, valve boxes and lids, gate valves, quick couplers, mainlines and laterals, all fittings and riser assemblies, hose bibs, sprinkler heads and emitters, wiring, backflow devices, remote control valves, irrigation controllers and enclosures.

Automatic controllers will be programmed for seasonal water requirements. Each automatic system will be checked monthly for proper operation.

Where automatic sprinkler systems do not exist, manual watering all plant material is required.

Irrigation system requires monitoring of water usage at or below a three year running historical average.

## **PEST CONTROL**

Control and elimination of weeds, insects, rodents and diseases affecting all vegetation using material and methods that are non-injurious to the plants as well as citizens and pets is required.

## **BIKE PATHS AND PEDESTRIAN WALKWAY MAINTENANCE**

The path and/or walkway will be inspected on a daily basis, to ensure it is in safe condition. Inspections will include checking the condition of path and/or walkway surface, for erosion and drainage problems in the path and/or walkway corridor, for required clearances (vegetation encroachment or fallen trees), and for condition and proper function of path and/or walkway furnishings and amenities including signs, gates, bollards, fencing, benches, etc. Inspections after storm events are recommended to check for erosion, drainage problems and fallen trees or debris blocking the trail surface. The removal of invasive species from much of the path and/or walkway will assist in the restoration of native habitats, the diversifying of plant species present along the trail, and the improvement of the health, vigor and longevity of existing vegetation.

The grass shoulder adjacent to the path and/or walkway shall be kept to a maximum height of 4" throughout the growing season.

Erosion of the path and/or walkway surface, shoulders, base and sub-base courses can create hazardous conditions for trail users and compromise the structural integrity of the path and/or walkway.

Signs are critical to the safe and convenient functioning of the path and/or walkway and must be kept graffiti free and free of obstructions, such as vegetation.

Site furnishings and signs are typically constructed of wood or metal. They should be inspected weekly to check for graffiti, splintering, chipped paint or general deterioration or damage.

A weekly schedule of litter and trash pickup shall be developed to keep the path and/or walkway clean. Path and/or walkway users should be encouraged through appropriate signage to clean up after themselves and to pick up litter they find as they use the trail. Dog litter shall be removed daily.

## **RIGHT OF WAY PLANTERS/ MEDIAN STRIP MAINTENANCE**

Edging and pruning is to be done per the seasonal frequency schedule. Plant growth shall not encroach onto sidewalk, roadway or other hardscape, along fences and walls. Chemical application is not an acceptable method for ground cover edging.

All ground cover shall be maintained in a weed free condition.

Ground cover fertilizer shall be a complete slow release fertilizer equal to a ratio of 15-15, 15 evenly broadcast at the minimum rate of five (5) pounds per one thousand (1,000) square feet of ground cover area, per application.

Bark mulch will be maintained in shrub beds as per the task frequency schedule. Bark mulch to be refreshed seasonally and/or as needed.

### **IRRIGATED LANDSCAPE AREA MAINTENANCE**

All plants and shrubbery shall be pruned to encourage healthy growth habits for shape and appearance according to accepted industry standard. Pruning shall be done according to the natural growth of each individual species of plant to maintain viability by cutting out dead, diseased or injured wood and to control growth when an unshapely shrub may result. Shrubby adjacent to walkways and roadways must be kept pruned, avoiding safety hazards in traveled areas.

Irrigated landscape beds shall be maintained in a weed free condition. Shrub beds shall be raked free of all debris, weeds and leaves and maintained in a neat condition during each work session.

Bark mulch will be maintained in shrub beds as per the task frequency schedule. Mulch to be refreshed seasonally and/or as needed.

Shrubs and shrub beds shall be fertilized per the seasonal task frequency schedule.

Shrub fertilizer shall be a complete slow release fertilizer equal to a ratio of 25-5-5 evenly broadcast at the minimum rate of five (5) pounds per one thousand (1,000) square feet of ground cover area, per application.

All fence lines, curbs, gutters, asphalt paths, parking lots, signs and other structures shall be free of all weeds.

### **TREE BED/ WALK-ON BARK AREA MAINTENANCE**

All ground cover shall be maintained in a weed free condition.

Bark mulch will be maintained in shrub beds as per the task frequency schedule. Contractor to refresh bark mulch seasonally and/or as needed.

### **TREE MAINTENANCE**

All tree pruning activities shall be performed only by trained, experienced personnel. Supervision shall be by a Western Chapter International Society of Arboriculture Certified Arborist complying with WCISA Pruning Standards or ANSI 300 specifications.

All trees shall be pruned to provide pedestrian and vehicular clearance.

All tree wells are to be kept clear of trash, suckers and weeds. No structural changes are to be made.

All trees must be supported sufficiently. This includes, but is not limited to minor repairs consisting of replacing or repairing ties, refastening boards and, braces and removal of

nursery stakes. All staking and ties shall be done in a way to avoid tripping hazards. Tree stakes or ties shall be removed promptly once their function has been completed.

## **TURF MAINTENANCE**

Mowing operations shall be performed in a workmanlike manner that ensures a smooth appearance without scalping or allowing excessive cuttings to remain.

Turf shall be mowed with a reel type mower equipped with rollers or a rotary type mower. All equipment shall be adjusted to the proper cutting height and shall be adequately sharpened.

Mowing height shall be three inches (3") for all turf areas. Mowing height may vary for special events and conditions as determined by the City of Morro Bay. Any and all litter and trash must be removed before the mowing operation. Walkways shall be cleaned immediately following each mowing operation.

All turf areas will be mowed per the seasonal task frequency schedule. This is generally split into the warm season- April through October, and the cool season- November through March. Mowing will be scheduled to occur Monday through Friday.

All turf edges, including but not limited to sidewalks, driveways, curbs, shrub beds, ground cover beds, tree basins and open space areas shall be edged to a neat and uniform line; all grass invasion must be eliminated. All turf edges shall be trimmed and limited around sprinklers, valve boxes, meter boxes, backflow devices, park equipment and other obstacles.

Weed-eater type string trimmers may be used for edging. Use of string type trimmers requires caution near trees and plants.

When a power edger with a rigid blade is used, the edging of turf shall be completed as one operation in a manner that avoids damage to concrete sidewalks and borders and results in a well-defined, V-shaped edge that extends into the soil.

Chemical application for edging may be used in and around areas such as planter, areas adjacent to building, trees, fence lines, sprinkler heads, etc. Prior to application of any chemical, all areas shall be trimmed to the property height.

All turf shall be fertilized per seasonal task frequency schedule. Turf fertilizer shall be a complete fertilizer, evenly broadcast at the minimum rate of one (1) pound actual available nitrogen per one-thousand (1,000) square feet of turf area, per application. Applications shall be as follows; 16-8-8 applied in May; 22-3-9 (slow release) applied in January.

Turf areas shall be aerated per the seasonal task frequency schedule.

Turf areas shall be maintained in a weed free condition.

## **WEED CONTROL- MISCELLANEOUS OPEN SPACE AREAS/ DETENTION BASINS**

Designated open space, non-irrigated areas and detention basins are to be mowed or weed-whipped seasonally (approximately three to four times per year)

All noxious weeds are to be removed and discarded.

All fence lines, light standard bases, tree wells, sidewalks, curbs, gutters, asphalt berms, parking lots, signs and other structures shall be free of all weeds.

## **WETLANDS**

Designated Wetland maintenance must be coordinated with City of Morro Bay Maintenance Staff and within the State Fish and Game guidelines as stated on current maintenance permit.

## **RESTROOM**

Restroom sanitation is the process of cleaning and sanitizing restrooms to keep them safe and in proper working order. Cleaning and sanitizing is required daily.

Service and refill all dispensers to include soap, paper towel, toilet tissue; and empty sanitary napkin and waste receptacles. Ensure all dispensers are in good working order and properly cleaned.

Clean and disinfect toilets, urinal and wash basins. Liquid bowl cleaner shall be used as needed to prevent stains and lime buildup.

Floors shall be swept daily and pressure washed as needed.



**Supplies**

Includes all supplies used in daily tasks as well as non-routine repair and maintenance.

**Services**

Includes utilities, engineering, insurance and structural repair.

**Deferred Maintenance**

Accumulated funds to be directed at capital projects, Permits, and other one-time expenses

**General Fund Subsidy**

Funds provided by the General Fund to cover costs that exceed the annual assessment

**Total Assessment Estimate: \$148,944**

**Per Parcel Yearly Assessment \$148,944/120 parcels \$ 1,241.20**



AGENDA NO: C-1

MEETING DATE: May 13, 2014

# Staff Report

**TO:** Honorable Mayor and City Council **DATE:** May 1, 2014

**FROM:** Cindy Jacinth, Associate Planner

**SUBJECT:** Adoption of Ordinance 585; Amendments to Title 17 -Zoning Text Amendment (#A00-013) Amending Secondary Unit Ordinance

## **RECOMMENDATION:**

Staff recommends the City Council adopt Ordinance No. 585 amending Title 17 of the City of Morro Bay Municipal Code (Zoning Ordinance #A00-013), which approves amendments to the City's Secondary Dwelling Unit ordinance, amending Title 17 of the Morro Bay Municipal Code (MBMC) including Section 17.48.320.

## **ALTERNATIVES**

1. Defer adoption of Ordinance 585 and direct staff to return to Planning Commission for re-consideration of size and how it relates to the primary residence (percentage) limitations requesting new recommendations to City Council to result in a new Introduction and First Reading of Ordinance 585.

## **FISCAL IMPACT**

The proposed amendments will have negligible effect on City finances.

## **DISCUSSION**

Ordinance No. 585 was brought before the City Council for introduction and first reading on April 22, 2014. A citizen comment letter on Ordinance 585 was received via email on April 29, 2014, which is attached to this staff report. The comment letter received voices objection to the inclusion of a percentage limitation, which the proposed language in Ordinance 585 reads as "The total floor area, not including a garage, for a detached secondary unit shall not exceed the lesser of 900 square feet as per State guidelines, or fifty percent of the square footage of the existing single family dwelling on the same lot..." The "50%" requirement for a detached unit is consistent with the City's current regulations and was included in the regulations presented to Planning Commission for their review at the September 18, 2013, and October 16, 2013, meetings. Planning Commission's recommendation to City Council did not include removal of that language.

Prepared By: CJ\_\_\_\_

Dept Review: RL\_\_\_\_

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

The concerns stated in the letter also claim the City's secondary unit program is necessary in order to "meet our future fair share housing quota" as described to the State Department of Housing and Community Development (HCD). This is untrue. The City's housing consultant, PMC, who recently submitted the City's 2014-2019 Housing Element for certification to HCD and also prepared the City's 2009-2013 Housing Element, confirmed that in both the current and previous Housing Elements, the City does have sufficient land to meet its "fair share housing" also known as its Regional Housing Needs Allocation (RHNA). Staff review of the Housing Element and HCD requirements shows no risk to the inclusion of a size percentage limitation on secondary dwelling units. Including a limitation of 900 square feet, or 50 percent of the existing dwelling unit, allows the City to maintain a subordinate relationship between a primary and a secondary dwelling unit, while at the same time providing a range of housing opportunities and availability of affordable housing units.

### **CONCLUSION**

Staff recommends the City Council adopt Ordinance No. 585; amending Title 17 of the City of Morro Bay Municipal Code (Zoning Ordinance #A00-013) which approves amendments to the City's Secondary Dwelling Unit ordinance, amending Title 17 of the Morro Bay Municipal Code (MBMC) including Section 17.48.320.

### **ATTACHMENTS**

Attachment 1 – Ordinance No. 585

Attachment 2 – Citizen letter received 4-29-14

**ORDINANCE NO. 585**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA  
ANNOUNCING FINDINGS AND ADOPTING AMENDMENTS TO TITLE 17  
OF THE MUNICIPAL CODE TO ESTABLISH PROVISIONS FOR MINISTERIAL  
REVIEW OF SECONDARY DWELLING UNITS AND GUESTHOUSES IN  
RESIDENTIAL ZONES WHERE SINGLE-FAMILY HOMES ARE A PERMITTED USE**

THE CITY COUNCIL  
City of Morro Bay, California

Case No. A00-013 (Local Coastal Plan/Zoning Ordinance Amendment)

**WHEREAS**, it is the purpose of the Zoning Ordinance of the City of Morro Bay to establish a precise and detailed plan for the use of land in the City based on the General Plan; and

**WHEREAS**, it is important to have clear, consistent, and easy to use and interpret regulations within the Zoning Ordinance; and

**WHEREAS**, California Government Code §65852.2 requires cities to establish standards to allow for ministerial secondary dwelling units so as to increase the supply of smaller, affordable housing while ensuring that they remain compatible with the existing neighborhood; and

**WHEREAS**, the proposed amendments meet the intent of State Law by providing for an option to build a secondary dwelling unit or guest house in residential zones that permit single family dwellings and have no more than one single family home existing on the property; and

**WHEREAS**, on December 7, 2011, after a duly noticed PUBLIC HEARING, the Planning Commission of the City of Morro Bay did forward a recommendation, by adoption of Planning Commission Resolution No. 01-11 that the City Council amend Title 17 (Zoning Ordinance) to comply with the Government Code §65852.2; and

**WHEREAS**, on March 13, 2012, the City Council of the City of Morro Bay did hold a duly noticed PUBLIC HEARING to consider the amendment regulating Secondary Units and Guesthouses as contained in Ordinance 576; and

**WHEREAS**, on October 16, 2013, the Planning Commission of the City of Morro Bay, after a duly noticed PUBLIC HEARING, did reconsider zoning code amendments in Ordinance 576 and did forward a recommendation by motion the City Council amend Title 17 (Zoning Ordinance) to comply with the Government Code §65852.2; and

**WHEREAS**, on April 22, 2014, the City Council of the City of Morro Bay did hold a duly noticed PUBLIC HEARING to consider the amendment regulating Secondary Units and Guesthouses as contained in attached Exhibit “A;” and

**WHEREAS**, the City Council finds a Negative Declaration was prepared to evaluate the environmental impacts of this Ordinance, and determined no significant impacts would result from the adoption of this Ordinances; and

**WHEREAS**, following the PUBLIC HEARING, and upon consideration of the testimony of all persons, both written and oral, the City Council accepted the Planning Commission recommendation and approved the amendment.

**NOW, THEREFORE**, the City Council of the City of Morro Bay does ordain, as follows:

SECTION 1: The City Council finds:

1. The above recitations are true and correct and constitute the findings of the Council in this matter.
2. The Zoning Ordinance Amendment proposal is consistent with the Government Code §65852.2 and includes similar language, which was previously in effect.
3. The previous amendments to the City’s Zoning Ordinance, adopted by Ordinance 576, did not reflect the values of the community.
4. The proposed Zoning Ordinance Amendments will not be injurious or detrimental to the health, safety, comfort, general welfare or well-being of the persons residing or working in the neighborhood.
5. The proposed amendment is in general conformance with the City’s General Plan and Local Coastal Plan.
6. The Local Coastal Program Implementation Program (Zoning Ordinance) Amendments are in compliance with the intent, objectives, and all applicable policies and provisions of the California Coastal Act; and
7. Pursuant to Morro Bay Municipal Code Section 17.64.080, no amendment to Title 17 shall be legally effective in the coastal zone until the amendment is certified by the Coastal Commission. If the Coastal Commission certifies this Ordinance conditioned on substantive changes being made, then the Council will introduce and adopt another ordinance to incorporate those substantive changes. If the Coastal Commission certifies this Ordinance conditioned on non-substantive changes being made to this

Ordinance, then the City Clerk is authorized to amend this Ordinance to reflect those non-substantive changes.

SECTION 2: The City Council hereby repeals Ordinance 507 and Ordinance 576.

SECTION 3: Based upon all the foregoing, Title 17 of Morro Bay Municipal Code (Zoning Ordinance) is amended as contained in Exhibit "A," attached hereto and made a part of this Ordinance:

**INTRODUCED** at the regular meeting of the City Council held on the 22<sup>nd</sup> day of April 2014, by motion of \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED, APPROVED, AND ADOPTED,** by the City Council of the City of Morro Bay, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the following vote to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

\_\_\_\_\_  
Jamie L. Irons, Mayor  
City of Morro Bay

\_\_\_\_\_  
Jamie Boucher, City Clerk  
City of Morro Bay

APPROVED AS TO FORM:

\_\_\_\_\_  
Joseph W. Pannone  
City Attorney

## EXHIBIT A

The changes to the City's secondary dwelling unit ordinance (Title 17), and Local Coastal Program are shown in underline for additions, while ~~strikethrough~~ indicates deletions. **Bold** represents Planning Commission recommendations made at their October 16, 2013 meeting.

### CHAPTER 17.12 DEFINITIONS

Delete Section 17.12.295, definition for "Granny Unit", and replace with:

#### ~~17.12.295~~ ~~GRANNY UNIT~~

~~"Granny Unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons (accessory to a single family residence in specific zones permitting such use). It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the single family dwelling.~~

#### **17.12.295 Secondary Dwelling Unit.**

"Secondary dwelling unit" means an attached, ~~or~~ detached or located within the residential dwelling unit, which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling. This term also means "second unit" for the purposes of Sections 65852.150 and 65852.2 of the California Government Code.

(\*In general, replace all references in the Zoning Ordinance to "granny unit" with "secondary dwelling unit". This includes references in Chapter 17.44, Parking and Chapter 17.24, Primary Districts (discussed below).)

### CHAPTER 17.24 PRIMARY DISTRICTS

The following changes apply to areas zoned for single-family and multi-family use, including the ~~AG~~, RA, R-1, R-2, R-3, R-4, and CRR districts.

- Allow, by-right, secondary dwelling units that meet the applicable standards in Section **17.48.320**
- Delete references to "granny unit".

#### **17.48.315 GUESTHOUSES/QUARTERS AND ACCESSORY LIVING AREAS**

Where provided by this Title, guesthouses/quarters and habitable structures for accessory living area may be permitted in conjunction with a dwelling unit, subject to these further requirements:

##### A. Guesthouse Restrictions

A guesthouse shall not contain more than six hundred forty (640) square feet of habitable floor area containing not more than one bedroom and bathroom nor shall it exceed thirty (30) percent of the floor area of the main residence, and no cooking or food preparation or food storage facilities shall be provided.

~~B. Use Permit Requirements~~

~~A guesthouse may be permitted only after obtaining a Minor Use Permit pursuant to Chapter 17.60. In all cases, the Director shall require the recordation of a deed restriction limiting the use to guest purposes only and prohibiting its rental or occupation as a second unit. Such deed restriction shall be subject to the approval of the City Attorney. (Ord. 288 Exh. B (part), 1986; Ord. 263 § 1 (part), 1984)~~

B. Location. Guesthouses may be established on any lot in any R or AG district where a primary single-family dwelling has been previously established or is proposed to be established in conjunction with construction of a guesthouse. Only one-guesthouse or secondary unit is permitted per one primary single-family dwelling on the same lot.

**17.48.320 GRANNY SECONDARY UNITS**

The purpose of this Section is to provide affordable low- and moderate-income housing. Pursuant to Government Code Section 65852.2, in zones where designated, a permit may be granted allowing a granny second unit on lots where there is one single-family residence, subject to the following provisions: The following supplemental regulations are intended to comply with Government Code Sections 65852.150 and 65852.2 on secondary units and implement the General Plan, by allowing secondary units in all R districts subject to the following requirements. Nothing in Government Code Sections 65852.2 or 65852.150 shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act except that the local government shall not be required to hold public hearings for coastal development permit applications for secondary units.” (Government Code Subsection 65852.2(j).) Noticing for interested parties and those properties within 100 feet of a secondary unit property will be required. Approvals of secondary units in the appealable zone will continue to be appealable to the Coastal Commission.

~~A. Minor Use Permit and Deed Restriction Required~~

~~A granny second unit may be permitted only after obtaining a Minor Use Permit pursuant to Chapter 17.60. A deed restriction in a form approved by the City Attorney shall be recorded limiting the use of said real property to residential purposes only.~~

A.B. Location

Said unit may be located, as an accessory use, on any R lot zoned for single-family or multi-family uses in accordance with the District Tables in Chapter 17.24 where a primary residential use has been previously established or proposed to be established in conjunction with said unit. Only one secondary unit or one guesthouse is permitted per one primary single-family dwelling on the same lot. The secondary unit shall be allowed on any lot zoned AG, if the secondary unit is expressly designated and used for farm laborer quarters.

B.C. Lot Coverage

Maximum lot coverage shall be as allowed for the Zoning District that in which they are located ~~in~~.

C.D. Design

~~Said unit shall be consistent with the architectural style of the main residence and the neighborhood, and shall be located on the same lot as the primary residence. The unit shall be consistent and/or reasonably compatible with the architectural style of the main residence and the neighborhood, and shall be located on the same lot as the primary residence.~~

D.E. Size

~~The total floor area, not including a garage, for a granny second unit shall not exceed 1,200 square feet. The total floor area, not including a garage, for a detached secondary unit shall not exceed **the lesser of 900 square feet**, as per State guidelines, **or fifty percent of the square-footage of the existing single-family dwelling on the same lot, except as provided below**. The increased floor area of an attached secondary unit shall not be permitted to thirty percent of the existing living area. **Up to 1,200 square feet may be allowed with a Conditional Use Permit pursuant to Chapter 17.60.**~~

E. Parking

A minimum of one additional parking space per bedroom, not to exceed two spaces, shall be provided. The parking spaces can be open and uncovered, however may not be in tandem with the required parking of the principal dwelling unit but can be located in setback areas ~~and in tandem if both spaces are for the secondary unit and where more than one space is required for a secondary unit, tandem spaces shall only be allowed with a Conditional Use Permit pursuant to Chapter 17.60.~~ The principal dwelling unit must conform to the parking requirements of Chapter 17.44 "Off-Street Parking and Loading." ~~Off-street parking shall be permitted in setback areas or through tandem parking, unless the following specific findings are made:~~

- ~~1. That parking in setback areas or tandem parking is not feasible based upon specific site topography constraints or adverse fire and life safety conditions, or~~
- ~~2. That it is not permitted anywhere else in the City.~~

~~F. Parking. One additional parking space shall be provided for each second unit with one bedroom and two additional parking spaces shall be provided for units with two or more bedrooms. (not including bathrooms and kitchens). The parking first space must be covered while the second space can be open and~~

~~uncovered, however neither may be in tandem with required parking of the principal dwelling unit or secondary unit, and cannot be located in the front or street side setback area. The principal dwelling unit must conform to the parking requirements of Chapter 17.244: Off-Street Parking and Loading.~~

G. ~~Water Equivalencies and Other Public Facilities~~

~~The developer shall obtain and/or pay for all applicable water equivalency and other public facility improvements at the standard set for an apartment unit prior to issuance of a building permit, but will not be subject to a residential unit allocation under the provisions of Measure F.~~

F. Compliance with Title 14 and applicable provisions of Title 17

A secondary unit shall be in conformance with all applicable provisions of Title 14 of the Morro Bay Municipal Code in addition to the applicable requirements for height, setback, lot coverage, etc. pursuant to the provisions of Chapter 17.24.

### 17.24.020 Agricultural (AG) District Table

Unless otherwise designated, the following uses, or other uses which are found to be similar and consistent with the General Plan and Local Coastal Plan may be allowed with the appropriate permits and licenses.	Conditional Use Permit Required.	Maximum Building Height	Minimum Building Site Area	Minimum Lot Area Per Unit	Minimum Front Yard Setback	Minimum Side Yard Setback (Exterior Yard)	Minimum Side Yard Setback (Interior Yard)	Minimum Rear Yard Setback	Landscaping	Maximum Lot Coverage
<p>Principle Permitted Uses: The following uses are permitted in the AG zone: crop farming; viticulture; livestock farming and grazing; accessory uses and buildings including but not limited to barns, corrals and storehouses, which are normally incidental to other permitted uses; equestrian boarding facilities for not more than four horses.</p>	No	25 ft.	General: 20 acres  Between Little Morro Creek Rd. & Morro Creek: 40 acres or pursuant to 17.24.020.B.4	General: 20 acres  Between Little Morro Creek Rd. & Morro Creek: 40 acres	25 ft.	25 ft.	25 ft.	25 ft.	NA	5%
One single-family residence				1/ Lot	Corral, barns & other animal enclosures: 75 ft. from dwelling (see 17.16.050)					2%
Guest house (no kitchen) *pursuant to 17.48.315 regulations or Secondary Unit pursuant to 17.48.320 regulations.				<del>Minor Use Permit</del> *No						
Temporary produce stand										
<p>Conditionally Permitted Uses: The following may be permitted in the AG zone subject to a Conditional Use Permit: farm labor quarters; public coastal accessways; greenhouse and nurseries; other uses per the land use plan of Section 17.24.020.B if the appropriate findings are made by the Planning Commission.</p>	Yes									

### 17.24.030 Suburban Residential (RA) District Table

Unless otherwise designated, the following uses or other uses which are found to be similar and consistent with the General Plan and Local Coastal Plan may be allowed with the appropriate permits and licenses.	Conditional Use Permit Required.	Maximum Building Height	Minimum Building Site Area	Minimum Lot Area Per Unit	Minimum Front Yard Setback	Minimum Side Yard Setback (Exterior Yard)	Minimum Side Yard Setback (Interior Yard)	Minimum Rear Yard Setback	Landscaping	Maximum Lot Coverage
Single-family dwelling.	No	25 ft. (no wall may exceed 30 ft.)	20,000 sq. ft.	20,000 sq. ft.	20 ft.	10 ft garage entrance 20ft..	10% of ave. with 10 ft maximum requirement	20% of the depth of the lot with 20 ft. maximum	35% minimum permeable surface	45%
Crop and tree farming: viticulture; farming and if one acre or more grazing, of not more than two (2) cattle or horses per acre or not more than four (4) sheep or goats per acre.	No	25 ft. (no wall may exceed 30 ft.)	20,000 sq. ft.	20,000 sq. ft.	Refer to Chapter 7.16 for animal keeping setbacks				35% minimum permeable surface	45%
Rabbit and chicken ranching involving not more than twelve (12) animals										
Expressly prohibited: commercial dairies and kennels;										
Accessory uses and buildings normally incidental to other permitted uses but not including commercial uses, and located in accordance with Title 7; home occupations										
Guest house (no kitchen) <u>*pursuant to 17.48.315 regulations or Secondary Unit pursuant to 17.48.320 regulations.</u>	Minor Use-Permit <u>*No</u>	25 ft. (no wall may exceed 30 ft.)	N/A	1 per lot in conjunction	20 ft.	10 ft.	10 %	20%	35% minimum permeable surface	45%
Temporary Produce Stands	Yes	25 ft. (no wall may exceed 30 ft.)	10 acres				10 % of ave. width with 10 ft. maximum requirement	20% of the depth of the lot with 20 ft. maximum	35% minimum permeable surface	45%
Additional Residences for Agricultural Employees										
Equestrian Boarding					Not permitted within 100' of residential structure or adjacent residentially zoned property					
Special Use Permits pursuant to 17.30	Yes	Per CUP								
Antennas and Wireless										

### 17.24.040 Single family Residential (R-1) District Table

Unless otherwise designated, the following uses or other uses which are found to be similar and consistent with the General Plan and Local Coastal Plan may be allowed with the appropriate permits and licenses.	Conditional Use Permit Required.	Maximum Building Height	Minimum Building Site Area	Minimum Lot Area Per Unit	Minimum Front Yard Setback	Minimum Side Yard Setback (Exterior Yard)	Minimum Side Yard Setback (Interior Yard)	Minimum Rear Yard Setback	Landscaping	Maximum Lot Coverage
One single-family dwelling	No	25 ft.	Refer to subdivision regulations for sizes for new lots	1/lot or pursuant to Section 17.24.040	20 ft.	20% of ave. width of lot with 10 ft. maximum and 5 ft. minimum	10% of ave. width of lot with 5 ft. maximum and 3 ft. minimum	10% if ave. depth of lot with 10 ft. maximum and 6 ft minimum	N/A	45%
Home occupations: structures and uses (include. home oc.) normally incidental to primary use		(No wall may exceed 30 ft.)								
Guest house (no kitchen) <u>*pursuant to 17.48.315 regulations or Secondary Unit pursuant to 17.48.320 regulations.</u>	<del>Minor Use Permit</del> *No	25 ft.	N/A	1 unit per lot in conjunction with a primary unit	20 ft.	20% of ave.	10% of ave.	10% of ave.	N/A	45%
Community housing project	Yes		1 per CUP	5,000 sq. ft. or per overlay zone					Plan required 20% min. permeable surface area	
Special Use Permits pursuant to 17.30	Yes PER CUP									

### 17.24.050 Duplex Residential (R-2) District Table

Unless otherwise designated, the following uses or other uses which are found to be similar and consistent with the General Plan and Local Coastal Plan may be allowed with the appropriate permits and licenses.	Conditional Use Permit Required.	Maximum Building Height	Minimum Building Site Area	Minimum Lot Area Per Unit	Minimum Front Yard Setback	Minimum Side Yard Setback (Exterior Yard)	Minimum Side Yard Setback (Interior Yard)	Minimum Rear Yard Setback	Landscaping	Maximum Lot Coverage
All principally permitted uses in the R-1 district.	No	25 ft.	Refer to Subdivision regulations for sizes for new lots	2,900 sq. ft.	20 ft.	20% of ave. width of lot with 10 ft. maximum and 5 ft. minimum Garage entrance 20ft.	10% of ave. width of lot with 5 ft. maximum and 3 ft. minimum	5 ft.	N/A	50 %
Duplexes (single structure); second single family dwellings										
Home occupations; structures and uses normally incidental to primary use										
Guest house (no kitchen) <u>*pursuant to 17.48.315 regulations or Secondary Unit pursuant to 17.48.320 regulations.</u>	<del>Minor Use Permit</del> <u>*No</u>	25 ft.			20 ft.	20% of ave. width of lot	10% of ave. width of lot	5 ft.	N/A	50 %
Apartment units/Bed and Breakfast	Yes								Plan required 15%  minimum permeable surface	
Community Housing projects			10,000 sq. ft.							
Mobile home parks and other permitted uses as stated in Section 17.40.060			2 acres							
Parking lots-only to serve residential uses			Per CUP	N/A						
Special Use Permits pursuant to 17.30	Yes		Per	CUP						

### 17.24.060 Multiple Family Residential (R-3) District Table

Unless otherwise designated, the following uses or other uses which are found to be similar and consistent with the General Plan and Local Coastal Plan may be allowed with the appropriate permits and licenses.	Conditional Use Permit Required.	Maximum Building Height	Minimum Building Site Area	Minimum Lot Area Per Unit	Minimum Front Yard Setback	Minimum Side Yard Setback (Exterior Yard)	Minimum Side Yard Setback (Interior Yard)	Minimum Rear Yard Setback	Landscaping	Maximum Lot Coverage			
All principally permitted uses in the R-1 and R-2 districts.	No	25 ft.	Refer to Subdivision Regulations for sizes for new lots	2,175 sq. ft.	15 ft.	20% of ave. width of lot with 10 ft. maximum and 5 ft. minimum Garage entrance 20ft.	5 ft.	5 ft. except where abuts an R-1 or R-2 zone, in which case the R-1 criteria applies	N/A	60%			
Home occupations: structures and uses normally incidental to primary use	No	25 ft.		2,900 sq. ft.	Garage entrance 20 ft.				15 ft.	20% of ave. width of lot	5 ft. except where abuts an R-1	Plan required 15% minimum permeable surface	60%
Apartment units					Plan required 15% minimum permeable surface								
Guest house (no kitchen) <u>*pursuant to 17.48.315 regulations or Secondary Unit pursuant to 17.48.320 regulations.</u>	<del>Minor Use Permit</del> <u>*No</u>	25 ft.	2,900 sq. ft.	2,900 sq. ft.	15 ft.	20% of ave. width of lot	5 ft.	5 ft. except where abuts an R-1	N/A	60%			
Rooming and boarding house: bed and breakfast establishment	Yes	25 ft.	Refer to Subdivision Regulations for sizes for new lots	2,900 sq. ft.	15 ft.	20% of ave. width of lot	5 ft.	5 ft. except where abuts an R-1	N/A	60%			
Community Housing project				6,000 sq.ft.							Plan required 15% minimum permeable surface		
Parking Lot				3 acres								N/A	
Mobile home park				3 acres								2,900 sq. ft.	
Special Use Permits pursuant to 17.30	Yes		Per	CUP									

### 17.24.070 Multiple Residential (R-4) District Table

Unless otherwise designated, the following uses or other uses which are found to be similar and consistent with the General Plan and Local Coastal Plan may be allowed with the appropriate permits and licenses.	Conditional Use Permit Required.	Maximum Building Height	Minimum Building Site Area	Minimum Lot Area Per Unit	Minimum Front Yard Setback	Minimum Side Yard Setback (Exterior Yard)	Minimum Side Yard Setback (Interior Yard)	Minimum Rear Yard Setback	Landscaping	Maximum Lot Coverage
All principally permitted uses listed in the R-1, R-2, and R-3 districts.	No	30 ft.	Refer to Subdivision	1,800 sq. ft.	15 ft./ Garage entrance 20 ft.	20% of ave. width of lot with 15 ft. maximum and 10 ft. minimum Garage entrance 20 ft.	5 ft.	5 ft. except where abuts an R-1 or R-2 zone, in which case the R-1 criteria applies	N/A	60%
Home occupations; structures and uses normally incidental to primary uses	No	30 ft.	Regulations for sizes for new lots	1 unit per lot in conjunction with a primary unit	15 ft./ Garage entrance 20 ft.	20% of ave. width of lot with 15 ft. maximum and 10 ft. minimum Garage entrance 20 ft.	5 ft.	5 ft. except where abuts an R-1 or R-2 zone, in which case the R-1 criteria applies	Plans required N/A	60%
Apartment units										
Guest house (no kitchen) <u>*pursuant to 17.48.315 regulations or Secondary Unit pursuant to 17.48.320 regulations.</u>	Minor Use Permit <u>*No</u>	30 ft.								
Community housing project	Yes	30 ft.	6,000 sq. ft.	750 sq. ft.	15 ft./ Garage entrance 20 ft.	20% of ave. width of lot with 15 ft. maximum and 10 ft. minimum Garage entrance 20 ft.	5 ft.	5 ft. except where abuts an R-1 or R-2 zone, in which case the R-1 criteria applies	permeable surface	60%
Rest home; rooming and boarding houses										
Hotel and Motel; Bed and Breakfast establishment										
Mobile Home Park										
Commercial uses and services, including but not limited to newsstands, gifts and notions, coffee shops, self service laundries, and bike rental, which are normally incidental to hotels, motels and mobile home parks, if such uses are provided without direct access to a public street										
Parking lots										
Professional, governmental and general business offices which do not engage in retail sales on the premises										
Special Use Permits pursuant to 17.30	Yes		Per	CUP						

**17.24.080 Coastal Resource Residential (CRR) District Table**

Unless otherwise designated, the following uses or other uses which are found to be similar and consistent with the General Plan and Local Coastal Plan may be allowed with the appropriate permits and licenses.	Conditional Use Permit Required.	Maximum Building Height	Minimum Building Site Area	Minimum Lot Area Per Unit	Minimum Front Yard Setback	Minimum Side Yard Setback (Exterior Yard)	Minimum Side Yard Setback (Interior Yard)	Minimum Rear Yard Setback	Landscaping	Maximum Lot Coverage
One single-family dwelling  Structures and uses normally incidental to the primary use; home occupation	No	14 ft./ 25 ft. (refer to special standards)	20,000 sq. ft.  If cluster development 6,000 sq. ft. interior & 7,000 sq. ft. corner. (Refer to Cluster Requirements)	1 unit per lot	20 ft. (In addition garage shall be 20 ft. from sidewalk).	10 ft.	10% of the width of the lot with 6 ft minimum	10 ft. from property lines and from designated view corridor lines.		30%  If clustered: Refer to Cluster Requirements
Guest house (no kitchen) <u>*pursuant to 17.48.315 regulations.</u>	<del>Minor Use Permit</del> <u>*No</u>								Plan required	
<del>Granny</del> <u>Secondary dwelling units</u> are specifically prohibited.		14 ft./ 25 ft. (refer to special standards)		1 unit per lot in conjunction with a primary unit on the same lot	20 ft. (In addition garage shall be 20 ft. from sidewalk).	10 ft.	10% of the width of the lot with 6 ft minimum	10 ft. from property lines and from designated view corridor lines.		30%  If clustered: Refer to Cluster Requirements

# ATTACHMENT 2

*John Barta*  
*Post Office Box 1558*  
*Morro Bay, California 93443*  
*April 29, 2014*

To:

Mayor Jamie Irons, Council Persons Nancy Johnson, Christine Johnson, George Leage, & Noah Smukler, City Attorney Joseph Pannone, Public Services Director Rob Livick, Planner Cindy Jacinth  
City of Morro Bay  
595 Harbor St.  
Morro Bay, CA 93442

RE: Secondary Unit First Reading on April 22, 2014 and upcoming Second Reading

Note: Please include this letter in the agenda packet regarding the Secondary Unit matter.

## Introduction

As members of the council and planning staff are undoubtedly aware, I have long been an advocate for affordable housing in Morro Bay. As I have said many times, including times when I was on the planning commission, the state secondary dwelling law is a critical factor in meeting affordable housing needs. This is particularly true in Morro Bay since we cannot meet our state mandated fair share housing requirements without a robust secondary unit program. Bluntly stated, we told the State of California that our granny unit program was how we would be able to meet our future fair share housing quota and they accepted our position. What happened last Tuesday night is a reversal of that promise. It puts at risk our CDBG block grant funding as well as our street and road funding, both of which are tied to our compliance with fair share housing needs. Additionally, there are procedural concerns over what happened as well as objections to the merits of the proposed alterations to the original staff report.

## Procedural Concerns

My particular concern is with the newly added Section D requirement limiting secondary unit size to no more than fifty percent of existing house size. The issue of percentage limitation on detached units has repeatedly been rejected at both the planning commission and at the council level. Inserting it into the proposed ordinance at the last minute, with no prior public notice, is just the opposite of the transparency that has been promised by this council.

On the merits, this is a very bad idea, but the way the process occurred on Tuesday, it is an affront to transparency. Simply stated, the fifty percent limitation was literally added by our staff at the very last minute - **and NOT at the request of the Coastal Commission**. The fifty percent limitation appeared nowhere in the published staff report or posted notices prior to the meeting itself. It was added by putting up a slide at the meeting with no prior notice to the public. The staff described the change as merely a "tweak" of what had come before and the council failed to catch the impact before acting on the matter.

## ATTACHMENT 2

Had I been present in the room, I would have spoken. However, I was in Los Angeles at the time watching on SLOspan. I had read the public staff report and had accepted where the process had brought the issue by this time. There was nothing in the report to indicate that the fifty percent limitation was on the table at the meeting. Had I seen that in the report, I would have been present at the meeting to strenuously object. The issue of percentage limitation on detached units has repeatedly been rejected at both the planning commission and council level.

The Ordinance should not go forward to second reading if the fifty percent limitation remains in it. It is not a tweak. It is a wholesale change in how the ordinance would work at a real world level. I urge removal of the 50 percent limitation language in proposed Section D.

### **On The Merits the 50 Percent Limitation on Detached Units Is Deeply Flawed**

At the onset, it is important to remember that the granny unit ordinance does NOT increase the maximum allowable structure size on a lot. The combined total of primary and secondary housing cannot exceed the maximum allowable size for a single family residence on the same lot. I.e., both primary and secondary units must fit within the allowable envelope for a single family dwelling on the lot.

State law clearly separated the percentage limitation from detached units by giving each case its own section of the law:

"Section 65852.2 (b)1(E) The increased floor area of an ***attached*** second unit shall not exceed 30 percent of the existing living area.

Section 65852.2 (b)1(F) The total area of floor space for a ***detached*** second unit shall not exceed 1,200 square feet."

These provisions illustrate both the origin of the 1,200 square foot limitation (now proposed reduced to 900 square feet) in the existing ordinance and what can only be described as the critical flaw in the proposed ordinance. The proposed ordinance would misapply a percentage figure to BOTH attached units AND detached units.

The application of the percentage standard to detached secondary dwellings would lead to the terrible result that folks with small existing residences could not build the same size detached granny unit as their neighbors who have larger primary residences. This has the effect of making it practically impossible for owners of many homes to build a unit that would be big enough to warrant construction unless they expand their existing home, too. It also creates a fundamental fairness issue – folks with big homes could build significant granny units and folks with small homes couldn't do the same. This is almost the definition of gentrification.

It is claimed that the proposed provision would "preserve neighborhoods". What it will actually do is add an incentive for homeowners to tear down existing housing and replace it with bigger housing so the fifty percent limitation can be avoided. Alternatively, it discourages folks from building granny units at all.

## ATTACHMENT 2

Government Code Section 65852.150.

"The Legislature finds and declares that second units are a valuable form of housing in California. Second units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods. Homeowners who create second units benefit from added income, and an increased sense of security.

It is the intent of the Legislature that any second-unit ordinances adopted by local agencies have the effect of providing for the creation of second units and that provisions in these ordinances relating to matters including unit size, parking, fees and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create second units in zones in which they are authorized by local ordinance."

Please adopt an ordinance "with the intent of facilitating the development of second units in appropriate residential zones without arbitrary, excessive, or burdensome procedures and requirements"

Don't say "NO" to granny units and all the benefits they represent to both the citizens of Morro Bay and the State of California by misapplying the percentage limitations for attached units with the square foot limitations for detached units.

Remove the poison pill from the ordinance by deleting the 50 percent limitation on detached secondary dwellings.



John Barta

PS. I'm attaching a T-sheet which compares the benefits of weak and strong granny unit programs.

# ATTACHMENT 2

## T-Sheet on Granny Unit Programs

<b>Cost of a weak granny unit program</b>	<b>Benefits of a solid granny unit program</b>
City boundaries are forced to be expanded to meet state housing mandate	Stay within our city boundaries
More lots created by subdividing of nearby land	Not necessary to create new lots
More streets created	Use existing streets
Significant traffic increase from new outlying housing to town center	Traffic impacts are minimized
Additional infrastructure necessary	No new infrastructure
More sewer lines	No new sewer lines
More water lines	No new water and fire lines needed
More power lines	No additional power poles
Where "affordable" housing means bootleg, sub-code, & run down housing	Affordable housing that is built to current health and safety codes – i.e. Energy efficient, well insulated, clean
Where residents of bootleg housing park all over the streets because they don't have real parking of their own	Where it is mandated that parking be created for the affordable housing
Elderly and infirm end up in bootleg housing or not in town at all	Where elderly or infirm can live close to their families
Where real property values stagnate reducing access to monies to send children to college or just to make ends meet.	Where quality construction of new housing raises the value of all neighborhood homes
Where families with children have difficulty affording decent housing	Where large families can be part of the community
Where home owners have no chance to receive rental income	Where home owners can supplement their income to improve their lives while remaining in Morro Bay
Where adult children can't return to the nest in rough economic times	Where there is a possibility of having family live together in tough times
Where caregivers can't live near those they care for	Where caregivers might reside while attending to home owners
Where future home values are reduced from what they could be	Where quality improvement to one home in a neighborhood improves values all around the neighborhood
Where the people who work at average and lower paying jobs cannot afford to live in the community where they work	Where the people who work at average and lower paying jobs can live in the community where they work
Where a community slowly gentrifies into a "retirement-only" place.	Where we have a vital community with a diverse population
Where Morro Bay loses community development funds from state	Where Morro Bay receives CDBG funds
Where Morro Bay loses street and highway improvement funds	Where we receive outside monies to help build and repair our streets.



