

RESOLUTION 2021-43

A RESOLUTION OF THE SAN JUAN BAUTISTA CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF HOLLISTER FOR THE WASTEWATER COMPLIANCE PROJECT

WHEREAS, for decades the City has relied upon source water from wells, that is notoriously “hard,” high in minerals, and includes a high level of salt; and

WHEREAS, these wells are often subject to high nitrate levels causing them to be closed prematurely; and

WHEREAS, high salt levels being discharged into the creek currently exceed the National Pollution Discharge Elimination System (“NPDES”) permit levels, causing a violation of the Permit; and

WHEREAS, following a June 2019 EPA inspection of the City’s Treatment Plant and, for the past year, the City has been working towards regaining compliance with its NPDES Permit enforced by the Environmental Protection Agency (“EPA”) and the Regional Water Quality Board; and

WHEREAS, in October 2019, the City hired a project manager to assist with the development of a Water and Waste Water Master Plan and, during the process of completing these plans, it was determined that the high levels of salt being discharged into the creek at the Waste Water Treatment Plant are introduced from its source of ground water and passed through the Plant to the creek; and

WHEREAS, on April 20, 2020, the City Council appointed its Water Subcommittee consisting of Mayor Leslie Q. Jordan and Councilmember John Freeman; and

WHEREAS, on August 8, 2020, the City Council adopted Resolution 2020-42, and the City and EPA executed an Administrative Order on Consent (“AOC”), agreeing to resolve the City’s NPDES violations by December 2023, setting forth a schedule by which certain milestones will be reached; and

WHEREAS, on October 6, 2020, the City Council held a Town Hall meeting to discuss its options for solving the City’s source water and waste water compliance issues; and

WHEREAS, on October 15, 2020, as required by the AOC, the City Council approved Resolution 2020-51, and agreed to two compliance projects from the analysis provided in the Preliminary Engineers Report (“PER”): “Alternative 3: Regionalization with Hollister WWTP and Off-Site Source Control (Hollister Water Treatment Plant operated by the City of Hollister, and West Hills Water Treatment Plant operated by the San Benito County Water District);” and

WHEREAS, on February 1, 2021, the Hollister City Council received a presentation from City to build a wastewater compliance that conveys its domestic wastewater by force main to Hollister, and they generally accepted the idea; and

WHEREAS, a draft MOU was then developed based upon a similar model used with the San Benito County Water District that unfolds in two parts, the first being a feasibility study based on drawings completed through 30%, and if it is determined to be feasible, the MOU allows for a path forward to a permanent agreement with conditions by which Hollister will accept San Juan Bautista's domestic wastewater; and

WHEREAS, the Subcommittee and the City's technical team evaluated the draft MOU, and have agreed upon its terms and conditions as described by the staff report submitted to the City Council to be included by reference in this Resolution; and

WHEREAS, Hollister and San Juan Bautista's technical staff are in agreement that the MOU is ready to be considered for approval, and Hollister anticipates taking it forward to their City Council in August; and

WHEREAS, at a Regular Meeting held on August 17, 2021, the City Council considered the terms of the MOU and approved its intent.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA NOW HEREBY FINDS:

1. That the recitals in this Resolution and accompanying staff report are true and correct and are hereby made a part of this Resolution.
2. That the attached draft Hollister Memorandum of Understanding is the correct course of action for the two agencies to take to initiate the work needed to determine the feasibility of exporting domestic wastewater from San Juan Bautista to Hollister.
3. That it approves the draft MOU as presented, authorizes the City Manager to make any minor edits or changes as needed consistent with its intent, and hereby authorizes the Mayor to execute the MOU and that the City Manager send the MOU to the Hollister City Council for their consideration and approval.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting held on the 17th day of August 2021, by the following vote:

AYES: Jordan, Flores, Freels, Freeman

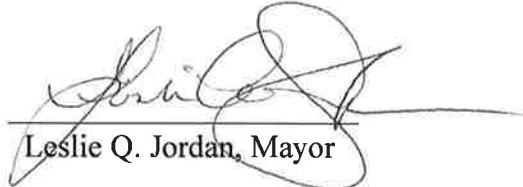
NOES: None

ABSENT: Edge

ABSTAIN: None

ATTEST:


Trish Paetz, Deputy City Clerk


Leslie Q. Jordan, Mayor