



AGENDA NO: B-1

MEETING DATE: May 26, 2020

**AGENDA CORRESPONDENCE
RECEIVED BY THE CITY COUNCIL
FOLLOWING POSTING OF THE AGENDA IS ATTACHED
FOR PUBLIC REVIEW PRIOR TO THE MEETING**

Dana Swanson

From: Kristen Headland [REDACTED]
Sent: Tuesday, May 26, 2020 11:57 AM
To: Dana Swanson; Scott Collins; Scot Graham; John Heading; Jeffrey Heller; Marlys McPherson; Robert Davis; Dawn Addis; Jennifer Callaway
Subject: Public Comment-CS-2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR and AGENDA NO: B-1 Panorama Drive to the City's SOI
Attachments: Chevron Property.Landslide Area Along Panorama Drive.png

Hello City Council and Staff,

I would like to provide the Morro Bay City Council and staff my concerns regarding CS-2-Closed Door Session - Conference with Real Property Negotiator and Agenda NO: B-1 - City Council Meeting-Initiation of a Sphere of Influence (SOI) Amendment to add 5 lots above Panorama Drive to the City's SOI.

I understand the council is considering potential residential lots for Chevron along Panorama Drive.

I am sending a map from the California State Department of Conservation that shows the area between the decommissioned jet fuel pumping station and Del Mar Park along Panorama Drive to be a **high-risk landslide** area with active and historic movements, as defined by the Department of Conservation.

<https://www.conservation.ca.gov/cgs/landslides#confidence>

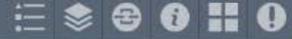
Attached is a photo and a link to the California State Department of Conservation to view information regarding the Panorama Drive landslide map.

<https://maps.conservation.ca.gov/cgs/lsi/app/>

Please take this into consideration when you make any determination regarding awarding Chevron buildable residential lots.