AGENDA NO: C-2

MEETING DATE: May 13, 2014

# Staff Report

**TO:** Honorable Mayor and City Council                      **DATE:** April 29, 2014

**FROM:** Eric Endersby, Harbor Director

**SUBJECT:** Approval of Consultant Agreement between City of Morro Bay and Lisa Wise Consulting for Completion of Boatyard and Haulout Market Analysis Study

## RECOMMENDATION

Staff recommends City Council approve the proposed Consulting Agreement (“Agreement”) between the City and Lisa Wise Consulting (“LWC”) for completion of a boatyard and haulout market analysis.

## ALTERNATIVES

1. Approve the agreement as presented.
2. Approve the agreement with Council amendments/modifications.
3. Do not approve the agreement.

## FISCAL IMPACT

The total cost for execution of the work under the Agreement is \$29,000; however, the Morro Bay Commercial Fisherman’s Organization (MBCFO) has committed to funding half of the cost through a grant received from the Central Coast Joint Cable/Fisheries Liaison Committee (“Cable Committee”). Therefore, the City’s cost to complete the work will be \$14,500. Current funds exist in the Harbor Capital account in the amount of \$55,332; those are monies already allocated for boatyard/haulout and vessel storage facility work.

## SUMMARY

Establishment of a full-scale boatyard and haulout facility in Morro Bay has a long history of City interest and involvement. In recent months, the Harbor Advisory Board has taken an active interest and role in reinvestigating the issue, including the establishment of an ad-hoc committee to assist in the process. The MBCFO has also renewed their interest, and recently obtained a Cable Committee grant, to partially fund studies into the market/financial and siting feasibility studies necessary for further progress to be made. The City Council recently approved funding to match the CFO’s grant funding to complete the market analysis portion of the required studies, and a consultant agreement contract is being presented for Council approval to complete that first study.

Prepared By: EE                      Dept Review: \_\_\_\_\_  
City Manager Review: \_\_\_\_\_  
City Attorney Review: \_\_\_\_\_

## **BACKGROUND**

The Morro Bay Harbor Advisory Board, with the formation of the Marine Facility Ad-Hoc Committee, has recently renewed their interest and activity in promoting the study of the financial and logistical feasibility of a boatyard and haulout facility. In addition, the MBCFO recently received a \$30,000 grant from the Cable Committee to help fund those feasibility studies, as their leadership agreed they too have a vested interest in the prospect of a full-service boatyard coming to Morro Bay. The Cable Committee grant award is conditioned on the City providing half of the required funding, estimated to be approximately \$60,000. Both the Morro Bay Harbor Advisory Board and Ad-Hoc Committee have recommended the City Council authorize the expenditure of funds necessary to complete the study funding match with the MBCFO.

More recently, the Ad-Hoc Committee, MBCFO and LWC have determined the best approach to the studies would be to break them into two distinct phases, the first being a market analysis and the second, assuming the market analysis indicates boatyard viability, a site and feasibility analysis. On March 27, 2014, LWC provided an updated proposal to the MBCFO for the phase one work of the market analysis.

At the April 8, 2014, City Council meeting, the Council approved the Harbor Department spend matching funds with the MBCFO for the phase one market analysis work, which was proposed by LWC at a total cost of \$29,000. At that meeting, the Council further moved a consultant agreement with LWC be brought back to a future Council meeting for approval.

## **DISCUSSION**

Attached to this staff report is the necessary consultant agreement and LWC proposal for Council consideration and approval. The primary scope of work and deliverables consist of:

- Project management plan including timeline.
- Case studies to include relevant industry reports, publications and studies of current example boatyards and their approaches to the industry.
- Survey instruments and protocols to help determine area boatyard/haulout demand.
- Market demand summary.
- Competitive market interviews and summary.
- Market opportunities and recommendations.
- Final report.
- Public presentations (Harbor Advisory Board and City Council).

Harbor Department staff, along with MBCFO representatives, in coordination with LWC, the Harbor Advisory Board and the Ad-Hoc Committee, will jointly manage project logistics in an effort to bring the study to completion. It is anticipated the market analysis will answer the question as to the viability of a full-scale boatyard in Morro Bay, as well as give direction as to whether further siting analysis and focus on continuing pursuit of a boatyard is warranted.

LWC's proposal conservatively anticipates an eight-month timeline to complete the study; however, in discussions with LWC staff, they feel confident a final draft document may be available by September.

**CONCLUSION**

As directed by Council at the April 8, 2014, City Council meeting, staff is bringing a consultant agreement with LWC for the City to partake in co-funding and completing a Morro Bay Boatyard and Haulout Market Analysis study in conjunction with the MBCFO. The study's findings will be brought to the Harbor Advisory Board and City Council at a future date for consideration and action.

## **CONSULTANT SERVICES AGREEMENT**

This Consultant Services Agreement (“this Agreement”) is made upon the date of execution, as set forth below, by and between Lisa Wise Consulting Inc., a California corporation, (hereinafter referred to as **CONSULTANT**), and the **CITY OF MORRO BAY**, a California municipal corporation (hereinafter referred to as "**CITY**")

**NOW, THEREFORE**, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

### **1.00 GENERAL PROVISIONS**

1.01 **TERM**. This Agreement will become effective on May 13, 2014, and shall remain in effect until tasks described herein are completed, but in no event later than January 13, 2015, unless sooner terminated as provided herein.

### **1.02 CONTRACT COORDINATION**

a. **CITY**. **CITY**'s Harbor Director shall be the Contract Manager of **CITY** for all purposes under this Agreement.

b. **CONSULTANT**. **CONSULTANT** shall assign a single Contract Manager to have overall responsibility for the progress and execution of this Agreement for **CONSULTANT**. Henry Pontarelli is hereby designated as the Contract Manager for **CONSULTANT**. If circumstances or conditions subsequent to the execution of this Agreement require a substitute Contract Manager for any reason, then the Contract Manager designee shall be subject to the prior written acceptance and approval of the **CITY**'s Contract Manager.

1.03 **SERVICES TO BE PERFORMED BY CONSULTANT**. **CONSULTANT** agrees to perform the work described on pages 13-15 in the proposal dated March 27, 2014 and titled “Proposal for Boatyard and Haulout Market Analysis,” which is attached hereto as Exhibit A and incorporated herein by this reference (the “Scope of Work”). In the event any term or condition in the Scope of Work conflicts with the terms in this Agreement, the terms of this Agreement shall control.

**CONSULTANT** shall determine the method, details and means of performing the services Scope of Work.

**CONSULTANT** may, at **CONSULTANT**'s own expense, employ such assistants as **CONSULTANT** deems necessary to perform the services required of **CONSULTANT** by this Agreement. **CITY** may not control, direct or supervise **CONSULTANT**'s assistants or employees in the performance of those services.

1.04 **COMPENSATION.** **CONSULTANT** shall be paid on a time and materials basis for the services described in Exhibit A. It is agreed between **CITY** and **CONSULTANT** **CITY** is cost-sharing on an equal basis with the Morro Bay Commercial Fisherman's Organization (hereinafter referred to as **MBCFO**) for cost of the Scope of Work, with **CITY** and **MBCFO** each responsible for exactly one half of the estimated costs incurred. It is further agreed **CITY** shall not be responsible for any cost obligations of **MBCFO** under any circumstances. The total amount for the Scope of Work payable by **CITY** under this Agreement shall not exceed Fourteen Thousand Five Hundred (\$14,500.00), which is exactly half of the estimated total cost of the work being performed, (the "Contract Ceiling"), unless additional funding is approved by **CITY**. Under no circumstances will **CONSULTANT** perform work that exceeds the agreed upon "Not to Exceed" amount set forth in the Contract Ceiling without the prior written approval from **CITY**.

**CONSULTANT** shall submit monthly invoices for actual services performed. Each invoice shall be submitted on the first business day of each month, or as soon thereafter as practical, for services provided in the previous month. Payment shall be made within thirty (30) days after **CITY**'s receipt of each invoice for all non-disputed fees.

## 2.00 **OBLIGATIONS OF CONSULTANT**

2.01 **MINIMUM AMOUNT OF SERVICE BY CONSULTANT.** **CONSULTANT** agrees to devote the hours necessary to perform the services set forth in this Agreement in an efficient and effective manner. **CONSULTANT** may represent, perform services for and be employed by additional individuals or entities, in **CONSULTANT**'s sole discretion, as long as the performance of these extra-contractual services does not interfere with or present a conflict with **CITY**'s business.

2.02 **TOOLS AND INSTRUMENTALITIES.** **CONSULTANT** shall provide all tools and instrumentalities necessary to perform the services under this Agreement.

2.03 **LAWS TO BE OBSERVED.** CONSULTANT shall:

a. Procure all business permits and licenses, pay all charges and fees therefor, and give all notices which may be necessary and incidental to the due and lawful prosecution of the services to be performed by CONSULTANT under this Agreement;

b. Keep itself fully informed of all existing federal, state and local laws, ordinances, regulations, orders, and decrees which may affect those engaged or employed under this Agreement, any materials used in CONSULTANT's performance under this Agreement, or the conduct of the services under this Agreement;

c. At all times observe and comply with, and cause all of its employees to observe and comply with all of said laws, ordinances, regulations, orders, and decrees mentioned above;

d. Immediately report to the CITY's Contract Manager in writing any discrepancy or inconsistency it discovers in said laws, ordinances, regulations, orders, and decrees mentioned above in relation to any plans, drawings, specifications, or provisions of this Agreement.

2.04 **RELEASE OF REPORTS AND INFORMATION.** Any video tape, reports, information, data, or other material given to, or prepared or assembled by, CONSULTANT under this Agreement shall be the property of CITY and shall not be made available to any individual or organization by CONSULTANT without the prior written approval of CITY, respectively. This provision shall not apply to information in whatever form that comes into the public domain, nor shall it restrict CONSULTANT from giving notices required by law or complying with an order to provide information or data when such order is issued by a court, administrative agency or other authority with proper jurisdiction.

2.05 **COPIES OF VIDEO TAPES, REPORTS AND INFORMATION.** If CITY requests additional copies of videotapes, reports, drawings, specifications, or any other material in addition to what the CONSULTANT is required to furnish in limited quantities as part of the services under this Agreement, then CONSULTANT shall provide such additional copies as are requested, and CITY shall compensate CONSULTANT for the costs of duplicating of such copies at CONSULTANT's direct expense.

2.06 **QUALIFICATIONS OF CONSULTANT.** CONSULTANT represents it is qualified to furnish the services described under this Agreement.

2.07 **WORKERS COMPENSATION AND OTHER EMPLOYEE BENEFITS.** CITY and CONSULTANT intend and agree CONSULTANT is an independent contractor of CITY and agrees CONSULTANT and CONSULTANT's employees and agents have no right to Workers Compensation and other employee benefits from CITY. CONSULTANT agrees to provide Workers Compensation and other employee benefits, where required by law, for CONSULTANT's employees and agents. CONSULTANT agrees to hold harmless, defend and indemnify CITY, respectively, from any and all claims for injury, disability, or death of CONSULTANT and CONSULTANT's employees or agents, including claims and payments to CalPERS if this Agreement causes any such payments to be required by CITY.

2.08 **INDEMNIFICATION.**

a. **FOR PROFESSIONAL LIABILITY.** To the fullest extent permitted by law, CONSULTANT shall indemnify, protect, defend and hold harmless CITY any and all of their respective officials, employees and agents (“Indemnified Parties”) from and against any and all losses, liabilities, damages, costs and expenses, including reasonable attorney’s fees and costs, which arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the CONSULTANT.

b. **INDEMNITY FOR OTHER THAN PROFESSIONAL LIABILITY.** Other than in the performance of professional services and to the full extent permitted by law, CONSULTANT shall indemnify, defend and hold harmless CITY, and any and all of their respective employees, officials and agents from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorneys fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement and/ or performance of any services described in any Task Order by CONSULTANT or by any individual or entity for which CONSULTANT is legally liable, including, but not limited to, officers, agents, employees or subconsultants of CONSULTANT.

2.09 **INSURANCE.** CONSULTANT shall maintain prior to the beginning of and for the duration of this Agreement insurance coverage as specified in Exhibit “B” attached hereto and incorporated herein as though set forth in full.

### 3.00 **TIME FOR COMPLETION OF THE WORK**

Program scheduling shall be as described in the Scope of Work, unless revisions are approved by **CONSULTANT's** Contract Manager and **CITY's** Contract Manager.

Time extensions may be allowed for delays caused by **CITY**, other governmental agencies, or factors not directly brought about by the negligence or lack of due care on the part of **CONSULTANT**.

### 4.00 **TEMPORARY SUSPENSION**

**CITY's** Contract Manager shall have the authority to suspend this Agreement wholly or in part, for such period as he/she deems necessary due to unfavorable conditions or to the failure on the part of **CONSULTANT** to perform any provision of this Agreement. **CONSULTANT** will be paid the compensation due and payable to the date of temporary suspension for work satisfactorily completed prior to that suspension.

### 5.00 **INSPECTION**

**CONSULTANT** shall furnish **CITY** with every reasonable opportunity for **CITY** to ascertain the services of **CONSULTANT** are being performed in accordance with the requirements and intentions of this Agreement. All work done and all materials furnished, if any, shall be subject to the **CITY's** Contract Manager's inspection and approval. The inspection of such work shall not relieve **CONSULTANT** of any of its obligations to fulfill its Agreement as prescribed.

### 6.00 **OWNERSHIP OF MATERIALS**

All original drawings, videotapes and other materials prepared by or in possession of **CONSULTANT**, pursuant to this Agreement, are the permanent property of the **CITY**, and shall be delivered to the **CITY** within 10 days of a written demand therefor. Any unauthorized use of the materials shall be at the **CITY's** sole risk and without liability to the **CONSULTANT**; provided, that if **CONSULTANT** uses any proprietary details or diagrams in the performance of this Agreement, then **CONSULTANT** shall retain ownership of those details and diagrams.

7.00 **OBLIGATIONS OF CITY**

7.01 **COOPERATION.** CITY agrees to comply with reasonable requests of CONSULTANT necessary to the performance of CONSULTANT's duties under this Agreement.

8.00 **TERMINATION OF AGREEMENT**

8.01 **TERMINATION ON OCCURRENCE OF STATED EVENTS.** This Agreement shall terminate automatically on the occurrence of any of the following events:

- a. Thirty (30) days prior notice of termination by either party;
- b. Bankruptcy or insolvency of any party;
- b. Sale of the CONSULTANT's business of any party without the prior written approval of CITY;
- c. End of the Agreement to which CONSULTANT's services were necessary; or
- d. Assignment of this Agreement by CONSULTANT without the prior written consent of CITY.

8.02 **TERMINATION BY ANY PARTY FOR DEFAULT OF CONSULTANT.** If any party defaults in the performance of this Agreement or materially breach any of its provisions, then a non-breaching party, at its option, may terminate this Agreement, immediately, by giving written notice of termination to the breaching party.

8.03 **RETURN OF MATERIALS.**

Upon such termination, CONSULTANT shall turn over to the CITY immediately any and all copies of videotapes, studies, sketches, drawings, computations, and other data, whether or not completed, prepared by CONSULTANT, or given to CONSULTANT in connection with this Agreement. Such materials shall become the permanent property of CITY. CONSULTANT, however, shall not be liable for CITY's use of incomplete materials.

9.00 **SPECIAL PROVISIONS**

9.01 **INTEREST OF CONSULTANT.**

**CONSULTANT** covenants it presently has no interest, and shall not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the performance of the services hereunder. **CONSULTANT** further covenants that, in the performance of this Agreement, no subcontractor or person having such an interest shall be employed. **CONSULTANT** certifies no one who has or will have any financial interest under this Agreement is an officer or employee of **CITY**. It is expressly agreed that, in the performance of the services hereunder, **CONSULTANT** shall at all times be deemed an independent contractor and not an agent or employee of **CITY**.

9.02 **DISCRIMINATION.**

No discrimination shall be made in the employment of persons under this Agreement because of the race, color, national origin, ancestry, religion or sex of such person.

If **CONSULTANT** is found in violation of the nondiscrimination provisions of the State of California Fair Employment Practices Act or similar provisions of federal law or executive order in the performance of this Agreement, then it shall thereby be found in material breach of this Agreement. Thereupon, **CITY** shall have the power to cancel or suspend this Agreement, in whole or in part. Only a finding of the State of California Fair Employment Practices Commission or the equivalent federal agency or officer shall constitute evidence of a violation of contract under this paragraph.

If **CONSULTANT** is found in violation of the nondiscrimination provisions of this Agreement or the applicable affirmative action guidelines pertaining to this Agreement, then **CONSULTANT** shall be found in material breach of the Agreement. Thereupon, **CITY** shall have the power to cancel or suspend this Agreement, in whole or in part.

10.00 **MISCELLANEOUS**

10.01 **REMEDIES.** The remedies set forth in this Agreement shall not be exclusive, but shall be cumulative with, and in addition to, all remedies now or hereafter allowed by law or equity.

10.02 **NO WAIVER.** The waiver of any breach by any party of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of this Agreement.

10.03 **ASSIGNMENT.** This Agreement is specifically not assignable by **CONSULTANT** to any person or entity. Any assignment or attempt to assign by **CONSULTANT**, whether it be voluntary or involuntary, by operation of law or otherwise, is void and is a material breach of this Agreement giving rise to a right to terminate as set forth in Section 8.03.

10.04 **ATTORNEY FEES.** In the event of any controversy, claim or dispute between the parties hereto, arising out of or relating to this Agreement, or the breach thereof, the prevailing party shall be entitled, in addition to other such relief as may be granted, to reasonable attorney fees.

10.05 **TIME FOR PERFORMANCE.** Except as otherwise expressly provided for in this Agreement, if the performance of any act required by this Agreement to be performed by any party is prevented or delayed by reason by any act of God, strike, lockout, labor trouble, inability to secure materials, or any other cause, except financial inability, not the fault of the party required to perform the act, then the time for performance of the act will be extended for a period of time equivalent to the period of delay and performance of the act during the period of delay will be excused; provided, however, that nothing contained in this section shall exclude the prompt payment by any party as required by this Agreement or the performance of any act rendered difficult or impossible solely because of the financial condition of the party required to perform the act.

10.06 **NOTICES.** Except as otherwise expressly provided by law, any and all notices or other communications required or permitted by this Agreement or by law to be served on or given to any party to this Agreement shall be in writing and shall be deemed duly served and given when personally delivered or in lieu of such personal service when deposited in the United States mail, first-class postage prepaid to the following address for each respective party:

**CITY:** Eric Endersby  
City of Morro Bay  
595 Harbor Street  
Morro Bay, CA 93442

**WITH COPY TO:** Joseph W. Pannone  
Aleshire & Wynder, LLP  
2361 Rosecrans Avenue, Suite 475  
El Segundo, CA 90245

**CONSULTANT:** Henry Pontarelli  
Lisa Wise Consulting, Inc.  
983 Osos Street

San Luis Obispo, CA 93401

10.07 **GOVERNING LAW.** This Agreement and all matters relating to this Agreement shall be governed by the laws of the State of California in force at the time any need for the interpretation of this Agreement or any decision or holding concerning this Agreement arises. Any litigation concerning or arising from this Agreement shall take place in the Superior Court for San Luis Obispo County.

10.08 **BINDING EFFECT.** This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto, but nothing in this section shall be construed as consent by **CITY** to any assignment of this Agreement or any interest in this Agreement.

10.09 **SEVERABILITY.** If any provision of this Agreement is held by a court of competent jurisdiction or by a legislative or rule making act to be either invalid, void or unenforceable, then the remaining provisions of this Agreement shall remain in full force and effect, unimpaired by the holding, legislation or rule.

10.10 **SOLE AND ENTIRE AGREEMENT.** This Agreement constitutes the sole and entire agreement between the parties with respect to the subject matter hereof. This Agreement correctly sets forth the obligations of the parties hereto to each other as of the date of this Agreement. All agreements or representations respecting the subject matter of this Agreement not expressly set forth or referred to in this Agreement are null and void.

10.11 **TIME.** **CITY** and **CONSULTANT** agree that time is of the essence in this Agreement.

10.12 **DUE AUTHORITY**. The parties hereby represent that the individuals executing this Agreement are expressly authorized to do so on and in behalf of the parties.

10.13 **CONSTRUCTION**. The parties agree that each has had an opportunity to have their counsel review this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits thereto. The captions of the sections are for convenience and reference only, and are not intended to be construed to define or limit the provisions to which they relate.

10.14 **AMENDMENTS**. Amendments to this Agreement shall be in writing and shall be made only with the mutual written consent of all of the parties to this Agreement.

10.15 **FORCE MAJEURE**. Neither party shall be deemed in default of this Agreement to the extent any delay or failure in the performance of their obligations results from any cause beyond any party's reasonable control and without the parties' negligence.

10.16 **STANDARD OF CARE**. The standard of care for all professional services performed or furnished by **CONSULTANT** under this Agreement will be the skill and care used by member of **CONSULTANT'S** profession practicing under similar circumstances at the same time and in the same locality.

10.17 **CONSTRUCTION PHASE SERVICES**. If this Agreement provides for any construction phase services by **CONSULTANT**, then it is understood the contractor, not **CONSULTANT**, will be responsible for the construction of the subject project, and **CONSULTANT** is not responsible for the acts or omissions of any contractor, subcontractor or material supplier; for safety precautions, programs or enforcement, or for construction means, methods, techniques, sequences and procedures employed by any contractor, subcontractor or material supplier.

**IN WITNESS WHEREOF**, the parties have executed this Agreement on \_\_\_\_\_, 2014, at \_\_\_\_\_, California.

**CITY OF MORRO BAY**

**CONSULTANT:**

\_\_\_\_\_  
Edward S. Kreins, Interim City Manager

By: \_\_\_\_\_

Its \_\_\_\_\_

Attest:

\_\_\_\_\_  
Jamie Boucher, City Clerk

By: \_\_\_\_\_

Its \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Joseph W. Pannone, Interim City Attorney

**EXHIBIT A**  
**SCOPE OF WORK**

**(Immediately behind this page)**

## EXHIBIT B

### INSURANCE REQUIREMENTS

*Prior to the beginning of and throughout the duration of the Agreement, Consultant will maintain insurance in conformance with the requirements set forth below. Consultant will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth here, Consultant agrees to amend, supplement or endorse the existing coverage to do so. Consultant acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to City/District in excess of the limits and coverage required in this agreement and which is applicable to a given loss, will be available to City/District.*

*Consultant shall provide the following types and amounts of insurance:*

Commercial General Liability Insurance using Insurance Services Office “Commercial General Liability” policy from CG 00 01 or the exact equivalent. Defense costs must be paid in addition to limits. There shall be no cross liability exclusion for claims or suits by one insured against another. Limits are subject to review but in no event less than \$1,000,000 per occurrence.

Business Auto Coverage on ISO Business Auto Coverage from CA 00 01 including symbol 1 (Any Auto) or the exact equivalent. Limits are subject to review, but in no event to be less than \$1,000,000 per accident. If Consultant owns no vehicles, this requirement may be satisfied by a non-owned auto endorsement to the general liability policy described above. If Consultant or Consultant’s employees will use personal autos in any way to perform the Scope of Services, then Consultant shall provide evidence of personal auto liability coverage for each such person.

Property Damage Insurance in an amount of not less than \$1,000,000 for damage to the property of each person on account of any one occurrence.

Workers Compensation on a state-approved policy form providing statutory benefits as required by law with employer’s liability limits.

Excess or Umbrella Liability Insurance (Over Primary) if used to meet limit requirements, shall provide coverage at least as broad as specified for the underlying coverages. Any such coverage

provided under an umbrella liability policy shall include a drop down provision providing primary coverage above a maximum \$25,000 self-insured retention for liability not covered by primary but covered by the umbrella. Coverage shall be provided on a “pay on behalf” basis, with defense costs payable in addition to policy limits. Policy shall contain a provision obligating insurer at the time insured’s liability is determined, not requiring actual payment by the insured first. There shall be no cross liability exclusion precluding coverage for claims or suits by one insured against another. Coverage shall be applicable to City/District for injury to employees of Consultant, subContractors or others involved in the Work. The scope of coverage provided is subject to approval of City following receipt of proof of insurance as required herein. Limits are subject to review but in no event less than \$1,000,000 per occurrence.

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designated to protect against acts, errors or omissions of the Consultant and “Covered Professional Services” as designated in the policy must specifically include work performed under this agreement. The policy limit shall be no less than \$1,000,000 per claim and in the aggregate. The policy must “pay on behalf of” the insured and must include a provision establishing the insurer’s duty to defend. The policy retroactive date shall be on or before the effective date of this agreement.

*Insurance procured pursuant to these requirements shall be written by insurer that are admitted carriers in the state California and with an A.M. Bests rating of A- or better and a minimum financial size VII.*

Exhibit B

Page 2 of 6

General conditions pertaining to provision of insurance coverage by Consultant. Consultant and City agree to the following with respect to insurance provided by Consultant:

1. Consultant agrees to have its insurer endorse the third party general liability coverage required herein to include as additional insureds the City of Morro Bay and the Cayucos Sanitary District, and their officials employees and agents, using standard ISO endorsement No. CG 2010 with an edition prior to 1992. Consultant also agrees to require all Consultants, and subContractors to do likewise.
2. Except for Professional liability, no liability insurance coverage provided to comply with this Agreement shall prohibit Consultant, or Consultant's employees, or agents, from waiving the right of subrogation prior to a loss. Consultant agrees to waive subrogation rights against City regardless of the applicability of any insurance proceeds, and to require all Consultants and sub-Contractors to do likewise.
3. All insurance coverage and limits provided by Consultant and available or applicable to this agreement are intended to apply to the full extent of the policies. Nothing contained in this Agreement or any other agreement relating to the City or its operations limits the application of such insurance coverage.
4. None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to City and approved of in writing.
5. No liability policy shall contain any provision or definition that would serve to eliminate so-called "third party action over" claims, including any exclusion for bodily injury to an employee of the insured or of any Consultant or subcontractor.
6. All coverage types and limits required are subject to approval, modification and additional requirements by the City, as the need arises. During the term of this Agreement, Consultant shall not make any reductions in scope of coverage (e.g. elimination of contractual liability or reduction of discovery period) that may affect City's protection without City's prior written consent.
7. Proof of compliance with these insurance requirements, consisting of certificates of insurance evidencing all of the coverages required and an additional insured endorsement to Consultant's general liability policy, shall be delivered to City at or prior to the execution of this Agreement. In the event such proof of any insurance is not delivered as required, or in the event such insurance is canceled at any time and no replacement

Exhibit B

coverage is provided, City has the right, but not the duty, to obtain any insurance it deems necessary to protect its interests under this or any other agreement and to pay the premium. Any premium so paid by City shall be charged to and promptly paid by Consultant or deducted from sums due Consultant, at City's option.

8. It is acknowledged by the parties of this agreement that all insurance coverage required to be provided by Consultant or any subContractor, is intended to apply first and on a primary, noncontributing basis in relation to any other insurance or self-insurance available to City/District or as approved by the City Attorney.
9. Consultant agrees to ensure that subcontractors, and any other party involved with the Scope of Services who is brought onto or involved in the Scope of Services by Consultant, provide the same minimum insurance coverage required of Consultant. Consultant agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. Consultant agrees that upon request, all agreements with subcontractors and others engaged in the Scope of Services will be submitted to City for review.
10. Consultant agrees not to self-insure the insurance required herein and further agrees that it will not allow any Consultant, subContractor, Architect, Engineer or other entity or person in any way involved in the performance of the Scope of Services to self-insure its obligations to City. If Consultant's existing coverage includes a deductible or self-insured retention, the deductible or self-insured retention must be declared to the City.
11. The City reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the Consultant ninety (90) days advance written notice of such change. If such change results in additional cost to the Consultant, the City will pay the additional compensation proportional to the increase required by City.
12. For purposes of applying insurance coverage only, this Agreement will be deemed to have been executed immediately upon any party hereto taking any steps that can be deemed to be in furtherance of or towards performance of this Agreement.
13. Consultant acknowledges and agrees that any actual or alleged failure on the part of City to inform Consultant of non-compliance with any insurance requirements in no way imposes any additional obligations on City nor does it waive any rights hereunder in this or any other regard.

Exhibit B

14. Consultant will renew the required coverage annually for three years after the Consultant has completed its services pursuant to this agreement. This obligation applies whether or not the agreement is canceled or terminated for any reason.
15. Consultant shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Proof that such coverage has been ordered shall be submitted prior to expiration. A coverage binder or letter from Consultant's insurance agent to this effect is acceptable. A certificate of insurance and/or additional insured endorsement as required in these specifications applicable to the renewing or new coverage must be provided to City within five days of the expiration of the coverages.
16. Requirements of specific coverage features or limits contained in this section are not intended as limitations on coverage, limits or other requirements nor as a waiver of any coverage normally provided by any given policy. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue, and is not intended by any party or insured to be limiting or all-inclusive.
17. These insurance requirements are intended to be separate and distinct from any other provision in this agreement and are intended by the parties here to be interpreted as such.
18. The requirements in this Section supersede all other sections and provisions of this Agreement to the extent that any other section or provision conflicts with or impairs the provisions of this Section.
19. Consultant agrees to be responsible for ensuring that no contract used by any party involved in any way with the Scope of Services reserves the right to charge City/District or Consultant for the cost of additional insurance coverage required by this agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.
20. Consultant agrees to provide immediate notice to City of any claim or loss against Consultant arising out of the work performed under this agreement. City assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve City.

Exhibit B



# CENTRAL JOINT CABLE/ FISHERIES LIAISON COMMITTEE, CITY OF MORRO BAY

PROPOSAL FOR BOATYARD AND HAULOUT MARKET ANALYSIS  
March 27, 2014

PREPARED BY:

Lisa Wise Consulting, Inc.





# CITY OF MORRO BAY

## PROPOSAL FOR BOATYARD MARKET ANALYSIS

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# 1. INTRODUCTION

The community of Morro Bay has been assessing the feasibility of a haulout facility and boatyard since 1997. It is the community's sentiment that such a facility will serve the commercial fishing fleet, recreational boaters and sailors, Coast Guard, Harbor Patrol, and CPFV fleet and other potential visiting patrons, and protect the nationally recognized Morro Bay Estuary. Currently, leaders from the Morro Bay Commercial Fisherman's Organization (MBCFO), the Morro Bay Yacht Club (MBYC) as well as the Morro Bay National Estuary Program (MBNEP) feel there is widespread support for the establishment of such a facility.

In February of 2013, the MBCFO in collaboration with LWC submitted a grant application to the Central Joint Cable/Fishery Liaison Committee (CCJCFLC) to fund a feasibility study for a Boatyard and Haulout Facility in Morro Bay. On March 27, 2014 the grant was awarded in the amount of \$30,000 in a shared agreement with the City of Morro Bay. The MBCFO as grant recipient and the City of Morro Bay as a funding source have determined that the first step in the establishment of a boatyard and haulout facility in Morro Bay is to assess the potential market demand and financial viability. The following scope of work, budget and timeline illustrates the steps necessary for completing this study.

Future phases should be directed at assessing, confirming and acquiring physical sites, analyzing and complying with environmental and regulatory constraints, assessing acquisition and management strategies and the procurement of a Coastal Development Permit.



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## 2. EXPERIENCE AND QUALIFICATIONS

### FIRM PROFILE

#### LISA WISE CONSULTING, INC.

Lisa Wise Consulting, Inc. (LWC) is an economics and land use planning firm that focuses on coastal communities and working waterfronts to develop feasible industry strategies and economic planning that implements the community vision. The LWC team brings technical expertise and experience in economics, finance, accounting, land use planning, architecture and cultural anthropology.

LWC was formed in 2006, has ten employees, and offices in San Luis Obispo and San Francisco. The firm has conducted successful projects aimed at revitalizing working waterfronts and assessing economic and land use performance for the ports of San Diego, Long Beach and Los Angeles, Port San Luis and Moss Landing Harbor Districts, the Cities of Morro Bay and Monterey and in Fort Bragg.

LWC projects have lead directly to the implementation and investment in the rebuilding of Pier 4 and establishment of an ice machine and fisherman's market in Driscoll's Harbor in San Diego, establishment of a new fish processing plant in Terminal Island in Los Angeles and strengthening efforts to establish a Community Quota Fund in Monterey.

LWC core capabilities are:

- Coastal Industry Analysis and Strategic Planning
- Community Engagement and Visioning
- Economic and Market Analysis & Financial Feasibility Studies
- Management of Complex Project with Multiple Subconsultants
- Pre Construction Services, Coastal Permitting
- Zoning Ordinances, Development Codes

LWC is a federally certified woman-owned business (DBE) and a California Small Business (SBA). Owner-founders Lisa Wise and Henry Pontarelli have decades of experience in economics, market analysis, land use planning, business strategy development and the management of complex projects.

#### Firm Contact Information

Henry Pontarelli, Vice President  
983 Osos Street  
San Luis Obispo, CA 93401

P 805.595.1345  
E [henry@lisawiseconsulting.com](mailto:henry@lisawiseconsulting.com)

LWC

## KEY PERSONNEL

The LWC team will be made up of Vice President and Owner, Henry Pontarelli, Senior Associate, Menka Sethi, and Associate Brian Harrington. Henry will direct market research, oversee the creation of the memos and findings report, conduct personal interviews and site visits, and prepare for and present in public. Menka will be the day to day project manager and will conduct personal interviews, perform the market analysis and demand assessment. Brian Harrington will undertake the preliminary archival review effort, summarize relevant documents and case studies, assist with general data gathering and interviews, and manage the development of project related reports. LWC will engage other staff and consulting firms with expertise in related disciplines to advise on the project when necessary.

### **Henry Pontarelli, Vice President, Owner**

Henry Pontarelli brings over 20 years of business management and economic experience to the firm. Henry managed distribution networks in Latin America for Anixter Brothers, a \$2.5 billion distributor of wiring system products, Newell International, a \$2.5 billion manufacturing group, and Brown Dreyfuss International, an export marketing company in New York City. His experience also includes eight years with BioMed Plus, a Miami-based distributor of plasma derivatives. Henry created business plans and industry-scale economic analyses at each of these firms. Through this work, Henry developed extensive strategic planning skills with an “industry-scale” perspective, as well as, solid experience choosing and training distributor-partners and managing distribution networks.

At LWC, Henry focuses on economic analysis, strategic planning, and the community consensus process. Henry was the Project Director for the Morro Bay/Port San Luis Commercial Fisheries Business Plan, the San Diego Revitalization Plan, and an Economic Development Strategy for Marine Users in Moss Landing. He was also the Project Manager on the San Luis Obispo County Agricultural Cluster Ordinance Economic Analysis, West Coast U.S. Commercial Albacore Fishery Economic Analysis, Morro Bay Commercial Fishery



Economic Impact Analysis, and on the Terminal Island, Port of L.A. Land Use Plan. The projects are seen as groundbreaking in uniting diverse stakeholders to address economic resilience and working waterfront issues.

### **Menka Sethi, Senior Associate**

As a Senior Associate, Menka brings over ten years of financial feasibility, real estate investment, and business management experience to LWC. Menka leads the team as a Project Manager and in pro forma development, financial feasibility analysis and financial modeling particularly as variables are influenced by market forces and land use policy. Menka plays a leadership role in formulating recommendations on development alternative scenarios and land use designations while assessing the impacts of community vision, availability of capital and synergies with the existing development landscape.

Menka's previous experience includes managing mixed-use development, new construction and leasing projects that ranged from \$5 million to \$100 million, involved complex entitlement processes, and tax credit equity funding. Menka also developed growth, retention, disposal and modernization funding strategies, and business asset plans and as well as managing a \$230 million leased commercial real estate portfolio for U.S. General Services Administration. Menka's training and experience give her a broad perspective on innovative and feasible approaches to shaping land use policy, physical design and the implications of financial performance.

### **Brian Harrington, Associate**

Brian holds a Master of City and Regional Planning degree from California Polytechnic University, San Luis Obispo and Bachelor of Science degree in Architecture from the University of Michigan, Ann Arbor. At LWC, Brian focuses on developing long range planning strategies that are economically viable and consistent with the community's vision. He has played a key role in the development of the Morro Bay and Monterey Community Sustainability Plans and the Richmond South Shoreline Specific Plan on which LWC is the lead economics firm and is tasked with developing strategies for integrating the proposed 5.2 million square foot Lawrence Berkeley Lab facility into the community and ensuring the greatest benefit for residents and businesses in Richmond.

Brian is also playing a Deputy Project Management role on the Harbor Terrace Pre Development Services project which aims to acquire a Coastal Development Permit for a 28 acre property in the Port San Luis Harbor District. Brian's tasks include maintaining close and consistent communication with the Consultant Team, the County of SLO (Permitting Agency), development of financial pro formas for design alternatives and assessing policy implications of the proposed design of the site.

Brian's previous experience as an architectural and planning associate at Mills College in Oakland compliments his technical planning training and gives him a comprehensive perspective on feasible land use approaches and solutions. Brian's multidisciplinary background contributes to his role at LWC in project management, research and data analysis, visual communication, and evaluating design standards.

RELATED PROJECT EXPERIENCE: LWC

# CITY OF MORRO BAY

## Morro Bay/Port San Luis Commercial Fisheries Business Plan & Industry Analysis

**Status:** Complete

**Timeframe:** January 2007- March 2008

**Budget:** \$74,000

**References:**

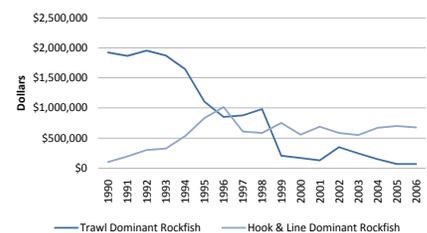
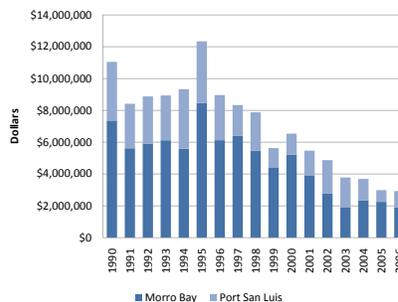
Rick Algert  
 Harbor Manger  
 Sue Lichtenbaum  
 Harbor Business Manager  
 City of Morro Bay  
 Harbor Department  
 1275 Embarcadero Road  
 Morro Bay, CA 93442  
 805.772.6259  
 ralgert@morro-bay.ca.us  
 slichten@morro-bay.ca.us

Tim Duff  
 California Coastal Conservancy  
 13th Floor, 1330 Broadway  
 Oakland, CA 94612  
 phone 510.286.1015  
 fax 510.286.0470  
 tduff@scc.ca.gov

LWC was retained by the City of Morro Bay, California to create a comprehensive business plan and marketing plan for the San Luis Obispo County commercial fisheries. The Plan positions the industry to take advantage of traditional, environmentally sustainable fishing practices and consumer awareness and demand. The Plan also directs the industry toward economic viability by focusing on maximizing value versus maximizing catch.

Dozens of interviews and meetings were conducted throughout distribution chain to determine and quantify demand, and provide direction for the marketing and communication strategies. Final recommendations and implementation strategies are based on extensive evaluation of existing infrastructure, landings and trends, regulations and their impacts, co management options, and value added services.

The Plan also positions the Morro Bay and Port San Luis fisheries to be eligible for funding from sources such as the California Fisheries Fund, Ocean Protection Council (OPC), California Coastal Conservancy, the Moore Foundation, the Resources Legacy Fund, Sea change, private investors, and others. The project was funded by the California Coastal Conservancy through a grant managed by the City of Morro Bay.



RELATED PROJECT EXPERIENCE: LWC

## CITY OF MORRO BAY Morro Bay and Monterey Community Sustainability Plans

**Status:** In Progress

**Timeframe:** August 2012 - February 2014

**Budget:** \$94,000

**References:**

Rick Algert  
Harbor Director (former)  
Special Projects - Fisheries  
City of Morro Bay  
Harbor Department  
1275 Embarcadero Road  
Morro Bay, CA 93442  
805.772.6259  
ralgert@morro-bay.ca.us

Steve Scheibla  
Harbor Master  
City of Monterey  
Harbor Department  
250 Figueroa Street  
Monterey, CA 93940  
831.646.3950  
scheibla@monterey.org

LWC was retained by the Cities of Morro Bay and Monterey, through a Grant from the National Fish and Wildlife Foundation's Fisheries Innovation Fund, to create comprehensive Community Sustainability Plans for each of the cities.

These plans are required by federal law, and are aimed at bringing stability and increased value within the fishing industry and the community by anticipating changes and identifying opportunities and constraints in market, economics, physical infrastructure, and regulation, and through the development of metrics that consider the economic, social, and environmental impacts and contributions.

Identification and evaluation of the sustainability metrics is aimed at guiding harbor managers, civic leaders and the fishing industry to

identify, prioritize implementation alternatives for physical facilities and services upgrades or expansion, incentivizing behaviors and relationships in the community, formulation of a co-op, or a comprehensive marketing and promotional program.

LWC was the lead on a consultant team comprised of AECOM and California Polytechnic University. LWC was responsible for project management, economic analysis, community engagement and synthesizing the environmental and social impact findings into actionable sustainability plans for both cities.



## RELATED PROJECT EXPERIENCE: LWC

## CITY OF SAN LUIS OBISPO

### Economic Development Strategic Plan

**Status:** Completed

**Timeframe:** February 2012 - October 2012

**Budget:** \$49,000

**Reference:**

Michael Codron

Assistant City Manager

City of San Luis Obispo

990 Palm Street

San Luis Obispo, CA 93401

805.781.7112

mcodron@slocity.org

Lisa Wise Consulting, Inc. (LWC), in partnership with Seifel Consulting, Inc., was retained by the City of San Luis Obispo, California to prepare a five-year Economic Development Strategic Plan. The plan recommended strategies to address major city economic goals including the goal of creating more “head-of-household” jobs.

The team conducted significant public outreach and economic analysis to examine opportunities, challenges, and existing conditions including demographics, resources and partnerships in the community. The analysis included an extensive

review of the City’s development review process and fees.

The Plan prioritized strategies that are implementable within the five-year timeframe and included metrics for measuring the success of each strategy. LWC worked closely with City Staff to incorporate data and findings from previous local economic development work and to reach key members of the community.



### CITY OF SAN LUIS OBISPO

Economic Development Strategic Plan | OCTOBER 16, 2012



RELATED PROJECT EXPERIENCE: LWC

## PORT OF LOS ANGELES Terminal Island Land Use Plan

**Status:** Complete

**Timeframe:** March - November 2011

**Budget:** \$20,000

**Reference:**

Derek Jordan

Harbor Planning & Economic Analyst  
Planning & Economic Development  
Division

Port of Los Angeles

425 S. Palos Verdes Street

San Pedro, CA 90733

310.732.3871

DJordan@portla.org

In collaboration with Cargo Velocity (freight movement and engineering), MBI Media (meeting facilitation), Owen Lang (landscape architecture), Jensen Maritime (shipyards and fleet management), Rail Pros (commercial rail), Dr. Ana Pitchon (Anthropologist, U.C. Northridge), and Economic Planning Systems (cost projections and feasibility).

Lisa Wise Consulting, Inc. (LWC) was hired by the Port of Los Angeles as part of a Consultant Team lead by Cargo Velocity to develop a Land Use Plan for the 1,500-acre Terminal Island. Industries on the Island include commercial rail, cargo, liquid bulk, commercial seafood processing, commercial fishing, shipyards and maritime support.

LWC was responsible for working with commercial seafood processors to ensure that their concerns and interests were considered in the Plan and assisting with the overall community engagement process. The Plan development process relied heavily on input from stakeholders. LWC used written surveys, personal interviews, small group meetings, site visits and five public workshops to promote the project and gather input. The public workshops

attracted up to 100 participants and the Consultant Team used multiple-screen PowerPoint presentations, break out groups, interactive map exercises and large format flip charts to guide the meetings and record feedback.

