

## **RESOLUTION 2020-51**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA SELECTING A COMPLIANCE PROJECT CONSISTENT WITH THE TERMS AND CONDITIONS AGREED UPON IN THE ENVIRONMENTAL PROTECTION AGENCY (EPA) ADMINISTRATIVE ORDER ON CONSENT**

**WHEREAS**, on October 15, 2019 the City agreed to work with Akel Engineering Group (“Akel”) and complete both a Water and Wastewater Master Plan; and

**WHEREAS**, on February 25, 2020, the Environmental Protection Agency (“EPA”) and Regional Water Quality Control Board (Water Board) met with the City and agreed that the Master Plans are the best step forward for the City in its efforts to bring its wastewater system back into compliance with the EPA’s National Pollution Discharge Elimination System (“NPDES”) requirements (“Permit” - Order No. R3-2009-0019 NPDES Permit No. CA0047902); and

**WHEREAS**, on April 14, 2020, the City and Akel agreed to a change order adding to the scope of work the preparation of a United States Department of Agriculture (“USDA”) grant application and Preliminary Engineering Reports (“PERs”), attached by reference and made a part hereof) that defines, analyzes and recommends to the City its best options for investing in improvements to the water and wastewater systems that would bring the City into compliance with the Permit; and

**WHEREAS**, on July 14, 2020, the City Council received a presentation from its “Water Team” including project Manager Karl Bjarke and Akel Consulting presenting the Preliminary Engineering Reports and its analysis, options for compliance projects, selection process and progress; and

**WHEREAS**, on August 18, 2020, the City and EPA agreed to an Administrative Order on Consent, (“AOC”) agreeing that the City will bring its water and wastewater systems into Permit compliance by December 31, 2023; and

**WHEREAS**, Section IV (22) (a) of the AOC has several dates and milestones to be met by the City and consistent with subsection IV (22) (a) (iii), the City accepted and delivered the Master Plans to the EPA September 15, 2020; and

**WHEREAS**, on October 6, 2020, the City Council held a Town Hall Meeting where more than 50 members of the community participated and the Water Team presented the revised PER that includes the implementation of Municipal Code Section 5-9-800 requiring a wastewater contribution permit from its significant users, in addition to possible compliance projects involving capital improvements; and

**WHEREAS**, the PER “Selection Matrix” (attached hereto and made a part hereof) scored three water source options, applying seven weighted criteria, applied scores ranging from 402-434, identifying sourcing water from the West Hills Water Treatment Plant as its best “source” option, and a second matrix (attached hereto and made a part hereof) that included “regionalization ” by sending the wastewater to the City of Hollister’s Wastewater Treatment Plant, with five weighted

criteria, with scores ranging from 165 to 243, concluding that the regionalization of the water source and wastewater disposal that scored highest at 243, to be the City's best options; and

**WHEREAS**, on October 13, 2020, the City Council held a special City Council meeting to consider the community's feedback and support for "Alternative 3;" and

**WHEREAS**, at the City Council Meeting, the City selected a Compliance Project to improve its source of water, and a second Compliance Project to improve its disposal of waste water, as recommended in the PER as presented, referred to as "Alternative 3: Regionalization with Hollister WWTP and Off-Site Source Control (importing water from the West Hills Water Treatment Plant operated by the San Benito Water District)."

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**SECTION 1.** That the above recitals, associated staff report, and recommendation from the Preliminary Engineering Report are true and correct.

**SECTION 2.** The City Council of the City of San Juan Bautista, hereby selects Alternative 3" as presented in the PER, as its "Compliance Projects."

**SECTION 3.** The City Council, consistent with Section IV (22) (a) iv) of the AOC, hereby directs the City Manager to submit the selection of its Compliance Project "Alternative 3" on or before the date required in the AOC of October 15, 2020, for the EPA's consideration and to return to the City Council with a financing plan for constructing recommended improvements by November 2020.

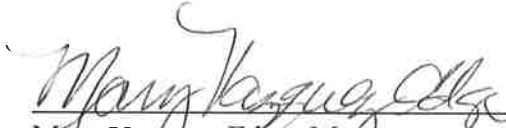
**PASSED, APPROVED AND ADOPTED** this 13<sup>th</sup> day of October, 2020, by the following roll call vote:

**AYES:** Edge, Freeman, Flores, Jordan


**NOES:** DeVries

**ABSENT:** None

**ABSTAIN:** None

  
Mary Vazquez Edge, Mayor

**ATTESTED:**

  
Trish Paetz, Deputy City Clerk

Attachment: Selection Matrix (2)

# Source Control Options Selection Matrix

Criteria	Relative Weight	Comparative Score (Score Total Must Equal 10)				Criterion Score (Relative Weight Times Comparative Score)			
		Pellet Plant	Cartridge Softener	West Hills WTP	West Hills WTP	Pellet Plant	Cartridge Softener	West Hills WTP	West Hills WTP
Life Cycle Costs (Capital and O&M)	21	3.3	3.5	3.2	3.2	69	74	67	
Footprint	10	3	4	3	3	30	40	30	
Ease of O&M	15	2	4	4	4	30	60	60	
Reliability	21	3.5	3	3.5	3.5	74	63	74	
Upstream/Downstream Effect	17	4	3	3	3	68	51	51	
Water Security	23	3.3	3.3	3.3	3.3	77	77	77	
Flexibility (Future Regulations)	19	4	2	4	4	76	38	76	
					<b>TOTAL SCORE</b>	<b>423</b>	<b>402</b>	<b>434</b>	

# Improvement Projects Options Selection Matrix

Criteria	Relative Weight	Comparative Score (Score Total Must Equal 10)			Criterion Score (Relative Weight Times Comparative Score)		
		MBR & West Hills WTP	MBR/ RO	Hollister WWTP & West Hills WTP	MBR & West Hills WTP	MBR/ RO	Hollister WWTP & West Hills WTP
Life Cycle Costs (Capital and O&M)	12	3.6	3.3	3.1	43	40	37
Footprint	5	4	2	4	20	10	20
Operational Simplicity	14	3	2	5	42	28	70
Reliability	13	3	3	4	39	39	52
Future Regulations Compliance	16	3	3	4	48	48	64
				<b>TOTAL SCORE</b>	<b>192</b>	<b>165</b>	<b>243</b>