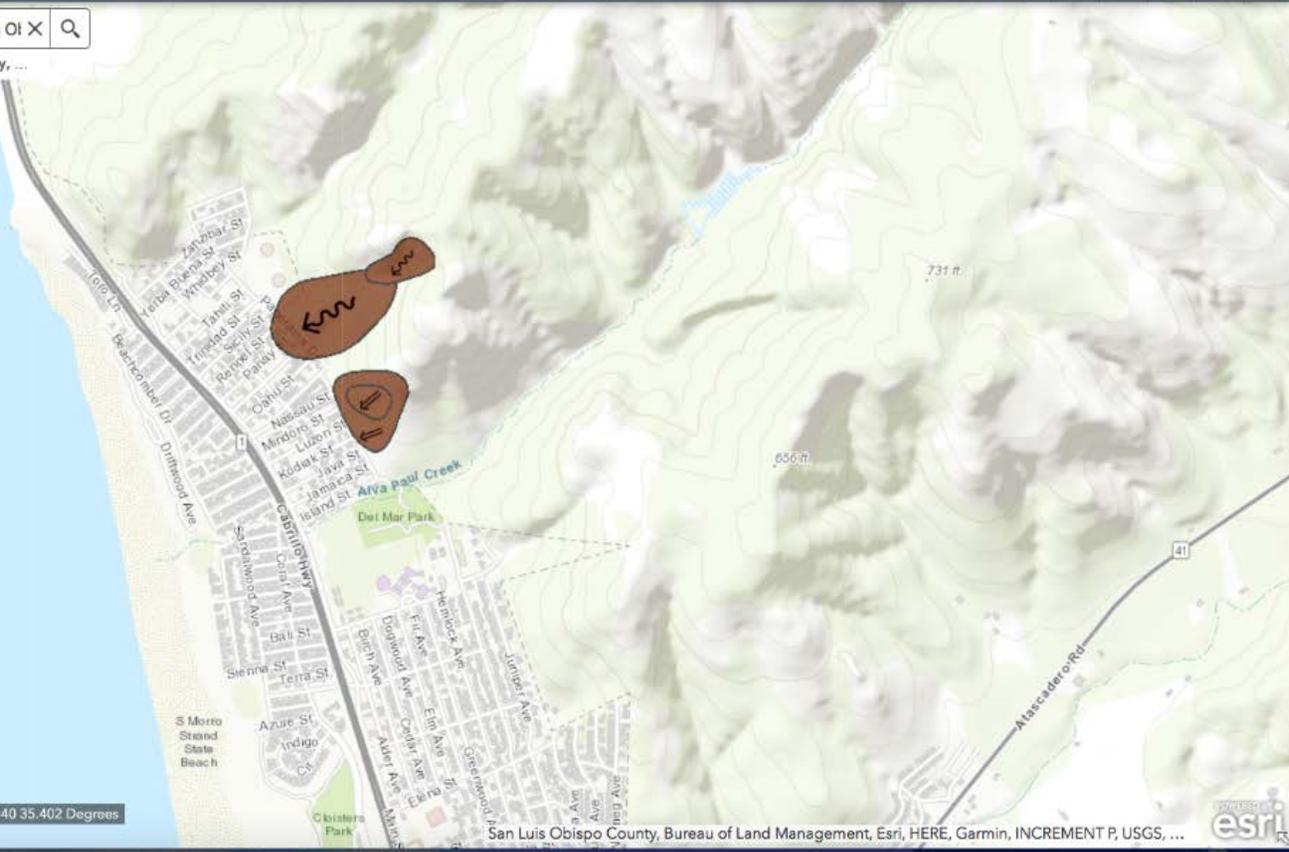
Thank You,
Donald and Kristen Headland

Landslide Inventory (Beta)



Morro Bay, CA, USA (San Luis Obispo) [X] [Q]

Show search results for Morro Bay, ...





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Dana Swanson

From:
Sent: Saturday, May 23, 2020 3:19 PM
To: Council
Subject: May 26, 2020 City Council Meeting, Agenda Item C-1

May 26, 2020 City Council Meeting

Agenda Item C-1

Honorable Mayor and City Council Members,

Below are my questions and comments for Item C-1:

1. Biological Opinion PCO's

PCO Numbers 39 and 59: Please have staff give a thorough explanation of the differences between two PCO's including what issues they are addressing, how the costs were calculated and negotiated with the DB contractor.

PCO 58: How will the program management team verify the project is paying the lowest available price for the frog fence (and all of the other cost additive PCO's for that matter)?

I agree with CFAC Member Homer Alexander's comments about US Fish and Game. Federal bureaucrats sitting in their Washington D.C. silo are the cause for the additional cost to ratepayers. Having said that, I'm of a mind that it is what it is and we are where we are. I'm not happy with increasing the DB contractors total maximum price but the delay and contract provisions don't leave the City other options. The project needs to move forward but I'd like assurance that ratepayers aren't being taken total advantage of.

2. All other cost additive PCO's

PCO Numbers 16, 32, 37, 40, 41, 44, 45, 46, 47, 50, 52, 55, 56, 57, 61, 67, 68, 69: A cynical person could say that these PCO's are the result of deficiencies in the RFP requirements and subsequent evaluation, and that the DB contractor is exploiting said deficiencies. As I understand it, Joe Mueller will be the manager responsible for WRF operations and maintenance. I'm requesting that Mr. Mueller (not Mr. Caseras or Mr. Livick) provide detailed explanations of each of these PCO's, including why they are necessary and justified from a cost and operational standpoint. Perhaps the remainder of the program management team (Mr. Collins, Livick and Caseras) could provide background and explain why these items were not included in the RFP process.

The cost breakdown and final price for the above PCO's includes FEE (4%) OVERHEAD (6%) and CONTINGENCY (5%). FEE and OVERHEAD are percentages of direct cost. I'm assuming CONTINGENCY covers cost overages in labor, design and materials. If the DB contractors direct costs are less, will this reduce the overall final price paid for the PCO's including FEE, OVERHEAD and CONTINGENCY? Will the program manager audit 100% of all approved change orders and how will he do that?

Reduced debt service cost is a beneficial coincidence of the current dismal economy and provides Council the opportunity to reduce water and sewer rates. Is there a way to estimate how much the amortized cost of the above listed PCO's would lessen any such rate reduction?

Given the sentiment and scrutiny surrounding the WRF project, change order requests of this magnitude deserve a thorough public hearing with a lot of explanation and justification. I was not satisfied by staff's presentations at CFAC and PWAB and wish to hear more from the program management team. If a thorough presentation and discussion is too much for the May 26 agenda, my recommendation is to pull Item C-1 and schedule a special meeting for this item.

Respectfully,

David Betonte
Morro Bay Resident and Water and Sewer Ratepayer



Virus-free. www.avg.com

Dana Swanson

From: Mark Low
Sent: Tuesday, May 26, 2020 5:49 AM
To: Dana Swanson; Scott Collins; Jennifer Callaway
Cc: citizensforaffordableliving; John Heading; Marlys McPherson; Robert Davis; Dawn Addis; Jeffrey Heller
Subject: May 26th, 2020 Morro Bay's City Council Meeting Agenda: Project & Budget Life
Attachments: Coastal Comm Nov 12 2010.PDF

Hello City Clerk Swanson,

As the questions and comments below, along with the Coastal Comm November 12, 2010.PDF (attached) are on squarely on point regards to the "Rob Collins" Plan/WRF quarterly report contained in Tuesday's May 26th, 2020 Morro Bay's City Council Meeting Agenda, would you please post this email and Coastal Comm November 12, 2010.PDF (attached) on correspondence link?