The Plan was completed on time and within budget and presented to the Board of Harbor Commissioners in January 2012. The final Plan exceeded the backland and waterfront berth requests of commercial seafood processors and the commercial fishing fleet.



## RELATED PROJECT EXPERIENCE: LWC

## SAN DIEGO PORT DISTRICT Economic Analysis and Coastal Public Access Plan

**Status:** Complete

**Timeframe:** 2008-2010

**Budget:** \$500,000

**Reference:**

Kelly Falk

Asset Manager, Real Estate

Port of San Diego

3165 Pacific Highway

San Diego, CA 92101

619.686.6455

kfalk@portofsandiego.org

LWC was the lead firm on a team that included: marine structural engineer (Moffatt, Nichol – Blaylock); civil engineer/landscape architect (Project Design Consultants); traffic engineer (Linscott, Law & Greenspan), geotechnical engineer (TerraCosta Consulting Group), architect (KMA Architects & Engineers); and marine biology and terrestrial biology consultants (Merkel and Associates and Helix Environmental Planning).

LWC was retained as the lead firm by the Port of San Diego and a Core Committee, made up of local stakeholders, to lead a comprehensive economic analysis, focusing on site conditions at Driscoll's Wharf and Tuna Harbor.

The \$500,000 Coastal Conservancy funded project culminated with an Implementation Plan that through extensive personal interviews, field observations, and review of archival data identifies the most pressing local needs and provides timelines, budgets, roles and responsibilities, funding options, and metrics for successful implementation.

The economic analysis includes a marine user industry overview, comparisons of economic indicators to State and national trends, infrastructure conditions and constraints, demand and distribution chain analysis, earning trends, import and export trends, case studies of other ports, potential management entities, and regulations and their impacts. Emphasis was placed on contacting and engaging as much of the local community as possible. Extensive interviews were also conducted with local distributors/processors, restaurants, and retailers. Over 150 hours was spent on one-on-one interviews and provided the foundation of the background existing conditions report.



## REFERENCES

Tim Duff  
California Coastal Conservancy  
1330 Broadway, 13th Floor  
Oakland, CA 94612  
510.286.1015  
tduff@scc.ca.gov

Steve McGrath  
Harbor Manager  
Port San Luis Harbor District  
3950 Avila Beach Drive  
Avila Beach, CA 93424  
805.595.5400  
stevem@portsanluis.com

Eric Endersby  
City Morro Bay  
1275 Embarcadero  
Morro Bay, CA 93442  
805.772-6254  
eendersby@morro-bay.ca.us

Steve Scheiblauber  
Harbormaster  
City of Monterey  
250 Figueroa St.  
Monterey, CA 93940  
831.646.3950  
scheibla@ci.monterey.ca.us

Michael Codron  
Assistant City Manager  
City of San Luis Obispo  
990 Palm Street  
San Luis Obispo, CA 93401  
805.781.7112  
mcodron@slocity.org

Derek Jordan  
Harbor Planning & Economic Analyst  
Port of Los Angeles  
Planning & Economic Development  
Division  
425 S. Palos Verdes Street San Pedro  
CA 90733-0151  
310.732.3871  
djordan@portla.org

Kristine Zortman  
Maritime Properties Asset Manager  
Port of San Diego  
3165 Pacific Highway  
San Diego, CA 92101-1128  
619.686.6507  
kzortman@portofsandiego.org

# 3. SCOPE OF WORK

The tasks described in the following Scope of Work address the analysis and quantification of market demand (to the extent possible) for a haulout and boatyard/marine facility in Morro Bay.

## TASK 1. SCOPING, REFINEMENT, & PROJECT MANAGEMENT PLAN

LWC will schedule, provide an agenda (on which all parties have had the opportunity to comment), and facilitate a kickoff meeting with project managers at the City and the MBCFO to review and confirm the scope of work, deliverables and timeline.

Deliverable: Draft Project Management Plan, with confirmed timeline and deliverables

## TASK 2. ARCHIVAL REVIEW & CASE STUDIES

LWC will review and summarize relevant industry reports and publications and conduct case studies of three (3) boatyards and haulout facilities for guidance and examples of successful approaches and pitfalls on the development and management of such facilities. This task is also intended to identify and refine assumptions for the market analysis. Case studies may include KKMI in Richmond California, Newport or Toledo, Oregon, Gravelle's in Moss Landing, Monterey Boatyard, Monterey or Ventura Harbor Boatyard - Shipyard Marine Repair (among others).

Deliverable: Case Study Memo.



## TASK 3. DEVELOP SURVEY INSTRUMENT & PROTOCOL

LWC will work with the MBCFO and the City to develop a survey instrument and protocol designed to collect data on user demand for boatyard/haulout facilities and related services. The survey instrument will seek to identify how often vessel owners haul their boats out of the water, what types of repair they conduct annually/semi annually, how much they typically spend (for each type of service) and the factors that influence vessel owner's decisions on which facility they patronize.

Deliverable: Draft and Final Survey Instrument and Survey Protocol

## TASK 4. MORRO BAY MARKET ASSESSMENT

LWC will rely on its close working and personal relationships with the MBCFO, MBYC, CPFV fleet, Coast Guard and Harbor Department and use personal, online and group interview approaches to generate a as robust and as accurate a response possible to the survey instrument aimed at quantifying the demand for a boatyard and haulout facility in Morro Bay. LWC will compile and assess the response data in to a clear and concise memo with accompanying graphs, charts and images.

Deliverable: Morro Bay Market Demand Summary Memo

## TASK 5. COMPETITIVE MARKET RESEARCH

Through its relationships with California working waterfront communities, LWC will contact and interview boatyard and haulout facilities to gather data on the competitive market, such as how many boats they handle per day/year, what types of services they provide, how far their customers travel, and the greatest constraints and opportunities facing marine haulout/boatyard facility operators.

Deliverable: Competitive Market Interviews Summary Memo



## TASK 6. MARKET OPPORTUNITIES AND RECOMMENDATIONS

LWC will analyze and quantify the results of the market research interviews outlined in the Tasks 2, 4 and 5 to identify the most important services, potential demand, and opportunities and constraints for marine facility operators and make recommendations on the viability of a boatyard and haulout facility in Morro Bay, what types of services are likely to generate the highest demand, as well possible strategies to capitalize on trends in the market.

Deliverable: Market Opportunities and Recommendations Memo

## TASK 7. REPORT OF FINDINGS

LWC will summarize the background and findings from the above Tasks into a final report of professional appearance with accompanying graphs, charts and graphics. LWC will work closely with the MBCFO and the City to provide draft versions of the report and make revisions in a timely manner.

Deliverable: Final Report

## TASK 8. PUBLIC PRESENTATION OF FINDINGS

LWC will produce an attractive and concise PowerPoint presentation that summarizes the work performed and the key findings of the project. LWC will make a presentation at one (1) Harbor Advisory Board meeting. This task will also include eight (8) color/bound copies of the report to be distributed to the project's funding sources.

Deliverable: City Council Presentation on Report Findings.



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# 4. TIMELINE

Task	2014							
	Apr	May	June	Jul	Aug	Sep	Oct	Nov
Task 1: Scoping and Refinement	█							
Task 2: Preliminary Document Review and Case Studies	█	█						
Task 3: Survey Approach & Instrument		█	█					
Task 4: Morro Bay Market Research			█	█	█			
Task 5: Competitive Market Research				█	█	█		
Task 6: Market Analysis & Demand Assessment					█	█	█	
Task 7: Report of Findings							█	█
Task 8: Public Presentation of Findings								█

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## 5. BUDGET

Task	Principal 175		Senior 125		Associate 95		Direct Costs	TOTAL		% of Total Project
	Hrs	Cost	Hrs	Cost	Hrs	Cost		Hrs	Cost	
<b>Boatyard Haulout Market Demand Analysis</b>										
Task 1: Scoping and Refinement	6	\$ 1,050	4	\$ 500	6	\$ 570	\$ -	16	\$ 2,120	7.3%
Task 2: Preliminary Document Review and Case Studies	8	\$ 1,400	12	\$ 1,500	12	\$ 1,140	\$ -	32	\$ 4,040	13.9%
Task 3: Survey Approach & Instrument	8	\$ 1,400	12	\$ 1,500	12	\$ 1,140	\$ 140	32	\$ 4,180	14.4%
Task 4: Morro Bay Market Research	8	\$ 1,400	12	\$ 1,500	12	\$ 1,140	\$ -	32	\$ 4,040	13.9%
Task 5: Competitive Market Research	8	\$ 1,400	12	\$ 1,500	12	\$ 1,140	\$ -	32	\$ 4,040	13.9%
Task 6: Market Analysis & Demand Assessment	8	\$ 1,400	16	\$ 2,000	10	\$ 950	\$ -	34	\$ 4,350	15.0%
Task 7: Report of Findings	8	\$ 1,400	10	\$ 1,250	12	\$ 1,140	\$ -	30	\$ 3,790	13.1%
Task 8: Public Presentation of Findings	6	\$ 1,050	6	\$ 750	4	\$ 380	\$ 260	16	\$ 2,440	8.4%
<b>Total</b>	<b>60</b>	<b>\$ 10,500</b>	<b>84</b>	<b>\$ 10,500</b>	<b>80</b>	<b>\$ 7,600</b>	<b>\$ 400</b>	<b>224</b>	<b>\$ 29,000</b>	<b>100.0%</b>

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# APPENDIX: RESUMES

# HENRY PONTARELLI

Vice President, Owner

Henry Pontarelli brings over 20 years of business management and economic experience to the firm. Henry managed distribution networks in Latin America for Anixter Brothers, a \$2.5 billion distributor of wiring system products, Newell International, a \$2.5 billion manufacturing group, and Brown Dreyfuss International, an export marketing company in New York City. His experience also includes eight years with BioMed Plus, a Miami-based distributor of plasma derivatives. Henry created business plans and industry-scale economic analyses at each of these firms. Through this work, Henry developed extensive strategic planning skills with an "industry-scale" perspective, as well as, solid experience choosing and training distributor-partners and managing distribution networks.

At LWC, Henry focuses on economic and market analysis, strategic planning, and the community consensus process aimed primarily at coastal communities and working waterfronts. Henry was the Project Director for the Morro Bay/Port San Luis Commercial Fisheries Business Plan, the Port of San Diego Commercial Fisheries Revitalization Plan, and an Economic Development Strategy for Marine Users in Moss Landing. Henry is currently managing Community Sustainability Plans (CSP) for the Cities of Morro Bay and Monterey. CSPs are a federal requirement for eligibility in the groundfish fishery but the projects are aimed at assessing performance and opportunities and constraints in all fisheries, as well as physical infrastructure, social cohesion and leadership, connection to markets and the impacts of regulation.

In 2011, Henry completed a National Marine Fisheries Service (NMFS) funded economic and industry analysis of the West Coast Commercial Albacore Fishery, completing a Movement of Goods Analysis and kicking off a Cost and Earnings project in that fishery

## Relevant Project Experience

- Long Beach, CA, Port of Long Beach Economic Benefit / Dis Benefit Analysis of Proposed Facility Upgrade
- Morro Bay and Monterey, CA, Community Sustainability Plan
- Moss Landing, CA, Marine User Economic Development Strategy
- NOAA/NMFS West Coast US Commercial Albacore Industry Economic Analysis
- Market and Distribution Strategy, Fort Bragg Groundfish Association
- Port of Los Angeles, CA, Terminal Island Land Use Plan
- San Diego, CA, Commercial Fisheries Revitalization Plan

lisa wise consulting, inc.



## Past Work Experience

BioMed Plus, Inc.

Anaheim, CA, Territory Manager,  
1999 - 2007

Browne Dreyfus International, Ltd.

New York, NY, Director of Sales, 1996 - 1998

Newell International/The Newell Group

Chicago, IL, Area Sales Manager, Latin America,  
1992 - 1995

Anixter International Inc.

Chicago, IL, Sales Representative, 1990 - 1992

## Education

DePaul University

Chicago, IL, B.S. Commerce, Majoring in Economics  
and Marketing, 1989

## Certifications and Memberships

Morro Coast Audubon Society

President, 2004 - 2007

Marine Interest Group Advisory Council

Member, San Luis Obispo County,  
2004 - 2009

San Luis Obispo Science and Ecosystem Alliance

(SLOSEA)

Chair Member, since 2007

# MENKA SETHI

## Senior Associate

Menka brings over ten years of financial feasibility, real estate investment, and business management experience to LWC. Menka managed mixed-use development, new construction and leasing projects that ranged from \$5 million to \$100 million, involved complex entitlement processes, and the use of tax credit equity funding. Menka developed growth, retention, disposal and modernization funding strategies, and business asset plans and most recently managed a \$230 million leased commercial real estate portfolio for U.S. General Services Administration. She holds a Masters of Business Administration degree from Columbia University and a degree in architecture from Carnegie Mellon University.

At LWC, Menka brings leadership and expertise in pro forma development, financial feasibility analysis and financial modeling particularly as variables are influenced by market forces and land use policy. Menka's strengths and experience include shaping recommendations on development alternative scenarios and land use designations while assessing the impacts of community vision, availability of capital and synergies with the existing development landscape. Menka also guide the LWC the team in monetizing and strategizing on the application of sustainable urban planning principles of economic, social and environmental sustainability generated by live/work proximity, complete streets and neighborhoods, mixed use, density at the urban core and open spaces on the periphery. Menka has a proven track record in project management, coordination among team members, and providing on-going project performance analysis and reporting.

### Relevant Project Experience

- Alameda County, CA, Ashland Cherryland Business District Specific Plan Update
- Loomis, CA Housing Element Update 5th Cycle
- National Marine Fisheries Service, West Coast Albacore Study
- Port San Luis Harbor Department, CA, - Harbor Terrace Campground Predevelopment Activities
- Richmond, CA, South Shoreline Specific Plan and Program EIR

lisa wise consulting, inc.



### Past Work Experience

California Polytechnic State University  
San Luis Obispo, CA, Adjunct Faculty, Finance,  
Orfalea College of Business  
Present

US General Services Administration (GSA)  
San Francisco, CA, Senior Assets Manager  
2009-2012

Hauser Architects  
San Francisco, CA, Development Manager  
2007-2009

Summerhill Homes  
Palo Alto, CA, Associate Development Manager  
2005-2007

Greater Jamaica Development Corporation (GJDC)  
New York, NY, Finance Associate  
2004-2005

Harborview Medical Center  
Seattle, WA, Capital Project Manager  
2002-2003

Kaplan McLaughlin Diaz (KMD) Architects  
Seattle, WA, Associate Architect  
1999-2002

### Education

Columbia University  
New York, NY Master of Business Administration  
May 2005

Carnegie Mellon University  
B.A., Architecture  
May 1999

### Certifications and Memberships

Registered Architect (WA #8849)

# BRIAN HARRINGTON

## Associate

Brian holds a Bachelor of Science degree in Architecture from the University of Michigan, Ann Arbor, and a Master of City and Regional Planning degree from California Polytechnic University, San Luis Obispo. Brian brings a wealth of diverse planning experience to LWC, having previously worked as an architectural and planning associate for Mills College in Oakland, CA, in the campus architecture, facilities and operations department. While at Mills, Brian assisted the college with a major capital construction campaign, managed watershed restoration, tenant improvement and ADA accessibility projects, and was an active leader in a host of campus sustainability planning and implementation efforts. As a graduate student at Cal Poly, he taught computer applications to undergraduate students in the program. Brian's multidisciplinary background contributes to his role at LWC in project management, research and data analysis, visual communication, and design.

At LWC, Brian's focus is working with communities to develop long range planning and visioning strategies that are both economically viable and sensitive to the environment, with experience that blends physical planning with economics and transportation. He has played a key role in the development of the Morro Bay and Monterey Community Fishing Sustainability Plans, the National Marine Fisheries Service Albacore Cost Earnings Survey, and the Richmond South Shoreline Specific Plan; as well as Housing Element updates for the communities of Benicia and Loomis.

### Relevant Project Experience

- Alameda County, CA,, Ashland Cherryland Business District Specific Plan Update
- Benicia, CA, Housing Element Update 5th Cycle
- Loomis, CA, Housing Element Update, 5th Cycle
- Monterey, CA Fishing Community Sustainability Plan
- Morro Bay, CA Economic Impact Report
- Morro Bay, CA Fishing Community Sustainability Plan
- Port San Luis Harbor Department, CA, - Harbor Terrace Campground Predevelopment Activities

lisa wise consulting, inc.



### Past Work Experience

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California Polytechnic State University  
San Luis Obispo, CA, Instructor  
January 2012 - June 2013

City of San Luis Obispo, CA  
Long Range Planning Division,  
Graduate Student Planning Intern  
April 2013 - June 2013

Mills College  
Oakland, CA, Architectural Assistant and Planning  
Associate  
January 2007- June 2010

### Education

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California Polytechnic State University  
San Luis Obispo, CA, Master of City and Regional  
Planning, Urban Design and Transportation  
Planning

University of Michigan, Ann Arbor  
B.S., Architecture

### Certifications and Memberships

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LEED, AP

As a Senior Research Associate at LWC, Pam directs the creation of survey instruments, analysis, and reporting of human informant data, as well as field interview and data gathering protocols. Pam provides guidance to principals in choosing projects and developing approach to measure or predict social and cultural impacts of current activities, proposed methodologies and strategies. Works directly with senior staff and communicates directly with clients.

Pam was responsible for the extensive field survey in the \$500,000, 2 year, State-funded commercial fisheries revitalization effort in San Diego. She developed rationale, survey instruments, analysis and reporting to uncover priorities for the commercial fishery including a broad range of gear types, and fisheries, including: dive/urchin, troll & pole/albacore, trap/lobster, hook & line/rockfish, drift gillnet & harpoon/swordfish and shark. The work included over 150 hours of interviews and made contact with all 84 commercial fishing slip holders in the harbor as well as industry and market stakeholders.

Pam was the Principal Investigator in the federally funded economic development strategy for marine users groups in Moss Landing, including commercial fishing, recreational fishing, eco tourism, aquaculture, marine research, and education, and recreational boating. She prepared survey instruments, directed field staff, analyzed respondent data, and contributed to the final report.

Pam directed LWC senior staff in facilitating a participant selection process in 2008, 2009, and 2010 for SLO County - The Nature Conservancy (TNC) Central Coast Groundfish Project (CCGP). The selection process was funded by the Central California Joint Fisheries/Cable Liaison Committee (CCJFCFLC). The project included the distribution of project material to the local fishing associations, key locations in Morro Bay and Port San Luis, public meetings, creation and distribution of applications, the formation of an evaluation committee, and final analysis of responses.

Pam also contributed to several terrestrial planning projects, including initial interviews and visioning in Flagstaff, Kingsburg, Grover Beach and the Los Osos Habitat Conservation Plan.

## Selected Projects

- San Diego Commercial Fisheries Revitalization Plan
- Moss Landing Marine User Economic Development Strategy
- Central Coast Groundfish Project Participant Selection Process
- Cities of Monterey and Morro Bay Community Sustainability Plans
- NMFS Movement of Goods Analysis, West Coast Commercial Albacore Fishery
- NMFS Economic Analysis, West Coast Commercial Albacore Fishery
- NMFS Cost Earnings Analysis, West Coast Commercial Albacore Fishery

## EXPERIENCE

### Impact Assessment, Inc.

La Jolla, CA, Research Associate,  
Anthropologist, 2001 - 2008

### The Mountain Institute

Franklin, WV, Moderator, Editor, Author,  
1998 - 2001

## EDUCATION

### University of California, San Diego

San Diego, CA, PhD, Anthropology, ABD, 2004  
M.S. Anthropology, 2001

### University of Melbourne

Melbourne, AU, Postgraduate Diploma,  
Anthropology, Department of History and  
Philosophy of Sciences, 1996

### M.A. English, 1991

### B.A. English, 1986

## PROFESSIONAL PRESENTATIONS

### Australian Anthropological Society Conference

Townsville, Australia, "Ecotourism and Cultural  
Policy: A View from Melanesia," 1997

### Society for Applied Anthropology

Vancouver, Canada "First Katrina, Then  
FEMA": The Unintended Consequence of  
Government Intervention after Hurricane  
Katrina," 2006

### Society for Economic Anthropology

Ventura, CA, "Of Fish and Fish Houses: Tradition  
as Economic Resource in Outer Banks, North  
Carolina," 2006

### American Anthropological Association

"Sitting on the Edge: Displacement,  
Neoliberalism and the Struggle for Autonomy  
within a Rural North Carolina Fishing  
Community," 2007

## PUBLICATIONS

2001. Mountain women and mountain tourism;  
redefining the boundaries of policy and  
practice in community-based mountain  
tourism. In: Apostolopoulos, Sonmez and  
Timothy (eds.) Women as Producers and  
Consumers of Tourism. Praeger, Westport,  
Conn. Praeger.

2000. Community-Based Mountain Tourism:  
Practices for Linking Conservation with  
Enterprise. The Mountain Forum, The Mountain  
Institute, Franklin W.V.

2000. (Ed.) Tourism and Development in  
Mountain Regions. CABI International, U.K.





AGENDA NO: C-3

MEETING DATE: May 13, 2014

# Staff Report

**TO:** Honorable Mayor and City Council                      **DATE:** May 2, 2014  
**FROM:** Rob Livick, PE/PLS – Public Services Director/City Engineer  
**SUBJECT:** Adopt Resolution 31-14 Reaffirming a Local Water Emergency for Morro Bay

## **RECOMMENDATION:**

Staff recommends the City Council review and adopt Resolution 31-14 reaffirming the City's 2009 emergency declaration of a water shortage.

## **ALTERNATIVES**

Wait to reaffirm a local emergency until notice is received that water will no longer be made available through the State Water Project facilities.

## **FISCAL IMPACT**

There are no fiscal impacts directly associated with this report.

## **DISCUSSION**

At their April 22, 2014, meeting, the City Council directed staff to prepare a resolution reaffirming the City's 2009 emergency declaration of a water shortage.

## **CONCLUSION**

In response to State and regional requests for water conservation related to current drought conditions, staff recommends reaffirming the City's 2009 emergency declaration of a water shortage, which will result in increased public outreach and promotion of existing water conservation programs.

Additionally this emergency declaration will assist the City with our applications for supplemental funding under the various State and Federal emergency drought funding programs, along with expressing the need for urgency in permitting of our desalinization plant.

## **ATTACHMENTS**

1. U.S. Drought Monitor for California – April 29, 2014
2. City Council Resolution 64-09

Prepared By:   RL                        Dept Review: \_\_\_\_\_  
City Manager Review: \_\_\_\_\_  
City Attorney Review: \_\_\_\_\_

**RESOLUTION NO. 31-14**

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA  
REAFFIRMING, DELCARING AND PROCLAIMING A WATER EMERGENCY  
AND ADOPTION OF A STANDING WATER EMERGENCY DURING  
REDUCED OR NON STATE WATER DELIVERY PERIODS;  
AND RESCINDING RESOLUTION NO. 64-09**

**T H E C I T Y C O U N C I L**  
City of Morro Bay, California

**WHEREAS**, in 2009, when facing a water shortfall, the City Council adopted Resolution No. 64-09, declaring and proclaiming a local water emergency; and

**WHEREAS**, Resolution No. 64-09 is still in effect; and

**WHEREAS**, California is facing a water shortfall as California is experiencing its driest year in recorded State history; and

**WHEREAS**, rainfall amounts in San Luis Obispo County have made it the driest year on record within the county; and

**WHEREAS**, on January 17, 2014, California Governor Jerry Brown declared an emergency due to drought conditions and called for a voluntary 20-percent reduction in water consumption; and

**WHEREAS**, on March 11, 2014, the San Luis Obispo County Board of Supervisors adopted a resolution proclaiming a local emergency due to drought conditions in San Luis Obispo County; and

**WHEREAS**, the City Council finds a dire situation exists due to exceptional drought conditions as reported by the U.S. Drought Monitor as of April 29, 2014, including drought level condition D4 for the entire county, the worst federal drought rating; and

**WHEREAS**, on April 18 2014, the California Department of Water Resources increased the State Water Project allocation for 2014 to 5 percent, plus stored water within the State Water Project available to meet delivery requests; and

**WHEREAS**, the City's approximately 3,000 acre-feet of stored water available is finite; and with adequate conservation may last three years; and

**WHEREAS**, such drought conditions are anticipated to cause water shortages and severe economic losses within San Luis Obispo County region including Morro Bay's agriculture community; and

**WHEREAS**, it is in the interest of the health, safety and general welfare of the residents of the City of Morro Bay to conserve the City's water supply during State Water Project shutdowns; and

**WHEREAS**, it is in the interest of the health, safety and general welfare of the residents of the City of Morro Bay to conserve the City's water supply during future State Water Project deliveries of 35 % or less; and

**WHEREAS**, in May 1993 the City of Morro Bay proactively established preparations for impending water supply shortages and emergencies by adopting Mandatory Water Conservation Requirements in the Morro Bay Municipal Code Section 13.04.320 *et seq.*; and

**WHEREAS**, it is in the public's best interest not to rely on Resolution No. 64-09, but for the Council to adopt a new resolution again proclaiming and declaring a local water emergency.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Morro Bay, California, as follows:

1. Resolution No. 64-09 is hereby rescinded.
2. A local water emergency in the entire City of Morro Bay is hereby declared and proclaimed.
3. Mandatory Water Conservation Requirements during all State Water Project deliveries of 35% or less are hereby instituted.
4. The Public Services Director is hereby authorized and directed to take any and all actions outlined in Sections 13.04.340 and 13.04.345 of the Morro Bay Municipal Code that will best conserve water during the State Water Project shutdown, when State Water Deliveries fall below 35% or other water supply emergencies.

**PASSED, APPROVED, AND ADOPTED**, by the City of Morro Bay City Council, at a regular meeting held on this 13th day of May, 2014 by the following vote:

AYES:

NOES:

ABSENT:

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Jamie L. Irons, Mayor

ATTEST:

---

JAMIE BOUCHER, City Clerk

# U.S. Drought Monitor California

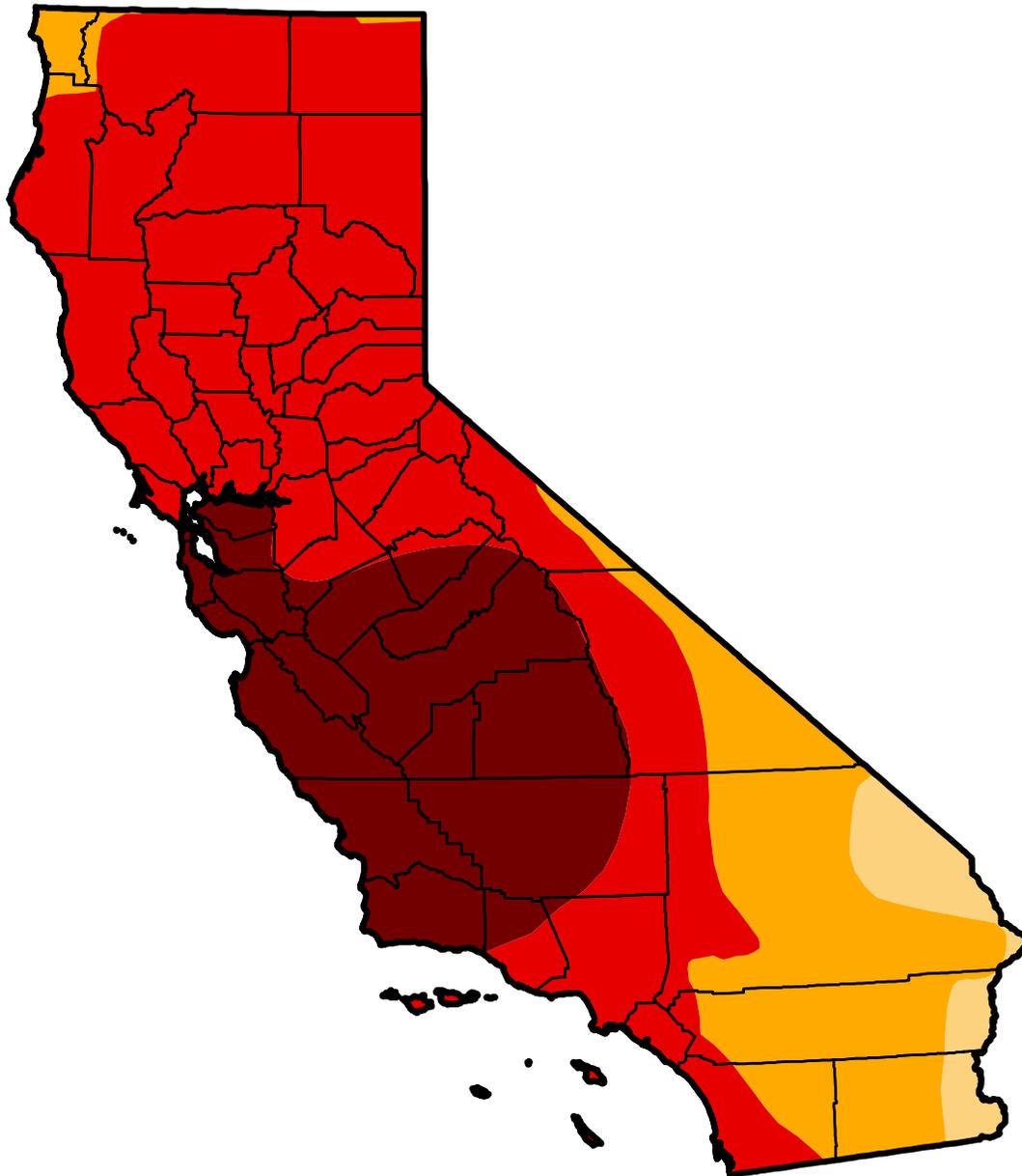
## April 29, 2014

(Released Thursday, May. 1, 2014)

Valid 8 a.m. EDT

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
<b>Current</b>	0.00	100.00	100.00	96.01	76.68	24.77
<b>Last Week</b> <i>4/22/2014</i>	0.00	100.00	100.00	96.01	76.68	24.77
<b>3 Months Ago</b> <i>1/28/2014</i>	1.43	98.57	94.18	89.91	67.13	8.77
<b>Start of Calendar Year</b> <i>12/31/2013</i>	2.61	97.39	94.25	87.53	27.59	0.00
<b>Start of Water Year</b> <i>10/1/2013</i>	2.63	97.37	95.95	84.12	11.36	0.00
<b>One Year Ago</b> <i>4/30/2013</i>	0.00	100.00	64.30	32.82	0.00	0.00



**Intensity:**

- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

**Author:**  
Richard Heim  
NCDC/NOAA



**RESOLUTION NO.64-09**

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY, CALIFORNIA  
ENDING THE DECLARATION OF A WATER EMERGENCY FOR THE  
STATE WATER SHUTDOWN AND REPEAL OF THE MANDATORY  
CONSERVATION REQUIREMENT AND ADOPTION OF A STANDING  
WATER EMERGENCY DURING REDUCED OR NON STATE WATER  
DELIVERY PERIODS**

**THE CITY COUNCIL  
City of Morro Bay, California**

**WHEREAS**, the annual maintenance period for the State Water Project shutdown during 2009 has been completed; and

**WHEREAS**, it is in the interest of the health, safety and general welfare of the residents of the City of Morro Bay to conserve the City's water supply during future State Water Project shutdowns; and

**WHEREAS**, it is in the interest of the health, safety and general welfare of the residents of the City of Morro Bay to conserve the City's water supply during future State Water Project deliveries of 35 % or less; and

**WHEREAS**, in May 1993 the City of Morro Bay proactively established preparations for impending water supply shortages and emergencies by adopting Mandatory Water Conservation Requirements in the Morro Bay Municipal Code Section 13.04.320 et sec; and

**WHEREAS**, in accordance with Section 13.04.340 the City of Morro Bay Public Works (Services) Director is hereby authorized and directed to take any or all of the necessary actions, which in his judgment will best conserve water during the duration of the emergency.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Morro Bay, California, that resolution 50-09 is hereby repealed; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by the City Council of the City of Morro Bay, California, that it is in the public interest to institute Mandatory Water Conservation Requirements during future State Water Project shutdowns; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by the City Council of the City of Morro Bay, California, that it is in the public interest to institute Mandatory Water Conservation Requirements during State Water Project deliveries of 35% or less; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by the City Council of the City of Morro Bay, California, that the Public Services Director is hereby authorized and directed to take any and all actions outlined in Section 13.04.340 of the Morro Bay Municipal Code based on Mandatory Water Conservation Requirement - Level B (Moderately Restricted Water Supply Conditions), that will best conserve water during the State Water Project shutdown or when State Water Deliveries are below 35%.

**PASSED AND ADOPTED** by the City Council of the City of Morro Bay at a regular meeting thereof held on the 14th day of December, 2009 on the following vote:

AYES: Borchard, Grantham, Smukler, Winholtz, Peters

NOES: None

ABSENT: None

  
\_\_\_\_\_  
JANICE PETERS, Mayor

ATTEST:

  
\_\_\_\_\_  
BRIDGETT BAUER, City Clerk



AGENDA NO: C-4

MEETING DATE: May 13, 2013

# Staff Report

**TO:** Honorable Mayor and City Council      **DATE:** May 2, 2013

**FROM:** Rob Livick, PE/PLS –Director of Public Services/City Engineer

**SUBJECT:** Review of the Report from John F. Rickenbach Consulting regarding Recommended Water Reclamation Facility (WRF) Sites and Reclamation

## RECOMMENDATION

Staff recommends City Council:

1. Receive the report and presentation from John F. Rickenbach Consulting, take public testimony, and provide any recommendations or comments to staff and the Rickenbach team for incorporation into the final document.
2. Provide direction to staff to commence preliminary negotiations for development of a new WRF on the Rancho Colina site, subject to confirmation in August.
3. Commence the recruitment of a 7-9 person (Technical) Review Committee to inform the WRF development process.
4. Continue discussions, on a parallel path, regarding a regional facility at the California Men's Colony (CMC) site with the potential partner agencies until the final site selection is made in August.

## ALTERNATIVE

Continue the discussion of this item to a future meeting and provide direction to staff regarding any additional analysis that Council requires.

## FISCAL IMPACT

The latest preliminary cost estimates for the development, design, permitting and construction of a new WRF on the Rancho Colina site is approximately \$75 million. This cost includes a 30-percent contingency and a 30-percent allowance for engineering, environmental review, permitting and other required "soft costs". At this point in the process, that is as accurate as we can estimate costs. Once preliminary engineering is completed, then the cost estimates can be better refined.

## BACKGROUND

On December 10, 2013, City Council took the following actions with respect to the new WRF project:

1. Affirmed the project goals stated in the Second Public Draft Options Report, with minor modifications, as follows:

Prepared By: RL

Dept Review: RL

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

- *Produce tertiary, disinfected wastewater in accordance with Title 22 requirements for unrestricted urban irrigation*
  - *Design to be able to produce reclaimed wastewater for potential users, which could include public and private landscape areas, agriculture, or groundwater recharge. A master reclamation plan should include a construction schedule and for bringing on customers in a cost effective manner.*
  - *Allow for onsite composting*
  - *Design for energy recovery*
  - *Design to treat contaminants of emerging concern in the future*
  - *Design to allow for other possible municipal functions*
  - *Ensure compatibility with neighboring land uses*
2. Directed City staff to report back to City Council on the following topics:
- *Progress on due diligence efforts for the top three preferred sites;*
  - *Progress on discussions with possible users of reclaimed water;*
  - *Progress on discussions with potential partnering agencies for a regional facility at the CMC site;*
  - *Project schedule;*
  - *Project management concept; and*
  - *Possible Technical Advisory Committee structure*

In February 2014, and by Resolution, City Council established the additional goal of having the new facility be operational within five years.

## **DISCUSSION**

### **1. Purpose of the Report**

The purpose of this report is to respond to the City Council's December 2013 direction to staff. Most importantly, the report provides a comparative analysis of the three preferred sites identified by City Council based on updated and refined information, including more detailed information about the nature and location of potential reclamation opportunities that are at the heart of the new WRF project concept. Based on this report, Council can choose a single preferred site to move forward with a Work Plan and begin due diligence steps toward the eventual design and construction of a new WRF.

The report includes the following contents:

1. Identification of Council-recommended sites under consideration.
2. An investigation of reclamation opportunities, as this is a key goal of the new WRF.
3. Analysis of Council's recommended sites, based on key issues related to the City's established goals, especially as they relate to timing, logistics, and reclamation potential in the context of meeting tertiary treatment standards.
4. Recommendation of a single preferred site.
5. A 5-year work plan that responds to these goals, including a projected cash-flow analysis.

## 2. Reclamation Opportunities

In general, the use of reclaimed water in the greater Morro Bay area could be applied to one or more of the following:

- Irrigated Agriculture
- Streamflow Augmentation in Creeks
- Landscaping, Parks, and Golf Courses
- Groundwater Recharge

Each of these has its own water quality requirements, which are elaborated on in the full report.

There are substantial reclamation opportunities in the vicinity of the City, mostly concentrated in the Morro Valley in the form of irrigated agriculture (primarily avocados and some row crops); there are some opportunities in the Chorro Valley as well. There are important, though less plentiful, opportunities within the City itself as well as in Cayucos, primarily related to landscaping and parks.

The following summarizes the estimated water demand for irrigated agriculture, parks, landscaping and golf courses in the various areas near the City:

Area	Number of Sites	Estimated Average Water Demand (AFY)
Morro Valley	56	2,736
Chorro Valley	4	1,058
City of Morro Bay	23	427
Cayucos	9	538
<b>TOTAL</b>	<b>92</b>	<b>4,760</b>

**Notes:** All 56 sites in Morro Valley are irrigated agriculture, totaling about 1,094 acres. Chorro Valley has about 398 acres of irrigated agriculture on 2 large parcels. The other 2 sites in Chorro Valley are Dairy Creek Golf Course and the Botanical Gardens. Sites in Morro Bay include the Morro Bay Golf Course, various parks and elementary schools, and roadway landscaping. Cayucos sites include irrigated agriculture, parks, roadways, and the Cayucos-Morro Bay Cemetery.

Several creeks in the area are potential candidates for streamflow augmentation, including:

- Chorro Creek
- Morro Bay Estuary
- Morro Creek
- Little Morro Creek
- Willow Creek
- Toro Creek
- Alva Paul Creek
- Old Creek
- Cayucos Creek

### 3. Sites Under Consideration

In December 2013, City Council chose three general sites studied in the Options Report for the possible development of a new WRF, in the following order of priority:

- Morro Valley (Site B)
- Chorro Valley (Site C)
- Giannini Property (Site G)

In each case, the Options Report identified the most suitable locations within these sites for such a facility. Within Morro Valley, two specific locations stood out, which are identified in this report as the Righetti and Rancho Colina sites. Within Chorro Valley, a portion of a property owned by Tri-W Enterprises outside the City limits had the best suitability for a new WRF. Within Giannini, a small portion of the property adjacent to Little Morro Creek Road was identified as best.

Thus, there are four specific locations within those three broad sites that are studied further in this analysis. For the purpose of this report, these are known as the following:

- **Rancho Colina**
- **Righetti**
- **Tri-W**
- **Giannini**

### 4. Key Issues and Questions

The Options Report found each site would be generally suitable for a new WRF. That analysis refines the previous analysis, and compares their relative suitability in terms of the following key questions:

1. *Is the property owner willing to work with the City?*
2. *Are there other unique opportunities associated with the site?*
3. *Are there environmental issues that may be of concern to the Coastal Commission or the general public?*
4. *Are there additional physical site constraints that may limit project design flexibility?*
5. *Are there unique regulatory or logistical constraints affecting site development?*
6. *Are there complex studies or unusual permitting requirements associated with the site?*
7. *Are there nearby neighbors that may object to a new WRF, and what would be their likely concerns?*
8. *Does the site have potential as a regional facility serving other agencies or users?*
9. *Are there potential cost savings compared to the other sites?*
10. *What are the challenges to achieving the City's 5-Year timeframe?*

### 5. Site Analysis and Recommendation

Table 2 summarizes the findings of the site analysis with respect to the key questions posed above.

<b>Table 2. Summary of Site Analysis and Findings</b>				
<b>Key Issue</b>	<b>Site</b>			
	<i>Rancho Colina</i>	<i>Righetti</i>	<i>Tri-W</i>	<i>Giannini</i>
	<b>Site Suitability</b> ( <i>high, moderate or low</i> )			
<b>Ownership and Unique Opportunities</b>				
Cooperative Property Owner?	Very High	Unknown	Unknown	Moderate
Unique opportunities associated with the site?	High	Moderate	Moderate	Moderate
<b>Environmental and Physical Site Issues</b>				
Environmental/Coastal Issues?	High	Moderate-High	High	Moderate
<i>Coastal Proximity and Access</i>	<i>High</i>	<i>High</i>	<i>High</i>	<i>High</i>
<i>Visual Impacts</i>	<i>High</i>	<i>Low-Moderate</i>	<i>High</i>	<i>Low-Moderate</i>
<i>Biological Resources/ESHA</i>	<i>Moderate</i>	<i>Moderate</i>	<i>Moderate</i>	<i>Moderate</i>
<i>Cultural Resources</i>	<i>Moderate</i>	<i>Moderate</i>	<i>Moderate</i>	<i>Low-Moderate</i>
<i>Agriculture/Prime Soils</i>	<i>High</i>	<i>High</i>	<i>High</i>	<i>High</i>
<i>Minimize Carbon Footprint</i>	<i>Moderate</i>	<i>High</i>	<i>Moderate</i>	<i>High</i>
Physical site constraints affecting design flexibility?	High	Moderate	Moderate-High	Moderate
<b>Regulatory and Permitting Issues</b>				
Unique regulatory or logistical constraints?	High	Moderate	High	Moderate
Complex or unusual permitting requirements?	High	Moderate	Moderate	High
<b>Proximity Issues</b>				
Nearby residential neighbors?	High	Moderate	Very High	Low
Suitability as a regional facility?	High	High	Moderate	Moderate
<b>Cost and Timing Issues</b>				
Relative cost savings compared to the other sites?	Moderate	Moderate	Low-Moderate	Moderate
<i>Proximity to existing infrastructure</i>	<i>Moderate</i>	<i>High</i>	<i>Low</i>	<i>Moderate-High</i>
<i>Proximity to reclamation opportunities</i>	<i>High</i>	<i>High</i>	<i>Low-Moderate</i>	<i>High</i>
<i>Site Elevation</i>	<i>High</i>	<i>High</i>	<i>High</i>	<i>High</i>
<i>Site Size and Configuration</i>	<i>High</i>	<i>High</i>	<i>Very High</i>	<i>Moderate</i>
<i>Permitting Requirements</i>	<i>High</i>	<i>Moderate</i>	<i>Moderate</i>	<i>High</i>
Ability to achieve a 5-Year timeframe?	High	Moderate	Moderate	Moderate
<i>Cooperative Property Owner</i>	<i>Very High</i>	<i>Unknown</i>	<i>Unknown</i>	<i>Moderate</i>
<i>Site Size and Configuration</i>	<i>High</i>	<i>High</i>	<i>Very High</i>	<i>Moderate</i>
<i>Permitting Requirements</i>	<i>High</i>	<i>Moderate</i>	<i>Moderate</i>	<i>High</i>
<i>Relatively Lower Costs</i>	<i>Moderate</i>	<i>Moderate</i>	<i>Low-moderate</i>	<i>Moderate</i>
<b>OVERALL</b>	<b>High</b>	<b>Moderate-High</b>	<b>Moderate</b>	<b>Moderate</b>

While each site is potentially suitable for a new WRF, the **Rancho Colina** site is considered best overall. Key considerations in this determination include:

- *A highly motivated property owner*
- *Unique opportunity to replace an outdated wastewater treatment facility*
- *Proximity to the majority of reclamation opportunities*
- *The most developable portion of the site is already disturbed and graded*
- *The best part of the site is not visible to offsite residences*
- *The site does not conflict with Coastal Commission policies/issues*

### **WRF Review Committee**

Based on previous Council direction, staff recommends the formation of a seven - nine member panel/advisory board to inform the process of developing a new WRF within the five-year timeframe. This panel should be made up of Morro Bay citizens with an interest and knowledge in water resources and the development of a new WRF. The selection process should follow the guidelines used to select other City boards.

### **CONCLUSION**

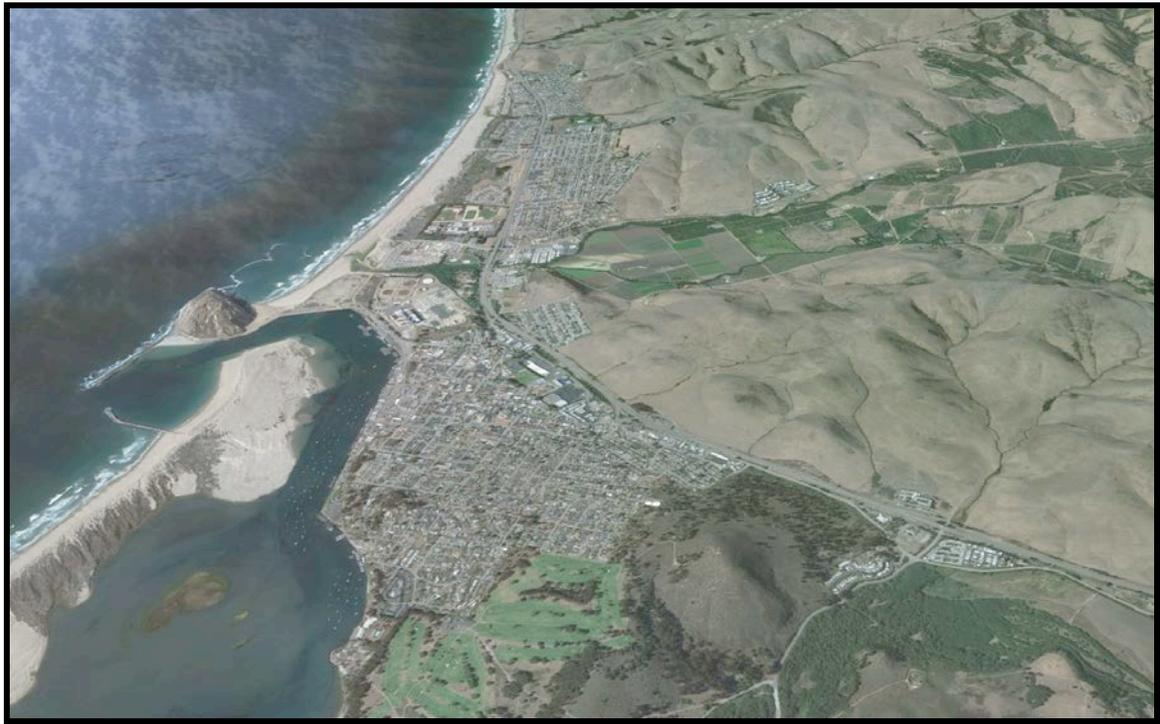
The subject report provides an analysis for the selection of a NEW WRF project site to move forward, based upon the goals that the community has expressed. The Council should take public testimony, and provide any further recommendations or comments to staff who will forward them to the consultant team for incorporation into the final report. Staff also recommends Council continue discussions with the County and other affected agencies to more fully explore the potential benefits of a regional facility and how that regional facility can benefit the City of Morro Bay.

### **ATTACHMENTS**

1. Report Summary: For the complete Report go to <http://www.morro-bay.ca.us/index.aspx?NID=759>

***New Water Reclamation Facility Project***

**Report on Reclamation and Council  
Recommended WRF Sites**



*Submitted to:*

**City of Morro Bay**

**Department of Public Services**

**May 8, 2014**



**John F. Rickenbach Consulting**

7675 Bella Vista Road

Atascadero, California 93422

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# Report on Reclamation and Council Recommended WRF Sites

*for the*  
**City of Morro Bay**  
**New Water Reclamation Facility Project**

*Prepared for:*  
**City of Morro Bay**  
595 Harbor Street  
Morro Bay, California 93442

*Prepared by:*  
**John F. Rickenbach Consulting**  
7675 Bella Vista Road  
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*In association with:*  
Michael K. Nunley & Associates

May 8, 2014



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### **Appendices**

- *Appendix A: Technical Memorandum: Water Reuse Opportunities*
- *Appendix B: Technical Memorandum: 5-Year Work Plan and Cashflow Analysis*



# City of Morro Bay

## New Water Reclamation Facility Project

### Report on Reclamation and Council Recommended WRF Sites

#### Introduction: *City Council Action on December 10, 2013*

After considering all public input on the New Water Reclamation Facility (WRF), as well as testimony raised at previous workshops and City Council meetings, the City Council took the following action with respect to the project on December 10, 2013:

1. It affirmed the project goals stated in the Second Public Draft Options Report, modified to include an additional goal to assure neighborhood compatibility. Thus, the revised and adopted project goals are as follows:
  - *Produce tertiary, disinfected wastewater in accordance with Title 22 requirements for unrestricted urban irrigation*
  - *Design to be able to produce reclaimed wastewater for potential users, which could include public and private landscape areas, agriculture, or groundwater recharge. A master reclamation plan should include a construction schedule and a plan for bringing on customers in a cost effective manner.*
  - *Allow for onsite composting*
  - *Design for energy recovery*
  - *Design to treat contaminants of emerging concern in the future*
  - *Design to allow for other possible municipal functions*
  - *Ensure compatibility with neighboring land uses*
2. With respect to site selection, the City Council chose three sites for possibility development of a new WRF, in the following order of priority:
  - **Morro Valley (Site B)**
  - **Chorro Valley (Site C)**
  - **Giannini Property (Site G)**

The City Council directed staff to begin due diligence efforts toward the pursuit of a new WRF at any one of these sites, with the preference being one of the properties in the Morro Valley (Site B). This would include beginning discussions and negotiations with property owners, examining the feasibility of preliminary designs on these sites, and a variety of other related due diligence steps.

3. The City Council directed staff to simultaneously work with other potential partner agencies to examine the feasibility of a regional facility at the CMC site (Site D) that could serve the needs of both Morro Bay and these partner agencies. Depending on the outcome of this investigation, the City could choose to either pursue a regional facility at Site D, or continue its efforts at



building a facility at one of its three preferred locations identified above.

4. The City Council directed City staff to report back on the following topics:

- Progress on due diligence efforts for the top three preferred sites;
- Progress on discussions with possible users of reclaimed water;
- Progress on discussions with potential partnering agencies for a regional facility at the CMC site;
- Project schedule;
- Project management concept; and
- Possible Technical Advisory Committee structure

In February 2014, the City Council has established the additional goal of having the new facility be operational within five years.

As part of its December 2013 recommendation, the City acknowledged the possible merit of pursuing a regional facility that could serve multiple agencies, citing the potential benefits of sharing the cost of construction, operation and maintenance with partner agencies, if a suitable working framework could be established. Some agencies, including San Luis Obispo County and supported by key staff at the Regional Water Quality Control Board, have shown strong interest in pursuing such a facility, envisioning an expansion of the existing wastewater treatment plant operated by the State Department of Corrections that currently serves the California Men’s Colony (CMC). As currently envisioned, the operation and maintenance of this facility would transfer to the County. It has not yet been determined how many other partner could be involved, although Cayucos Sanitary District has expressed strong interest. The County is currently leading an effort to explore the viability of an expanded or new regional facility at that location. In a separate report to be released later in 2014, the City’s consulting team will report and analyze these findings to the City Council, and recommend whether or not the City of Morro Bay should be apart of this regional effort, or continue to pursue the site recommended from the current report.

## **1. Purpose of this Report**

The purpose of this report is to respond to the City Council’s December 2013 direction to staff. Most importantly, the report provides a comparative analysis of the three preferred sites identified by the City Council based on updated and refined information, including more detailed information about the nature and location of potential reclamation opportunities that are at the heart of the new WRF project concept. Based on this report, the Council can then choose a single preferred site to move forward with a Work Plan and the begin due diligence steps toward the eventual design and construction of a new WRF.

The report includes the following contents:

1. Identification of the Council-recommended sites under consideration
2. An investigation of reclamation opportunities, since this is a key goal of the new WRF
3. Analysis of the Council’s recommended sites, based on key issues related to the City’s established goals, especially as they relate to timing, logistics, and reclamation potential in the



context of meeting tertiary treatment standards.

4. Recommendation of a single preferred site
5. A 5-year work plan that responds to these goals, including a projected cashflow analysis

As with the Options Report, this study assumes that a new facility would be owned and operated by the City, with no partner agencies. While the City Council has expressed strong interest in sharing costs and benefits of the plant with other agencies, for the purpose of this report, our cashflow analysis assumes the most conservative case, that the City would not have such partners. If additional funding sources, either by sharing costs with possible partner agencies, or through state grants or other financing, the final cost of the plant (and the effect on City ratepayers) would likely be less than projected in this report.

## 2. Executive Summary

### Reclamation Opportunities

In general, the use of reclaimed water in the greater Morro Bay area could be applied to one or more of the following:

- Irrigated Agriculture
- Streamflow Augmentation in Creeks
- Landscaping, Parks, and Golf Courses
- Groundwater Recharge

Each of these has its own water quality requirements, which will be elaborated upon in the full report.

There are substantial reclamation opportunities in the vicinity of the City, mostly concentrated in the Morro Valley in the form of irrigated agriculture (primarily avocados and some row crops), but there are also some opportunities in the Chorro Valley as well. There are important though less plentiful opportunities within the City itself as well as in Cayucos, primarily related to landscaping and parks.

The following summarizes the estimated water demand for irrigated agriculture, parks, landscaping and golf courses on potential water reuse sites in the various areas near the City:

<b>Table ES-1. Reclamation Sites Summary (Irrigated Agriculture, Parks, Landscaping, Golf Courses)</b>		
<b>Area</b>	<b>Number of Sites</b>	<b>Estimated Average Water Demand (AFY)</b>
Morro Valley	56	2,736
Chorro Valley	4	1,058
City of Morro Bay	23	427
Cayucos	9	538
<b>TOTAL</b>	<b>92</b>	<b>4,760</b>
<p><b>Notes:</b> All 56 sites in Morro Valley are irrigated agriculture, totaling about 1,094 acres. Chorro Valley has about 398 acres of irrigated agriculture on 2 large parcels. The other 2 sites in Chorro Valley are Dairy Creek Golf Course and the Botanical Gardens. Sites in Morro Bay include the Morro Bay Golf Course, various parks and elementary schools, and roadway landscaping. Cayucos sites include irrigated agriculture, parks, roadways, and the Cayucos-Morro Bay Cemetery.</p>		



Several creeks in the area are potential candidates for streamflow augmentation, including:

- Chorro Creek
- Morro Bay Estuary
- Morro Creek
- Little Morro Creek
- Willow Creek
- Toro Creek
- Alva Paul Creek
- Old Creek
- Cayucos Creek

Additional streamflow has the potential to provide enhanced habitat, or to augment existing water supplies. However, discharge to creeks is strictly regulated, and it is not known at this time what permit conditions would be attached with such a use, which would depend to some extent on the characteristics of the creeks and their associated beneficial uses as described in the Basin Plan. In addition, the water rights issues associated with this approach must be resolved before it can be considered a feasible approach to meeting the City's goals.

### **WRF Sites Under Consideration**

In December 2013, the City Council chose three general sites studied in the Options Report for possibility development of a new WRF, in the following order of priority:

- Morro Valley (Site B)
- Chorro Valley (Site C)
- Giannini Property (Site G)

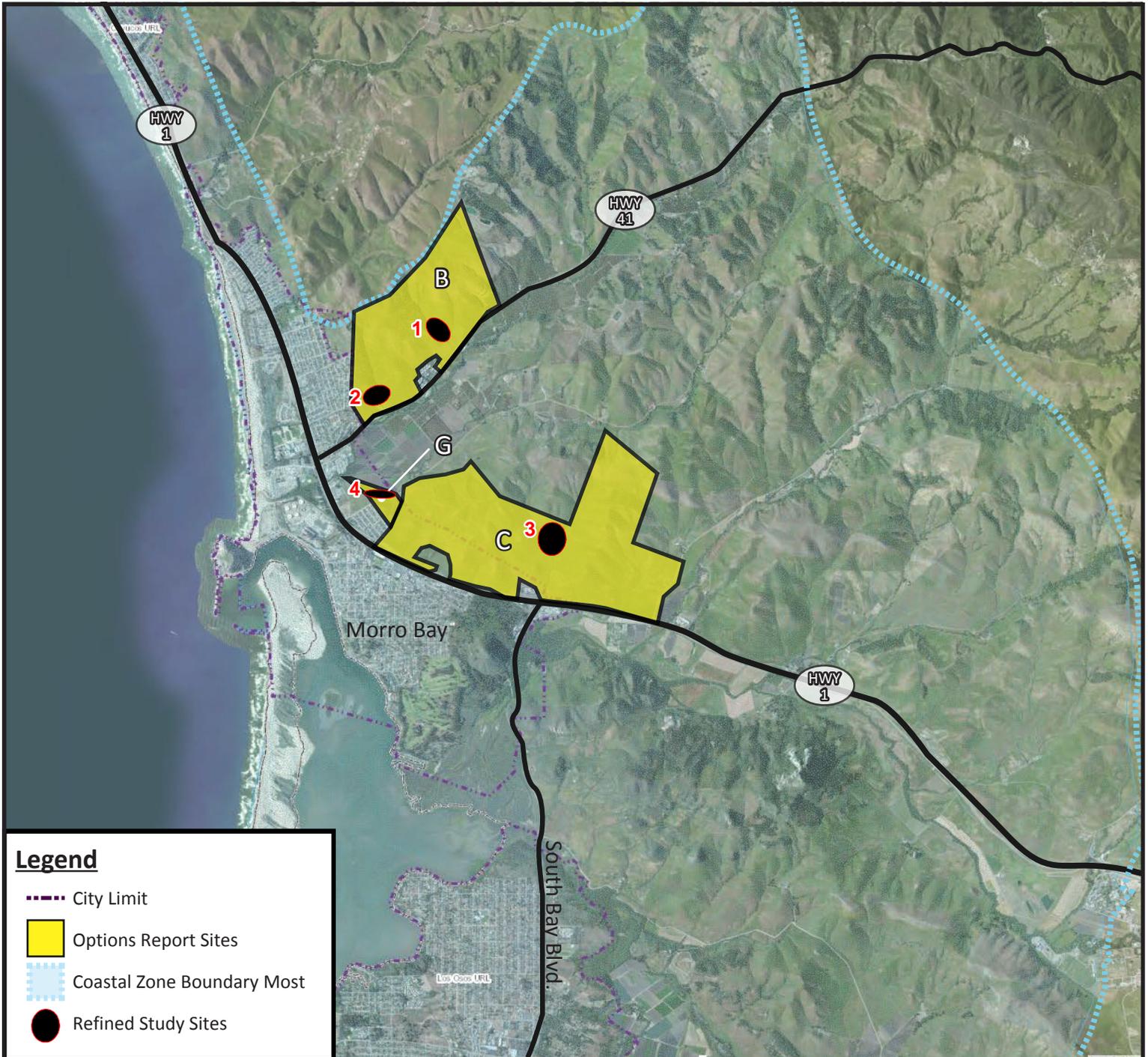
In each case, the Options Report identified the most suitable locations within these sites for such a facility. Within Morro Valley, two specific locations stood out, which are identified in this report as the Righetti and Rancho Colina sites. Within Chorro Valley, a portion of a property owned by Tri-W Enterprises outside the City limits had the best suitability for a new WRF. Within Giannini, a small portion of the property adjacent to Little Morro Creek Road was identified as best.

Thus, there are four specific locations within these three broad sites that are studied further in this analysis. For the purpose of this report, these are known as the following:

- **Site 1: Rancho Colina**
- **Site 2: Righetti**
- **Site 3: Tri-W**
- **Site 4: Giannini**

Figure 1 shows the general locations of these sites in the context of the sites originally examined in the Options Report, while Table ES-2 summarizes the general characteristics of these sites:





**Figure 1: Council Recommended Sites**



Note: Map data obtained from County Assessor's mapping database



**Study Sites Legend**

- Site B (Morro Valley)
- Site C (Chorro Valley)
- Site G (Giannini)

**Most Promising Locations**

- Site 1 (Rancho Colina)
- Site 2 (Righetti)
- Site 3 (Tri-W)
- Site 4 (Giannini)

<b>Table ES-2. Sites Examined in this Report</b>				
<b>Site</b>	<b>Site Name in this Report</b>	<b>Options Report Site</b>	<b>Parcel Information</b>	<b>Discussion of the Study Site</b>
1	Rancho Colina	Morro Valley (part of Options Report Site B)	APN 073-085-027 (187.4 ac) <u>Ownership:</u> W. Macelvaine <u>Jurisdiction:</u> SLO County	The study site is limited to a roughly 10-15 acre area in the lowest portion of the property, generally in the vicinity of the location of the existing WWTP that serves the nearby Rancho Colina residential community. The study site is about 150 to 160 feet above sea level.
2	Righetti	Morro Valley (part of Options Report Site B)	APN 073-084-013 (259.3 ac) <u>Ownership:</u> P. Madonna	The study site is limited to a roughly 10-15 acre area in the lowest portion of the property, at the location of an existing ranch house. The study site is about 80 to 100 feet above sea level.
3	Tri-W	Chorro Valley (part of Options Report Site C)	APN 073-101-017 (396.3 ac) <u>Ownership:</u> Tri-W Enterprises <u>Jurisdiction:</u> SLO County	The study site is limited to a roughly 15-20 acre area toward the eastern end of the property. There is currently no development at this location. The study site is about 100 to 120 feet above sea level.
4	Giannini	Giannini Property (part of Options Report Site G)	APN 068-401-014 (35.7 ac) <u>Ownership:</u> J. and E. Giannini <u>Jurisdiction:</u> City of Morro Bay	The study site is limited to a roughly 10-15 acre area at the toe of the slope of the property, between the powerline easement and Little Morro Creek Road. There is currently no development at this location. The study site is about 70 to 100 feet above sea level.

## Key Issues and Questions

The Options Report found that each site would be generally suitable for a new WRF. This analysis refines the evaluation included in the Options Report, and compares their relative suitability in terms of the following key questions embodied within that analysis:

- A. *Is the property owner willing to work with the City?*
- B. *Are there other unique opportunities associated with the site?*
- C. *Are there environmental issues that may be of concern to the Coastal Commission or the general public?*
- D. *Are there additional physical site constraints that may limit project design flexibility?*
- E. *Are there unique regulatory or logistical constraints affecting site development?*
- F. *Are there complex studies or unusual permitting requirements associated with the site?*
- G. *Are there nearby neighbors that may object to a new WRF, and what would be their likely concerns?*



- H. Does the site have potential as a regional facility serving other agencies or users?
- I. Are there potential cost savings compared to the other sites?
- J. Are there site-related challenges to achieving the City's 5-Year timeframe?

## Site Analysis and Recommendation

Table ES-3 summarizes the findings of the site analysis with respect to the key questions posed above.

<b>Table ES-3. Summary of Site Analysis and Findings</b>				
<b>Key Issue</b>	<b>Site</b>			
	<i>Rancho Colina</i>	<i>Righetti</i>	<i>Tri-W</i>	<i>Giannini</i>
	<b>Site Suitability (high, moderate or low)</b>			
<b>Ownership and Unique Opportunities</b>				
Cooperative Property Owner?	Very High	Unknown	Unknown	Moderate
Unique opportunities associated with the site?	High	Moderate	Moderate	Moderate
<b>Environmental and Physical Site Issues</b>				
Environmental/Coastal Issues?	High	Moderate-High	High	Moderate
<i>Coastal Proximity and Access</i>	High	High	High	High
<i>Visual Impacts</i>	High	Low-Moderate	High	Low-Moderate
<i>Biological Resources/ESHA</i>	Moderate	Moderate	Moderate	Moderate
<i>Cultural Resources</i>	Moderate	Moderate	Moderate	Low-Moderate
<i>Agriculture/Prime Soils</i>	High	High	High	High
<i>Minimize Carbon Footprint</i>	Moderate	High	Moderate	High
Physical site constraints affecting design flexibility?	High	Moderate	Moderate-High	Moderate
<b>Regulatory and Permitting Issues</b>				
Unique regulatory or logistical constraints?	High	Moderate	High	Moderate
Complex or unusual permitting requirements?	High	Moderate	Moderate	High
<b>Proximity Issues</b>				
Nearby residential neighbors?	High	Moderate	Very High	Low
Suitability as a regional facility?	High	High	Moderate	Moderate
<b>Cost and Timing Issues</b>				
Relative cost savings compared to the other sites?	Moderate	Moderate	Low-Moderate	Moderate
<i>Proximity to existing infrastructure</i>	Moderate	High	Low	Moderate-High
<i>Proximity to reclamation opportunities</i>	High	High	Low-Moderate	High
<i>Site Elevation</i>	High	High	High	High
<i>Site Size and Configuration</i>	High	High	Very High	Moderate
<i>Permitting Requirements</i>	High	Moderate	Moderate	High
Ability to achieve a 5-Year timeframe?	High	Moderate	Moderate	Moderate
<i>Cooperative Property Owner</i>	Very High	Unknown	Unknown	Moderate
<i>Site Size and Configuration</i>	High	High	Very High	Moderate
<i>Permitting Requirements</i>	High	Moderate	Moderate	High
<i>Relatively Lower Costs</i>	Moderate	Moderate	Low-moderate	Moderate
<b>OVERALL</b>	<b>High</b>	<b>Moderate-High</b>	<b>Moderate</b>	<b>Moderate</b>



While each site is potentially suitable for a new WRF, the **Rancho Colina** site is considered best overall. Key considerations in this determination include:

- *A highly motivated property owner*
- *Unique opportunity to replace an outdated wastewater treatment facility*
- *Proximity to the majority of reclamation opportunities*
- *The most developable portion of the site is already disturbed and graded*
- *The best part of the site is not visible to offsite residences*
- *The site does not conflict with Coastal Commission policies/issues*

### 3. Reclamation Opportunities

**Appendix A** of this report includes a detailed technical memorandum that describes regulations pertaining to the use of recycled wastewater, and the potential opportunities for its use in and near the City of Morro Bay. The following discussion summarizes the major findings of that technical memorandum.

#### Recycled Water Quality Regulations

The California Code of Regulations (CCR) Title 22, Division 4, Chapter 3, Sections 60301 through 60355 regulate recycled wastewater. These requirements are administered jointly by California Department of Health Services (CDHS) and RWQCB.

Four treatment levels are defined in the regulations for various recycled water uses in California: disinfected tertiary recycled water, disinfected secondary-2.2 recycled water, disinfected secondary-23 recycled water and undisinfected secondary recycled water. These are summarized in Table 1.

Recycled Water Type	Required Treatment	Median Total Coliform (MPN/100 mL) <sup>1</sup>	Maximum Total Coliform (MPN/100 mL) <sup>2</sup>	Allowable Uses
Disinfected Tertiary	Oxidized, Coagulated <sup>3</sup> , Filtered, Disinfected	2.2	23 <sup>4</sup>	Surface irrigation for food crops including edible portion, parks and playgrounds, schoolyards, unrestricted access golf courses, roadway landscaping, and residential & commercial landscaping
Disinfected Secondary-2.2	Oxidized, Disinfected	2.2	23	Irrigation of food crops where edible portion is above ground and not contacted by recycled water (ex. drip irrigation is used)



<b>Table 1. Title 22 Recycled Water Types and Allowable Uses (California Code of Regulations)</b>				
<b>Recycled Water Type</b>	<b>Required Treatment</b>	<b>Median Total Coliform (MPN/100 mL)<sup>1</sup></b>	<b>Maximum Total Coliform (MPN/100 mL)<sup>2</sup></b>	<b>Allowable Uses</b>
Disinfected Secondary-23	Oxidized, Disinfected	23	240	Irrigation of cemeteries, freeway landscaping, restricted access golf courses, pasture for milk animals
Undisinfected Secondary	Oxidized	NA	NA	Irrigation for orchards & vineyards where edible portion does not contact recycled water (ex. drip irrigation is used), non-food bearing trees, fodder crops and fiber crops, seed crops not eaten by humans, ornamental nursery stock
<b>Notes:</b>				
<ol style="list-style-type: none"> <li>1. Based on bacteriological results of the last 7 days for which analyses were completed.</li> <li>2. Does not exceed in more than one sample in any 30 day period</li> <li>3. Coagulation is not typically required if membrane filtration is used and/or turbidity requirements are met.</li> <li>4. No sample shall exceed 240 MPN/100 mL.</li> </ol>				

### Potential Recycled Water Opportunities

The primary uses for recycled water, as discussed in this report, include:

- Direct reuse for irrigation or other applications; and
- Indirect reuse through either streamflow augmentation or groundwater recharge.

The following describes potential sites for the application of recycled water in Morro Bay and the surrounding region. This is based on both a literature review and original research. Our team, led by Michael K. Nunley Associates (MKN) reviewed previous recycled water studies for the City of Morro Bay (City) and Cayucos Sanitary District (CSD) Wastewater Treatment Plant (WWTP), including:

- *Cayucos/Morro Bay Comprehensive Recycled Water Study*, Carollo Engineers, October 1999
- *2012 Recycled Water Feasibility Study*, Dudek, Draft March 9, 2012

These reports investigated the feasibility of implementing a recycled water program. Both studies included identification of potential water reuse opportunities in the Cayucos and Morro Bay areas and review of the water demands and water quality requirements.

In addition, our team conducted original research, reviewing every parcel in both the Morro and Chorro Valleys for their potential for irrigated agriculture.

In general, the use of reclaimed water in the region centered on Morro Bay area could be applied to one or more of the following:



- Irrigated Agriculture
- Streamflow Augmentation in Creeks
- Landscaping, Parks, and Golf Courses
- Groundwater Recharge

Each of these has its own water quality requirements, which are summarized in Table 1 above, and discussed more fully in the full report contained in **Appendix A**.

In summary, there are substantial reclamation opportunities in region surrounding the City, mostly concentrated in the Morro Valley in the form of irrigated agriculture (primarily avocados and some row crops), but there are also some opportunities in the Chorro Valley as well. There are important though less plentiful opportunities within the City itself as well as in Cayucos, primarily related to landscaping and parks. Tables 5 and 6 in **Appendix A** show list every parcel with reclamation potential. They are shown on Figure 2 below, as well as Figure 3 within **Appendix A**.

Table 2 below summarizes the estimated water demand and treatment requirements for these sites in the various areas near the City.

Area	Number of Sites	Water Demand; Level of Treatment Needed				Estimated Total Average Water Demand (AFY)
		<i>Disinfected Tertiary</i>	<i>Disinfected Secondary 2.2</i>	<i>Disinfected Secondary 23</i>	<i>Undisinfected Secondary</i>	
Morro Valley	56	2,736	-			2,736
Chorro Valley	4	1,058	-			1,058
City of Morro Bay	23	111	-	316		427
Cayucos	9	503	-	23	13	538
<b>TOTAL</b>	<b>92</b>	<b>4,408</b>	<b>-</b>	<b>339</b>	<b>13</b>	<b>4,760</b>

**Notes:** All 56 sites in Morro Valley are irrigated agriculture, totaling about 1,094 acres. Chorro Valley has about 398 acres of irrigated agriculture on 2 large parcels. The other 2 sites in Chorro Valley are Dairy Creek Golf Course and the Botanical Gardens. Sites in Morro Bay include the Morro Bay Golf Course, various parks and elementary schools, and roadway landscaping. Cayucos sites include irrigated agriculture, parks, roadways, and the Cayucos-Morro Bay Cemetery.

Please refer to Appendix A for a discussion of the levels of treatment needed for various reclamation opportunities.

For Cayucos, 500 AFY is estimated to require salts removal or blending. Overall requirements for salt removal or blending at other locations is otherwise unknown.

In addition, several creeks in the area are potential candidates for streamflow augmentation, including:

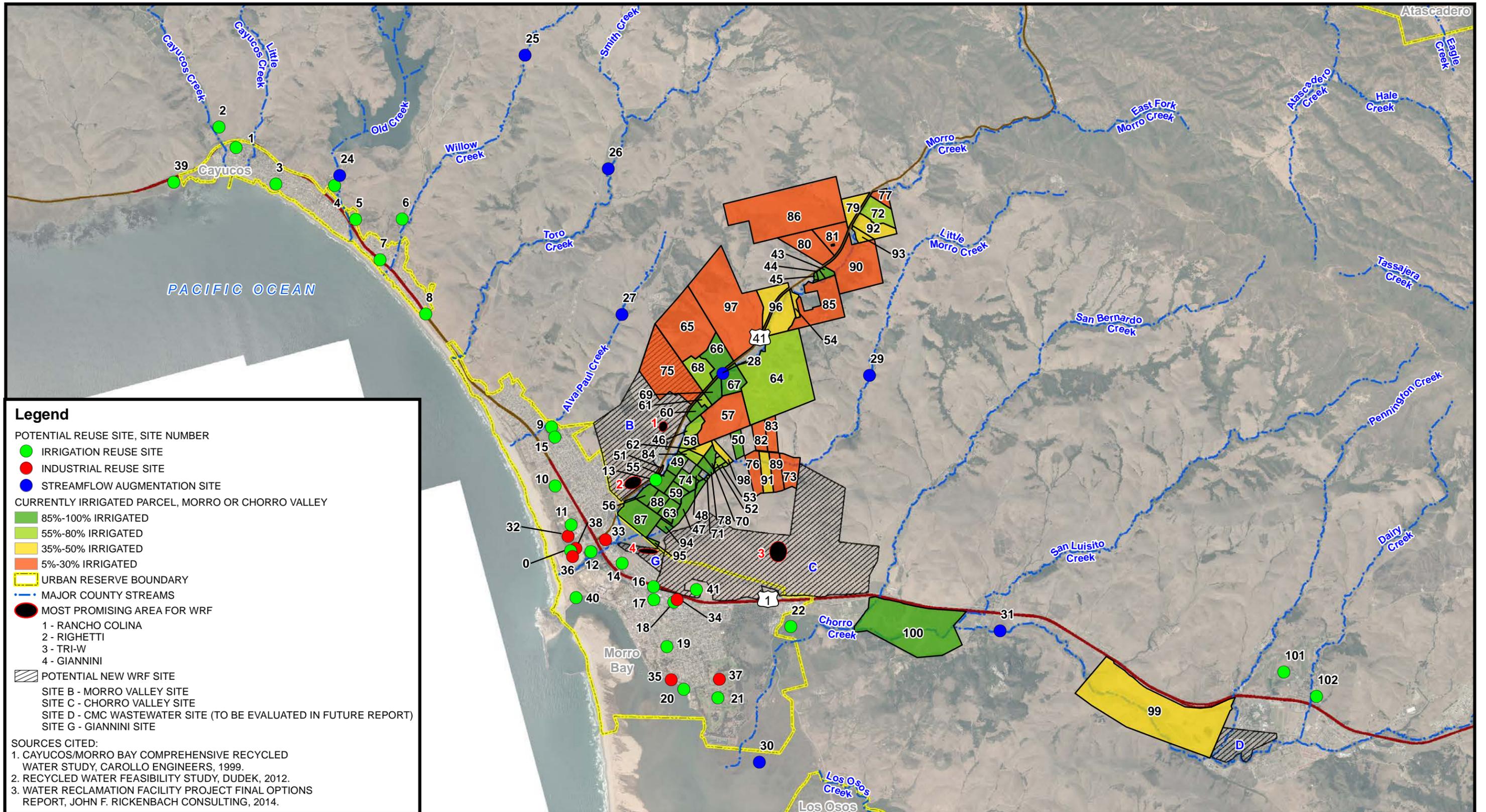
- Chorro Creek
- Morro Bay Estuary
- Morro Creek
- Little Morro Creek
- Willow Creek



- Toro Creek
- Alva Paul Creek
- Old Creek
- Cayucos Creek

Additional streamflow has the potential to provide enhanced habitat, or to augment existing water supplies. However, discharge to creeks is strictly regulated, and it is not known at this time what permit conditions would be attached with such a use, which would depend to some extent on the characteristics of the creeks and their associated beneficial uses as described in the Basin Plan. In addition, the water rights issues associated with this approach must be resolved before it can be considered a feasible approach to meeting the City's goals.





**Figure 2: Regional Reclamation Opportunities**

## 4. WRF Sites Under Consideration

In December 2013, the City Council chose three general sites studied in the Options Report for possibility development of a new WRF, in the following order of priority:

- Morro Valley (Site B)
- Chorro Valley (Site C)
- Giannini Property (Site G)

In each case, the Options Report identified the most suitable locations within these sites for such a facility. Within Morro Valley, two specific locations stood out, which are identified in this report as the Righetti and Rancho Colina sites. Within Chorro Valley, a portion of a property owned by Tri-W Enterprises outside the City limits had the best suitability for a new WRF. Within Giannini, a small portion of the property adjacent to Little Morro Creek Road was identified as best.

Thus, there are four specific locations within these three broad sites that are studied further in this analysis. For the purpose of this report, these are known as the following:

- **Site 1: Rancho Colina**
- **Site 2: Righetti**
- **Site 3: Tri-W**
- **Site 4: Giannini**

Table 3 summarizes the general characteristics of these sites, and how they relate to the sites previously examined in the Options Report:

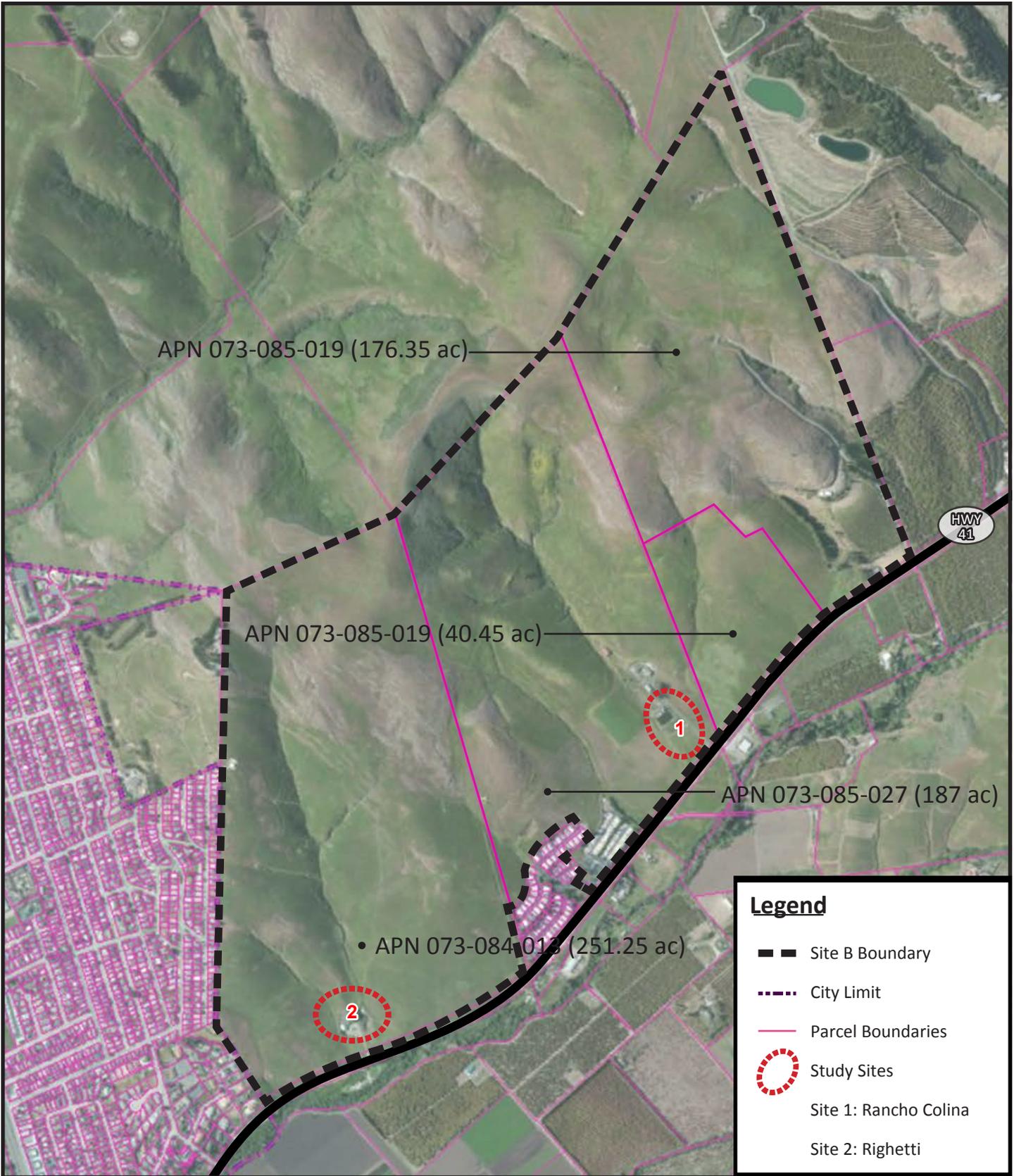
Site	Site Name in this Report	Options Report Site	Parcel Information	Discussion of the Study Site
1	Rancho Colina	Morro Valley (part of Options Report Site B)	APN 073-085-027 (187.4 ac) <u>Ownership:</u> W. Macelvaine <u>Jurisdiction:</u> SLO County	The study site is limited to a roughly 10-15 acre area in the lowest portion of the property, generally in the vicinity of the location of the existing WWTP that serves the nearby Rancho Colina residential community. The study site is about 150 to 160 feet above sea level.
2	Righetti	Morro Valley (part of Options Report Site B)	APN 073-084-013 (259.3 ac) <u>Ownership:</u> P. Madonna	The study site is limited to a roughly 10-15 acre area in the lowest portion of the property, at the location of an existing ranch house. The study site is about 80 to 100 feet above sea level.
3	Tri-W	Chorro Valley (part of Options Report Site C)	APN 073-101-017 (396.3 ac) <u>Ownership:</u> Tri-W Enterprises	The study site is limited to a roughly 15-20 acre area toward the eastern end of the property. There is currently



<b>Table 3. Sites Examined in this Report</b>				
<b>Site</b>	<b>Site Name in this Report</b>	<b>Options Report Site</b>	<b>Parcel Information</b>	<b>Discussion of the Study Site</b>
			<u>Jurisdiction:</u> SLO County	no development at this location. The study site is about 100 to 120 feet above sea level.
4	Giannini	Giannini Property (part of Options Report Site G)	APN 068-401-014 (35.7 ac) <u>Ownership:</u> J. and E. Giannini <u>Jurisdiction:</u> City of Morro Bay	The study site is limited to a roughly 10-15 acre area at the toe of the slope of the property, between the powerline easement and Little Morro Creek Road. There is currently no development at this location. The study site is about 70 to 100 feet above sea level.

These sites are shown on Figures 3 through 5, including the conceptual constraints identified in the larger surrounding parcels described in the Options Report.





**Figure 3: Sites 1 and 2: Rancho Colina and Righetti**



**Figure 4: Site 3 - Tri-W**



**Figure 5: Site 4 - Giannini**

## 5. Key Issues and Questions

The Options Report found that each site would be generally suitable for a new WRF. This analysis refines the evaluation included in the Options Report, and compares their relative suitability in terms of the following key questions embodied within that analysis:

- A. *Is the property owner willing to work with the City?*
- B. *Are there other unique opportunities associated with the site?*
- C. *Are there environmental issues that may be of concern to the Coastal Commission or the general public?*
- D. *Are there additional physical site constraints that may limit project design flexibility?*
- E. *Are there unique regulatory or logistical constraints affecting site development?*
- F. *Are there complex studies or unusual permitting requirements associated with the site?*
- G. *Are there nearby neighbors that may object to a new WRF, and what would be their likely concerns?*
- H. *Does the site have potential as a regional facility serving other agencies or users?*
- I. *Are there potential cost savings compared to the other sites?*
- J. *Are there site-related challenges to achieving the City's 5-Year timeframe?*

## 6. Comparative Site Analysis

The December 2013 Options Report compared these sites in great detail, and the current report will make no effort to replicate the analysis or results of that investigation. The difference with this report will be to look closely at the portions of the three sites identified in the Options Report as having the best development potential, and compare them in the context of key issues and questions that would assist the Council in making a final selection. In general, these questions consolidate many of the 27 specific issues identified in the Options Report, and frame a more qualitative comparative analysis than provided in the previous report. The purpose is to focus on issues that may be potential differentiators between the sites. Where appropriate, the analysis will draw on information and conclusions from the previous report.

It should also be noted that in general, the Options Report found that each of these sites would be generally suitable for locating a new WRF. Thus, this analysis will not attempt to eliminate one site or another through a numerically-based evaluation. Rather, the analysis is more qualitative in nature, with the key differences between the sites clearly highlighted. The City Council can then determine which issues are the most important in the context of achieving its goals relative to the purpose and timing of constructing the facility.

### A. Is the Property Owner willing to work with the City?

***Why This Issue is Important.*** Identifying a willing property owner is crucial for a number of reasons, all of which relate to achieving the 5-year schedule set forth by the City Council. A strong working relationship between the City and property owner would allow for the possibility of a variety of potential agreements that serve the interests of both parties. The range of



possibilities include a sale of the property, a lease agreement of some sort, or shared use arrangement. The existing property owner would likely know the history of the site, and would possibly have access to past studies that may be of assistance during the preliminary design and environmental review phases of the project. This would be particularly true if the property owner had a long association with the parcel. Partnering with a willing seller is expected to minimize overall project cost (including both purchase price and legal costs) and minimize overall project schedule as compared to acquiring property from an unwilling seller.

**Comparative Site Analysis.** The following discussion compares the four sites with respect to this key issue.

### **Site 1: Rancho Colina**

The Rancho Colina site (APN 073-085-027) is owned by Steve Macelvaine, who appears to be a very willing potential partner for the City in the development of a new WRF. From his perspective, he would like to be annexed to the City, and sees this project as an opportunity to bring public services (notably city water) to serve his site. The nearby Rancho Colina residential complex has been served by a small wastewater treatment plant that has been in operation on the potential project site since 1971. He has indicated that if the City built a new WRF on his property, it would be an opportunity to remove the existing antiquated treatment plant and transfer the responsibility of serving the nearby Rancho Colina residents to the City with its new facility. Furthermore, the property has been owned by the same family for over 50 years, so the City can benefit from the historical knowledge and records for the property that the owner may possess.

The property owner has established appropriate rights to water Morro Creek that are second only to the City through existing private wells that he has indicated a willingness to transfer to the City as part of a potential negotiation for use of the site.

*Site Suitability: Very High*

### **Site 2: Righetti**

The area commonly known as the “Righetti site” (APN 073-084-013) is owned by Paul Madonna et al. The ownership group has not shown any indication one way or another regarding a desire to work with the City in developing a new WRF at this location.

*Site Suitability: Unknown*

### **Site 3: Tri-W**

The Tri-W property (APN 073-101-017) is owned by Tri-W Enterprises. The ownership group has not shown any indication one way or another regarding a desire to work with the City in developing a new WRF at this location.

*Site Suitability: Unknown*

### **Site 4: Giannini**

The Giannini property (APN 068-401-014) is owned by J & E Giannini Properties LLC. The ownership group has expressed some interest in pursuing a new WRF on their property, and has met with City officials to explore the possibility. They have indicated they may still seek to pursue housing on the upper portion of the site in the future, which may factor into the long-term suitability of this site for a



new WRF.