Doing so is transparent and will memorialize Paul Donnelly's thoughtful on point questions, comments and concerns, as well as mine.

Your cooperation in getting the questions, comments and the attached Coastal Comm November 12, 2010.PDF put onto the meeting correspondence will be most appreciated.

Kind regards,

Mark

From: "Mark Low"

To: "ecasares" <ecasares@carollo.com>, "Rob Livick" <rlivick@morrobayca.gov>, "scollins" <scollins@morrobayca.gov>, "jcallaway" <jcallaway@morrobayca.gov>, "Dana Swanson" <dswanson@morrobayca.gov>

Cc: "citizensforaffordableliving" <citizensforaffordableliving@gmail.com>, "council" <council@morrobayca.gov>, "PWAB" <PWAB@morrobayca.gov>, "cfac" <cfac@morrobayca.gov>, "jmueller" <jmueller@morrobayca.gov>, "bspagnola" <bspagnola@morrobayca.gov>

Sent: Friday, May 22, 2020 4:56:15 PM

Subject: Project & Budget Life

Re: <http://www.morro-bay.ca.us/ArchiveCenter/ViewFile/Item/5347>

Page 46 of 205

"...it will not impact the existing water and sewer rates for Morro Bay residents and businesses"

G'day Pmgr Casares,

Whomsoever wrote; "...it will not impact the existing water and sewer rates for Morro Bay residents and businesses" did not specify the water and sewer rates for any length of time nor did it reference the Project Life.

"WIFIA loans may have a length of up to 35 years after substantial completion, allowing payment amounts to be smaller throughout the life of the loan."

The B&V/Filanc LLC "build" has a 30 year "life" which by my reckoning that there most certainly "will impact the existing water and sewer rates for Morro Bay residents and businesses" before the loan to pay for the consulting and construction is paid in full. This is a big problem.

As you should be aware of the recent SLOCO Los Osos WWTP 218 protest vote which was "required" to support the Oxidation Ditch design less than 10 years after opening. We understand that consulting engineers and builders are unconcerned about what actual costs of operation are required to support the designs they sell and build. See the way too large Los Osos Ox-Ditch design Morro Bay used to ask the CCC for "permit" (Permit+Permission) on last page of Coastal Comm Nov 12 2010 attached. It proves that huge waste of time and money benefit outfits like Carollo, as they provided the "design" nearly ten years ago. This is another big problem. Carollo's delay in testing the aquifer for storage residence time, while relying upon "modeling" years ago, is another act which, whether intentional, incompetence or by mismanagement, is another waste of time.

Why is this link 404?: <http://morrobaywrf.com/about-the-project/wrf-project-facts/>

As the WRFCAC was summarily and without notice terminated after the 11-20-2020 meeting; "Water Reclamation Facility Citizen Advisory Committee Documents"

Why is this link still up?: <https://www.morro-bay.ca.us/795/WRF-Citizen-Advisory-Committee-WRFCAC>

Paul Donnelly's questions, concerns and comments made at the 11 20 19 Water Reclamation Facility Citizens Advisory Committee Meeting;

Beginning @ 1:07:00 https://www.youtube.com/watch?v=_By8VaoAK2Y

Eric, I sure hope that you are planning on addressing Paul Donnelly sometime during your appearance at the May 26 Morro Bay City Council Meeting.

Failing that how about a written response?

Respectfully,

Mark Low

Steadfast Concerned Citizen

This "WRF" report is more about supporting a business model and is not concerned with costs that must be paid after the consulting and building is done, as evidenced by the operator of the "dashboard" making the increase in costs before the council votes.