*Site Suitability: Moderate*

**Summary and Conclusions.** *Of all the sites still under consideration, the property owner of the Rancho Colina site has shown the greatest willingness to work with the City, and has even suggested possible arrangements for the City's use of the site. The Giannini ownership has also expressed some interest, though it is tempered to some degree by some uncertainty related to the possible long-term desire to develop other portions of the property for housing. Neither of the other property owners have yet expressed a direct interest to the City, though none have indicated opposition to a possible partnership.*

**Top-Rated Site: Rancho Colina**

**Key Insights:** *The owner of the Rancho Colina property has expressed a uniquely enthusiastic desire to work with the City to construct a new WRF at that location to achieve mutually beneficial goals.*

## **B. Are there other unique opportunities associated with the site?**

**Why This Issue is Important.** The City has established diverse goals associated with the new WRF that go beyond improving water quality and reclamation potential. A site or design that can help the City achieve other ancillary goals related to cost savings, timing, water rights acquisition, land use or environmental protection would also be considered favorably. While the previous discussion already captures the sites' potential to address many of these issues, this analysis focuses on these unique opportunities, and expands the discussion as appropriate.

**Comparative Site Analysis.** The following discussion compares the four sites with respect to this key issue.

### **Site 1: Rancho Colina**

Potential development at the Rancho Colina site presents several unique opportunities not found at any other site. These include:

- *A highly motivated and cooperative land owner.* This site's property owner has expressed a high level of cooperation with the City, and appears highly motivated to work with the City on the development of a new WRF at this location. He has expressed interest in negotiations that would be potentially beneficial from a cost perspective for the City.
- *Potentially new water rights for City.* The property owner has established appropriate rights to water Morro Creek that are second only to the City through existing private wells that he has indicated a willingness to transfer to the City as part of a potential negotiation for use of the site.
- *Potential removal of an existing outdated pocket wastewater facility.* The existing wastewater treatment plant on the site that serves the nearby Rancho Colina residential area was built in 1971. The RWQCB has repeatedly expressed interest in the concept of removing that outdated



facility and transferring those residents to City services. Development of a new WRF would provide this opportunity.

- *More Customers and Revenue.* Adding customers would increase the amount of revenue available for debt service and operation/maintenance costs, as long as the City could charge those customers directly in the same manner as other City customers.
- *Previously graded site with some potentially reusable features.* The site has already been graded to accommodate a treatment facility, which may present cost efficiencies in the eventual design and construction of a new WRF at this site. There is also a manmade pond serving the existing WWTP that could be incorporated into the design of a new facility.
- *Not visible to offsite residential uses.* Along with the Tri-W site, development at this location would not be visible to any nearby residents (with the exception of the property owner, who wishes to continue living on the property). This could reduce the potential for controversy or opposition as the project moves forward through the design and CEQA process.

*Site Suitability: High*

### **Site 2: Righetti**

Potential development at the Righetti site presents two unique opportunities not found at any other site. These include:

- *Closest to existing wastewater infrastructure.* The site is adjacent to the City, and slightly closer to the heart of the City's existing wastewater conveyance system than any other site. This factor would be important with respect to minimizing both construction and maintenance costs.
- *A preliminary conceptual design exists.* The Fine Screening Analysis already included a preliminary conceptual design for development at this location, which could be used as a starting point for a more detailed design, or possibly as an alternative for study in the EIR for the project.

*Site Suitability: Moderate*

### **Site 3: Tri-W**

Potential development at the Tri-W site presents the following unique opportunities not found at any other site. These include:

- *Not Visible to offsite Residential Uses.* Development at this location would not be visible to any nearby residents, and there are no homes on the site itself. The nearest residents live within Casa de Flores, a senior complex roughly 1,600 feet to the south, and visually blocked by intervening topography. This could reduce the potential for controversy or opposition as the project moves forward through the design and CEQA process.
- *A particularly large site, providing a high degree of design flexibility.* The site is located on a 396-acre undeveloped parcel. The most developable area includes about relatively level 10 to 20 acres relatively free of constraints, except for the possibility of encroaching within Waters of the State or Waters of the United States, which would require appropriate state or federal permits under the Clean Water Act and the Porter-Cologne Act.
- *Proximity to Chorro Creek and Morro Bay Estuary.* Although the site is not as close to the bulk of reclamation opportunities, it is closer to Chorro Creek than the other locations, which offers the



possibility of streamflow augmentation to supplement City water supplies as well as enhancement of the Morro Bay estuary, if determined to be an appropriate use of reclaimed water.

*Site Suitability: Moderate*

#### **Site 4: Giannini**

Potential development at the Giannini site presents the following unique opportunities not found at any other site. These include:

- *Site is within the City limits.* This is the only site under consideration already within the City, so no annexation would be required. This may incrementally reduce the timeframe associated with project permitting.
- *Directly adjacent to irrigated prime agriculture.* The site is directly adjacent to large parcels of highly productive irrigated row crops that have a relatively high water demand. This makes the site particularly attractive from the perspective of being able to directly apply reclaimed water to these sites without the need to cross creeks or extend pipeline infrastructure great distances.

*Site Suitability: Moderate*

**Summary and Conclusions.** *Each site has unique opportunities of one sort or another, primarily related to the proximity to reclamation sites or the ability to avoid land use conflicts. The Rancho Colina site, however, has other unique advantages that none of the other sites have, related to the potential acquisition of water rights, or the possibility of fulfilling the RWQCB's desire to remove and replace an outdated wastewater treatment plant that only serves a small number of users.*

**Top-Rated Site: Rancho Colina**

*Key Insights:*

- *Rancho Colina has the greatest number and diversity of unique ancillary opportunities of a new WRF were constructed at that location.*
- *The Tri-W site is uniquely positioned with respect to Chorro Creek and the estuary, but lacks proximity to the larger number of reclamation opportunities in the Morro Valley.*

### **C. Are there environmental issues that may be of concern to the Coastal Commission or the general public?**

**Why This Issue is Important.** The California Coastal Commission denied the development of a new WRF at the location of the existing WWTP largely because of its potential inconsistency with Coastal Act and LCP policies. These were discussed in extensive detail in the Options Report. A project that is consistent with Coastal policies would achieve the following:

- *Avoid Coastal Hazards*



- *Avoid Steep Slopes and High Elevation*
- *Promote Public Access/Recreation*
- *Minimize Visual Impacts*
- *Sustainable Use of Public Resources*
- *Avoid Environmentally Sensitive Habitat Areas (ESHA)*
- *Avoid Cultural Resources*
- *Avoid Agricultural Resources*
- *Promote Coastal Dependent Development*
- *Minimize Greenhouse Gas Emissions*

All of the sites are in the Coastal Zone. However, none of the sites are near the ocean or estuary, and in general can avoid impacted coastal resources. Although not specifically addressed by the Coastal Act, the concept of minimizing greenhouse gas emissions has been frequently cited by the public, and is becoming increasingly important from a state and local regulatory perspective. A site-specific analysis that builds on the policy consistency discussion in the Options Report is included below.

**Comparative Site Analysis.** The following discussion compares the four sites with respect to this key issue.

### Site 1: Rancho Colina

*Coastal Proximity and Access.* The site is about 1.7 miles from the ocean, and separated by intervening topography. It is not subject to coastal hazards such as tsunami and possible sea-level rise. A project at this location would not impede coastal access, or otherwise affect future development along the coastline.

*Visual Impacts.* There are no visual impacts relative to the coast, since the site cannot be seen from the ocean or estuary, nor would development on the site block views of these features. The most developable portion of the site is about 600 feet from Highway 41, and can be seen from a short segment of that roadway, for less than one-quarter mile nearest the property. It is not in the direct line of viewing for motorists traveling on that highway. The site of potential development is about 1,000 feet northeast of the Rancho Colina residential complex, but is not visible from homes within Rancho Colina because of intervening topography.

*Biological Resources/ESHA.* The site does not contain any designated Environmentally Sensitive Habitat Area (ESHA) per the County's LCP. The nearest ESHA is along the riparian margins of Morro Creek, but that is outside of the WRF development area.

No special status species have been identified on the site, though the following species are identified as having the potential to occur on the site (list status shown in parentheses):

#### Plants

- San Joaquin spearscale (1B.2)
- LaPanza mariposa lily (1B.2)
- Cambria morning glory (4.2)
- San Luis Obispo sedge (1B.2)
- San Luis Obispo owl's clover (1B.2)



- Congdon's tarplant (1B.2)
- Betty's dudleya (1B.2)
- Mouse gray dudleya (1B.2)
- Blochman's dudleya (1B.2)
- Jones' layia (1B.2)
- Adobe sanicle (1B.1)
- Most beautiful jewel flower (1B.2)

Invertebrates (none)

Fish (in Morro Creek; not on the site itself)

- Tidewater goby (FE, CSC)
- Steelhead (FT, CSC) (CNDDDB onsite occurrence recorded)

Amphibians in and adjacent to Morro Creek, not likely on the upland portion of the site)

- California red-legged frog (FT, CSC)

Reptiles

- Silvery legless lizard (CSC)
- Pacific pond turtle (CSC)
- Blainville's horned lizard (CSC)

Birds (none)

Mammals (none)

*Cultural Resources.* No cultural resources have been previously identified on the most developable portions of the site. In general, the portions of the Morro Valley nearest to Morro Creek have a fairly high potential for encountering cultural resources, and the fact that the area has a long history of human habitation. The presence of Morro Creek along the southern boundary of the site (and throughout much of the Morro Valley in general) would have represented an attractive food resource for prehistoric populations migrating between the coast and the interior areas. Many properties within Morro Valley feature prominent ridgelines that are known to have been attractive for hunting camps and temporary activity areas. The potential for encountering such resources diminishes with elevation and with distance from the coast. The potential for encountering unknown resources on this site is considered low to moderate (Applied Earthworks, informal evaluation, March 2014).

*Agriculture.* Much of the land in Morro Valley features gently rolling hillsides trending to steeper topography to the north, particularly north of Highway 41. Most of this area is in rangeland, although some of this land supports avocado orchards. There are no prime soils on or near the most developable portions of the site.

The most developable portion of the Rancho Colina site (where the current wastewater treatment facility is located) is underlain by Los Osos-Diablo complex soils, which consist of loamy top layer overlying clay, sandy loam and bedrock, which is typically found at a depth of 39 to 59 inches (NRCS Soil Survey). It is not considered prime farmland by the NRCS, with a land capability classification of 6e. These soils are well-drained, and not prone to flooding or ponding. The depth to the water table is typically greater than 80 inches.

The steeper slopes above the more level area consist of Diablo and Cibo clays, which consist of clay over weathered bedrock, which is typically encountered at a depth of 58 to 68 inches below the surface. It is not considered prime farmland by the NRCS, with a land capability classification of 6e. These soils are



well-drained, and not prone to flooding or ponding. The depth to the water table is typically greater than 80 inches.

The portion of the property just to the east of the current treatment facility and toward Highway 41 is Marimel silty clay loam, which consists of silty clay loam stratified loam and/or clay loam. This soil is considered prime farmland if irrigated, though it is not currently nor has it historically been irrigated on this property. Therefore, this property does not support prime farmland. The soil has a land classification of 1 (if irrigated), and 3c (if nonirrigated).

The potential development of a new WRF would not preclude continued agricultural uses on the property, which consists of grazing. Grazing land (uphill of the existing treatment plant site) has historically been provided from treated wastewater from the existing plant.

*Minimize Greenhouse Gas Emissions.* Energy (electricity) use during operation of the new facility, and lift stations and pumps used convey effluent from the facility, would generate GHG emissions. Although the pumps would not directly result in GHG emissions, use of pumps would indirectly release GHG emissions through the purchase/use of electricity. The site is located about 1.7 miles from the existing ocean outfall, and it is expected that the new WRF would need to tie into the existing infrastructure network at this location, with lift stations needed to pump wastewater uphill to the new site, which is at an elevation of about 150 to 160 feet.

From a comparative perspective, this is a slightly higher in elevation and farther from the existing infrastructure network than the Righetti site, so energy use and resulting GHG emissions might be expected to be slightly higher.

*Site Suitability: High*

## **Site 2: Righetti**

*Coastal Proximity and Access.* The site is about 1.1 miles from the ocean, and separated by intervening topography. It is not subject to coastal hazards such as tsunami and possible sea-level rise. A project at this location would not impede coastal access, or otherwise affect future development along the coastline.

*Visual Impacts.* There are no visual impacts relative to the coast, since the site cannot be seen from the ocean or estuary, nor would development on the site block views of these features. The Righetti property is also directly adjacent to an existing neighborhood to the west within the City limits, but only visible from the backyards of the homes on the east side of Nutmeg Avenue, since the other homes are blocked by the ridgeline that separates this parcel from the neighborhood. The most developable portion of the site is about 1,100 feet from the nearest homes, and directly visible from those homes. It is also within 350 feet of Highway 41, and can be seen for about one-quarter mile along the highway. It is near the eastern gateway to the City, and that may be of some concern relative to establishing a visually inviting entrance to the City from that direction.

*Biological Resources/ESHA.* The site does not contain any designated Environmentally Sensitive Habitat Area (ESHA) per the County's LCP. The nearest ESHA is along the riparian margins of Morro Creek, but that is outside of the WRF development area.



Based on an October 2011 field survey, no special status species were identified on the site, though the following species are identified as having the potential to occur on the site (list status shown in parentheses):

Plants

- San Joaquin spearscale (1B.2)
- LaPanza mariposa lily (1B.2)
- Cambria morning glory (4.2)
- San Luis Obispo sedge (1B.2)
- San Luis Obispo owl's clover (1B.2)
- Congdon's tarplant (1B.2)
- Betty's dudleya (1B.2)
- Mouse gray dudleya (1B.2)
- Blochman's dudleya (1B.2)
- Jones' layia (1B.2)
- Adobe sanicle (1B.1)
- Most beautiful jewel flower (1B.2)

Invertebrates (none)

Fish (in Morro Creek; not on the site itself)

- Tidewater goby (FE, CSC)
- Steelhead (FT, CSC) (CNDDDB onsite occurrence recorded)

Amphibians (in and adjacent to Morro Creek, not likely on the upland portion of the site)

- California red-legged frog (FT, CSC)

Reptiles

- Silvery legless lizard (CSC)
- Pacific pond turtle (CSC)
- Blainville's horned lizard (CSC)

Birds (none)

Mammals (none)

*Cultural Resources.* No cultural resources have been previously identified on the most developable portions of the site. In general, the portions of the Morro Valley nearest to Morro Creek have a fairly high potential for encountering cultural resources, and the fact that the area has a long history of human habitation. The presence of Morro Creek along the southern boundary of the site (and throughout much of the Morro Valley in general) would have represented an attractive food resource for prehistoric populations migrating between the coast and the interior areas. Many properties within Morro Valley feature prominent ridgelines that are known to have been attractive for hunting camps and temporary activity areas. The potential for encountering such resources diminishes with elevation and with distance from the coast. The potential for encountering unknown resources on this site is considered moderate (Applied Earthworks, informal evaluation, March 2014), and slightly higher than on the Rancho Colina site because it is closer to both the creek and the coast.

*Agriculture.* Much of the land in Morro Valley features gently rolling hillsides trending to steeper topography to the north, particularly north of Highway 41. Most of this area is in rangeland, although some of this land supports avocado orchards. There are no prime soils on or near the most developable portions of the site.



The most developable portion of the site (where a ranch complex is located) is underlain by Cropley clay soils, which consist of clay overlying silty clay loam, which is typically found at a depth of 36 to 60 inches (NRCS Soil Survey). This soil is considered prime farmland if irrigated, though it is not currently nor has it historically been irrigated on this property. Therefore, this property does not support prime farmland. The soil has a land classification of 2s (if irrigated), and 3s (if nonirrigated). These soils are moderately well-drained, and not prone to flooding or ponding. The depth to the water table is typically greater than 80 inches.

The steeper slopes above the more level area consist of Diablo and Cibo clays, which consist of clay over weathered bedrock, which is typically encountered at a depth of 58 to 68 inches below the surface. It is not considered prime farmland by the NRCS, with a land capability classification of 4e. These soils are well-drained, and not prone to flooding or ponding. The depth to the water table is typically greater than 80 inches.

The potential development of a new WRF would not necessarily preclude continued agricultural use of the property, which consists of grazing. However, it would require the relocation of the ranch complex that serves as headquarters for this use.

*Minimize Greenhouse Gas Emissions.* Energy (electricity) use during operation of the new facility, and lift stations and pumps used convey effluent from the facility, would generate GHG emissions. Although the pumps would not directly result in GHG emissions, use of pumps would indirectly release GHG emissions through the purchase/use of electricity. The site is located about 1.1 miles from the existing ocean outfall, and it is expected that the new WRF would need to tie into the existing infrastructure network at this location, with lift stations needed to pump wastewater uphill to the new site, which is at an elevation of about 80 to 90 feet.

From a comparative perspective, this is a slightly lower in elevation and closer to the existing infrastructure network than the Rancho Colina site, so energy use and resulting GHG emissions might be expected to be slightly lower.

*Site Suitability: Moderate to High*

### **Site 3: Tri-W**

*Coastal Proximity and Access.* The site is about 1.7 miles from the Morro Bay estuary and 2.3 miles from the ocean, separated from each by intervening topography. It is not subject to coastal hazards such as tsunamis and possible sea-level rise. A project at this location would not impede coastal access, or otherwise affect future development along the coastline.

*Visual Impacts.* There are no visual impacts relative to the coast, since the site cannot be seen from the ocean or estuary, nor would development on the site block views of these features. The property is not visible from any existing neighborhood. It is within 2,000 feet of Highway 1, but can only briefly be seen from the highway at the relatively long distance.

*Biological Resources/ESHA.* The site does not contain any designated Environmentally Sensitive Habitat Area (ESHA) per the County's LCP. The nearest ESHA is along the riparian margins of Chorro



Creek on the south side of Highway 1, but that is outside of the potential WRF development area.

Based on a search of the California Natural Diversity Data base (CNDDDB), no special status species were identified on the site, though the following species are identified as having the potential to occur on the site (list status shown in parentheses):

Plants

- Arroyo de la cruz manzanita (1B.2)
- Miles' milk vetch (1B.2)
- San Joaquin spearscale (1B.2)
- LaPanza mariposa lily (1B.2)
- Cambria morning glory (4.2) (CNDDDB onsite occurrence recorded)
- San Luis Obispo sedge (1B.2)
- San Luis Obispo owl's clover (1B.2)
- Congdon's tarplant (1B.2)
- Betty's dudleya (1B.2)
- Mouse-gray dudleya (1B.2)
- Blochman's dudleya (1B.2)
- Blochman's leafy daisy (1B.2)
- Jones' layia (1B.2)
- San Luis Obispo modarella (1B.2)
- Adobe sanicle (1B.1)
- Most beautiful jewel flower (1B.2)
- 

Invertebrates (none)

Fish (none)

Amphibians (none)

Reptiles

- Silvery legless lizard (CSC)
- Blainville's horned lizard (CSC)

Birds (none)

Mammals (none)

The Tri-W site has not been surveyed for biological resources in detail, so if this site were selected, surveys to determine the presence or absence of the potentially occurring special status species would be required.

*Cultural Resources.* No cultural resources have been previously identified on the most developable portions of the site. In general, properties in the Chorro Valley have a moderate to high potential for encountering cultural resources because of its proximity to Chorro Creek, and the fact that the area has a long history of human habitation. Several sites are recorded near San Bernardo Creek on the eastern edge of this option area (Applied Earthworks, informal evaluation, March 2014). At the same time, the Tri-W site is not included in the County's "Archaeological Sensitive Area" Combining Designation, which suggests that the area does not have the highest level of sensitivity. That said, the property has not been surveyed to determine the potential presence or absence of such resources. Until such time, the possibility of encountering sensitive cultural resources on these properties cannot be discounted.



*Agriculture.* Much of the land in Chorro Valley features gently rolling hillsides trending to steeper topography to the north, particularly north of Highway 41. The Tri-W site is currently in rangeland. There are no prime soils on or near the most developable portions of the site.

The most developable portion of the site (where a ranch complex is located) is underlain by Cropley clay soils, which consist of clay overlying silty clay loam, which is typically found at a depth of 36 to 60 inches (NRCS Soil Survey). This soil is considered prime farmland if irrigated, though it is not currently nor has it historically been irrigated on this property. Therefore, this property does not support prime farmland. The soil has a land classification of 2s (if irrigated), and 3s (if nonirrigated). These soils are moderately well-drained, and not prone to flooding or ponding. The depth to the water table is typically greater than 80 inches.

The potential development of a new WRF would not preclude continued agricultural use of the property, which consists of grazing.

*Minimize Greenhouse Gas Emissions.* Energy (electricity) use during operation of the new facility, and lift stations and pumps used convey effluent from the facility, would generate GHG emissions. Although the pumps would not directly result in GHG emissions, use of pumps would indirectly release GHG emissions through the purchase/use of electricity. The site is located about 2.4 miles from the existing ocean outfall, and it is expected that the new WRF would need to tie into the existing infrastructure network at this location, with lift stations needed to pump wastewater uphill to the new site, which is at an elevation of about 100 to 120 feet.

From a comparative perspective, this is about a slightly higher elevation than the Righetti site, and much farther from the existing infrastructure network, so energy use and resulting GHG emissions might be expected to be somewhat higher.

*Site Suitability: High*

#### **Site 4: Giannini**

*Coastal Proximity and Access.* The site is about 0.8 miles from the Morro Bay estuary and 1.1 miles from the ocean, separated from each by intervening topography. It is not subject to coastal hazards such as tsunami and possible sea-level rise. A project at this location would not impede coastal access, or otherwise affect future development along the coastline.

*Visual Impacts.* There are no visual impacts relative to the coast, since the site cannot be seen from the ocean or estuary, nor would development on the site block views of these features. The most optimal portion for development on the site is about 400 to 700 feet downslope from the homes at the top of the ridge along Hillcrest Drive. A new facility would not block distant views from the backyards of these homes, which stand about 120 feet higher in elevation than the best location for a new WRF. However, the site is within 150 to 300 feet of a single ranch house along Little Morro Creek Road, and would be highly visible from that home. Additionally, every resident along Little Morro Creek Road would drive by this site several times a day. Therefore, a design that preserves the rural agricultural character of the Valley and blends with the adjoining ranch will be important to mitigate this impact.

*Biological Resources/ESHA.* This site does not contain Environmentally Sensitive Habitat Areas (ESHA) as defined in the City's LCP or shown on its zoning map. Studies included with a previous



application for development on the site identified areas on the site supporting Cambria morning glory (a “watch list” species), and the potential for wetlands on portions of the site. However, recent site visits have not confirmed the presence of either within the portion of the site under consideration.

Based on a search of the California Natural Diversity Data base (CNDDDB), no special status species were identified on the site, though the following species are identified as having the potential to occur on the site (list status shown in parentheses):

Plants

- San Joaquin spearscale (1B.2)
- LaPanza mariposa lily (1B.2)
- Cambria morning glory (4.2)
- San Luis Obispo sedge (1B.2)
- San Luis Obispo owl’s clover (1B.2)
- Congdon’s tarplant (1B.2)
- Betty’s dudleya (1B.2)
- Blochman’s dudleya (1B.2)
- Jones’ layia (1B.2)
- Adobe sanicle (1B.1)

Invertebrates (none)

Fish (none)

Amphibians (none)

Reptiles

- Blainville’s horned lizard (CSC)

Birds (none)

Mammals (none)

The site has not been surveyed for biological resources, so if this site were selected, surveys to determine the presence or absence of the potentially occurring special status species would be required. The site has, however, been previously disturbed, so the potential for identifying sensitive habitat on the site is relatively low as compared to less disturbed, more rural locations.

*Cultural Resources.* The site is on a sloping hillside, uphill from the Morro Creek drainage. As noted in the Rough Screening Evaluation, this included a large permanent prehistoric occupation site. This was confirmed by a recent informal records search conducted by Applied Earthworks in March 2014. However, only a small portion of the property has been surveyed, so the occupation site may be larger than previously recorded. The site should also be considered highly sensitive because of its proximity to Morro Creek. Until it is fully surveyed, the possibility of encountering additional sensitive cultural resources on this property cannot be discounted, and should be considered high.

*Agriculture.* Much of the land in Morro Valley features gently rolling hillsides trending to steeper topography to the north, particularly north of Highway 41. Most of this area is in rangeland, although some of this land supports avocado orchards. There are no prime soils on or near the most developable portions of the site.



The portion of the property under consideration is underlain by Diablo and Cibo clays, which consist of clay over weathered bedrock, which is typically encountered at a depth of 58 to 68 inches below the surface. It is not considered prime farmland by the NRCS, with a land capability classification of 4e. These soils are well-drained, and not prone to flooding or ponding. The depth to the water table is typically greater than 80 inches.

*Minimize Greenhouse Gas Emissions.* Energy (electricity) use during operation of the new facility, and lift stations and pumps used convey effluent from the facility, would generate GHG emissions. Although the pumps would not directly result in GHG emissions, use of pumps would indirectly release GHG emissions through the purchase/use of electricity. The site is located about 1.1 miles from the existing ocean outfall, and it is expected that the new WRF would need to tie into the existing infrastructure network at this location, with lift stations needed to pump wastewater uphill to the new site, which is at an elevation of about 70 to 100 feet.

From a comparative perspective, this is similar in elevation and proximity to the existing infrastructure network as the Righetti site, so energy use and resulting GHG emissions might be expected to be similar.

*Site Suitability: Moderate*

**Summary and Conclusions.** *Each site is at least a mile from the coast and separated by intervening topography, so a new WRF at any location will not be visible from the coast or block coastal access. Similarly, none are subject to coastal hazards because of their elevation and distance from the ocean or estuary. None of the sites contain ESHA, prime soils, or productive irrigated agriculture. Rancho Colina and Tri-W may have a relatively lower potential with respect to encountering cultural resources than the other sites. There is a large known cultural resource site on the Giannini property. Similarly, development on the Rancho Colina and Tri-W sites would be less visible to passing motorists, while the other two sites would also be visible to nearby residents. On the other hand, the Giannini and Righetti sites are slightly closer to the City's existing infrastructure network than the other two sites, and thus development on those sites may use slightly less energy—which translates into slightly lower greenhouse gas emissions.*

**Top-Rated Sites:            Rancho Colina; Tri-W**

*Key Insights:*

- *None of the sites are subject to coastal hazards*
- *All sites avoid direct impacts to coastal resources*
- *Rancho Colina and Tri-W have substantially lesser visual impacts than the other two sites.*
- *The Giannini site has a higher sensitivity with respect to cultural resources than the other sites.*



## D. Are there additional physical site constraints that may limit project design flexibility?

**Why This Issue is Important.** A flexible location is important, because it can provide opportunities to explore design options that can either reduce cost, impacts to environmental resources, or the timing of construction. While larger sites typically allow more opportunities for a flexible design, a variety of other physical issues may restrict the location of a new facility, including:

- *Slope*
- *Elevation*
- *Drainage/Floodplain*
- *Seismic Hazards*

**Comparative Site Analysis.** The following discussion compares the four sites with respect to this key issue. The sites selected for consideration were chosen because they are generally free of these sorts of physical constraints. None are at high elevation or on steep slopes. All have suitable geology on which to construct a facility. There are, however, important differences with respect to floodplain and drainage issues, which are discussed below.

### Site 1: Rancho Colina

The most developable portion of the site is relatively level and located about 150 to 160 feet above sea level. This is well below the 250-foot contour, above which a new facility would likely require several lift stations and/or high pressure mains to convey untreated wastewater. The site is already pre-graded to accommodate an existing wastewater facility and related ancillary facilities serving the nearby Rancho Colina residential community.

The site is not within a 100-year floodplain. While an ephemeral drainage feature traverses the property, it may be possible to avoid this through the design of the project. The current wastewater facility on the site does not impact this drainage feature.

The site is considered to have low landslide potential, with higher landslide potential on the steeper slopes well above the most developable part of the site. The site is considered to have low to moderate liquefaction potential.

The area is subject to seismic hazards, but no known active faults directly traverse the area. The inactive Cambria Fault lies about 2.3 miles northeast of the site.

*Site Suitability: High*

### Site 2: Righetti

The most developable 10 to 15-acre portion of the site is relatively level and located about 80 to 100 feet above sea level. This is well below the 250-foot contour, above which a new facility would likely



require several lift stations and/or high pressure mains to convey untreated wastewater. The site is already pre-graded to accommodate an existing ranch house and related ancillary facilities. Development on the site would result in the removal of the existing development.

The site is not within a 100-year floodplain. There is an ephemeral drainage trending north-south that comes from the higher elevations on the site, and passes directly through the site on its way toward Morro Creek across Highway 41. The drainage is identified by San Luis Obispo County as “Coastal Zone stream”. It is unlikely that development could avoid this typically dry drainage feature, and would most likely need to be elevated to avoid be subject to runoff during heavy rain events. This issue will require further investigation in the design and environmental review processes for a facility at this location.

The relatively level developable portion of the site is considered to have low landslide potential, but the potential increases on steeper slopes. Liquefaction potential is considered low to moderate.

The area is subject to seismic hazards, but no known active faults directly traverse the area. The inactive Cambria Fault lies about two miles northeast of the site.

*Site Suitability: Moderate*

### **Site 3: Tri-W**

The most developable 10 to 15-acre portion of the site is relatively level and located about 100 to 120 feet above sea level. This is well below the 250-foot contour, above which a new facility would likely require several lift stations and/or high pressure mains to convey untreated wastewater. There is no existing development on the site.

The site is not within a 100-year floodplain. There are two ephemeral drainages trending north-south that comes from the higher elevations on the site, which join in a low-lying area on a relatively flat portion of the site. Because this drainage is in the center of the most potentially developable area, it may be difficult to avoid this typically dry drainage feature.

The relatively level developable portion of the site is considered to have low landslide potential, but the potential increases on steeper slopes. Liquefaction potential is considered low on the steeper portions of the site. The more level portions of the site below the confluence of the two drainage features not subject to high landslide potential are considered to have high liquefaction potential.

The area is subject to seismic hazards, but no known active faults directly traverse the area.

*Site Suitability: Moderate to High*

### **Site 4: Giannini**

The most developable portion of the site is moderately sloping and located about 70 to 100 feet above sea level. This is well below the 250-foot contour, above which a new facility would likely require several lift stations and/or high pressure mains to convey untreated wastewater. There is no existing development on the site.

The site is not within a 100-year floodplain. There are no drainages that traverse the most buildable



portion of the site, except for at the site's eastern boundary. This drainage feature can likely be avoided.

The site is considered to have high landslide potential. Liquefaction potential is considered low to moderate.

The area is subject to seismic hazards, but no known active faults directly traverse the area. The inactive Cambria Fault lies about three miles northeast of the site.

*Site Suitability: Moderate*

**Summary and Conclusions.** *Each site is subject to generally similar physical geological constraints. Each site is generally level, except for the Giannini site, which includes some moderately sloping areas. With the exception of the Giannini site, each is located near an existing drainage feature that will require further investigation in the design and environmental review processes. The Righetti and Tri-W sites appear to be directly within the path of these ephemeral drainage features.*

**Top-Rated Site: Rancho Colina**

*Key Insights:*

- *Tri-W and Righetti sites lie directly in the path of ephemeral drainage features*
- *All sites are subject to similar seismic hazards*
- *All sites are at high enough elevation to avoid coastal hazards, but low enough to minimize pumping costs and associated energy use.*

## **E. Are there unique regulatory or logistical constraints affecting site development?**

**Why This Issue is Important.** Even with a cooperative property owner, a site could present regulatory or logistical challenges that could make site development problematic. Such constraints could include the presence of conservation easements or other legal restrictions on development. Many drainages are protected as Waters of the United States or Waters of the State, the alteration of which would be limited by the conditions of a permit. Similarly, if a formal Habitat Conservation Plan was in place on the site, development could be restricted. The presence of a Land Conservation Act contract on the site would potentially restrict development at that location pending cancellation of the contract. Another type of challenge would include the presence of identified Alquist-Priolo Fault Zones which restrict development in areas immediately adjacent to active fault lines. The presence of any of these restrictions may lead to more difficult permitting requirements, or could affect the location or design of the facility on the site.

**Comparative Site Analysis.** The following discussion compares the four sites with respect to this key issue.



### **Site 1: Rancho Colina**

The site is not encumbered with any of the regulatory challenges described above, including Land Conservation Act contracts, Habitat Conservation Plan restrictions, conservation easements, or Alquist-Priolo Fault Zones. There are drainages on the site that may qualify as Waters of the United States or Waters of the State, but it may be possible to avoid these areas in the design. While there would need to be investigations of the site with respect to biological resources, cultural resources, and geologic hazards, preliminary indications appear to be that the site does not face unusual or unique challenges with respect to these issues that may result in substantial restrictions on the design and resulting permitting timeframe for the project.

The site is adjacent to Caltrans right-of-way (Highway 41), but development of the new WRF would not affect nor encroach upon Caltrans property. That said, it may be necessary build pipelines within or across the Caltrans right-of-way either to bring wastewater to the site, or to distribute reclaimed water to potential users.

*Site Suitability: High*

### **Site 2: Righetti**

Except as noted below, the site is not encumbered with any of the regulatory challenges described above, including Land Conservation Act contracts, Habitat Conservation Plan restrictions, conservation easements, or Alquist-Priolo Fault Zones. There are drainages on the site that may qualify as Waters of the United States or Waters of the State, and it may not be possible to avoid these areas, since the drainage traverses the most promising location for a new WRF. While there would need to be investigations of the site with respect to biological resources, cultural resources, and geologic hazards, preliminary indications appear to be that the site does not face unusual or unique challenges with respect to these issues that may result in substantial restrictions on the design and resulting permitting timeframe for the project.

The site is adjacent to Caltrans right-of-way (Highway 41), but development of the new WRF would not affect nor encroach upon Caltrans property. That said, it may be necessary build pipelines within or across the Caltrans right-of-way either to bring wastewater to the site, or to distribute reclaimed water to potential users.

*Site Suitability: Moderate*

### **Site 3: Tri-W**

The site is not encumbered with any of the regulatory challenges described above, including Land Conservation Act contracts, Habitat Conservation Plan restrictions, conservation easements, or Alquist-Priolo Fault Zones. While there would need to be investigations of the site with respect to biological resources, cultural resources, and geologic hazards, preliminary indications appear to be that the site does not face unusual or unique challenges with respect to these issues that may result in substantial restrictions on the design and resulting permitting timeframe for the project.

A portion of the site is crossed by PG&E powerline easements, but not at the location indicated as



having the most promising development potential in the Options Report. This will not present a regulatory constraint to development on the site.

The site is adjacent to Caltrans right-of-way (Highway 1), but development of the new WRF would not affect nor encroach upon Caltrans property. That said, it may be necessary build pipelines within or across Caltrans rights-of-way either to bring wastewater to the site, or to distribute reclaimed water to potential users.

*Site Suitability: High*

#### **Site 4: Giannini**

The site is not encumbered with any of the regulatory challenges described above, including Land Conservation Act contracts, Habitat Conservation Plan restrictions, conservation easements, or Alquist-Priolo Fault Zones. While there would need to be investigations of the site with respect to biological resources, cultural resources, and geologic hazards, preliminary indications appear to be that the site does not face unusual or unique challenges with respect to these issues that may result in substantial restrictions on the design and resulting permitting timeframe for the project.

A portion of the site is crossed by PG&E powerline easements, but not at the location indicated as having the most promising development potential in the Options Report. However, the location of powerlines does limit the portion of the site that may be suitable for development to a 6 to 7-acre acre at the toe of the slope adjacent to Little Morro Creek Road.

The site is not adjacent to Caltrans right-of-way, but development of the new WRF would not affect nor encroach upon Caltrans property. That said, it may be necessary build pipelines within or across Caltrans right-of-way either to bring wastewater to the site, or to distribute reclaimed water to potential users.

*Site Suitability: Moderate*

**Summary and Conclusions.** *With the exception of the Righetti site, none of the sites are encumbered with known regulatory or legal constraints to development. The most developable portion of the Righetti site is within an area that may qualify for protection under the Clean Water Act as a Waters of the United States and Waters of the State. Development on any of the sites will likely require encroaching on Caltrans property as part of the pipeline system either to bring wastewater to the site, or to distribute reclaimed water to potential users. Existing powerline easements on the Giannini site would restrict development at that location to a small 6 to 7-acre portion of that property.*

**Top-Rated Sites:            Rancho Colina; Tri-W**

*Key Insights:*

- *Righetti site is within likely Waters of the United States and Waters of the State;*
- *Powerline easements restrict development on Giannini site*



## F. Are there complex studies or unusual permitting requirements associated with the site?

***Why This Issue is Important.*** The City's 5-year goal to bring a new WRF online would be much more achievable at a site relatively free from complex permitting requirements or special studies. The reality is that each site will require similar studies and permits, and all will need to undergo an Environmental Impact Report under CEQA. All will require a Local Coastal Plan Amendment, and be subject to the California Coastal Commission's permitting process, since all are in the Coastal Zone.

Several environmental resources receive special protection under either state or federal the law, notably areas near creeks or waterways. Such areas are potentially in the jurisdiction of one or more agencies, including the Army Corps of Engineers, US Department of Fish and Wildlife, California Department of Fish and Wildlife, and the State Department of Water Resources. The degree to which the sites under consideration can avoid (or minimize) the need for permitting from regulatory resource agencies will potentially expedite the schedule, and make the 5-year operational goal more attainable.

***Comparative Site Analysis.*** The following discussion compares the four sites with respect to this key issue. It should be noted that there may be complex permitting requirements associated with potential stream discharge for the purpose of reclaiming the water to augment streamflow or provide habitat enhancement. These permitting requirements will be addressed in a separate analysis, since they would apply to each of the sites equally, and are not important in terms of differentiating the suitability of the sites for locating a new WRF.

### Site 1: Rancho Colina

As with any of the sites, development of a new WRF at this location will require considerable time, but there are no unique regulatory or logistical constraints facing development at this site.

The basic steps include site and pipeline easement acquisition, a preliminary project design, CEQA evaluation, other regulatory agency permitting requirements, revised project design that responds to the CEQA and permitting process, annexation approval from LAFCo, City and Coastal Commission approval, and construction.

All project-related activities must be considered in the CEQA document for this project (likely an Environmental Impact Report or EIR). This would include steps ranging from property acquisition, property design, grading, construction and operation. The facility planning and preliminary design must be completed before CEQA so that project definition is developed in sufficient detail for thorough environmental impact analyses. While the CEQA process and must be completed before resource agency permitting can be completed (since resource agencies will rely on the CEQA document), the permit process can be initiated during the CEQA process, which will save some time in the overall project implementation timeframe.

The site is sufficiently large to be able to locate the new WRF outside Waters of the United States, Waters of the State of California, and other resources under federal or state regulatory protection. However, if there is any discharge into Morro Creek as part of the reclamation effort, the project will be



required with the RWQCB Waste Discharge regulations. Depending on the nature of the activity, it may also require a Streambed Alteration Agreement from the State Department of Fish and Wildlife, a Section 404 permit pursuant to the Clean Water Act from the U.S. Army Corps of Engineers, and Section 401 certification from the RWQCB.

A Caltrans encroachment permit would be needed if pipelines will be located within the Caltrans right-of-way, which is highly likely, but not unique in comparison with the other sites under consideration.

In order to achieve a 5-year timeframe, the regulatory permitting process would need to begin before the CEQA process has been completed. The 5-year schedule assumes a CEQA process lasting roughly 22 months. The regulatory permitting process would need to begin during the final six months of that process (upon release of the Draft EIR), such that the permits could be attained within six months following Final EIR certification.

Key permitting agencies potentially include the U.S. Army Corps of Engineers (pursuant to Section 404 of the Clean Water Act), Regional Water Quality Control Board (NPDES permit; meeting Porter-Cologne Act requirements; Section 401 certification), California Department of Fish and Wildlife (Streambed Alteration Agreement). Although the permit process for these actions may be initiated during the CEQA process, their completion will depend to a large extent on agency evaluation and acceptance of the final CEQA document. If there are disagreements between permitting agencies and the City, it may require additional supplemental CEQA studies to satisfy resource permitting agency concerns.

As described in the Fine Screening Report, other key permitting agencies for this site include:

- California Environmental Protection Agency, Department of Toxic Substances Control (Site Assessment / Remedial Action Plan)
- California Coastal Commission / San Luis Obispo County Department of Planning & Building (Local Coastal Plan Amendment)
- California Department of Transportation (Caltrans Encroachment Permit)
- San Luis Obispo County Air Pollution Control District (SLOCAPCD)
- LAFCo (annexation to the City)

These agencies will use the final CEQA document to assist in their permitting processes. As noted above, the 5-year schedule assumes that regulatory permits can be obtained with 6 months from the end of the CEQA process, which depends on the permit process being initiated during the CEQA evaluation, and assumes that resource agencies engage in a timely review within their permitting processes.

In addition, several site surveys, studies and other activities will be needed in support of the permit application and CEQA process. These are the likely studies needed at this site:

- Jurisdictional Determination (Waters of the United States and State of California)
- Focused Special-Status Species Surveys
- Biological Assessment
- Prepare Habitat Mitigation and Monitoring Plan (if any)
- Hydrologic and Hydraulic Analysis
- Phase I Archeological Survey (Section 106)
- Phase I / II Site Assessment



- Site Remediation (if necessary as a result of the Phase I/II Site Assessment)
- Air Quality Tech Report
- CDP/CUP Permit Application Review
- CEQA Documentation

The final steps in the regulatory process, which depend on the completion of the above steps, include:

- LAFCo Annexation
- LCP Amendment

Note that if federal funding is involved, the project would also be subject to the requirements of the federal National Environmental Policy Act (NEPA). If so, the project could be evaluated in a joint CEQA/NEPA document, but this would likely take more time than if the project were subject only to CEQA.

The permit requirements shown above are generally similar at all the sites, and the Rancho Colina site is not unique in this respect.

*Site Suitability: High*

### **Site 2: Righetti**

Permit requirements at the Righetti site are similar to those at the Rancho Colina site, except as noted below.

The site is large, but the most buildable portion is located directly in the path of the main drainage traversing the property, which may be within Waters of the United States, Waters of the State of California, and thus potentially subject to regulatory requirements under the Clean Water Act and Porter-Cologne Act. The potential for being within these jurisdictional boundaries is somewhat higher than at the Rancho Colina site.

In order to achieve a 5-year timeframe, the regulatory permitting process would need to begin before the CEQA process has been completed. The 5-year schedule assumes a CEQA process lasting roughly 22 months. The regulatory permitting process would need to begin during the final six months of that process (upon release of the Draft EIR), such that the permits could be attained within six months following Final EIR certification. This schedule may be complicated somewhat if there are difficulties in permitting the project at this location because of various resource regulatory protections as noted above.

*Site Suitability: Moderate*

### **Site 3: Tri-W**

Permit requirements at the Tri-W site are similar to those as discussed for Righetti. The site is large, but the most buildable portion is located directly in the path of the confluences of two drainages traversing the property, which may be within Waters of the United States and Waters of the State of California, and thus potentially subject to regulatory requirements under the Clean Water Act and Porter-Cologne



Act. The potential for being within these jurisdictional boundaries is somewhat higher than at the Rancho Colina site.

*Site Suitability: Moderate*

#### **Site 4: Giannini**

Permit requirements at the Giannini site are similar to those as discussed for Rancho Colina.

*Site Suitability: High*

**Summary and Conclusions.** *Each site faces a similar regulatory permitting process, and a similar path with regard to CEQA review. All sites are generally similar, except the Righetti site, which may face additional permitting challenges, since the most developable portion of the site may include areas under state and federal jurisdiction (Waters of the State and Waters of the United States). Because achieving a tight timeframe is a key consideration, this could present an important timing obstacle at this location.*

**Top-Rated Sites: Rancho Colina; Giannini**

*Key Insights:*

- *At any site, the 5-year work plan assumes a 22-month CEQA process, and a 12-month regulatory permitting process, which would overlap by about 6 months. The regulatory permitting process would need to begin after the release of the Draft EIR in order to achieve this timeframe.*
- *The Righetti and Tri-W sites face potential jurisdictional permitting requirements that may not apply at the other sites, which are otherwise generally similar*

### **G. Are there nearby neighbors that may object to a new WRF, and what would be their likely concerns?**

**Why This Issue is Important.** Proximity to residents is undesirable because of the potential for a variety of land use conflicts, whether real or perceived. These could include noise, odor, and visual impacts. During the workshops leading to the Options Report, many residents expressed concerns related to these issues.

**Comparative Site Analysis.** The following discussion compares the four sites with respect to this key issue.

#### **Site 1: Rancho Colina**

The nearest residence is located on the property, about 375 feet from the existing wastewater facility. That home is occupied by the property owner, who has stated the intention of remaining on the site if a



new WRF is constructed. Based on recent site visits, there is no discernable odor from existing spreading ponds more than 50 feet away, although this could vary depending on the materials being treated, wind velocity, and air temperature. The property owner has expressed support for constructing a new WRF at this location, and would not be expected to object to potential nuisance issues based on proximity.

The site of potential development is about 1,000 feet northeast of the Rancho Colina residential complex, but is not visible from homes within Rancho Colina because of intervening topography.

Moreover, since prevailing winds tend to come from the northwest, it is anticipated that odor-related impacts to these residents would not be substantial. That said, conditions may vary and winds could occasionally blow toward the residential area, which may give rise to complaints, for issues either real or perceived.

With respect to noise, informal measurements at the existing treatment plant on the site indicated intermittent noise levels up to about 80 dB at a distance of 20 feet from the source. Since point-source noise attenuates at a rate of 6 dB for every doubling of distance, this suggest that noise levels would be reduced to about 50 dB at a distance of 740 feet. A topographic barrier can further attenuate noise levels by 5 to 10 dB. Based on the distance and topography separating the site from the Rancho Colina complex, it is anticipated that noise from this source would be less than 45 dB at the nearest home. This is consistent with the City's nighttime standard of 45 dB Leq for point source noise.

*Site Suitability: High*

## **Site 2: Righetti**

The nearest residence on the property is an existing ranch house that would need to be removed to accommodate the new WRF.

The site of potential development is about 1,100 feet east of the nearest homes along Nutmeg Avenue and Ponderosa Street. The backyards of homes along those streets have a direct line of sight, and are slightly elevated relative to the site under consideration. The site is also about 1,600 feet west of the nearest homes within the Rancho Colina community, again with a direct line of sight. There is also a ranch home on the south side of Highway 41 about 1,100 feet to the south directly across from the site. Some residents may perceive a new WRF at this location to be a visual nuisance, even if it is well-designed to blend in with the surroundings.

Although odor-related impacts are not anticipated at these distances, there may be the potential for temporary concerns under certain wind conditions.

As noted above, this analysis assumes there may be intermittent noise levels up to about 80 dB at a distance of 20 feet from the source. Since point-source noise attenuates at a rate of 6 dB for every doubling of distance, this suggest that noise levels would be reduced to about 50 dB at a distance of 740 feet. Based on the distance, it is anticipated that noise levels could be about 45 to 47 dB at the nearest homes to the west and south. This is potentially inconsistent with the City's nighttime standard of 45 dB Leq for point source noise. Noise levels at the nearest homes to the east in the Rancho Colina community may be 43-44 dB Leq, which is consistent with City standards.



*Site Suitability: Moderate*

### **Site 3: Tri-W**

The nearest residences to the site are within the Casa de Flores senior complex, about 1,600 feet to the south, separated by a topographic rise of about 30 to 40 feet. The site is not directly visible from the residential complex.

Because of the distance and intervening topography, impacts related to noise, odors and views are not anticipated.

*Site Suitability: Very High*

### **Site 4: Giannini**

The site of potential development is about 320 feet from the nearest home, which is located to the east along Little Morro Creek Road. The site is also about 650 feet from the nearest homes along Hillcrest Drive. There is a direct line of site to these nearby homes. Some residents may perceive a new WRF at this location to be a visual nuisance, even if it is well-designed to blend in with the surroundings.

Although odor-related impacts are not anticipated at these distances, there may be the potential for temporary concerns under certain wind conditions.

As noted above, this analysis assumes there may be intermittent noise levels up to about 80 dB at a distance of 20 feet from the facility. Since point-source noise attenuates at a rate of 6 dB for every doubling of distance, this suggests that noise levels would be reduced to about 50 dB at a distance of 740 feet. Based on the distance, it is anticipated that noise levels could be about 55 dB at the nearest home on Little Morro Creek Road, and about 49 at the back of some homes along Hillcrest Drive. This is potentially inconsistent with the City's nighttime standard of 45 dB Leq for point source noise.

*Site Suitability: Low*

**Summary and Conclusions.** *The Rancho Colina and Tri-W sites stand out because they are not directly visible to any residents (with the exception of the property owner of the Rancho Colina site, who has not indicated that this is a concern). Both the Righetti and Giannini sites are directly visible to several nearby homes, and in some cases, resulting noise levels from the facility are potentially inconsistent with City nighttime standards at the location of these homes.*

**Top-Rated Sites:            Tri-W; Rancho Colina**

*Key Insights:*

- *The Rancho Colina and Tri-W sites are not visible from nearby residents who might raise objections,*
- *The Righetti site is within direct line of site to homes as close as 1,100 feet away, which may result in noise and visual impacts*
- *The Giannini site is within direct line of site to homes as close as 320 feet away, which may result in noise and visual impacts*



## H. Does the site have potential as a regional facility serving other agencies or users?

**Why This Issue is Important.** While the Options Report considered the issues associated with pursuing a City-only new WRF, other agencies have expressed the desire to develop a regional wastewater treatment facility if found to be beneficial to those agencies. This concept has the potential support of the Regional Water Quality Control Board (RWQCB), and has most closely been associated with the CMC site, a location that was rejected in the Options Report if the City were to pursue the development of that site on its own. The merits of the CMC location as a regional site will be addressed in a subsequent report to the City Council. But for now, this paper addresses the concept differently. Are any of the sites currently under consideration potential suitable as a regional facility?

The key factors to consider in addressing this issue are:

1. *Are there potential partner agencies that may benefit from such a venture?*
2. *Are there reclamation opportunities or partners in the region that may benefit?*
3. *Can the pursuit of such a facility address other regionally important issues?*

**Comparative Site Analysis.** None of the sites currently under consideration preclude the potential regional benefits suggested by the questions posed above. The following discussion compares the four sites with respect to the suitability as a regional facility.

### Site 1: Rancho Colina

This site has excellent potential as a regional facility. Not only is it close to the City's existing wastewater infrastructure, it is relatively close to Cayucos, the agency most likely to act as a regional partner. Existing wastewater infrastructure has already been extended from Cayucos to the downstream components of the City collection system, and connecting to a new WRF at this location would be a relatively more straightforward matter as opposed to connecting to more distant locations, particularly up the Chorro Valley. By comparison, downtown Cayucos is about 6.5 miles from the Rancho Colina site, roughly half the distance to the existing CMC treatment plant in the Chorro Valley. This has obvious positive cost and timing ramifications in the short-term, and important maintenance and operation implications in the long-term.

The bulk of potential reclamation opportunities are located in the Morro Valley, not the Chorro Valley, as described earlier in this report. These include agricultural interests—notably avocado growers—as well as streamflow augmentation potential in only in Morro Creek, but also in several other creeks of regional importance closer to Cayucos, including Alva Paul Creek, Toro Creek, Willow Creek, Old Creek, Little Cayucos Creek, and Cayucos Creek. Improving streamflow and agricultural opportunities are important regional goals that could be more easily accomplished by pursuing a new WRF at Rancho Colina than at some other locations in the region, notably in the Chorro Valley (such as at the Tri-W site).

*Site Suitability: High*



### **Site 2: Righetti**

The Righetti site has similar potential for a regional facility as the Rancho Colina site, and for similar reasons. Each is located on the Highway 41 corridor, relatively close to the existing regional wastewater infrastructure network serving both Morro Bay and Cayucos. Similar to Rancho Colina, it is also close to many of the reclamation opportunities in the Morro Valley.

The site is about 5.8 miles from downtown Cayucos, slightly closer than is Rancho Colina, and has similar proximity to regional reclamation opportunities as does Rancho Colina.

*Site Suitability: High*

### **Site 3: Tri-W**

This site could act as a regional facility, though it is somewhat farther from downtown Cayucos (about 7 miles) than either site within the Morro Valley. This makes it slightly less attractive from a cost perspective, but much of the infrastructure network through the City is already in place, which would ameliorate the cost issue to some degree.

There are substantially fewer reclamation opportunities near the Tri-W site than either site in the Morro Valley. The most important of these is streamflow augmentation in Chorro Creek, which may have the ancillary benefit of allowing the City to be able to use two of its wells along this drainage wells if stream volumes are high enough. There are limited regional reclamation opportunities related to agriculture, the largest of which is a 303-acre parcel just east of San Bernardo Creek owned by Morro Bay Ranch, about 85% of which currently supports row crops. A second nearby possibility is the Chorro Flats Enhancement Project, a 45-acre site that currently has no current water source.

*Site Suitability: Moderate*

### **Site 4: Giannini**

The Giannini site has similar potential for a regional facility as either Morro Valley site, and for similar reasons. The site is located relatively close to the existing regional wastewater infrastructure network serving both Morro Bay and Cayucos. Similar to either Righetti or Rancho Colina, it is also close to many of the same reclamation opportunities in the Morro Valley.

The site is about 5.8 miles from downtown Cayucos, about the same as Righetti, and slightly closer than is Rancho Colina.

Its location is somewhat more physically constrained by topography and nearby land uses, which could limit the ultimate size of the facility, particularly if the goal is to create an expandable regional facility. In this respect, it is inferior to either Morro Valley site or the Tri-W location in the Chorro Valley.

*Site Suitability: Moderate*

***Summary and Conclusions.*** Each site could be designed to serve as a facility that serves regional treatment and reclamation goals. The Rancho Colina and Righetti sites stand out because they are not only closest to the most likely regional partner (Cayucos), they are also



*closest to the bulk of regional reclamation opportunities in the Morro Valley related to agriculture, as well as several creeks that could benefit from streamflow augmentation. The Tri-W site (as well as any location in the Chorro Valley) is much farther from Cayucos, and does not have the same range of reclamation opportunities. The Giannini site, while in many respects similar to either Morro Valley site, has more limited regional potential because it is physically more constrained from possible expansion to serve future regional partners.*

**Top-Rated Sites: Righetti; Rancho Colina**

*Key Insights:*

- *Any of the sites under consideration could serve a regional function to some extent*
- *There are more diverse regional reclamation opportunities near the Morro Valley sites than the Tri-W site in the Chorro Valley*
- *Either the Righetti or the Rancho Colina site have the best potential as a regional facility, because they are regionally central to the City, Cayucos, and the great number of reclamation opportunities*
- *The Giannini site has more limited expansion potential for a regional facility than the other sites*

## **I. Are there potential cost savings compared to the other sites?**

***Why This Issue is Important.*** Keeping costs low was by far the most commonly cited issue expressed at public workshops during the preparation of the Options Report. Key components of include capital outlay, operation and maintenance (O&M), and user costs. Unlike capital costs, O&M would be an ongoing cost through the life of the facility. But for many, the key concern is this: what would be the increased cost to ratepayers as reflected in their monthly bill?

Cost is a function of many factors, some of which are not necessarily site dependent. These include the availability of financing or grants, interest rates, and the design and construction of the WRF facility itself. These also include whether other partner agencies will be involved to share project costs and benefits. This latter factor may be influenced to some extent by site location, but based on preliminary discussions with Cayucos, a new WRF's proximity to their community has not been viewed as a major factor by that agency in their consideration of this issue.

However, many other factors are very sensitive to the location and configuration of the site, including the following:

- *Proximity to the City's existing wastewater conveyance system;*
- *Proximity to reclamation opportunities;*
- *Site elevation;*
- *Site size and configuration;*
- *Presence of environmental factors that may require special permitting;*
- *The relationship between the City and the property owner during negotiations related to site acquisition.*



**Comparative Site Analysis.** The following discussion compares the site-oriented factors that relate to cost, and focuses on the key differences among the sites that might lead to potential savings at one site or another.

### Site 1: Rancho Colina

This site's characteristics with respect to key factors related to cost are described below:

- *Proximity to the City's existing wastewater conveyance system.* The site is located about 1.7 miles from the existing treatment plant (the hub of the City's wastewater treatment infrastructure network). It is also a similar distance from, and in direct line with the existing ocean outfall, which will likely remain an important component of the reclamation system to convey peak winter flows and potentially brine. This distance is slightly farther than either the Righetti or Giannini sites, but still sufficiently close to the City to not have a major effect on relative construction or energy costs for the conveyance of raw wastewater.
- *Proximity to reclamation opportunities.* The site is located in the heart of many of the most diverse reclamation opportunities in the region, including both irrigated agricultural lands and various streams for potential augmentation, notably Morro Creek. The site is directly adjacent to Morro Creek, and the adjacent land is under the same ownership as the Rancho Colina site.
- *Site elevation.* The site is about 150 to 160 feet above sea level, which is sufficiently low to avoid the need for an additional lift station to convey wastewater to the site for processing. It is also sufficiently elevated to avoid flood and coastal hazards.
- *Site size and configuration.* The entire parcel is 187 acres in size, but the most developable area includes perhaps 5 to 10 relatively level acres on the lower of the site. This provides sufficient flexibility to consider several possible designs that may allow for some cost efficiency.
- *Environmental factors that may require special permitting.* The development footprint could impact areas within Waters of the United States and Waters of the State, as the more level portion of the site is near (just east of) a blue line drainage tributary to Morro Creek. Unless this can be avoided, this may complicate the permitting process for the site, which could incrementally increase permitting costs (and potentially add time).
- *Property Owner Relationship with City.* The property owner has established a cooperative working relationship with the City. As part of the site negotiations, he may be able to bring additional appropriate water rights to the City from Morro Creek, a factor that relates to the City's long-term cost of providing services.

*Site Suitability: moderate*

### Site 2: Righetti

This site's characteristics with respect to key factors related to cost are described below:

- *Proximity to the City's existing wastewater conveyance system.* The site is located about 1.1 miles from the existing treatment plant (the hub of the City's wastewater treatment infrastructure network). It is also a similar distance from, and in direct line with the existing ocean outfall, which will likely remain an important component of the reclamation system to convey peak winter flows and potentially brine. This distance is closer to the City's existing wastewater infrastructure than any other site, which may incrementally reduce relative



potential construction and energy costs for the conveyance of raw wastewater.

- *Proximity to reclamation opportunities.* Similar to the Rancho Colina site, this property located in the heart of many of the most diverse reclamation opportunities in the region along Highway 41, including both irrigated agricultural lands and various streams for potential augmentation, notably Morro Creek. The site is directly adjacent to Morro Creek.
- *Site elevation.* The site is about 80 to 90 feet above sea level, which is sufficiently low to avoid the need for an additional lift station to convey wastewater to the site for processing. Many reclamation opportunities may be accessed via gravity feed. It is also sufficiently elevated to avoid flood and coastal hazards.
- *Site size and configuration.* The entire parcel is 259 acres in size, but the most developable area includes perhaps 5 to 10 relatively level acres on the lower portion of the site. This provides sufficient flexibility to consider several possible designs that may allow for some cost efficiency.
- *Environmental factors that may require special permitting.* The most developable portion of the site is likely to be determined to be within Waters of the United States and Waters of the State, as it sits directly within a blue line drainage that feeds Morro Creek. This may complicate the permitting process for the site, which could incrementally increase permitting costs (and potentially add time).

Overall, cost-related site factors related to construction and energy use are somewhat similar to those at Rancho Colina, but with possibly slightly higher permitting costs. This site lacks the property owner relationship that Rancho Colina enjoys, so the degree to which this might affect relative cost at this location is not known.

*Site Suitability: moderate*

### **Site 3: Tri-W**

This site's characteristics with respect to key factors related to cost are described below:

- *Proximity to the City's existing wastewater conveyance system.* The site is located about 2.4 miles from the existing treatment plant (the hub of the City's wastewater treatment infrastructure network) and the ocean outfall. This distance is farther from the City's existing wastewater infrastructure than any other site, which may incrementally increase relative potential construction and energy costs for the conveyance of raw wastewater.
- *Proximity to reclamation opportunities.* There are substantially fewer reclamation opportunities near the Tri-W site than for either site in the Morro Valley. The most important of these is streamflow augmentation in Chorro Creek. There are limited reclamation opportunities related to agriculture, the largest of which is a 303-acre parcel just east of San Bernardo Creek owned by Morro Bay Ranch, about 85% of which supports row crops. A second nearby possibility is the Chorro Flats Enhancement Project, a 45-acre site that currently has no water source but may have stringent water quality requirements compared with other reuse opportunities.
- *Site elevation.* The site is about 80 to 90 feet above sea level, which is sufficiently low to avoid the need for an additional lift station to convey wastewater to the site for processing. Many reclamation opportunities may be accessed via gravity feed. It is also sufficiently elevated to avoid flood and coastal hazards.
- *Site size and configuration.* The entire parcel is 396 acres in size, but the most developable area includes perhaps 10 to 20 relatively level acres toward the eastern edge the site. This provides excellent flexibility to consider several possible designs that may allow for some cost efficiency.



- *Environmental factors that may require special permitting.* The development footprint may include areas within Waters of the United States and Waters of the State, as the more level portion of the site is near the confluence of two blue line drainages tributary to Chorro Creek. Unless this can be avoided, this may complicate the permitting process for the site, which could incrementally increase permitting costs (and potentially add time).

Overall, cost-related site factors related to construction and energy use are expected to result in relatively higher costs than for any other site.

*Site Suitability: low to moderate*

#### **Site 4: Giannini**

This site's characteristics with respect to key factors related to cost are described below:

- *Proximity to the City's existing wastewater conveyance system.* The site is located about 1.1 miles from the existing treatment plant (the hub of the City's wastewater treatment infrastructure network). This distance is closer to the City's existing wastewater infrastructure than any other site (and about the same as Righetti), which may incrementally reduce relative potential construction and energy costs for the conveyance of raw wastewater.
- *Proximity to reclamation opportunities.* Similar to the Rancho Colina site, this property located in the heart of many of the most diverse reclamation opportunities in the region along Highway 41, including both irrigated agricultural lands and various streams for potential augmentation, notably Morro Creek. The site is directly adjacent to Morro Creek.
- *Site elevation.* The site is about 80 to 90 feet above sea level, which is sufficiently low to avoid the need for an additional lift station to convey wastewater to the site for processing. Many reclamation opportunities may be accessed via gravity feed. It is also sufficiently elevated to avoid flood and coastal hazards.
- *Site size and configuration.* The entire parcel is 36 acres in size, but the most developable area includes perhaps 5 to 10 gently sloping acres on the lower portion of the site, constrained to some degree by PG&E powerline easements and steeper slopes to the south. Nevertheless, this area would provide sufficient flexibility to consider several possible designs that may allow for some cost efficiency.
- *Environmental factors that may require special permitting.* The most developable portion of the site is likely to be determined to be within Waters of the United States and Waters of the State, as it sits directly within a blue line drainage that feeds Morro Creek. This may complicate the permitting process for the site, which could incrementally increase permitting costs (and potentially add time).

Overall, cost-related site factors related to construction and energy use are somewhat similar to those at either Righetti or Rancho Colina. While the property owner has expressed some interest in pursuing a facility at this site, it is not clear the degree to which this might affect relative cost at this location.

*Site Suitability: moderate*

**Summary and Conclusions.** *Each site includes similar factors that might affect cost. Generally speaking, sites closer to the City's existing wastewater infrastructure and reclamation opportunities will have relatively lower costs. Other site factors that could affect cost include*



*property ownership and permitting requirements. Property ownership is a key positive factor at Rancho Colina, and to some extent at Giannini. Permitting requirements may be greater at Righetti, and depending on the design, possibly at Rancho Colina and Tri-W. Overall, the sites display relatively similar characteristics related to affecting cost, except for Tri-W, which can be expected to have somewhat higher costs because of its distance from the City's infrastructure and a diversity of reclamation opportunities.*

**Top-Rated Sites: All except Tri-W**

*Key Insights:*

- *Sites closer to the City's existing wastewater infrastructure and reclamation opportunities will have relatively lower costs.*
- *Giannini and Righetti are slightly closer to the existing infrastructure network than Rancho Colina, but all three are close to a diversity of reclamation opportunities*
- *Tri-W is farther from both the City's existing infrastructure and a diversity of reclamation opportunities.*

## **J. Are there site-related challenges to achieving the City's 5-Year timeframe?**

***Why This Issue is Important.*** The City Council established a goal to have the new WRF operational within five years of February 2014, in order to ensure the maximum protection of water quality and the ability to augment existing water supplies with reclaimed water as quickly as possible.

***Comparative Site Analysis.*** The following discussion compares the four sites with respect to this key issue.

The major obstacles to achieving the 5-year timeframe at any location relate to several factors, only some of which are related to the sites themselves. The key site-related factors include several issues already discussed in this report, notably:

1. *Identifying a cooperative property owner;*
2. *Finding a site configured to allow for flexibility in design;*
3. *Finding a site that minimizes permitting challenges;*
4. *Finding a site that minimizes costs, in order to minimize challenges associated with funding the project.*

These factors were previously analyzed in this report. The issue of relative cost was also discussed in the Options Report in some detail. The underlying assumptions that went into that analysis have not changed, so the conclusions are carried forward here.

There are also several other factors not related to any of the sites themselves, which include but are not limited to: effective project management; the approach to bid process; consultant performance in the design and construction of the facility; developing a management framework with partner agencies, if



any; completing and implementing an achievable reclamation plan; the degree of cooperation from regulatory agencies, including the Coastal Commission; and the level of public controversy.

While important, these factors are not analyzed in this report, because they do not directly pertain to the selection of one of another site.

The following summarizes the key factors relating to achieving the 5-year timeframe at each of the sites, the analysis of which is included earlier in this report.

### **Site 1: Rancho Colina**

This site has the following suitability characteristics for each of the issues identified above:

- |  |                              |
|--|------------------------------|
| 1. Cooperative property owner:                         | <i>very high suitability</i> |
| 2. Site configured to allow for flexibility in design: | <i>high suitability</i>      |
| 3. Fewer permitting requirements:                      | <i>high suitability</i>      |
| 4. Relatively lower costs:                             | <i>moderate suitability</i>  |

*Overall Site Suitability: high*

### **Site 2: Righetti**

This site has the following suitability characteristics for each of the issues identified above:

- |  |                             |
|--|-----------------------------|
| 1. Cooperative property owner:                         | <i>unknown suitability</i>  |
| 2. Site configured to allow for flexibility in design: | <i>moderate suitability</i> |
| 3. Fewer permitting requirements:                      | <i>moderate suitability</i> |
| 4. Relatively lower costs:                             | <i>moderate suitability</i> |

*Overall Site Suitability: moderate*

### **Site 3: Tri-W**

This site has the following suitability characteristics for each of the issues identified above:

- |  |                                     |
|--|-------------------------------------|
| 1. Cooperative property owner:                         | <i>unknown suitability</i>          |
| 2. Site configured to allow for flexibility in design: | <i>high suitability</i>             |
| 3. Fewer permitting requirements:                      | <i>moderate to high suitability</i> |
| 4. Relatively lower costs:                             | <i>moderate suitability</i>         |

*Overall Site Suitability: moderate*

### **Site 4: Giannini**

This site has the following suitability characteristics for each of the issues identified above:

- |  |                             |
|--|-----------------------------|
| 1. Cooperative property owner:                         | <i>moderate suitability</i> |
| 2. Site configured to allow for flexibility in design: | <i>moderate suitability</i> |
| 3. Fewer permitting requirements:                      | <i>high suitability</i>     |



4. *Relatively lower costs:* *moderate suitability*

*Overall Site Suitability:* *moderate*

**Summary and Conclusions.** *The Rancho Colina sites benefits from a highly supportive property owner, which may help expedite the process in its early stages compared to the other sites. Each site faces a similar regulatory permitting process, and a similar path with regard to CEQA review. The Giannini site is the most physically constrained, and because of its proximity to neighbors, may face concerns that could affect the timeframe. The Righetti site may also face neighborhood concerns. Each site is likely to have relatively similar costs with respect to project implementation, with slightly higher costs expected at the Tri-W site because of its distance from the City's existing infrastructure network and the bulk of reclamation opportunities.*

**Top-Rated Sites:** **Rancho Colina**

*Key Insights:*

- *Rancho Colina has two major advantages with respect to the schedule: 1) a cooperative property owner; and 2) no direct neighbors who can see or be obviously affected by development on the site, which could limit public controversy to some extent.*
- *There are otherwise not substantial differences among the sites affecting the schedule.*



## 7. Conclusions and Recommended WRF Site

Table 4 summarizes the findings of the site analysis with respect to the key questions posed above. The table is color-coded to assist the reader in interpreting the results. Green areas indicate high or very high suitability with respect to a particular issue; yellow indicates moderate to moderately high suitability; while orange suggests less than moderate suitability for that issue. Blue indicates that no conclusions can yet be drawn, and only applies to the issue of property ownership. In the case of Tri-W and Righetti, the City has not received any indication from the property owner whether they would be willing or not to work with the City on the pursuit of a new WRF.

<b>Table 4. Summary of Site Analysis and Findings</b>				
<b>Key Issue</b>	<b>Site</b>			
	<i>Rancho Colina</i>	<i>Righetti</i>	<i>Tri-W</i>	<i>Giannini</i>
	<b>Site Suitability (high, moderate or low)</b>			
<b>Ownership and Unique Opportunities</b>				
Cooperative Property Owner?	Very High	Unknown	Unknown	Moderate
Unique opportunities associated with the site?	High	Moderate	Moderate	Moderate
<b>Environmental and Physical Site Issues</b>				
Environmental/Coastal Issues?	High	Moderate-High	High	Moderate
<i>Coastal Proximity and Access</i>	High	High	High	High
<i>Visual Impacts</i>	High	Low-Moderate	High	Low-Moderate
<i>Biological Resources/ESHA</i>	Moderate	Moderate	Moderate	Moderate
<i>Cultural Resources</i>	Moderate	Moderate	Moderate	Low-Moderate
<i>Agriculture/Prime Soils</i>	High	High	High	High
<i>Minimize Carbon Footprint</i>	Moderate	High	Moderate	High
Physical site constraints affecting design flexibility?	High	Moderate	Moderate-High	Moderate
<b>Regulatory and Permitting Issues</b>				
Unique regulatory or logistical constraints?	High	Moderate	High	Moderate
Complex or unusual permitting requirements?	High	Moderate	Moderate	High
<b>Proximity Issues</b>				
Nearby residential neighbors?	High	Moderate	Very High	Low
Suitability as a regional facility?	High	High	Moderate	Moderate
<b>Cost and Timing Issues</b>				
Relative cost savings compared to the other sites?	Moderate	Moderate	Low-Moderate	Moderate
<i>Proximity to existing infrastructure</i>	Moderate	High	Low	Moderate-High
<i>Proximity to reclamation opportunities</i>	High	High	Low-Moderate	High
<i>Site Elevation</i>	High	High	High	High
<i>Site Size and Configuration</i>	High	High	Very High	Moderate
<i>Permitting Requirements</i>	High	Moderate	Moderate	High
Ability to achieve a 5-Year timeframe?	High	Moderate	Moderate	Moderate
<i>Cooperative Property Owner</i>	Very High	Unknown	Unknown	Moderate
<i>Site Size and Configuration</i>	High	High	Very High	Moderate
<i>Permitting Requirements</i>	High	Moderate	Moderate	High
<i>Relatively Lower Costs</i>	Moderate	Moderate	Low-moderate	Moderate
<b>OVERALL</b>	<b>High</b>	<b>Moderate-High</b>	<b>Moderate</b>	<b>Moderate</b>



While each site is potentially suitable for a new WRF, the **Rancho Colina** site is considered best overall. Key considerations in this determination include:

- *A highly motivated property owner*
- *Unique opportunity to replace an outdated wastewater treatment facility*
- *Proximity to the majority of reclamation opportunities*
- *The most developable portion of the site is already disturbed and graded*
- *The best part of the site is not visible to offsite residences*
- *The site does not conflict with Coastal Commission policies/issues*

## 8. Five-Year Schedule, Work Plan, and Project Management

Upon selection of a site, the City can move forward on the first steps of a work plan to implement the new WRF and related water reclamation facilities. The City Council through Resolution 17-14 has directed staff to implement the project within five (5) years. Therefore, MKN has developed a 5-year approach that relies on design/build of a new treatment facility. A cashflow analysis has been prepared as well. **Appendix B** includes the preliminary work plan and schedule, cashflow analysis, and recommended approach to managing the project.

City staff and the project management team will expand and revise the work plan and develop a more detailed schedule and task list as the project proceeds. A major update is anticipated after Facility Master Planning is performed. The Technical Memorandum in **Appendix B** identifies the major cost items, including planning, engineering, construction, and major permitting steps required to meet the City's schedule. Other efforts not specifically identified in the work plan include public outreach, funding, rate studies, and legal agreements among entities participating in the project (if the WRF becomes a regional project led by another agency, such as the County).

### Critical Elements Of Project Schedule

JFR and MKN have developed two schedules for implementation of the WRF within the 5-year timeframe required by the City:

- Long-Term (5 year+) schedule with major project elements; and
- Short-Term (first year) schedule of activities to lay the groundwork for the 5-year schedule

A detailed presentation of the major tasks within the schedule is provided in **Appendix B**. The critical requirements to achieve a 5-year timeframe are described below.

#### A. Pursue design-build or construction management at risk (CMAR) approach for project design and construction

Design-build (DB) and construction management at risk (CMAR) are project delivery techniques that differ from the typical public agency design-bid-build process. The advantages of both approaches are the reduction in overall project delivery schedules and the ability to develop a partnering relationship among the designer, contractor, and owner. Advocates of both approaches claim that there are cost savings as a result of close collaboration and early consultation between the contractor and design. This reduces potential for change orders that arise during the construction process. There are many



variations on both delivery approaches: the general definitions and typical practices are described below.

In a conventional design-bid-build delivery approach, the designer and contractor are separate entities. A designer completes plans and specifications which are released for competitive bidding by the project owner. Contractors bid on the construction contracts and the lowest qualified bidder is awarded the work. This process is well-defined in state law and is allowed by current City ordinances.

DB projects are defined by the combination of the designer and contractor into one team or contracting entity. The one entity takes full responsibility for design and construction – as a result, the City can expedite both phases and long lead-time activities (such as ordering equipment) can begin as the final design is being completed. If this approach is pursued, it is recommended that the City hire an Owner's Representative or authorize their Project Management Team to define the procurement strategy, develop the request for qualifications (RFQ) and request for proposal (RFP) for the DB team, develop the bridging documents that become the basis of the bid, and provide value engineering for the design-build team. Design-build projects move quickly and there are few opportunities to review interim submittals and provide detailed input to the design process, unlike design-bid-build projects. Modifications to City ordinances may also be required and the state limitations on allowing design-build projects should be reviewed by legal counsel to confirm the City has or can pass an ordinance to grant the authority to perform design-build.

In CMAR projects, the construction manager (CM) and designer can be separate entities. This allows the City to select and coordinate with each entity independently and may increase the level of control City staff can have over the project. Both entities are typically selected based on qualifications and are often selected at the same time by an owner. The CM serves as the prime contractor for construction and can issue requests for bids for different construction work items or can self-perform the work. In CMAR, an owner's representative is not required to develop bridging documents to acquire bids for the work since the selection of the CM is qualification-based. A guaranteed maximum price (GMP) is typically negotiated between the owner and CM during design development and the CM provides input to the designer in order to reduce construction cost and risk and promote efficiency. CMAR is allowed in California, according to the Association for General Contractors, but legal counsel should confirm the City has or can pass an ordinance to grant the authority to perform CMAR.

A hybrid approach may be preferred for delivery of the project. The City may opt for an approach that splits the project into design-bid-build and design-build or CMAR components. For example, the raw wastewater lift station and force main from the existing wastewater treatment plant (WWTP) site to the new WRF site could follow a design-bid-build track that is parallel to the design-build or CMAR plant development. The lift station and force main will not require the same amount of time for permitting, design, equipment procurement, and construction as the new WRF so the City may wish to pursue a strategy that separates the two projects. The proposed project schedule and work plan allow flexibility for modifying the approach in this manner.

#### **B. Combine owner's representative (DB) or design (CMAR) and facility master planning**

Including both major responsibilities in one team will ensure consistency between the facility master planning, conceptual design and value engineering efforts. The facility master planning work will be performed prior to releasing the RFQ and RFP for the design-build or CMAR team. Master Planning could include preliminary alignment and cost opinion for the raw wastewater lift station and force main; a site plan for the new WRF site; identification of the most feasible recycled water customers, water



quality requirements, and quantity; layout and cost opinion for “wet weather” disposal, streamflow augmentation, or percolation system; and phasing plan for the water reclamation pumping and transmission system.

If the City has not selected a site by the end of August 2014, the Master Plan budget should be increased to allow development of projects at the top-ranked or most likely sites. This will be required if the City meets their 5-year deadline, since the Master Plan must be finished within the timeframe shown on the schedule to stay on track. If two or more sites are explored, the Master Plan budget could increase by \$200,000 or more.

### **Recommended Project Management Approach**

In order to implement the work plan most efficiently, MKN and JFR recommend the following simplified organizational structure to managing the project:

1. All team members will report directly to the City’s Project Manager;
2. The Director of Public Services will serve as the City Project Manager;
3. The Project Manager will delegate the management of specific tasks to a team of management experts, including a lead planner and engineer, whose roles leading the program will fluctuate over time as the project evolves.
4. A council-appointed advisory committee will advise the City Project Manager and provide input during project development, as discussed during City Council meetings;
5. The Facility Master Plan Consultant/Owner’s Representative (DB), Construction Manager (CMAR), grant/loan strategy specialist, and streamflow augmentation specialist will serve in roles described above; and
6. Project financial consultants could include project financing experts, underwriters, and other funding-specific specialists.

## **9. Next Steps**

As described in the short-term schedule included in **Appendix B**, the following are the next critical path steps for the City toward project implementation:

1. **Select a Preferred Site for the WRF.** The City Council will take this action on May 13.
2. **Preliminary Wet Weather Disposal Evaluation.** The City is currently directing this effort, which includes the following elements:
  - City is directing hydrologic and legal review of recharge opportunity for CMC regional alternative.
  - This will include an evaluation of the feasibility of streamflow augmentation and permitting strategy for wet weather disposal. Focus will be an assessment of seasonal creek discharge (elimination of outfall) and a “fatal flaw” analysis of CMC discharge improvements. It is possible to include this as part of the DB or Owner’s Rep team but many efforts could start now to stay on schedule
  - Expand legal review to other streams/tributaries at most promising HWY 41 sites Consider addressing pretreatment (salts) in collection system now to improve



opportunities for discharge and reuse

3. **City Council Decision on Participating in a Regional Facility at the CMC Site.** This is a critical path item for the City to maintain its planned 5-Year Schedule, and must be completed by the end of August 2014. If a decision is not made at that time, there would need to be considerable financial investment to pursue a facilities master plan for both options, since that effort would need to begin then in order to make the 5-year schedule.

The County is currently investigating the potential for constructing a regional wastewater facility at the location of the existing facility serving the California Men's Colony, located near Cuesta College. The County is investigating the potential of taking over the existing facility, and possibly including other partner agencies in the region. The regional concept appears to have some support among key staff at the Regional Water Quality Control Board, who believe this could be a good location for that purpose. The RWQCB has encouraged the City of Morro Bay to participate in such a venture.

However, as noted in the Options Report, there are serious drawbacks to the CMC site as a City-only site. In the context of having regional partners, this conclusion may or may not change. Key considerations from the City's perspective as a partner in a multi-agency effort at CMC include:

- minimizing cost;
- distance from the City's existing wastewater infrastructure network;
- feasibility of water reuse opportunities in the Chorro Valley;
- ability to create a workable multi-agency framework to implement such a facility; and
- timing challenges associated with this effort.

The County is currently working with its consultants and the State of California (who operates the existing facility) to investigate the feasibility of this approach.

JFR and MKN will report to the City Council on the County's progress toward this end in August 2014. It is not known whether the County will have resolved all key issues to the City's satisfaction at that time to allow the City to make a fully informed decision on this matter. Ideally, the City Council would choose one approach or another—either the City-only site, or participation in a multi-agency facility at the CMC site.



## 10. References and Report Preparers

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*References for this study also include links to articles, newsletters, studies, and other documents imbedded into many of the above documents, websites, and correspondence submitted through the process.*

### Report Preparers

This report was prepared by **John F. Rickenbach Consulting** under contract to the City of Morro Bay. Persons and involved in the preparation of this report and related supporting activities include:

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## Appendix A

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DRAFT Technical Memorandum:  
Water Reuse Opportunities



## TECHNICAL MEMORANDUM

To: John Rickenbach  
From: Michael Nunley  
Date: 5/8/2014  
Re: Morro Bay New Water Reclamation Facility – Water Reuse Opportunities

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### INTRODUCTION

Michael K. Nunley & Associates, Inc., and John F. Rickenbach Consulting (JFR) are providing project management support for the City of Morro Bay's new Water Reclamation Facility (WRF). One of the City Council's goals for the new WRF is production of recycled water. The purpose of this memorandum is to identify the potential water reuse opportunities and demands from prior City reports, develop a comprehensive map of the previously-identified potential reuse areas, and provide a summary of the general water quality requirements for these various uses.

MKN reviewed previous recycled water studies for the City of Morro Bay (City) and Cayucos Sanitary District (CSD) Wastewater Treatment Plant (WWTP), including

- Cayucos/Morro Bay Comprehensive Recycled Water Study, Carollo Engineers, October 1999
- 2012 Recycled Water Feasibility Study, Dudek, Draft March 9, 2012

These reports investigated the feasibility of implementing a recycled water program. Both studies included identification of potential water reuse opportunities in the Cayucos and Morro Bay areas and review of the water demands and water quality requirements.

The cost of a recycled water system can vary significantly. The treatment processes, pumping stations, pipelines, and storage facilities depend on the end user or final destination of the recycled water. Depending on the usage type(s), different regulatory requirements will apply. The water quality required for various individual users may result in the need for a higher level of treatment than would be required to meet the regulations. For example, if irrigation of avocados is a significant reuse opportunity salts removal may be required.

### RECYCLED WATER QUALITY REGULATIONS AND GOALS

The California Code of Regulations (CCR) Title 22, Division 4, Chapter 3, Sections 60301 through 60355 regulate recycled wastewater and requirements are administered jointly by California Department of Health Services (CDHS) and RWQCB.

Four treatment levels are defined in the regulations for various recycled water uses in California: disinfected tertiary recycled water, disinfected secondary-2.2 recycled water, disinfected secondary-23 recycled water and undisinfected secondary recycled water. These are summarized in Table 1.

**Table 1 – Title 22 Recycled Water Types and Allowable Uses (California Code of Regulations)**

Recycled Water Type	Required Treatment	Median Total Coliform (MPN/100 mL) <sup>1</sup>	Maximum Total Coliform (MPN/100 mL) <sup>2</sup>	Allowable Uses
Disinfected Tertiary	Oxidized, Coagulated <sup>3</sup> , Filtered, Disinfected	2.2	23 <sup>4</sup>	Surface irrigation for food crops including edible portion, parks and playgrounds, schoolyards, unrestricted access golf courses, roadway landscaping, and residential & commercial landscaping
Disinfected Secondary-2.2	Oxidized, Disinfected	2.2	23	Irrigation of food crops where edible portion is above ground and not contacted by recycled water (ex. drip irrigation is used)
Disinfected Secondary-23	Oxidized, Disinfected	23	240	Irrigation of cemeteries, freeway landscaping, restricted access golf courses, pasture for milk animals
Undisinfected Secondary	Oxidized	NA	NA	Irrigation for orchards & vineyards where edible portion does not contact recycled water (ex. drip irrigation is used), non-food bearing trees, fodder crops and fiber crops, seed crops not eaten by humans, ornamental nursery stock
<p>Notes:</p> <ol style="list-style-type: none"> <li>1. Based on bacteriological results of the last 7 days for which analyses were completed.</li> <li>2. Does not exceed in more than one sample in any 30 day period</li> <li>3. Coagulation is not typically required if membrane filtration is used and/or turbidity requirements are met.</li> <li>4. No sample shall exceed 240 MPN/100 mL.</li> <li>5. Reference: California Code of Regulations, Title 22, Division 4, June 2001 Edition</li> </ol>				

Water quality objectives vary for different uses. Water quality for unrestricted urban use (ex. irrigation of parks are schools) is primarily driven by public safety and suitability for application. Safety assurances are written into Title 22 requirements through standards for effluent coliform concentrations and usage restrictions, such as pipeline distance from potable water pipelines, proximity to groundwater, prevention of cross-connection between potable and non-potable systems, and restrictions near eating facilities and drinking fountains. Potential customers may need to reconfigure either irrigation or potable water systems in order to comply with these requirements.

There have been multiple studies to determine constituents of concern in reclaimed water used for irrigation. Suitability of water for irrigation is directly related to the concentration and kind of chemical constituents present. Some water constituents that most commonly affect recycled water suitability for irrigation include electrical conductivity of the irrigation water (ECw), sodium adsorption ratio (SAR), bicarbonates, chlorides, and boron. General irrigation water quality guidelines are shown on Table 2. A summary of the treated effluent quality from the existing Morro Bay / Cayucos CSD

Wastewater Treatment Facility (WWTF) is presented in Table 3. It is assumed the mineral content of the new WRF will resemble that of the existing treatment facility since a higher level of secondary and tertiary treatment will have a negligible impact on those parameters. Relative salt tolerance of various agricultural crops is presented in Table 4.