Rob Livick, City of Morro Bay

Morro Bay – Cayucos Waterwater Treatment Plant Upgrade

November 12, 2010

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Given the proposed project's significant inconsistencies and the issues it raises with the LCP and the Coastal Act, we request that the DEIR be appropriately revised, updated, and recirculated for comment. Most importantly, such updated DEIR should present, and coequally evaluate against the same evaluation criteria, feasible alternatives for site locations that can avoid significant hazards and important coastal resource impacts, and alternative designs that incorporate the technology and infrastructure necessary to accommodate both wastewater flows at buildout as well as reuse of reclaimed water. Again, as indicated above, this is a major public improvement project constituting a major investment of public monies at a critical location that will fundamentally affect the way that certain scarce public resources are addressed for the foreseeable future in this area. Such project must meet LCP and Coastal Act requirements. Therefore, it is incumbent on the CEQA process to provide decision-makers, including the Commission, with the best possible information with which to make such an important decision, including with respect to alternative siting and design options that can achieve project objectives, and also address long-standing natural resource protection and sustainable use issues in a Coastal Act and LCP context. As it stands now, it does not appear that the DEIR provides the information necessary in this context to analyze the proposed project for consistency with the certified LCP and the Coastal Act, and we recommend it be supplemented and recirculated to address this critical deficiency.

Specific Comments

Project Description. The existing WWTP is located at 160 Atascadero Road in the City of Morro Bay, adjacent to the sand dunes, shoreline and Morro Creek, an RV Park, and Morro Bay High School. The proposed WWTP project would consist of demolishing the existing WWTP and constructing a new WWTP on the existing site. Although the DEIR refers to this project as an upgrade to the WWTP, it is in fact a complete replacement of the facility. Therefore, in analyzing the project for consistency with the certified LCP and the Coastal Act, the DEIR must consider the project to be development of a new WWTP. As such, and due to the significant constraints on the site of the existing WWTP, the DEIR must provide information regarding additional alternative locations that could meet the project objectives while achieving consistency with the LCP and the Coastal Act as applicable.

Site Location. As discussed above, the preferred site location is subject to several significant constraints. First, the site is located in a high hazard area, including because it is located within the 100-year flood plain of Morro Creek, in a tsunami-inundation area, approximately 800 feet from the current shoreline, and in an area that is susceptible to liquefaction due to underlying soil types. Second, due to its proximity to the beach, shoreline, public recreational access and visitor-serving uses, and important public viewsheds, and because it is near the center of the City, the use of the proposed location for the WWTP could frustrate public recreational access and visitor-serving objectives, and could adversely impact the public viewshed. And finally, the site is located on a Native American burial ground, which, as required by the LCP, must be avoided where feasible. Therefore, in order to provide the information necessary to evaluate the project for consistency with the LCP, the DEIR must provide a robust analysis of feasible alternative sites.



California Coastal Commission

Flood Hazard Analysis prepared for the site indicates that the depth of flood waters at the site would be between 3 and 4.5 feet during a 100-year storm event. The certified LCP describes the risks of flooding within the City and prohibits development in the 100-year flood plain. Page 156 of the LCP states that the floods of 1969 and 1973 showed that flooding could have been worse if the flood plain had been more highly developed, and on page 157, the LCP specifically identifies the location of the WWTP in the flood plain as one of the City's flooding problems. The LCP goes on, in Policy 9.03, to prohibit all new development in the 100-year floodplain, except for flood control projects, agricultural uses, and off-setting improvements required by HUD regulations. The new WWTP is not exempt from Policy 9.03, and therefore, cannot be approved at this location unless amendments are made to the LCP. Therefore, and as described above, the DEIR must provide information about alternative sites that are not within the 100-year flood plain.

Tsunamis. The DEIR states that because the existing WWTP is already located in a tsunami inundation area, replacing it at this site does not cause significant impacts. However, as discussed above, this project is a complete replacement of the existing WWTP, and therefore, must be evaluated as new development in the tsunami inundation area. The DEIR must provide the information necessary to evaluate the project for consistency with the LCP in this respect, including Policy 9.01, which requires new development to be located to minimize risks to life and property in relation to tsunami threats. Again, as discussed above, the most appropriate way to do this would be for the DEIR to present detailed information about additional alternative site locations.

Shoreline Erosion. The proposed project is located in an area that is and will be subject to shoreline erosion over the life of the project, including as it relates to global climate change and sea level rise. However, the DEIR lacks information with which to understand and appropriately respond to this constraint. Thus, the DEIR must include clear and up-to-date information about the risks to the project due to shoreline erosion, including due to global climate change and sea level rise. To do this, the DEIR should discuss the impacts to the project as a result of a range of sea level rise conditions and determine whether there is some amount of future sea level rise that would put the WWTP in danger from erosion. In addition, the DEIR should provide the elevation and inland extent of storm surge and flooding that might occur over the life of the development due to shoreline dangers. Such information must include how far inland and how high such water would go when the combination of hazardous factors are at their most extreme, and must include evaluation of impacts from and appropriate responses to same. At a minimum, such combination of factors to be evaluated should factor in an eroded beach, a 100-year storm event (or the equivalent of the 1982/83 El Nino event if the 100-year storm event has not been determined), an extreme high tide, and a 100-year rise in sea level at both optimistic and conservative ends of the projection spectrum. All assumptions and methodologies for identifying the expected degree of danger must be clearly identified and documented. The DEIR must also include a description of any future shoreline protection or other project modifications that would be necessary to protect the WWTP under such future hazardous conditions.