**Table 2 - Water Quality Guidelines for Irrigation**

Problem and Related Constituent	References	No Problem	Increasing Problems	Severe Problems
<b>Salinity<sup>1</sup></b>				
EC <sub>w</sub> of irrigation water (mmhos/cm)	1,2	<0.75	0.75 - 3.0	>3.0
TDS (mg/l) or (ppm)	2	<450	450 - 2000	>2000
<b>Permeability</b>				
EC <sub>w</sub> of irrigation water (mmhos/cm)	1	>0.5	<0.5	<0.2
adj.SAR <sup>2</sup>	1	<6.0	6.0 - 9.0	>9.0
<b>Specific ion toxicity from root absorption<sup>3</sup></b>				
Sodium (evaluated by adj.SAR)	1,2	<3.0	3.0 - 9.0	>9.0 <sup>4</sup>
Chloride (meq/l)	1	<4	4.0 - 10.0	>10
Chloride (mg/l)	1,2	<142	142 - 355	>355
Boron (mg/l)	1	<0.5	0.5 - 2.0	2.0 - 10.0
<b>Specific ion toxicity from foliar absorption<sup>5</sup> (sprinkler irrigation)</b>				
Sodium (meq/l)	1	<3.0	>3.0	--
Sodium (mg/l)	1,2	<69	>69	--
Chloride (meq/l)	1	<3.0	>3.0	--
Chloride (mg/l)	1	<106	>106	--
<b>Miscellaneous<sup>6</sup></b>				
Total Nitrogen (NH <sub>4</sub> -N + NO <sub>3</sub> -N) (mg/l)	1,2	<5	5 - 30	>30
(The following apply only for irrigation by overhead sprinklers)				
Bicarbonate (HCO <sub>3</sub> ) (meq/l)	1	1.5	1.5 - 8.5	>8.5
Bicarbonate (HCO <sub>3</sub> ) (mg/l)	1,2	<90	90 - 520	>520
Residual Chlorine (mg/l)	2	<1.0	1.0 - 5.0	>5.0
PH	1,2	Normal range = 6.5-8.4		
<p><sup>1</sup>Assumes water for crop plus needed water for leaching requirement will be applied. Crops vary in tolerance to salinity.</p> <p><sup>2</sup>adj.SAR (adjusted sodium absorption ratio) is calculated from a modified equation developed by U.S. Salinity Laboratory to include added effects of precipitation or dissolution of calcium in soils and related to CO<sub>3</sub> + HCO<sub>3</sub> concentrations. Permeability problems related to low EC or high adj.SAR of water can be reduced if necessary by adding gypsum.</p> <p><sup>3</sup>Most tree crops and woody ornamentals are sensitive to sodium and chloride. Most annual crops are not sensitive.</p> <p><sup>4</sup>Shrinking-swelling type soils (montmorillonite type clay minerals); higher values apply for others.</p> <p><sup>5</sup>Leaf areas wet by sprinklers may show a leaf burn due to sodium or chloride absorption under low-humidity / high-evaporation conditions. (Evaporation increases ion concentration in water films on leaves between rotations of sprinkler heads.)</p> <p><sup>6</sup>Excess N may affect production of quality of certain crops (i.e., sugar beets, citrus, avocados, apricots, and grapes). HCO<sub>3</sub> with overhead sprinkler irrigation may cause a white carbonate deposit to form on fruit and leaves.</p> <p>Reference 1: Ayers, Robert S., Quality of Water for Irrigation, Journal of the Irrigation and Drainage Division, ASCE, June 1977. (Table 1, page 136)</p> <p>Reference 2: Irrigation with Reclaimed Municipal Wastewater – A Guidance Manual, California State Water Resources Control Board, Report Number 84-1 WR, July 1984. (Table 3-4, page 3-11)</p>				

Note: Interpretations are based on possible effects of constituents on crops, soils or both. Guidelines are flexible and should be modified when warranted by local experience or special conditions of crop, soil, and method of irrigation.

**Table 3 Existing Morro Bay /Cayucos CSD WWTF Effluent Quality**

Constituent	Units	1999 Effluent Quality <sup>1</sup>	2011/2012 Effluent Quality <sup>2</sup>	Comparison to Quality Guidelines presented in Table 2 <sup>3</sup>
Bicarbonate	mg/L	294	330	Increasing problems for carbonate deposits on fruit and leaves
Boron	mg/L	0.5	0.4	Low end of increasing problems for salinity
Chloride	mg/L	300	369	Increasing problems for root and foliar absorption
Total Nitrogen	mg/L	36.7	37.5	Potential for severe quality production problems for certain crops, including citrus, avocados, apricots, and grapes.
pH	--	7.6	NA	Within normal range
TDS	mg/L	887	942	Increasing problems for salinity
EC	mmhos/cm	1.7	NA	Increasing problems for salinity; no problems for permeability
Sodium	mg/L	210	223	Increasing problems for foliar absorption

NA = Data not available  
 1 Averages based on data collected July 8 through 15, 1999 (Carollo Engineers, 1999)  
 2 Data was obtained from lab results from six 24-hour composite samples taken between February 8, 2012 and February 14, 2012. Tests were conducted by FGL Environmental and Agricultural Analytical Chemists. (Dudek, 2012)  
 3 Crops vary in tolerance to the constituents above in Table 3. Table 2 summarizes general irrigation water guidelines as published by the quoted references. Care should be taken in interpretation and application of this data.

Electric Conductivity/TDS

Salinity can be indirectly measured by electrical conductivity. The units of conductance are typically decisiemens per meter (dS/m), which is equivalent to millimhos per centimeter (mmhos/cm). Multiple devices and protocols exist for the monitoring/measuring of electrical conductivity, including in-office and in-field measurements.

EC<sub>w</sub> is the electrical conductivity of the irrigation water. It is a measure of the total salt content of the irrigation water and is used to quantify its salinity. The existing WWTP effluent salinity (measured as EC) is within the “Increasing Problems” range as shown in Table 2. Salts reduction measures or intensive irrigation management may be required in order to control soil salinity levels. Adequate rainfall can assist the salt leaching process and help to mitigate the accumulation of soluble salts in the soil profile.

### Sodium Adsorption Ratio

The sodium adsorption ratio (SAR) is the most reliable index of sodium hazard to crops and soils. A moderately high SAR will not generally result in a toxic effect to most plants. However, some crops are sensitive to excess sodium. Foliar toxicity may exist due to elevated sodium concentrations but it is site- and crop-specific.

A reduction in soil permeability is a major problem that occurs with high-sodium irrigation water. Applying water with an SAR below 6 does not usually result in permeability problems. If the SAR is between 6 and 9, permeability problems can occur on fine-textured soils. An SAR above 9 will likely result in permeability problems on all mineral soils except coarse, sandy soils.

### Bicarbonates and Adjusted Sodium Adsorption Ratio (SAR<sub>adj</sub>)

Bicarbonates in irrigation water applied to the soil will precipitate calcium from the cation exchange complex as relatively insoluble calcium carbonate. As exchangeable calcium is lost from the soil, the relative proportion of sodium is increased with a corresponding increase in the sodium hazard (SAR). Bicarbonates in the irrigation water contribute to the overall salinity, but, more importantly, they may result in a previously calcium-dominant soil becoming sodium dominant by precipitating the exchangeable calcium, which, in turn, will reduce soil permeability.

A measure of the bicarbonate hazard in irrigation water can be expressed as the adjusted SAR (Table 2). The adjusted SAR takes into account the concentration of bicarbonates in irrigation water in relation to their effect on potential increases in soil SAR. When the adjusted SAR is less than 6, soil permeability problems generally do not occur. If the adjusted SAR is between 6 and 9, permeability problems can occur on fine-textured soil. An adjusted SAR above 9 will likely result in permeability problems in mineral soils except coarse, sandy soils, where adverse impacts to soil permeability are not a major concern. Periodic soil treatment (i.e. deep ripping or disking) or water treatment may be required to maintain favorable water infiltration characteristics in project soils.

Bicarbonates in irrigation water may also cause potential problems in micro-irrigation systems as a result of lime precipitation, which can cause emitter plugging. These potential problems are accentuated in alkaline irrigation water.

### Chlorides

Chlorides are necessary for plant growth in relatively small amounts. However, high concentrations of chlorides can inhibit growth and result in toxicity to foliage if applied by sprinkler irrigation. Chlorides in irrigation water are toxic to some plant species. The chloride concentration of the existing treatment plant effluent (see Table 3) is within the range of increasing problems for root and foliar absorption when compared to the guidelines in Table 2. If a sprinkler wets the leaf areas, foliage toxicity (leaf burn) problems may also be apparent as a result of the effluent having a slightly higher-than-desired chloride concentration level (Table 2).

### Boron

Boron in irrigation water does not have an effect on soil physical conditions, but in high concentrations it can have a toxic effect on some plants. The boron concentration of the existing treatment plant effluent (see Table 3) is at the low end of increasing problems for salinity when compared to the guidelines in Table 2.

Table 4 Relative Salt Tolerance of Agricultural Crops

Crop Type	TOLERANT	MODERATELY TOLERANT	MODERATELY SENSITIVE	SENSITIVE
Fibre, Seed and Sugar Crops	Barley, Cotton, Jojoba, Sugarbeet	Cowpea, Oats, Rye, Safflower, Sorghum, Soybean, Triticale, Wheat, Durum Wheat	Broad, Castorbean, Maize, Flax, Millet (foxtail), Groundnut/Peanut, Rice (paddy), Sugarcane, Sunflower	Bean, Guayule, Sesame
Grasses and Forage Crops	Alkali grass (Nuttall), Alkali sacaton, Bermuda grass, Kallar grass, Saltgrass (Desert), Wheatgrass (fairway crested) Wheatgrass (tall), Wildrye (altai), Wildrye (Russian)	Barley (forage), Brome (mountain), Canary grass (reed), Clover (hubam), Clover (Sweet), Fescue (meadow), Fescue (tall), Harding grass, Panic grass (blue), Rape, Rescue grass, Rhodes grass, Ryegrass (italian), Ryegrass (perennial), Sudan grass, Trefoil (narrowleaf), birdsfoot, Trefoil, broadleaf, Wheat (forage), Wheatgrass (various), Wildrye (beardless & Canadian)	Alfalfa, Bentgrass, Bluestem (Angleton), Brome (smooth), Buffelgrass, Burnet, Clover (various), Corn (forage), Cowpea (forage), Dallis grass, Foxtail (meadow), Grama (blue), Lovegrass, Milkvetch (Cicer), Oatgrass (tall), Oats (forage), Orchard grass, Rye (forage), Sesbania, Siratro, Sphaerophysa, Timothy, Trefoil (big), Vetch (common)	
Vegetable Crops	Asparagus	Artichoke, Beet (red), Zucchini squash	Broccoli, Brussels sprouts, Cabbage, Cauliflower, Celery, Corn (Sweet), Cucumber, Eggplant, Kale, Kohlrabi, Lettuce, Muskmelon, Pepper, Potato, Pumpkin, Radish, Spinach, Squash (scallop), Sweet potato, Tomato, Turnip, Watermelon	Bean, Carrot, Okra, Onion, Parsnip

Crop Type	TOLERANT	MODERATELY TOLERANT	MODERATELY SENSITIVE	SENSITIVE
Fruit and Nut Crops	Date palm	Fig, Jujube, Olive, Papaya, Pineapple, Pomegranate	Grape	Almond, Apple, Apricot, Avocado, Blackberry, Boysenberry, Cherimoya, Cherry (sweet), Cherry (sand), Currant, Gooseberry, Grapefruit, Lemon, Lime, Loquat, Mango, Orange, Passion fruit, Peach, Pear, Persimmon, Plum (prune), Pummelo, Rose apple, Sapote (white), Strawberry, Tangerine

1 Reproduction of table presented in Water Quality for Agriculture FAO Irrigation and Drainage Paper 29 Rev 1 (Ayers and Westcot, Reprinted 1989 and 1994). Data taken from: Maas E.V. 1984 Salt tolerance of plants. In: The Handbook of Plant Science in Agriculture. B.R. Christie (ed). CRC Press, Boca Raton, Florida.

2 These data serve only as a guide to the relative tolerance among crops. Absolute tolerances vary with climate, soil conditions and cultural practices.

## STREAM AUGMENTATION QUALITY REGULATIONS AND GOALS

While the water quality requirements and goals for landscape and agricultural irrigation are relatively well defined, the potential requirements for stream augmentation can be difficult to predict. Surface water discharges are regulated through the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) based on protection of existing and potential future beneficial uses as defined in the Regional Water Quality Control Board (RWQCB) Basin Plan. The Basin Plan is an ever-changing document with amendments made yearly and updates (at a minimum every three years) required through the Clean Water Act and California Water Code. The implementation of Salt and Nutrient Management Plans (SNMPs) is expected to further update water quality requirements for sub-basins. The City has applied for a grant to prepare a SNMP through the San Luis Obispo County's Integrated Water Resources Management Plan.

The permit for the California Men's Colony (CMC) wastewater treatment plant (WWTP) was updated in 2012, and was reviewed to provide insight on recent requirements for discharge to Chorro Creek. The CMC WWTP produces recycled water for the Dairy Creek Golf Course and discharges to Chorro Creek. Effluent limitations include organics, solids, oil and grease, chlorine residual, toxics, and nitrogen compounds. The permit includes limitations for the receiving water (Chorro Creek), which

requires monitoring stations upstream and downstream of the discharge point. Receiving water limitations for several parameters are set based on amounts or concentrations that causes a nuisance or adversely affects beneficial uses. Some of the parameters include coloration, taste or odor-producing substances, floating material, suspended material, settleable material, oils, greases, waxes, biostimulatory substances, suspended sediment, toxic metals and inorganic chemicals. The permit specifies limits for changes in turbidity, pH, and temperature based on the natural levels in the receiving water, and dissolved oxygen concentrations shall not be reduced below 7.0 mg/L at any time. There are also limitations regarding salinity based on agricultural beneficial uses and water quality objectives defined for Chorro Creek in the Basin Plan. In addition to influent and effluent monitoring, CMC monitors five points along Chorro Creek, from just downstream of the reservoir dam to just upstream of the discharge into Morro Bay Estuary.

## RECYCLED WATER OPPORTUNITIES

The previously identified potential water reuse opportunities are compiled in Table 5 (attached). Irrigated agricultural parcels and other potential reuse opportunities in the Morro Valley and Chorro Valley, not identified in prior studies, were identified as summarized in Table 6 (attached). Additional opportunities may become available in the future as growth occurs and land uses change. The potential reuse sites are shown with potential new WRF sites in Figure 1 (attached).

The majority of crops in the Morro Valley region are avocado, with some limited orange groves, all of which are sensitive to salts. Dilution by blending with a water source of lower salinity or salts reduction through microfiltration and reverse osmosis will likely be required to provide the appropriate quality of water for irrigation of these salt-sensitive crops. The Recycled Water Feasibility Study estimated a TDS target of 300 mg/L based on the recorded chloride tolerance for the most sensitive avocado variety (Dudek, 2012).

Assuming the new WRF were designed to produce disinfected tertiary recycled water with a TDS concentration of less than 300 mg/L and a future maximum monthly flow rate of 2.2 million gallons per day (MGD), the advanced treatment system (including microfiltration and reverse osmosis) should be sized to treat approximately 90% of the flow (1.9 MGD)<sup>1</sup>. Due to the cost of advanced treatment, it's common to design these systems to treat a portion of the secondary effluent and subsequently blend it back to achieve the desired water quality in the final effluent. At approximately \$7 for every gallon per day of capacity (Dudek, 2012), an advanced treatment system of this size is estimated to cost over \$13,000,000<sup>2</sup>. This scenario has a production efficiency of approximately 75% and on an annual basis would be estimated to produce approximately 0.85 MGD, or 949 AFY, of disinfected tertiary recycled water.

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<sup>1</sup> Assumes TDS concentration of 1106 mg/L in the secondary effluent, 90% efficiency for tertiary filtration system, 92% efficiency for microfiltration system, and 70% efficiency and 90% removal for the reverse osmosis system.

<sup>2</sup> Cost estimate includes microfiltration and reverse osmosis systems only. The upcoming City's Master Planning effort will develop costs for the rest of the treatment system, lift stations, transmission mains, and other project elements to assess costs for the overall project and ultimately the community's rates. The Master Plan will also identify the costs and revenue potential associated with production of recycled water.

Table 5. Water Reuse Opportunities Identified for Morro Bay / Cayucos CSD WWTP in Prior Studies

Site #	Use Type	Irrigation Type / Potential Benefit for Creek Aug	Site Description	Size (Acres)	Location	Treatment Level Required to Meet Regulations	Salt Removal or Blending Required	Effluent TDS Target (mg/L)	Current Water Source	Average Demand Estimate (AFY)	Comments
0	Industrial		WWTP Onsite/Maintenance Yard	--	Morro Bay	Disinfected Secondary-23	No		State Water	1.46	
1	Landscape	Grass	Hardie Park & School	1	Cayucos	Disinfected tertiary	No		Untreated Well	1.9	Already has reliable non-potable water
2	Ag	Oranges, snow peas, avocados, pasture	Cayucos Creek Road	--	Cayucos	Disinfected tertiary	Yes	300	Wells	N/A	Multiple small parcels; acreage & demand unknown; uncertainty of multiple owner interest. Irrigation type may impact treatment level requirement. See Note 1.
3	Landscape	Grass	Paul Andrew Park	0.25	Cayucos	Disinfected tertiary	No		Domestic Water Supply	1.29	
4	Ag	Grass/Hill	S/W of Whale Rock Reservoir	5	Cayucos	Undisinfected secondary	No		Private Well	12.5	Acreage/demand unknown; uncertainty of multiple owner interest
5	Landscape	Grass	Cayucos-Morro Bay Cemetary	4	Cayucos	Disinfected Secondary-23	No		Whale Rock Reservoir	17.7	
6	Ag	Oranges, avocados	Old Creek Road	100-300	Cayucos	Disinfected tertiary	Yes	300	Creek Before Reservoir	500	Acreage/demand unknown; uncertainty of multiple owner interest. Irrigation type may impact treatment level requirement. See Note 1.
7	Landscape	Grass/landscape	Highway 1 median	2	Cayucos	Disinfected Secondary-23	Unknown		No Current Source	5	Does not currently irrigate
8	Ag	Winter Wheat, grass	Toro Creek Road	200-400	Cayucos	Undisinfected secondary	No		Unknown	N/A	Acreage/demand unknown; uncertainty of multiple owner interest
9	Landscape	Grass	Del Mar Park	9	Morro Bay	Disinfected tertiary	No		State Water	8.68	
10	Landscape	Grass, LS medians	The Cloisters Development	34	Morro Bay	Disinfected tertiary	No		State Water	5.98	
11	Landscape, Ag	Grass, horticulture, farm animals	Morro Bay High School	14	Morro Bay	Disinfected tertiary	Unknown		State Water, Untreated Private Well	61.78	
12	Landscape	Grass	Keiser Park	9	Morro Bay	Disinfected tertiary	No		State Water, Untreated Private Well	6.21	
13	Ag	Fields, Orchards (mainly avocado), Crops	Atascadero Rd. East of Hwy 1 (aka Hwy 41 Agricultural Corridor)	200	Unincorporated County of SLO	Disinfected tertiary	Yes	300	Private Well	500	Irrigation type may impact treatment level requirement. See Note 1.
14	Landscape	Pasture	Miscellaneous Pasture Area	10	Morro Bay	Disinfected Secondary-23	No		No Current Source	25	Does not currently irrigate
15	Landscape	Grass/landscape	Del Mar Elementary	6	Morro Bay	Disinfected tertiary	Unknown		State Water	6.97	
16	Landscape	Grass/landscape	S Side of Highway 1	4	Morro Bay	Disinfected Secondary-23	Unknown		No Current Source	10	Does not currently irrigate
17	Landscape	Grass/landscape	Morro Bay Elementary School	4	Morro Bay	Disinfected tertiary	Unknown		State Water	4.46	
18	Landscape	Grass/landscape	City Park	0.8	Morro Bay	Disinfected tertiary	Unknown		State Water	1.05	
19	Landscape	Grass	Monte Young Park	0.25	Morro Bay	Disinfected tertiary	No		State Water	0.43	
20	Landscape	Grass/landscape	Bayshore Bluffs Park	3	Morro Bay	Disinfected tertiary	Unknown		State Water	1.12	On outskirts of service area, may be considered for secong phase
21	Landscape	Grass/Greens	Morro Bay Golf Course	110	Morro Bay	Disinfected Secondary-23	No		Chorro Creek, Recycled Water from CMC	275	Already has reliable non-potable water
22	Ag	Native	Chorro Flats Enhancement Project	45	Morro Bay	Disinfected Secondary-23	No		No Current Source	0	Lack of project need - "Dry farming"
23	Creek Aug	Ag Crops, Riparian Habitat	Cayucos Creek	--	Cayucos	Disinfected tertiary +	Unknown				Significant treatment likely required, unstable road, may be economically infeasible
24	Creek Aug	Possible Potable Offset	Old Creek		Cayucos	Disinfected tertiary +	Unknown				Significant treatment likely required, may be economically infeasible
25	Creek Aug	Ag Crops, Riparian Habitat	Willow Creek		Morro Bay	Disinfected tertiary +	Unknown				Significant treatment likely required, unstable road, may be economically infeasible
26	Creek Aug	Riparian Habitat	Toro Creek		Morro Bay	Disinfected tertiary +	Unknown				Not seen as having primary benefit for flow enhancement or potable water supply replacement

Table 5. Water Reuse Opportunities Identified for Morro Bay / Cayucos CSD WWTP in Prior Studies

Site #	Use Type	Irrigation Type / Potential Benefit for Creek Aug	Site Description	Size (Acres)	Location	Treatment Level Required to Meet Regulations	Salt Removal or Blending Required	Effluent TDS Target (mg/L)	Current Water Source	Average Demand Estimate (AFY)	Comments
27	Creek Aug		Alva Paul Creek		Morro Bay	Disinfected tertiary +	Unknown				Determined nonbeneficial because of no flow for majority of the year
28	Creek Aug	Ag Crops, Riparian Habitat	Morro Creek		Morro Bay	Disinfected tertiary +	Unknown				Not seen as having primary benefit for flow enhancement or potable water supply replacement
29	Creek Aug	Ag Crops, Riparian Habitat	Little Morro Creek		Morro Bay	Disinfected tertiary +	Unknown				Significant treatment likely required, may be economically infeasible
30	Creek Aug	Wetlands	Morro Bay Estuary		Morro Bay	Disinfected tertiary +	Unknown				Significant treatment likely required, may be economically infeasible
31	Creek Aug	Municipal Supply, Estuary, Irrigation, CRL Frogs, fish	Chorro Creek		Morro Bay	Disinfected tertiary +	Unknown				Significant treatment likely required, may be economically infeasible
32	Other: Bus Facility		Morro Bay High School Bus Facility		Morro Bay	Disinfected Secondary-23	No		State Water	3.5	
33	Other: Commercial Laundry		Mission Linen Supply (Commercial Laundry)		Morro Bay	Disinfected tertiary	Unknown		State Water	13.93	
34	Other: Nursery		Newton (Tropicana) Nursery		Morro Bay	Disinfected Secondary-23	Yes		State Water	0.64	
35	Other: Boat Dock		Morro Bay Fuel Dock		Morro Bay	Disinfected tertiary	No		State Water	0.18	Water use minimal, far from other users
36	Other: wash down, sewer flushing		City of Morro Bay Maintenance Yard		Morro Bay	Disinfected Secondary-23	No		State Water	0.3	
37	Other: Cart washing		Morro Bay State Park/Golf Course		Morro Bay	Disinfected tertiary	No		State Water	0.28	
38	Other: Concrete mixing		Hanson Sand & Gravel (Concrete Mixing)		Morro Bay	Disinfected Secondary-23	Unknown		State Water, Untreated Well	0.34	
39	Landscape	Native	N of Cayucos; Along Highway 1	--	Cayucos	Undisinfected secondary	No		None	0	Does not currently irrigate. See Note 2.
40	Landscape	Native	Coleman Park	--	Morro Bay	Disinfected tertiary	No		No Current Source	0	Does not currently irrigate. See Note 2.
41	Landscape	Grass/landscape	Tri-Development Area	--	Morro Bay	Disinfected tertiary	Unknown		No Current Source	0	Does not currently irrigate
42	Creek Aug	Water Supply to Whale Rock Reservoir	Cottontail Creek		Cayucos	Disinfected tertiary +	Unknown				Water supply to Whale Rock Reservoir. See Note 2.
-	Recharge		Direct Groundwater Recharge		Morro Bay / Cayucos	Disinfected tertiary + 100% MF/RO + adv Oxidation	Yes				Retention times difficult to achieve, advanced treatment req'd, may be economically infeasible, physical constraints for several basins

Notes 1. The required water quality to meet regulations is Disinfected tertiary for food crops where recycled water contacts edible portion of crop, including all root crops, and Disinfected Secondary-2.2 for food crops where edible portion is produced above ground and not contacted by recycled water, except orchards and vineyards with no contact between edible portion and recycled water where the water quality required to meet regulations is Undisinfected Secondary. Additional treatment may be needed to achieve quality required for specific use.

2. Reuse opportunity was identified in prior reports, but was not numbered.

Sources: 1) Cayucos/Morro Bay Comprehensive Recycled Water Study, Carollo Engineers, October 1999. 2) 2012 Recycled Water Feasibility Study, Dudek, Draft March 9, 2012.

Table 6. Irrigated Agricultural Parcels and Other Potential Reuse Opportunities in Morro Valley and Chorro Valley

Site #	APN	Site Description	Size (Acres)	Owner	Estimated % Irrigated	Irrigated Area (Acre)	Irrigated Crop	Treatment Level Required to Meet Regulations	Average Demand Estimate <sup>4</sup> (AFY)	Comments
43	073-032-005	Irrigated Ag, Morro Vlly	7.55	William Limon et al	88.0%	6.64	Orchard	Disinfected Tertiary	16.6	1
44	073-032-004	Irrigated Ag, Morro Vlly	4.53	William Limon et al	98.0%	4.44	Orchard	Disinfected Tertiary	11.1	1
45	073-032-003	Irrigated Ag, Morro Vlly	1.97	William Limon et al	100.0%	1.97	Orchard	Disinfected Tertiary	4.9	1
46	073-031-027	Irrigated Ag, Morro Vlly	18.09	Teri A. Keyser	54.0%	9.77	Orchard	Disinfected Tertiary	24.4	1, 2
47	073-051-058	Irrigated Ag, Morro Vlly	33.15	Susan Beasley et al	100.0%	33.15	Orchard	Disinfected Tertiary	82.9	1, 2
48	073-051-055	Irrigated Ag, Morro Vlly	9.89	Steven B. Victor et al	90.0%	8.9	Orchard	Disinfected Tertiary	22.3	1, 2
49	073-051-031	Irrigated Ag, Morro Vlly	19.96	Steve J. and Barbara J. Erden	87.0%	17.37	Orchard	Disinfected Tertiary	43.4	1, 2
50	073-111-012	Irrigated Ag, Morro Vlly	19.7	Scott T. Mather et al	86.0%	16.94	Orchard	Disinfected Tertiary	42.4	1, 2
51	073-085-022	Irrigated Ag, Morro Vlly	1.3	Ronald L. Kennedy et al	30.0%	0.39	Orchard	Disinfected Tertiary	1.0	1, 2
52	073-051-025	Irrigated Ag, Morro Vlly	6.32	Richard P. Sauerwein et al	75.0%	4.74	Orchard	Disinfected Tertiary	11.9	1
53	073-051-023	Irrigated Ag, Morro Vlly	3.38	Richard P. Sauerwein et al	53.0%	1.79	Orchard	Disinfected Tertiary	4.5	1
54	073-031-017	Irrigated Ag, Morro Vlly	9.04	Richard Lyons	42.0%	3.8	Orchard	Disinfected Tertiary	9.5	1, 2
55	073-051-053	Irrigated Ag, Morro Vlly	19.19	Richard B. Kitzman et al	92.0%	17.65	Orchard	Disinfected Tertiary	44.1	1, 2
56	073-051-050	Irrigated Ag, Morro Vlly	21.06	Randy & Joanne Kann	95.0%	20.01	Orchard	Disinfected Tertiary	50.0	1, 2
57	073-031-009	Irrigated Ag, Morro Vlly	126.73	Paul Madonna et al	13.6%	17.24	Row crop	Disinfected Tertiary	43.1	1, currently fallow
58	073-031-026	Irrigated Ag, Morro Vlly	17.07	Paul Madonna et al	79.0%	13.49	Row crop	Disinfected Tertiary	33.7	1, currently fallow
59	073-051-040	Irrigated Ag, Morro Vlly	20.1	Patrick N. Nagano et al	94.0%	18.89	Orchard	Disinfected Tertiary	47.2	1, 2
60	073-085-029	Irrigated Ag, Morro Vlly	15.74	Patricia L. Kennedy et al	90.0%	14.17	Orchard	Disinfected Tertiary	35.4	1, 2
61	073-085-028	Irrigated Ag, Morro Vlly	7.92	Patricia L. Kennedy et al	80.0%	6.34	Orchard	Disinfected Tertiary	15.9	1, 2
62	073-051-049	Irrigated Ag, Morro Vlly	12.26	Norman A. & Angia M. Martignoni	31.0%	3.8	Orchard	Disinfected Tertiary	9.5	1, 2
63	073-051-052	Irrigated Ag, Morro Vlly	23.28	Neil R. Nagano et al	100.0%	23.28	Row crops	Disinfected Tertiary	58.2	1
64	073-031-030	Irrigated Ag, Morro Vlly	349.46	Morro Ranch Co. LLC	71.0%	248.12	Orchard	Disinfected Tertiary	620.3	1
65	073-069-009	Irrigated Ag, Morro Vlly	186.62	Morro Creek Ranch	30.0%	55.99	Orchard	Disinfected Tertiary	140.0	1, 2
66	073-069-020	Irrigated Ag, Morro Vlly	50.56	Morro Creek Ranch	99.0%	50.05	Orchard	Disinfected Tertiary	125.1	1, 2
67	073-069-021	Irrigated Ag, Morro Vlly	38.35	Morro Creek Ranch	95.0%	36.43	Orchard	Disinfected Tertiary	91.1	1, 2
68	073-069-018	Irrigated Ag, Morro Vlly	45.95	Morro Creek Ranch	75.0%	34.46	Orchard	Disinfected Tertiary	86.2	1, 2
69	073-069-019	Irrigated Ag, Morro Vlly	23.59	Morro Creek Ranch	87.0%	20.52	Orchard	Disinfected Tertiary	51.3	1, 2
70	073-051-046	Irrigated Ag, Morro Vlly	11.11	Merriam J. Urquhart et al	90.0%	10	Orchard	Disinfected Tertiary	25.0	1, 2
71	073-051-016	Irrigated Ag, Morro Vlly	1.28	Mary Nagano et al	80.0%	1.02	Orchard	Disinfected Tertiary	2.6	1
72	073-011-043	Irrigated Ag, Morro Vlly	43.69	Mary Flavan	75.0%	32.77	Orchard	Disinfected Tertiary	81.9	1, 2
73	073-111-019	Irrigated Ag, Morro Vlly	40	Margaret G. French	6.0%	2.4	Orchard	Disinfected Tertiary	6.0	1, 2
74	073-051-041	Irrigated Ag, Morro Vlly	19.57	Manuel S. & Amparo G. Haber	98.0%	19.18	Orchard	Disinfected Tertiary	48.0	1, 2
75	073-085-018	Irrigated Ag, Morro Vlly	176.35	Lyle C. Foster et al	4.5%	7.94	Orchard	Disinfected Tertiary	19.9	1, 2
76	073-111-016	Irrigated Ag, Morro Vlly	38.61	Larry Johnson et al	27.0%	10.42	Orchard	Disinfected Tertiary	26.1	1, 2
77	073-011-056	Irrigated Ag, Morro Vlly	15.15	Kurt E. Steinmann	25.0%	3.79	Orchard	Disinfected Tertiary	9.5	1, 2
78	073-051-047	Irrigated Ag, Morro Vlly	10.79	Kenneth H. Macintyre et al	90.0%	9.71	Orchard	Disinfected Tertiary	24.3	1, 2
79	073-011-032	Irrigated Ag, Morro Vlly	36.09	Kathleen E. Cirone et al	45.5%	16.42	Orchard	Disinfected Tertiary	41.1	1, 2
80	073-011-047	Irrigated Ag, Morro Vlly	66	Judith E. Hull	25.0%	16.5	1/2 Row crop; 1/2 Orchard	Disinfected Tertiary	41.3	1, 2
81	073-011-048	Irrigated Ag, Morro Vlly	47.91	Judith E. Hull	10.0%	4.79	Orchard	Disinfected Tertiary	12.0	1, 2
82	073-111-031	Irrigated Ag, Morro Vlly	25.72	Joseph M. Spellacy	30.0%	7.72	Orchard	Disinfected Tertiary	19.3	1, 2
83	073-111-032	Irrigated Ag, Morro Vlly	27.01	Joseph M. Spellacy	5.0%	1.35	Orchard	Disinfected Tertiary	3.4	1, 2

Table 6. Irrigated Agricultural Parcels and Other Potential Reuse Opportunities in Morro Valley and Chorro Valley

Site #	APN	Site Description	Size (Acres)	Owner	Estimated % Irrigated	Irrigated Area (Acre)	Irrigated Crop	Treatment Level Required to Meet Regulations	Average Demand Estimate <sup>4</sup> (AFY)	Comments
84	073-051-048	Irrigated Ag, Morro Vly	11.96	John J. Heitzenrater et al	58.0%	6.94	Orchard	Disinfected Tertiary	17.4	1, 2
85	073-031-020	Irrigated Ag, Morro Vly	111.65	James Shanley et al	26.2%	29.25	Orchard	Disinfected Tertiary	73.1	1, 2
86	073-011-007	Irrigated Ag, Morro Vly	361.98	James M. Dunn Family Ranches	4.5%	16.29	Orchard	Disinfected Tertiary	40.7	1, 2
87	073-051-059	Irrigated Ag, Morro Vly	62.04	Howard H. Hayashi	94.0%	58.32	Row crops	Disinfected Tertiary	145.8	1
88	073-051-051	Irrigated Ag, Morro Vly	20.1	Howard H. Hayashi	100.0%	20.1	Row crops	Disinfected Tertiary	50.3	1
89	073-111-018	Irrigated Ag, Morro Vly	29.1	Gregory J. Frye et al	27.0%	7.86	Orchard	Disinfected Tertiary	19.7	1, 2
90	073-011-057	Irrigated Ag, Morro Vly	151.3	Gary H. Evans	10.0%	15.13	1/2 Row crop; 1/2 Orchard	Disinfected Tertiary	37.8	1
91	073-111-017	Irrigated Ag, Morro Vly	31.35	Frederick Harpster Sr.	41.0%	12.85	Orchard	Disinfected Tertiary	32.1	1, 2
92	073-011-042	Irrigated Ag, Morro Vly	38.32	Evangeline D. Parker	50.0%	19.16	Orchard	Disinfected Tertiary	47.9	1, 2
93	073-011-041	Irrigated Ag, Morro Vly	8.26	Evangeline D. Parker	50.0%	4.13	Orchard	Disinfected Tertiary	10.3	1, 2
94	073-051-056	Irrigated Ag, Morro Vly	9.81	Eileen M. Giannini	90.0%	8.83	Row crop	Disinfected Tertiary	22.1	1
95	073-051-036	Irrigated Ag, Morro Vly	5.73	Eileen M. Giannini	91.0%	5.21	Row crop	Disinfected Tertiary	13.0	1
96	073-031-033	Irrigated Ag, Morro Vly	98.43	Dwain Davis et al	38.3%	37.7	Orchard	Disinfected Tertiary	94.3	1, 2
97	073-031-035	Irrigated Ag, Morro Vly	350.87	Dwain Davis et al	4.1%	14.39	Orchard	Disinfected Tertiary	36.0	1, 2
98	073-111-008	Irrigated Ag, Morro Vly	12.15	Dana & Valerie Putnam	33.0%	4.01	Orchard	Disinfected Tertiary	10.0	1, 2
99	073-211-002	Irrigated Ag, Chorro Vly	438.93	State of California	32.0%	140.46	Row crop	Disinfected Tertiary	351.1	1
100	073-121-009	Irrigated Ag, Chorro Vly	303.67	Morro Bay Ranch	85.0%	258.12	Row crop	Disinfected Tertiary	645.3	1
101		Dairy Creek Golf Course					NA	Disinfected Tertiary	62	Total est. demand = 250 AFY, est. average 188 AFY supplied by CMC WWTP
102		Botanical Gardens					NA	Disinfected Tertiary		Salt removal/ blending likely required due to plant variety

**Comments:**

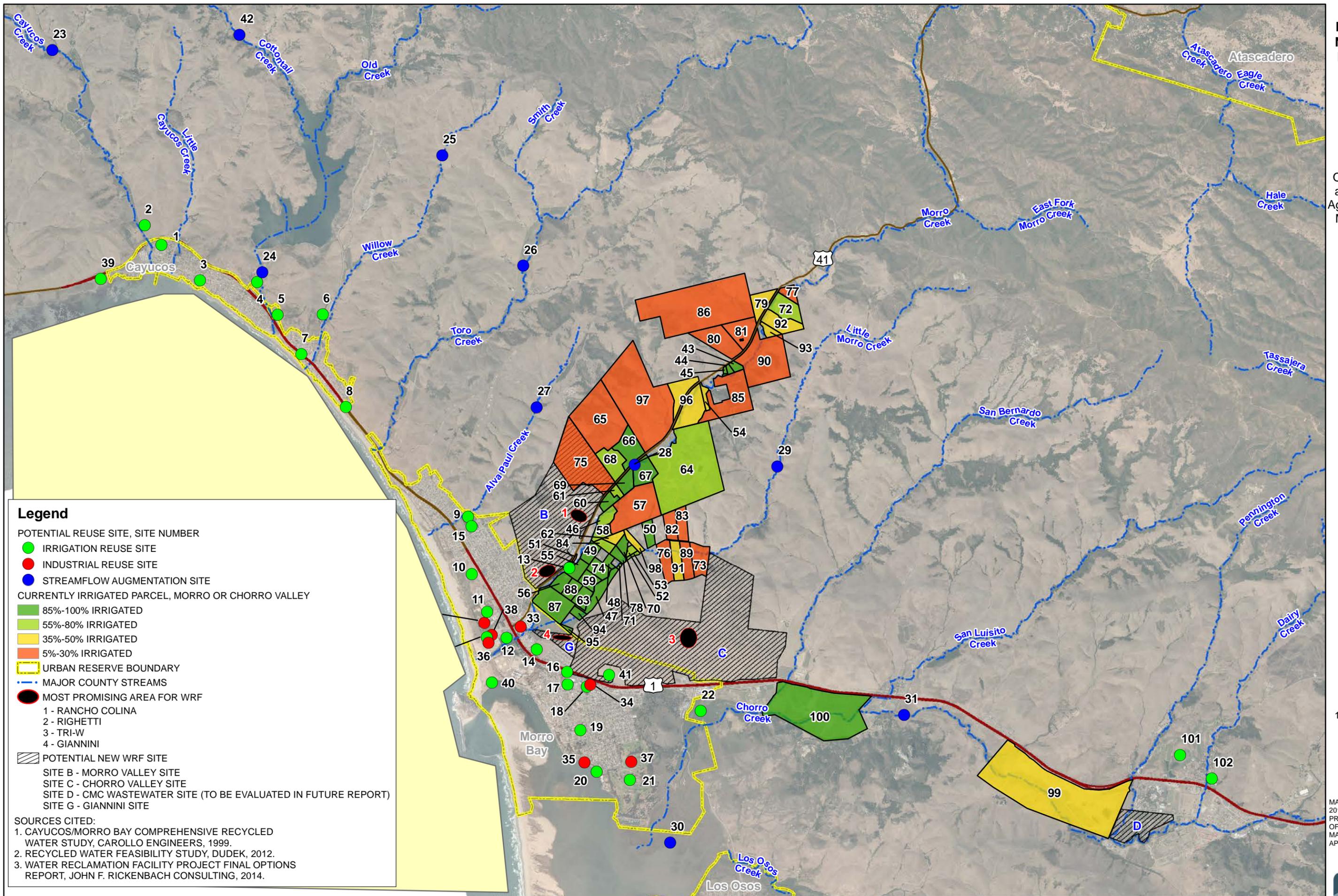
1. The required water quality to meet regulations is Disinfected Tertiary for food crops where recycled water contacts edible portion of crop, including all root crops, and Disinfected Secondary-2.2 for food crops where edible portion is produced above ground and not contacted by recycled water, except orchards and vineyards with no contact between edible portion and recycled water where the water quality required to meet regulations is Undisinfected Secondary. Additional treatment may be needed to achieve quality required for specific use.
2. Many citrus, stone fruit and nut trees are sensitive to salts. Salt removal/blending to reduce salinity of agricultural irrigation water may be required.

**Notes:**

3. Most orchards on the potential reuse sites in the Morro Valley are avocados, though there are also limited citrus groves.
4. Average Demand Estimate for irrigated agricultural properties based on 2.5 feet per year per acre of irrigated area, consistent with previous studies (Carollo, 1999 & Dudek, 2012).
5. Previously identified Site 13 in Table 5 includes some of the Morro Valley parcels shown here in Table 6. It is unclear which parcels were included previously for Site 13.

**City of Morro Bay  
New Water Recycling Facility**

Reuse Opportunities and Irrigated Ag Users in the Morro Valley and Chorro Valley



**Legend**

POTENTIAL REUSE SITE, SITE NUMBER

- IRRIGATION REUSE SITE
- INDUSTRIAL REUSE SITE
- STREAMFLOW AUGMENTATION SITE

CURRENTLY IRRIGATED PARCEL, MORRO OR CHORRO VALLEY

- 85%-100% IRRIGATED
- 55%-80% IRRIGATED
- 35%-50% IRRIGATED
- 5%-30% IRRIGATED

▭ URBAN RESERVE BOUNDARY

— MAJOR COUNTY STREAMS

● MOST PROMISING AREA FOR WRF

- 1 - RANCHO COLINA
- 2 - RIGHETTI
- 3 - TRI-W
- 4 - GIANNINI

▨ POTENTIAL NEW WRF SITE

- SITE B - MORRO VALLEY SITE
- SITE C - CHORRO VALLEY SITE
- SITE D - CMC WASTEWATER SITE (TO BE EVALUATED IN FUTURE REPORT)
- SITE G - GIANNINI SITE

SOURCES CITED:

1. CAYUCOS/MORRO BAY COMPREHENSIVE RECYCLED WATER STUDY, CAROLLO ENGINEERS, 1999.
2. RECYCLED WATER FEASIBILITY STUDY, DUDEK, 2012.
3. WATER RECLAMATION FACILITY PROJECT FINAL OPTIONS REPORT, JOHN F. RICKENBACH CONSULTING, 2014.



1 inch:5,000 feet

MAP NOTES:  
2011 AERIAL PHOTO PROVIDED BY COUNTY OF SAN LUIS OBISPO.  
MAP PUBLISHED APRIL 2014.



## SUMMARY

The purpose of this memorandum is to summarize the available information regarding potential water reuse for the City of Morro Bay with respect to the new WRF. Several potential reuse opportunities were identified in previous studies. Based on the City's goal to produce recycled water, these opportunities may become a factor in siting the new WRF during the master planning process. Locating the new WRF near these opportunities will minimize capital and operation/maintenance costs for recycled water distribution. A summary of the potential reuse sites and estimated water demands by region is provided in Table 7.

**Table 7 Estimated Water Use by Region**

Region	Main Use Type	No. of Sites	Estimated Average Demand (AFY)				Total	Comments
			Disinfected Tertiary	Disinfected Secondary-2.2	Disinfected Secondary-2.3	Un-disinfected Secondary		
Cayucos	L, A	9	503	--	23	13	538	500 AFY is estimated to require salts removal or blending.
Morro Bay	L, C	23	111	--	316	--	427	Overall requirements for salt removal or blending is unknown.
Morro Valley	A	56	2736	--	--	--	2736	Overall requirements for salt removal or blending is unknown.
Chorro Valley	A, GC	4	1058	--	--	--	1058	Overall requirements for salt removal or blending is unknown. Demand for Botanical Gardens undefined.

**Notes:** L = Landscape Irrigation; A = Agricultural Irrigation; C = Commercial; GC = Golf Course

1. Does not include stream augmentation sites.
2. See Table 5, Table 6 and Figure 1 for additional details.
3. The required water quality to meet regulations is Disinfected Tertiary for food crops where recycled water contacts edible portion of crop, including all root crops, and Disinfected Secondary-2.2 for food crops where edible portion is produced above ground and not contacted by recycled water, except orchards and vineyards with no contact between edible portion and recycled water where the water quality required to meet regulations is Undisinfected Secondary. Additional treatment may be needed to achieve quality required for specific use.
4. Most orchards on the potential reuse sites in the Morro Valley are avocados, though there are also limited citrus groves.
5. Average Demand Estimate for irrigated agricultural properties based on 2.5 feet/year per acre of irrigated area.