Liquefaction. The DEIR indicates that significant impacts could be caused by exposing new structures to the risk of damage due to liquefaction, unconsolidated soils and settlement. Proposed DEIR mitigation



destination and that are located further inland are likely to have lesser impacts in this regard, and these differences must be part of the DEIR's alternative site evaluation information and process.

Visual Resources. The proposed project would include constructing a new replacement WWTP on the southern portion of the site and demolishing existing development on the northern portion of the site. The project description in the DEIR states that the new development would be designed with a consistent architectural theme and that it would be compatible with the surroundings. It states that the new facilities would be taller than the existing facilities and would include new security fencing along the entire perimeter of the facility. The project description also states that the vacant area on the northern portion of the site would be graded and finished with either pavement or rock.

The LCP requires the scenic and visual qualities of the coast to be protected and requires development to be sited and designed to protect views to and along the ocean and other coastal areas. The project involves constructing a new WWTP immediately adjacent to multiple areas that are used by the public for access and recreation at and along the coast. The site is located on Atascadero Road, which is shown in LCP Figure 30 as a street providing scenic views. In addition, as illustrated in the DEIR, views from the dunes looking inland across the site include mountain ridgelines and views from the road looking towards the coast across the site include Morro Rock. The site is also visible from Highway One. New development such as that proposed at this location has the potential to obstruct and degrade these important public views.

Although the DEIR provides a viewshed analysis, such analysis is limited to visual simulations created from three vantage points. It is not clear that the requisite LCP and Coastal Act public viewshed protection findings can be made based on such analysis, and we recommend it be supplemented to include a more detailed discussion of what WWTP elements would be visible from public streets and other public access points. For WWTP elements that would be visible from such vantages, the DEIR must include information about ways to avoid visual impacts, including through more articulated architectural features, and it needs to include more details about the proposed design, including in terms of proposed materials and color palettes. In addition, the DEIR must include a description of proposed lighting to be able to allow an analysis of the impacts to nighttime views. Moreover, it appears that the proposed landscaping would consist of a single row of trees along the perimeter fencing, a small area of landscaping at the entrance to the plant and what appears to be a grass lawn. The DEIR must identify and evaluate the details of such landscaping plan beyond that identified thus far, and must include visual depictions and proposed species from initial installation to maturity to allow evaluation of the visual impacts of the landscaping itself. In any event, please ensure that the landscaping is based on drought tolerant, native and non-invasive vegetation that can effectively screen and soften visual impacts associated with the development as seen from public areas. In addition, although the project description says the vacant area on the northern portion of the parcel would be paved, the area is shown as landscaped with dune vegetation on the aerial simulation. The DEIR should clarify what is proposed for this area and it should provide the information necessary to evaluate the visual and water quality impacts of placing new pavement or rocks, if that is what is proposed. If the area would be landscaped, details should be included in the landscaping plan, as described above.



3.13 mgd at buildout. These rates are significantly higher than the 1.5 mgd PSDWF that the upgraded WWTP would treat. Therefore, the proposed WWTP may not be able to treat the average dry weather flow that was recorded in 2006, and it appears that it would be unable to treat the average flow at buildout projected by either the Estero Area Plan or the City's LCP.

The DEIR relies on various sources for information about population growth but does not provide a conclusion about the rate of population growth expected over the life of the updated WWTP in relation to the LCP's buildout requirements. The DEIR should make such a conclusion and it should clearly explain how the upgraded WWTP would accommodate the projected demand for wastewater over the life of the project in relation to expected and allowed LCP buildout. In addition, the DEIR should provide all of the information necessary to evaluate the project for consistency with the LCP, including the above-mentioned policies. If the project would not provide facilities to accommodate a City population of 12,195 as required by LCP Policy 3.06, it would need to be preceded by an LCP amendment designed to amend that policy and related LCP sections.

In short, the DEIR must be supplemented to clearly identify LCP consistent buildout numbers and the way in which the proposed WWTP will appropriately and sufficiently accommodate such wastewater requirements at LCP buildout to be able to find the proposed project LCP consistent on this point. Any modified siting and design measures necessary to appropriately account for such wastewater needs must be identified and discussed, and all underlying assumptions clearly presented, in the DEIR.

Water Reclamation. The proposed project includes a plan for a small amount of wastewater reclamation. The 1.5 mgd of tertiary treated water would meet Title 22 standards for disinfected secondary-23 recycled water and could therefore be used for industrial use on-site and for limited off-site purposes such as soil compaction, concrete mixing and dust control. As proposed, this water could only be used off-site if it is transported using trucks that would utilize the proposed truck filling station. In addition, the proposed project includes a plan for the future production of .4 mgd of disinfected tertiary recycled water, the highest standard of recycled water, which could be put to a wide range of uses, including agricultural irrigation, groundwater replenishment and residential landscaping. However, as proposed, the only way to transport this higher quality water off-site would be using trucks. No additional infrastructure is proposed and the project does not include any planning for future infrastructure that could be used to transport the water.

The availability of water in Morro Bay has improved since the late 1980s and early 1990s, due to the arrival of water from the State Water Project in 1997. However, as described in the City's Water Management Plan Status Report of December 2008, the reliability of State Water has decreased due to judicial decisions regarding endangered fish species and concerns about global warming. In addition, the use of State Water is extremely energy intensive and has significant environmental impacts far removed from Morro Bay, including impacts on anadromous fish and other species in the Delta. These, and other, State water concerns highlight the general issue associated with ensuring that appropriate measures are taken to move towards and ensure a locally sustainable water supply.



Rob Livick, City of Morro Bay

Morro Bay - Cayucos Water Treatment Plant Upgrade

November 12, 2010

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Finally, the DEIR must provide details for project alternatives that would include more significant opportunities to provide reclaimed water as required by the LCP. Such alternatives should provide increased quantities of reclaimed water, with at least one alternative providing details about the potential to reclaim 100% of the wastewater produced, timelines for when the reclaimed water would be available, and information about the infrastructure that would be necessary to fully accommodate the reuse of the water (and details regarding infrastructure like the ocean outfall that could feasibly be eliminated). It seems likely that a reclamation program, including one expanded to result in full reuse, will require associated pipeline infrastructure as opposed to solely truck transport, and the DEIR needs to identify any feasibility issues associated with such a program. Again, such evaluation must be made a coequal part of the overall investigation of alternatives previously described, including in relation to the potential to eliminate the ocean outfall component of the project.

Water Quality. The existing WWTP has three storm water outfalls. One extends from the project site through the dunes and onto the beach, one discharges directly into Morro Creek, and a third routes storm water through the treatment plant and then discharges it from the ocean outfall. The DEIR states that the beach storm water outfall is frequently covered with sand and therefore requires regular maintenance. It is unclear from the DEIR if changes would be made to the existing storm water conveyance system.

Water quality is especially important in this project given the magnitude of the project size, the proximity to sensitive coastal resources and the industrial nature of the use. The LCP requires development to avoid impacts on sensitive habitats, including streams, dunes, and other biological resource areas, and where unavoidable, to minimize such impacts and to appropriately offset and mitigate for such impacts. In addition, LCP Policy 9.10 requires runoff to be retained on-site when possible, Policy 9.11 prohibits new development from degrading water quality, and Policy 9.12 requires new development to minimize runoff and erosion. The Coastal Act's marine resource protection policies may also come into play in the Commission's retained jurisdictional areas. The DEIR does not currently include adequate information regarding the manner in which storm water would be addressed, and must be supplemented to include sufficient information to analyze the project for consistency with these and related policies. The DEIR must provide a detailed explanation of how storm water would be collected, filtered, and treated, and how it would leave the site, and it must identify ways to ensure that all storm water is appropriately managed so that it does not result in polluted runoff, including, by treating storm water in the treatment plant itself, and/or through increasing on-site infiltration. In addition, the DEIR must provide information about the impacts of the project on runoff quantity, quality and velocity, including those impacts that would be caused if the vacant northern portion of the site is paved, as proposed. Again, as with other issue areas, such water quality details need to be part of each alternative evaluated.