The minimum treatment level required to meet the regulations may be less than the water quality needed for a specific use. For example, the minimum treatment required per Title 22 is undisinfected secondary for orchards where the edible portion of the crop does not contact the recycled water. However, Tables 2, 3, and 4 indicate that many fruit and nut crops are sensitive to salts and the existing WWTP effluent quality has higher salts concentrations, within a range that may cause increasing problems for irrigation. It is anticipated that the influent salts concentrations for the new WRF will be similar to the existing. Salts removal or blending may be required to produce a recycled water appropriate for irrigation of sensitive crops. Additionally, disinfection is typically recommended to reduce the potential for bacteriological growth in the pipelines and storage facilities.

A more detailed analysis of the existing WWTP effluent quality is recommended to identify water-quality related challenges or constraints for use in agricultural irrigation. It's recommended that the City also consider developing collection system salt management strategies, including a review and enhancement of current industrial pretreatment requirements, to reduce the salts load on the wastewater plant. These efforts should be performed in conjunction with or prior to the beginning of the City's Recycled Water Master Plan.

DRAFT



## Appendix B

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DRAFT Technical Memorandum:  
5-Year Work Plan and Cashflow Analysis



## TECHNICAL MEMORANDUM

To: John Rickenbach  
From: Michael Nunley, PE  
Date: 4/25/2014  
Re: Morro Bay Water Reclamation Facility – 5-Year Work Plan and Cashflow Analysis

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### INTRODUCTION

Michael K. Nunley & Associates, Inc., and John F. Rickenbach Consulting (JFR) are providing project management support for the City of Morro Bay's new Water Reclamation Facility (WRF). The purpose of this memorandum is to propose a work plan for developing and implementing this project, as well as a preliminary cashflow analysis that will assist the City in understanding the timing requirements for acquiring funds to keep the project moving forward. The work plan identifies anticipated studies, reports, permits, design, bidding, and construction activities and provides a brief description and duration for each. The work plan also identifies whether the activities will be performed by the Project Team, City staff, outside consultants, or other agencies.

The City Council with Resolution 17-14 has directed staff to implement the project within five (5) years. Therefore, MKN has developed a 5-year approach that relies on design/build of a new treatment facility. A cashflow analysis has been prepared as well.

City staff and the project management team will expand and revise the work plan and develop a more detailed schedule and task list as the project proceeds. This Technical Memorandum identifies the major cost items, including planning, engineering, construction, and major permitting steps required to meet the City's schedule. Other efforts not specifically identified in this Work Plan include public outreach, funding, rate studies, and legal agreements among entities participating in the project (if the WRF becomes a regional project led by another agency, such as the County).

### BACKGROUND AND CITY PROJECT GOALS

JFR and MKN completed an Options Report that compared seventeen (17) potential water reclamation facility sites based on their ability to meet the following City goals:

- Produce tertiary, disinfected wastewater in accordance with Title 22 requirements for unrestricted urban irrigation
- Design to be able to produce reclaimed wastewater for potential users, which could include public and private landscape areas, agriculture, or groundwater recharge. A master reclamation plan should include a construction schedule for bringing on customers in a cost effective manner.
- Allow for onsite composting
- Design for energy recovery
- Design to treat contaminants of emerging concern in the future
- Design to allow for other possible municipal functions
- Ensure compatibility with neighboring land uses

The Options Report focused on a City-only facility, with only a brief discussion of potential benefits or constraints associated with a regional facility in partnership with other agencies.

## **PROJECT DESCRIPTION**

At this time, no conceptual layout or project cost opinion have been developed for the City's Water Reclamation Facility. A comparative project cost analysis was presented in the Options Report solely for the purpose of evaluating relative costs to develop a new WRF capable of meeting the City goals at each of the seventeen (17) sites. One of the first objectives for the Preliminary Planning Phase (discussed later in this memorandum) is to present alternatives for new facilities to the City, recommend an alternative, and provide sufficient information for City staff and Council to select project elements and move forward with a well-defined project.

For the purposes of developing this work plan and providing a preliminary project budget (for refinement/revision later), JFR and MKN will use the project costs from the Options Report. These costs are expected to be revised significantly during the Facility Master Plan but are considered appropriate for providing a conservative order-of-magnitude for total project cost.

It is our understanding that the City will move forward with a phased water reclamation program. Phase I will include the following program elements:

- New lift station and force main to the new WRF site;
- New WRF providing full secondary, tertiary, and disinfection treatment compatible with a wide variety of reuse options (processes to be determined);
- Biosolids processing facility on the WRF site with technology that will promote reuse and possibly energy recovery (processes to be determined); and
- Phaseable effluent reuse system that will allow temporary discharge of fully-treated effluent during "wet weather" periods and initial plant operation while the phased recycled water delivery system is designed and constructed

Phase II will include full development of the recycled water delivery system, including salts removal for sensitive agricultural users if needed.

The following table identifies the major project elements from the Options Report, the "midpoint" of each cost opinion based on the unit cost ranges presented in Appendix D of the Report, and notes whether the cost of that element will be included in Phase I of the new WRF (the "project" as described in this Work Plan).

Table 1 – Preliminary Phase I/Phase II Project Elements from Options Report

Project Component	Included in Phase I	Midpoint of Cost Range	
Sewer force main (18 inch)	Y	\$5,250,000	Allowance - TBD during Facility Master Plan
Lift Station (4,200 gpm)	Y	\$4,200,000	Allowance - TBD during Facility Master Plan
Earthwork allowance	Y	\$2,760,000	Allowance - TBD during Facility Master Plan
Secondary treatment system	Y	\$10,500,000	Allowance - TBD during Facility Master Plan
Supporting treatment plant facilities (Paving, buildings, roads, etc.)	Y	\$7,450,000	Allowance - TBD during Facility Master Plan
Disinfection system	Y	\$2,250,000	Allowance - TBD during Facility Master Plan
Tertiary filtration	Y	\$2,500,000	Allowance - TBD during Facility Master Plan
Solids handling facilities	Y	\$7,500,000	Allowance - TBD during Facility Master Plan
Advanced treatment (RO & oxidation)	N	\$13,427,000	Phase II
Recycled water storage (0.75 MG)	N	\$844,000	Phase II
Recycled water pump station (1,500 gpm)	N	\$487,500	Phase II
Recycled water pipeline (12 inch)	N	\$650,000	Phase II
Treated effluent disposal pump station (1,500 gpm)	Y	\$487,500	Allowance - Percolation ponds and stream discharge to be explored for Phase I and wet weather disposal
Treated effluent disposal pipeline (12 inch)	Y	\$3,900,000	Allowance - Percolation ponds and stream discharge to be explored for Phase I and wet weather disposal
Estimated Construction Cost Subtotal		\$47,000,000	"Reclamation Ready" Project
Project Administration, Design, Permitting, and Construction Management Allowance		\$14,000,000	Assumed 30% of Construction Subtotal - TBD during Facility Master Plan
Construction/Project Contingency		\$14,000,000	Assumed 30% Of Construction Subtotal - TBD during Facility Master Plan
Preliminary Phase I Project Cost (with Contingency)		\$75,000,000	TBD during Facility Master Plan

## **CRITICAL ELEMENTS OF PROJECT SCHEDULE**

JFR and MKN have developed two schedules for implementation of the WRF within the 5-year timeframe required by the City:

- Long-Term (5 year+) schedule with major project elements; and
- Short-Term (first year) schedule of activities to lay the groundwork for the 5-year schedule

A detailed presentation of the major tasks within the schedule is provided later in this memorandum. The critical requirements to achieve a 5-year timeframe are described below:

### **Pursue design-build or construction management at risk (CMAR) approach for project design and construction**

Design-build (DB) and construction management at risk (CMAR) are project delivery techniques that differ from the typical public agency design-bid-build process. The advantages of both approaches are the reduction in overall project delivery schedules and the ability to develop a partnering relationship among the designer, contractor, and owner. Advocates of both approaches claim that there are cost savings as a result of close collaboration and early consultation between the contractor and design. This reduces potential for change orders that arise during the construction process. There are many variations on both delivery approaches: the general definitions and typical practices are described below.

In a conventional design-bid-build delivery approach, the designer and contractor are separate entities. A designer completes plans and specifications which are released for competitive bidding by the project owner. Contractors bid on the construction contracts and the lowest qualified bidder is awarded the work. This process is well-defined in state law and is allowed by current City ordinances.

DB projects are defined by the combination of the designer and contractor into one team or contracting entity. The one entity takes full responsibility for design and construction – as a result, the City can expedite both phases and long lead-time activities (such as ordering equipment) can begin as the final design is being completed. If this approach is pursued, it is recommended that the City hire an Owner's Representative or authorize their Project Management Team to define the procurement strategy, develop the request for qualifications (RFQ) and request for proposal (RFP) for the DB team, develop the bridging documents that become the basis of the bid, and provide value engineering for the design-build team. Design-build projects move quickly and there are few opportunities to review interim submittals and provide detailed input to the design process, unlike design-bid-build projects. Modifications to City ordinances may also be required and the state limitations on allowing design-build projects should be reviewed by legal counsel to confirm the City has or can pass an ordinance to grant the authority to perform design-build.

In CMAR projects, the construction manager (CM) and designer can be separate entities. This allows the City to select and coordinate with each entity independently and may increase the level of control City staff can have over the project. Both entities are typically selected based on qualifications and are often selected at the same time by an owner. The CM serves as the prime contractor for construction and can issue requests for bids for different construction work items or can self-perform the work. In CMAR, an owner's representative is not required to develop bridging documents to acquire bids for the work since the selection of the CM is qualification-based. A guaranteed maximum price (GMP) is typically negotiated between the owner and CM during design development and the CM provides input to the designer in order to reduce construction cost and risk and promote efficiency. CMAR is allowed in California, according to the Association for General Contractors, but legal counsel should confirm the City has or can pass an ordinance to grant the authority to perform CMAR.

A hybrid approach may be preferred for delivery of the project. The City may opt for an approach that splits the project into design-bid-build and design-build or CMAR components. For example, the raw wastewater lift station and force main from the existing wastewater treatment plant (WWTP) site to the new WRF site could follow a design-bid-build track that is parallel to the design-build or CMAR plant development. The lift station and force main will not require the same amount of time for permitting, design, equipment procurement, and construction as the new WRF so the City may wish to pursue a strategy that separates the two projects. The proposed project schedule and work plan allow flexibility for modifying the approach in this manner.

### **Combine owner's representative (DB) or design (CMAR) and facility master planning**

Including both major responsibilities in one team will ensure consistency between the facility master planning, conceptual design and value engineering efforts. The facility master planning work will be performed prior to releasing the RFQ and RFP for the design-build or CMAR team. Master Planning could include preliminary alignment and cost opinion for the raw wastewater lift station and force main; a site plan for the new WRF site; identification of the most feasible recycled water customers, water quality requirements, and quantity; layout and cost opinion for "wet weather" disposal, streamflow augmentation, or percolation system; and phasing plan for the water reclamation pumping and transmission system.

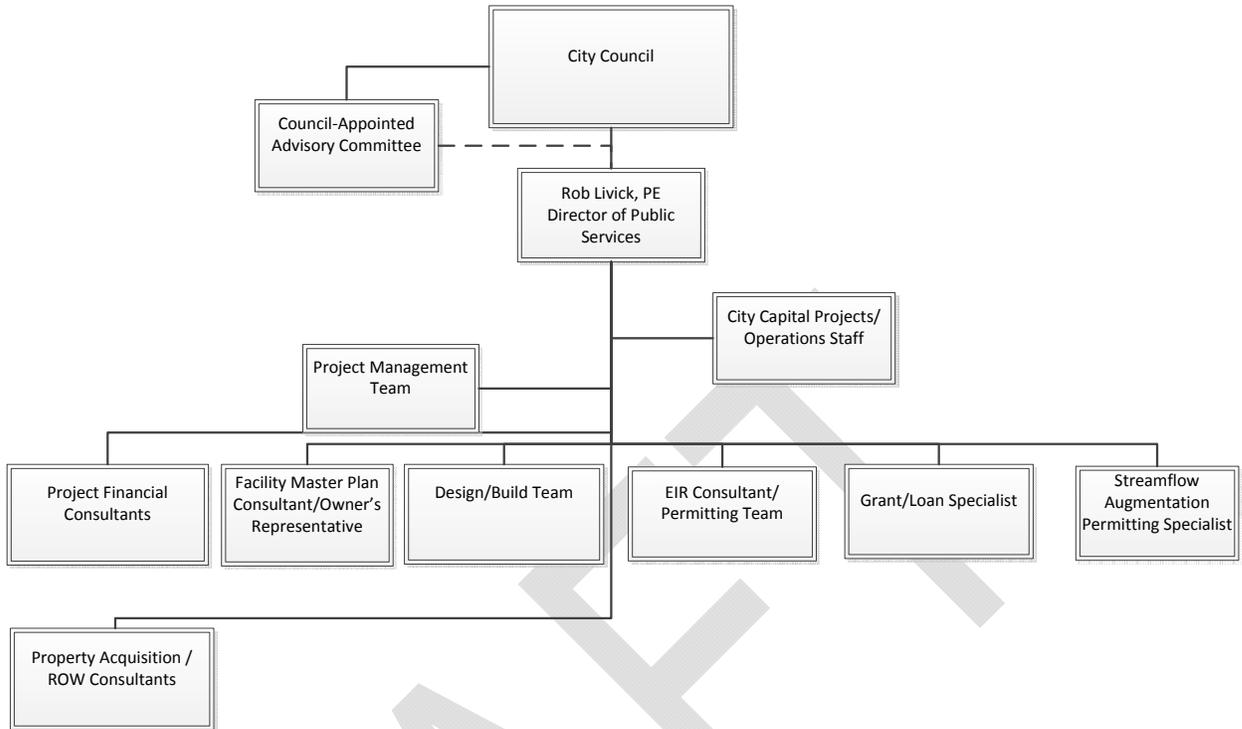
If the City has not selected a site by the end of August 2014, the Master Plan budget should be increased to allow development of projects at the top-ranked or most likely sites. This will be required if the City meets their 5-year deadline, since the Master Plan must be finished within the timeframe shown on the schedule to stay on track. If two or more sites are explored, the Master Plan budget could increase by \$200,000 or more.

## **PROJECT TEAM APPROACH**

In order to implement the work plan most efficiently, MKN and JFR recommend the following simplified organizational structure:

1. All team members will report directly to the City;
2. The Director of Public Services will serve as the City project manager;
3. The council-appointed advisory committee will advise the City project manager and provide input during project development, as discussed during City Council meetings;
4. The Facility Master Plan Consultant/Owner's Representative (DB), Construction Manager (CMAR), grant/loan strategy specialist, and streamflow augmentation specialist will serve in roles described above; and
5. Project financial consultants could include project financing experts, underwriters, and other funding-specific specialists.

Figure 1 below describes a simplified organizational chart for development of the new WRF if a DB approach is implemented.



**Figure 1 - Organization Chart for WRF Project Team Members - DB Project Delivery**

Figure 2 describes a simplified organizational chart for development of the new WRF if a CMAR approach is implemented.

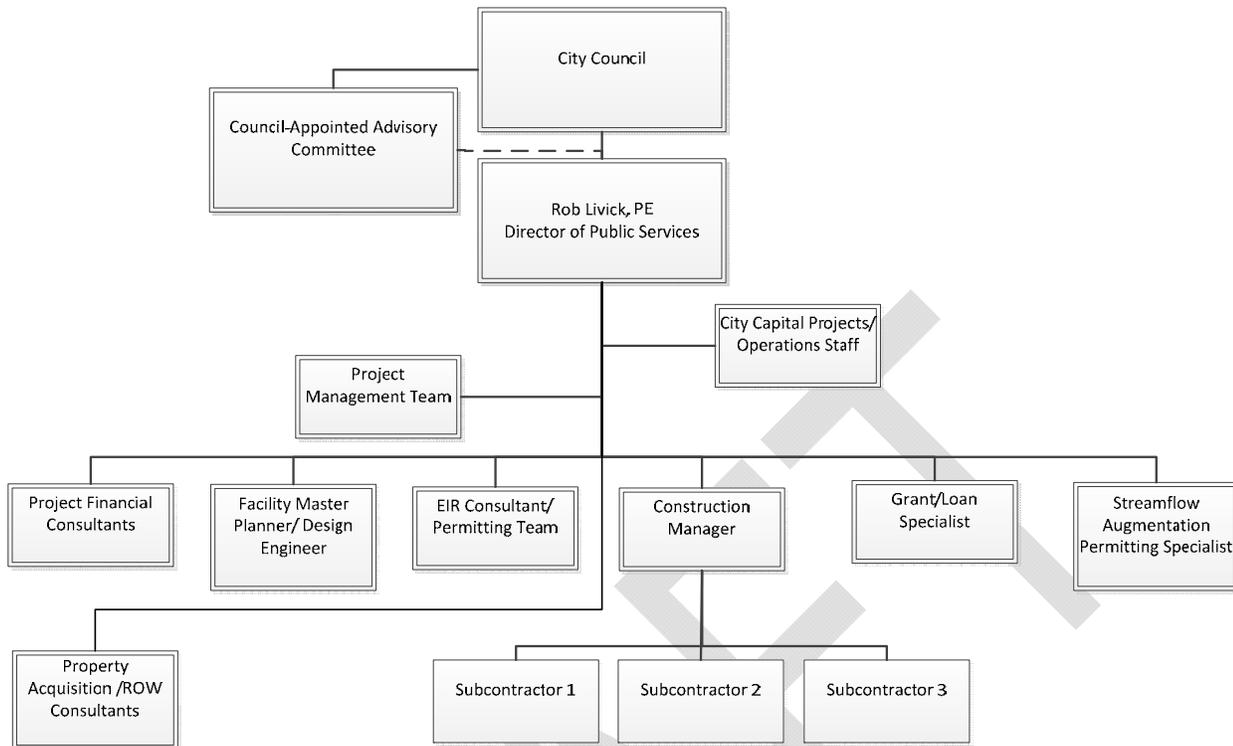


Figure 2 - Organization Chart for WRF Project Team Members - CMAR Project Delivery

## PROJECT SCHEDULE

In order to meet the 5-year goal for project development, several activities must be undertaken and completed within the next year. Figure 3 and Table 2 identify the recommended major tasks for this period.



Table 2 – Overview of Tasks for WRF Work Plan - First Year

Task Name	Recommendations/Comments
Review of Morro Valley and Chorro Valley Sites	<ul style="list-style-type: none"> <li>• JFR providing support now</li> </ul>
Confirmation of Project Management Approach	<ul style="list-style-type: none"> <li>• City to confirm project management approach as soon as possible. Given the number of outside consultants, internal coordination, budget management, and general coordination required for a project in this cost range and with a high level of complexity, and commitment of existing City staff to ongoing projects and responsibilities, outside support is recommended.</li> </ul>
Regional CMC Facility Evaluation	<ul style="list-style-type: none"> <li>• County is leading efforts to evaluate CMC; JFR will report on County efforts to City Council in August 2014 to help Council choose whether or not to pursue this approach with the County</li> </ul>
Preliminary Wet Weather Disposal Evaluation	<ul style="list-style-type: none"> <li>• City is directing hydrologic and legal review of recharge opportunity for CMC regional alternative</li> <li>• As describe above, this will include an evaluation of the feasibility of streamflow augmentation and permitting strategy for wet weather disposal. Focus will be an assessment of seasonal creek discharge (elimination of outfall) and a “fatal flaw” analysis of CMC discharge improvements. Could include this as part of the DB or Owner’s Rep team but many efforts could start now to stay on course</li> <li>• Expand legal review to other streams/tributaries at most promising HWY 41 sites Consider addressing pretreatment (salts) in collection system now to improve opportunities for discharge and reuse</li> </ul>
Site Selection (CRITICAL DECISION)	<ul style="list-style-type: none"> <li>• Staff review and City Council action will be required</li> <li>• This item is on the critical path for meeting the 5-yr schedule</li> </ul>
Property Negotiation	<ul style="list-style-type: none"> <li>• City to hire outside consultant for appraisal/negotiation</li> <li>• City to make decision on CMC before presenting final offer</li> </ul>
RFP/Selection of Facilities Master Plan Consultant / DB Owner’s Representative	<ul style="list-style-type: none"> <li>• Need to have go/no-go decision on CMC at this point (9/1/14) to prevent major investment</li> <li>• City staff or Project Management Team to develop</li> </ul>
Facilities Master Plan	<ul style="list-style-type: none"> <li>• Owner’s Representative to develop Master Plan</li> <li>• Focus areas:               <ul style="list-style-type: none"> <li>○ Site planning</li> <li>○ Recycled water distribution system planning</li> <li>○ Project budget</li> </ul> </li> </ul>

In addition to site investigations and participating in discussions about the regional CMC alternative, MKN recommends conducting two studies now that could significantly affect project direction: an evaluation of wet weather disposal methods and an analysis of grants and loan funding opportunities. Wet weather disposal options will drive the treatment process and capital, operations and maintenance costs for effluent disposal. Various grant and loan opportunities could be available if the

City modified the project's design goals or added elements to increase likelihood of funding from some specific programs.

### **Preliminary Wet Weather Disposal Evaluation**

The recommended evaluation includes a Streamflow Augmentation Permitting Analysis and a Preliminary Percolation Evaluation.

*Initial Streamflow Augmentation Permitting Analysis:* One of the most critical design and capital cost issues will be determining whether surface water discharge is valid either for disposal of effluent during wet weather; or for streamflow augmentation to supplement water supplies. This will be a critical issue for involvement in a regional California Men's Colony facility or for a standalone City facility at one of the preferred sites, and evaluating permitting constraints early could help determine the most cost-effective plant site.

The City has expressed a goal of reclaiming as much water as possible. As established in prior studies, wet weather disposal must be addressed for a project that primarily relies on recycled plant effluent even if streamflow augmentation is not feasible.

Permitting for surface water discharges requires an evaluation of receiving water impacts based on the projected water quality from the new WRF. Policy and regulations related to beneficial uses of the receiving water must be reviewed and a permitting strategy developed to comply with these requirements if streamflow augmentation or surface water discharge are deemed feasible. A detailed study should be scoped and initiated during the initial planning stages of the project.

Use of the existing ocean outfall is also an alternative for wet weather disposal and should be considered as part of this analysis.

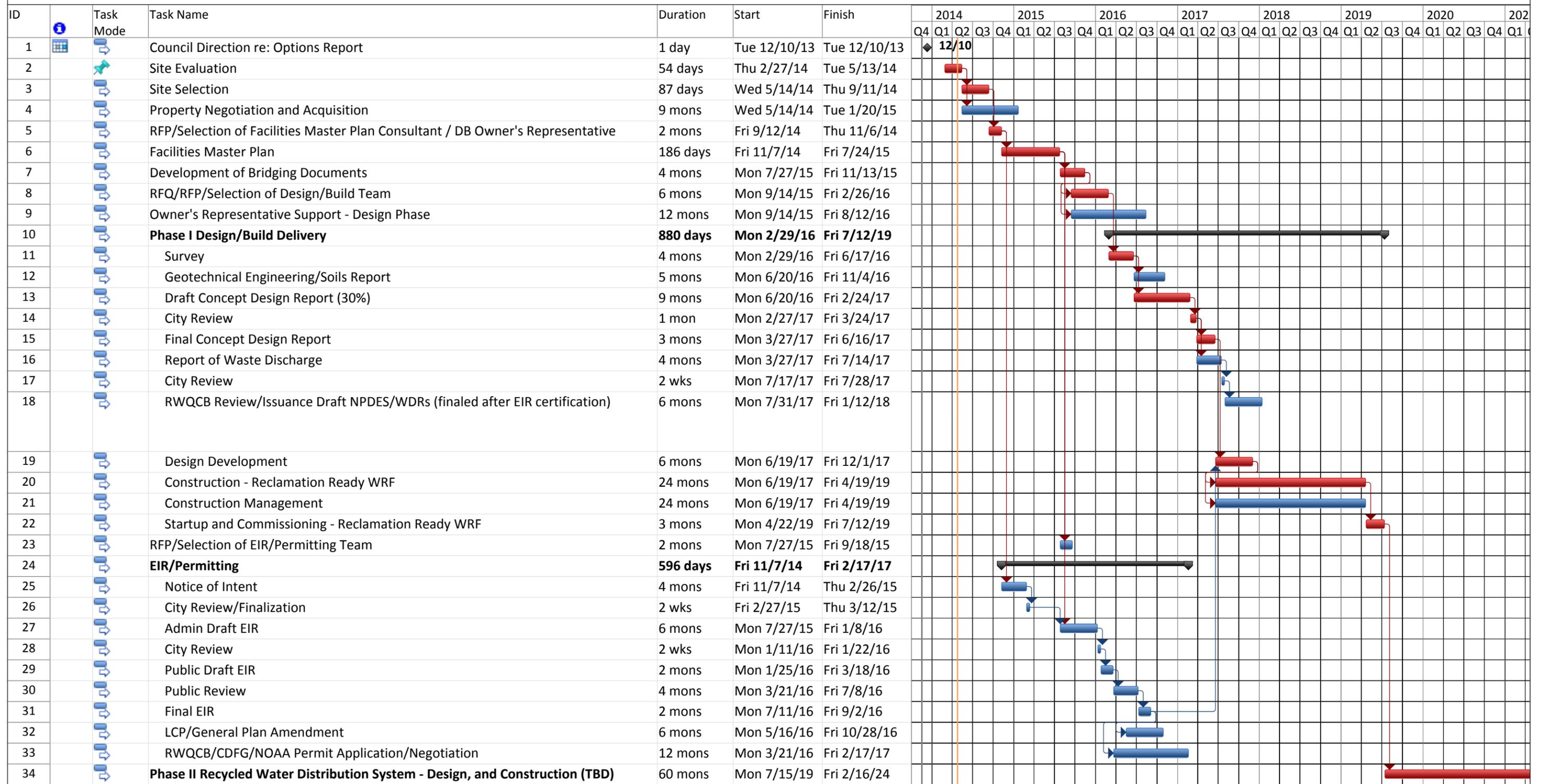
*Preliminary Percolation Evaluation:* Performing an initial assessment of percolation potential at the top-ranking treatment facility sites will allow the City to determine if some wet weather flow could be percolated at the proposed plant sites and could eventually recharge groundwater. The regulatory requirements for percolation are typically less stringent than those for surface water discharges since toxicity or risk to aquatic life is not a factor. However, this requires a site-specific assessment of soil percolation potential, groundwater depth, and groundwater quality.

### **Grant/Loan Strategy Analysis**

Project financing through both grants and low-interest loans should be pursued aggressively and early in the project development process, particularly for fast-track delivery projects. This will allow the permitting consultant, City, and master planning consultant to identify project elements that could improve possibility of receiving grants or low-interest loans.

Figure 4 and Table 3 describe the major tasks that would be performed throughout the remainder of the development of the new WRF, assuming the City selects a DB approach. The critical path is identified in red.

Figure 4 - Preliminary Project Schedule (Design-Build Approach)



Project: Project Schedule_5-Yr Date: Fri 4/25/14	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
	Split		External Tasks		Inactive Summary		Manual Summary		Critical	
	Milestone		External Milestone		Manual Task		Start-only		Critical Split	
	Summary		Inactive Task		Duration-only		Finish-only		Progress	

**Table 3 – Overview of Major Tasks for WRF Work Plan – Five Year Plan**

Task Name	Recommendations/Comments
<b>Preliminary Planning</b>	<b>First 9 months detailed in Previous Section</b>
Survey	<ul style="list-style-type: none"> <li>• Owner’s Representative to perform – City to order Prelim Title Reports in advance to expedite the process</li> </ul>
Development of Bridging Documents	<ul style="list-style-type: none"> <li>• Owner’s Representative to develop bridging documents (preliminary plans) based on Master Plan</li> </ul>
RFQ/RFP/Selection of Design-Build Team	<ul style="list-style-type: none"> <li>• Owner’s Representative to develop RFP/RFQ and lead process</li> <li>• Two-stage process (RFQ and shortlist for RFP) anticipated; offering a stipend should be considered</li> <li>• Need rate increases in place to procure DB team</li> </ul>
<b>Design-Build Delivery</b>	
Geotechnical Engineering/Soils Report	<ul style="list-style-type: none"> <li>• DB Team to perform</li> </ul>
Concept Design Report (30%)	<ul style="list-style-type: none"> <li>• Basis of plant design</li> <li>• Equipment selection will be an integral part of this effort in order to allow lead time</li> </ul>
Report of Waste Discharge	<ul style="list-style-type: none"> <li>• DB Team to perform</li> </ul>
RWQCB Review/Issuance Draft NPDES/WDRs (finalized after EIR certification)	<ul style="list-style-type: none"> <li>• DB Team and Owner’s Representative to provide support</li> <li>• Critical step – final discharge permit issuance will determine the required treatment process elements. City will have some risk in proceeding with construction without having these in hand.</li> </ul>
Design Development	<ul style="list-style-type: none"> <li>• Internal to DB team</li> <li>• Limited opportunities for City input on design specifics</li> <li>• Record drawings produced at end</li> </ul>
Construction - Reclamation Ready WRF	<ul style="list-style-type: none"> <li>• Site preparation and grading can begin early in the process</li> <li>• Equipment procurement must start early – immediately after Concept Design Report is completed</li> </ul>

Task Name	Recommendations/Comments
Startup and Commissioning - Reclamation Ready WRF	<ul style="list-style-type: none"> <li>• DB Team to perform</li> <li>• Consider adding a short operations contract to ensure the plant meets its effluent goals and lifecycle cost commitments from the D-B team</li> </ul>
RFP/Selection of EIR/Permitting Team	<ul style="list-style-type: none"> <li>• Complete after Master Plan is finished in order to match qualifications with site/project needs</li> <li>• City staff or Project Management Team to develop</li> </ul>
<b>EIR/Permitting</b>	
Draft EIR Preparation and Circulation	<ul style="list-style-type: none"> <li>• City staff to develop concurrently with Master Plan</li> <li>• Recommend presenting alternatives for full analysis (ex. CMC Regional + City)</li> <li>• Will provide opportunity to coordinate with resource agencies and other stakeholders early in the Master Planning process in order to get input</li> </ul>
Final EIR and City Project Approval	<ul style="list-style-type: none"> <li>• City approves project after Final EIR is certified</li> </ul>
LCP/General Plan Amendment	<ul style="list-style-type: none"> <li>• City coordinates with CCC on LCP/GPA needed for project; this should begin during preparation of the Draft EIR</li> </ul>
Agency Permitting (RWQCB, CDFW, NOAA Fisheries or others) and	<ul style="list-style-type: none"> <li>• City coordinates with key regulatory agencies for permits that may be needed for project; this should begin during preparation of the Draft EIR</li> </ul>
<b>Phase II - Recycled Water Distribution System – Design, and Construction (TBD)</b>	Plant to be “Reclamation-Ready” and pursuit/development of reclamation opportunities to be ongoing through the facility planning and design process

If a CMAR approach is pursued, the general timeline is not likely to change. The tasks in Table 3 could change as follows:

- An Owner’s Representative could be replaced by a Design Team who would also perform the Facility Master Plan.
- The CMAR would be procured earlier in the process than the DB team. An RFQ is sufficient for procuring a CMAR.
- The level of detail in the design plans could vary. For example, the level of design could range from conceptual with development of a general site plan to full, 100% plans and specifications. The balance of the design work would be performed by the CMAR.

### Preliminary Cashflow Analysis

MKN and JFR worked with City staff to develop a preliminary cashflow analysis. The preliminary costs from Table 1 were allocated across the schedule included as Figure 4. Similar to the rest of the Work Plan, City staff will continue developing and refining this analysis as more information becomes

available – for example, the Facilities Master Plan will define the project description and associated cost opinions so a major update is expected after the draft Plan is available.

The following assumptions were applied to develop this analysis:

- The budgets for initial planning activities by JFR were allocated across the 4<sup>th</sup> quarter of 2013 and first two quarters of 2014.
- City staff time of \$8,000 per month was allocated to the 4<sup>th</sup> quarter of 2013 and the first two quarters of 2014.
- Cost escalation, inflation, finance charges, interest, and discount rate were not itemized since the project is on a very tight timeframe and the cost opinions presented in this Memorandum are preliminary planning-level budgets.
- The City is evaluating wastewater rates and impact fees separately. Their analysis will be informed by the Memorandum, but rates and fees will require an update within the first two years of project implementation to reflect more detailed planning information and project costs.
- Design-build and CMAR teams will need to see that the City has funding in place in order to propose on the City's project. Design-build and CMAR firms typically perform a rigorous financial analysis before they decide to proceed with a design-build pursuit.
- Offering a stipend to offset design proposal costs is typically applied to design-build pursuits after a shortlist of qualified teams is developed. This encourages participation by design-build teams and assures them that the owner is committed to move forward with the project. This stipend is not itemized separately in this cashflow analysis but expected to be on the order of \$100-200k for each proposer (two or three are typical) per discussions with City staff.
- A project-level contingency should be established and made available early in the process for unforeseen costs. The contingency is not included in the cashflow analysis since it may be required at any time during project implementation.

The preliminary cashflow analysis is provided in Figure 5. One of the most significant financial challenges with a DB or CMAR project is that funding is required earlier in the project development process than in a conventional design-bid-build process, often before the project is very well-defined beyond a basic planning level. In a conventional design-bid-build delivery approach, the owner/agency funds design, then can fund construction separately after design documents are fully developed. This schedule allows the owner to reassess the project description and their funding needs prior to soliciting construction bids.

The DB and CMAR processes are more fluid – there are many variations to DB and CMAR delivery methods, but a common approach is to negotiate a “guaranteed maximum price” with the top-ranked DB or CMAR team. If DB is pursued, an initial prequalification stage is recommended to reduce the number of design-build proposers to the most qualified teams, in order to limit the City's financial risk during project implementation.

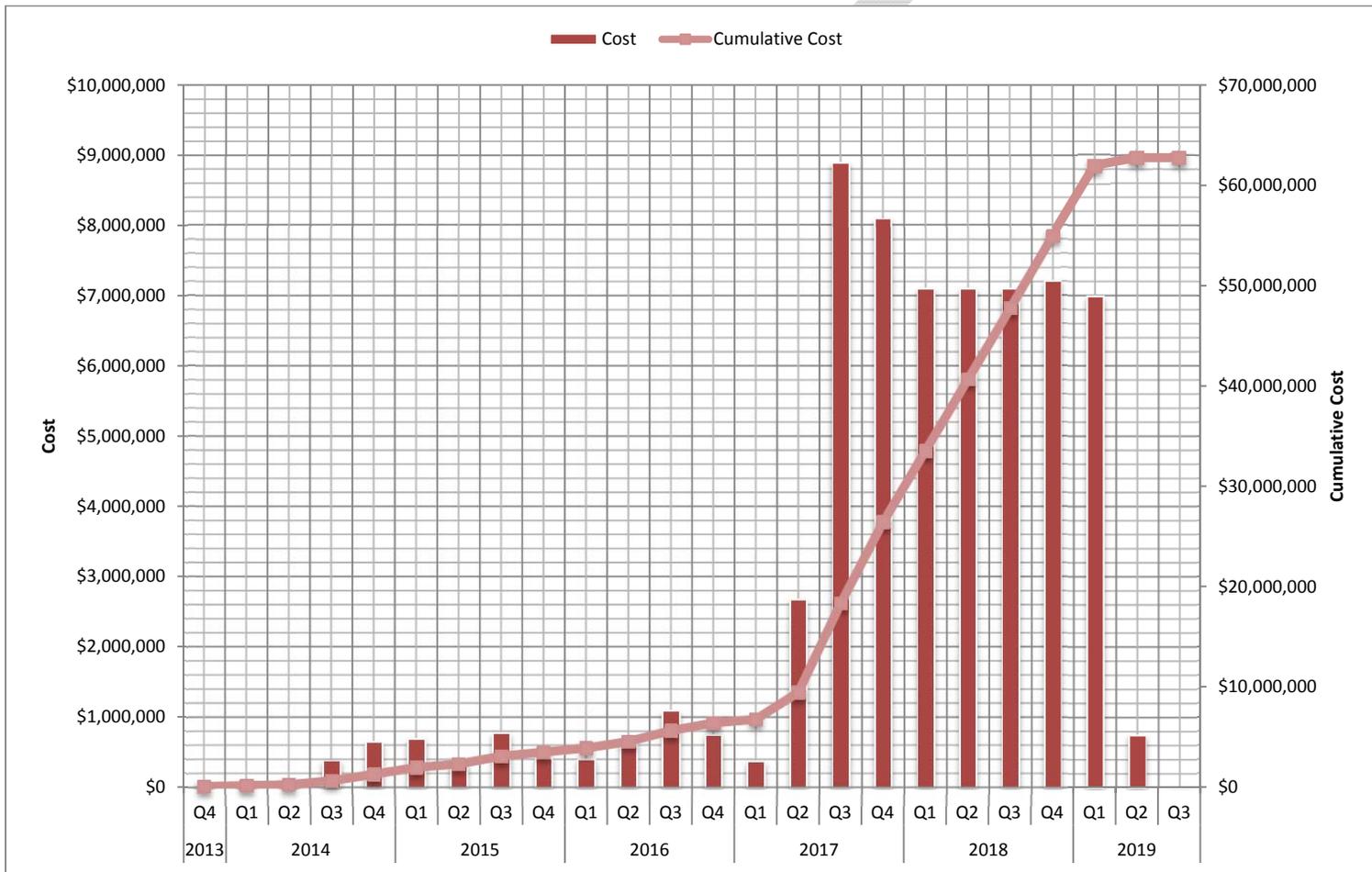


Figure 5 – Preliminary Cashflow Analysis





AGENDA NO:     C-5    

MEETING DATE:     May 13, 2014    

## Staff Report

**TO:** Honorable Mayor and City Council                      **DATE:** April 28, 2014  
**FROM:** Joseph W. Pannone, City Attorney  
**SUBJECT:** Introduction and First Reading of Ordinance No. 586 Amending Section 2.08.120 of the Morro Bay Municipal Code Relating to Mayor Pro Tempore

### **RECOMMENDATION**

Per City Council direction, we recommend the City Council accept public testimony, move to waive reading of Ordinance 586 in its entirety, and introduce for first reading by number and title only, Ordinance 586.

### **ALTERNATIVES**

There are no alternatives being proposed for this item as it was a request made by the Council for an administrative change to the Municipal Code.

### **FISCAL IMPACT**

There is no financial impact associated with the adoption of this Ordinance.

### **BACKGROUND/SUMMARY**

At the April 8, 2014 Council meeting, Councilmember Christine Johnson discussed an inconsistency in the Municipal Code regarding the terminology of "Vice Mayor" and Mayor Pro Tem." A motion was made directing staff to return with an amendment to MBMC Section 2.08.120 to remove the title "Vice Mayor" and replace it with "Mayor Pro Tem" in all cases. The motion was passed unanimously. That item is now being brought forth for Council consideration.

### **CONCLUSION:**

Staff recommends Council accept public testimony and move to introduce Ordinance 586 for first reading by number and title only.

Prepared By:     JB    

Dept Review:           

City Manager Review:           

City Attorney Review:

**ORDINANCE NO. 586**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORRO BAY  
AMENDING SECTION 2.08.120 OF THE MORRO BAY MUNICIPAL CODE  
RELATING TO MAYOR PRO TEMPORE**

THE CITY COUNCIL  
City of Morro Bay, California

**WHEREAS**, Section 2.08.120 currently refers to Vice Mayor and Mayor Pro Tem; and

**WHEREAS**, to avoid any confusion that might arise due to those references, the City Council has decided to amend that section.

**NOW, THEREFORE**, the City Council of the City of Morro Bay does hereby ordain, as follows:

**SECTION 1:** Section 2.08.120 of the Morro Bay Municipal Code is hereby amended in its entirety to read as follows:

**2.08.120 Mayor Pro Tempore**

In the event the Mayor cannot be physically present to preside at any Council meeting and in order to expedite the orderly procedure of that meeting, the Council shall elect some other member of the City Council who shall act as Mayor Pro Tempore in the Mayor's absence, pursuant to Government Code Sections 36801 and 36802.

**SECTION 2:** This Ordinance shall take effect 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be published and posted in the manner required by law.

**INTRODUCED** at the regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2014, by motion of \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED, APPROVED, AND ADOPTED**, by the City Council of the City of Morro Bay, on the \_\_\_\_ day of \_\_\_\_\_, by the following vote to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Jamie L. Irons, Mayor  
City of Morro Bay

ATTEST:

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Jamie Boucher,  
City Clerk  
City of Morro Bay

APPROVED AS TO FORM:

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Joseph W. Pannone  
City Attorney  
City of Morro Bay



AGENDA NO: D-1

MEETING DATE: May 13, 2014

# Staff Report

**TO:** Honorable Mayor and City Council      **DATE:** April 28, 2014  
**FROM:** Joseph W. Pannone, City Attorney  
**SUBJECT:** Introduction and First Reading of Ordinance No. 587 Amending Section 3.12.030 of the Morro Bay Municipal Code Relating to Presenting and Filing Claims Against the City

## **RECOMMENDATION**

Staff recommends the City Council accept public testimony, move to waive reading of Ordinance 587 in its entirety, and introduce for first reading by number and title only, Ordinance 587.

## **ALTERNATIVES**

Council may elect not to make this administrative change to the Municipal Code and direct staff to modify the City's claim form, replacing Risk Manager with City Clerk.

## **FISCAL IMPACT**

There is no financial impact associated with the adoption of this Ordinance.

## **BACKGROUND/SUMMARY**

Pursuant to the Government Claim Act, proper service of a claim against the City of Morro Bay can be accomplished by personally delivering it to the City Clerk or Deputy City Clerk, or by mailing the claim to the attention of the City Clerk. For efficiency purposes, the City's practice has been to have claims submitted to the Risk Manager, who is directly responsible for processing those claims. The proposed amendment to Municipal Code Section 3.12.030 would allow the City Clerk to designate the Risk Manager to receive claims on behalf of the City.

## **CONCLUSION:**

Staff recommends Council accept public testimony and move to introduce Ordinance 587 for first reading by number and title only.

Prepared By: DS

Dept Review: \_\_\_\_\_

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

**ORDINANCE NO. 587**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF MORRO BAY AMENDING  
SECTION 3.12.030 OF THE MORRO BAY MUNICIPAL CODE  
RELATING TO PRESENTING AND FILING CLAIMS AGAINST THE CITY**

THE CITY COUNCIL  
City of Morro Bay, California

**WHEREAS**, Section 3.12.030 currently states claims against the City shall be presented to the City by delivering or mailing the claim to the City Clerk; and

**WHEREAS**, the City's claim form directs claimants to file their claims with the Risk Manager, who is responsible for processing the claim; and

**WHEREAS**, to avoid any confusion that might arise due to those references, the City Council has decided to amend that section.

**NOW, THEREFORE**, the City Council of the City of Morro Bay does hereby ordain, as follows:

**SECTION 1:** The second sentence of Section 3.12.030 of the Morro Bay Municipal Code is hereby amended to read as follows:

“All claims against the city shall be presented to the city by delivering or mailing the claim to the city clerk, or his/her designee.”

**SECTION 2:** This Ordinance shall take effect 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be published and posted in the manner required by law.

**INTRODUCED** at the regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2014, by motion of \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED, APPROVED, AND ADOPTED**, by the City Council of the City of Morro Bay, on the \_\_\_\_ day of \_\_\_\_\_, by the following vote to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

Jamie L. Irons, Mayor  
City of Morro Bay

ATTEST:

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Jamie Boucher,  
City Clerk  
City of Morro Bay

APPROVED AS TO FORM:

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Joseph W. Pannone  
City Attorney  
City of Morro Bay