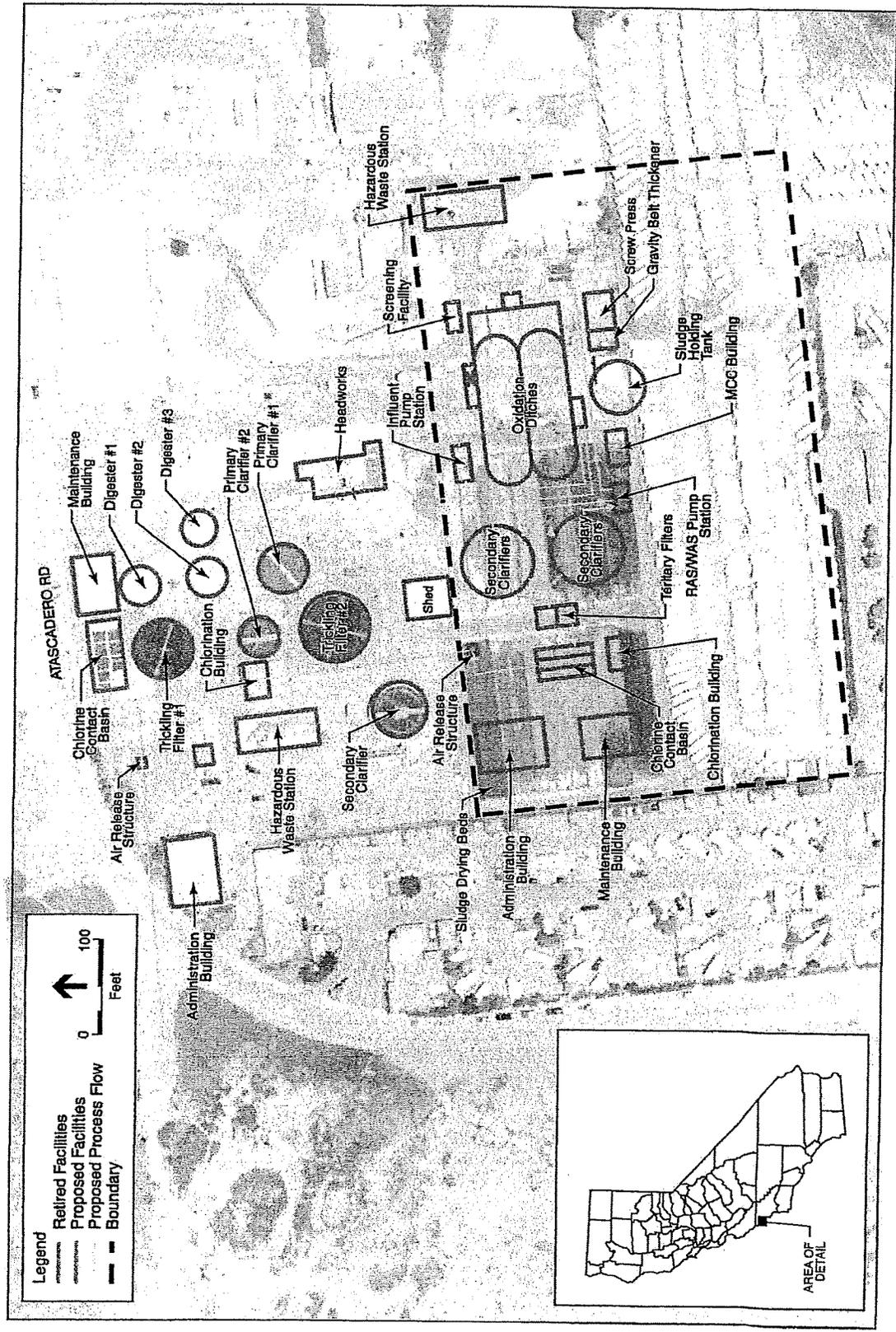
Finally, the DEIR relies on compliance with the SWPPP and other water quality requirements to ensure that any impacts to water quality would be mitigated. However, the DEIR needs to provide sufficient detail to ensure this, including by describing all proposed measures and BMPs to protect water quality during construction and operation of the plant.

Spreading Basin for Storm Water.



California Coastal Commission

Storm
Water



SOURCE: Carollo, 2009.

Morro Bay Cayucos Wastewater Treatment Plant Revised NOP . 208013
Figure 1
 Proposed Conceptual Site Plan

Dana Swanson

From: betty winholtz
Sent: Tuesday, May 26, 2020 11:05 AM
To: John Headding; Marlys McPherson; Robert Davis; Jeffrey Heller; Dawn Addis
Cc: Dana Swanson; Scott Collins
Subject: agenda item c-1

Dear City Council:

1. Here is one of those "good faith" statements--not to exceed \$126 million--repeated over and over again that now causes the community to question your believability. While it is wise that, "Despite the overall increase in the estimated total cost of the WRF project, it will not impact the existing water and sewer rates," ratepayers expect decreases in their bills from the low interest rate of the WIFIA loan, not the same maximum charge due to change orders that eat up cost savings meant for their pocketbook.

2. The context of the change orders is not fully appreciated when the cost of the already approved first 1-15 change orders is not included, \$1.5 million. Regardless of the fact that that amount was covered in contingency, the pattern here is that even without 100% plans, contingency funds have been breached, and this is only for one part of the total project, i.e. not the pipelines and lift stations, not the injection wells, not the demolition and clean up of the current plant site. Surely the old estimates of how much the other 3 contracts will be is outdated. Is the City Council and the citizens being taken for a ride?

3. The City started with a financial reserve for this project of \$9.5 million. This comes from the ratepayers \$41 surcharge. Won't the new cost of \$7.7 million over the guaranteed price have to come out of the \$9.5 million reserve? Won't this leave only \$1.8 million to cover the next change orders, which surely will occur since we are only 9 weeks into a 2-year construction project? It doesn't seem likely that there will be anything left to cover overruns/change orders in the pipelines and lift stations, injection wells, and demolition and clean up of the current plant site contracts. All estimates have been off since this started; is the City Council and the citizens being taken for a ride?

4. The WIFIA loans are for \$61.7 million, so that won't cover the cost of the plant construction. Since that money won't be arriving until November of this year, the City has been paying out of pocket \$19.5 million according to the last monthly report from Mr. Casares. The State money is not in the picture, and I am wondering if and when it will be due to the blow the pandemic has had on the State budget. I hope the City Council is shocked as to the burden that is being placed on its citizens at a time when the City is broke.

5. Potential Change Order 59:

October 23, 2018: contract is awarded and construction date must start within 12 months or pay extra

October 23, 2019: last day to start construction without paying extra

November 12, 2019: CDP officially issue when signed by Mr. Livick for the City

December 13, 2019: initiation of formal USFWS consultation, assisting the USEPA to get the loan approved

In other words, the USFWS should not be blamed for the delay.

On a related side note, Special Condition 13 of the Permit from the CCC requires the City to notice the CCC Director of any changes to the project by any other authorizations, i.e. USFWS. In return, the CCC director is to get the City a Commission amendment. I do not see any amendment posted on the website. Is it just not posted, or is this an omitted action? If this is a misstep, isn't Carollo responsible, and should Carollo hold the City harmless since they agreed to the City's indemnification clause in their contract?

6. What I took away from the PWAB meeting last week is that sometimes items are omitted in the original bid, knowing they will be added back later in the process. This is done in order to make the bid lower and win the contract. I believe that many of the change orders classified under Changing Conditions, Improved Operations, and Reliability and Redundancy are of this nature, and therefore, Black & Veatch should eat the costs. I believe this because Black & Veatch and Carollo have been building sewer plants for decades, over and over. They know what needs to be included. Is the City Council and the citizens being taken for a ride?

On a related side note, does the City Council understand that the left 1/2 of the WRF site, if you look at the drawing, is for auxiliary buildings and are not the WRF itself? This is added cost.

Sincerely,
Betty Winholtz



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MEETING DATE: May 26, 2020

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Dana Swanson

From: betty winholtz [REDACTED]
Sent: Tuesday, May 26, 2020 11:20 AM
To: John Headding; Marlys McPherson; Robert Davis; Jeffrey Heller; Dawn Addis
Cc: Dana Swanson; Scott Collins
Subject: agenda item c-2

Dear City Council:

There are red flags that occurred to me during the PWAB meeting last week:

1. Contact with Quintana businesses is loosely defined. That is, leaving a pamphlet and walking away with not further follow up is not engaging in meaningful contact. Did you see the budget amount that went toward this effort?
2. The residential neighborhoods in south Morro Bay will be contending not only with their inability to get in and out, but heavy, extra traffic for months. I assume this will include semi-trucks and public buses. What will be the extensive outreach? Who has contacted the RTA?
3. I did not see, and maybe I overlooked, any contact with the 3 residential mobile home parks on Quintana.
4. What outreach if any will be given to Los Osos? Half of Los Osos's commuter traffic uses Hwy 1 and S. Bay Blvd. I know this from having done research for the CCC CDP hearing last July. Will you depend on the County to contact, or will there be a more direct approach through the CSD? Signage?
5. The WRF started construction without a Traffic Plan. I still haven't seen one. Will the contract for the pipelines and lift stations produce a timely traffic plan?

Sincerely,
Betty Winholtz