



# City of San Juan Bautista

*The "City of History"*

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## **AGENDA**

### **REGULAR CITY COUNCIL MEETING**

CITY HALL COUNCIL CHAMBERS  
311 Second Street  
San Juan Bautista, California

**MARCH 17, 2020**

*In compliance with the American with Disabilities Act, if you need special assistance to attend or participate in the meeting, please call the City Clerk's Office at (831) 623-4661, extension 13 at least 48 hours prior to the meeting.*

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 311 Second Street, San Juan Bautista, California during normal business hours.*

**1. Call to Order**

**Pledge of Allegiance  
Roll Call**

**6:00 PM**

**2. Public Comment**

**3. Consent Items**

All matters listed under the Consent Agenda may be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**A. Approve Affidavit of Posting Agenda**

**B. Adopt Ordinance 2020-01 Adding Section 28 to Title 5, Banning the Use of Certain Plastics and Establishing a Sustainable Food Service Ware and Retail Bags Ordinance**

**C. Approve Minutes of the Regular City Council Meeting of February 18, 2020**

**D. Approve Resolution 2020-XX, Accepting Storm Water Retention Basin/Public Improvement for the Copperleaf Subdivision (Edenbridge L.P.)**

**E. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

**4. Presentations, Informational Items and Reports**

**A. Corona Virus Update from the San Benito County Public Health Department**

**B. Presentation by Bill Nicholson, LAFCo Executive Officer**

**C. Monthly Financial Statements**

**D. City Manager's Report**

**E. Reports from City Council Appointees to Regional Organizations and Committees**

**F. Strategic Plan Update from Ad Hoc Committee**

**5. Action Items**

- A. Consider Update to Public Works Maintenance Worker Job Description by Consensus**
- B. Approve Resolution 2020-XX Updating the City's Personnel Policies to Provide for a Professional Development Incentive Program**
- C. Consider Amending an Ordinance Revising the Appointment Process for Planning Commissioners**

**6. Discussion Items**

- A. Urban Growth Boundary – Senior Planner David Mack**
- B. Water and Well 6**

**7. Comments**

- A. City Council**
- B. City Manager**
- C. City Attorney**

**8. Adjournment**

**AFFIDAVIT OF POSTING**

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 12<sup>th</sup> DAY OF MARCH 2020, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,  
ON THE 12<sup>th</sup> DAY OF MARCH 2020.



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TRISH PAETZ, DEPUTY CITY CLERK



## CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

**AGENDA TITLE:** **ORDINANCE BANNING THE USE OF CERTAIN PLASTICS AND ESTABLISHING A SUSTAINABLE FOOD SERVICE WARE AND RETAIL BAG ORDINANCE (FIRST READING)**

**MEETING DATE:** March 17, 2020

**DEPARTMENT HEAD:** Don Reynolds, City Manager

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### **RECOMMENDED ACTION(S):**

That the City Council adopt the attached Ordinance banning the use of certain plastics and establishing a sustainable food services ware and retail bag ordinance for its first reading.

### **BACKGROUND INFORMATION:**

In May 2019, the City Council directed staff to explore a policy to control and limit the use of disposable plastics in the City. An Ordinance was drafted in August and reviewed by various stakeholders with the help of CSUMB students. The San Juan Committee and students surveyed approximately half of the downtown businesses. The feedback from the business owners and the suggested changes to the Ordinance were presented to the City Council at the January 21, 2020 Council meeting. The report also referenced methods of enforcement and fines used in other local cities.

### **DISCUSSION:**

Attached is the final draft of the proposed Sustainable Food Service Ware and Retail Bags Ordinance. It bans certain kinds of single use plastics including Styrofoam and single use plastic bags used to carry retail and food items. It applies to food services, retail enterprises, and special events.

If the Ordinance is adopted, staff recommends a “soft-opening” and a 60-day postponement of its effective date, allowing for additional outreach to occur. Delaying implementation will also allow local store owners who have already purchased inventory to diminish their stock before buying sustainable products, and allow applications for exemptions to be considered before enforcement begins. Exemptions are exceptional in nature, and will only be allowed during the first year of the program. If approved, staff suggests a June 1, 2020 start date.

**FISCAL IMPACT:**

No direct fiscal impact is anticipated, although the cost of enforcement has to be offset by adequate fines identified in a bail schedule.

**ATTACHMENTS:**

Final draft Plastics Ban Ordinance

**ORDINANCE NO. 2020-01**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA  
ADDING SECTION 28 TO TITLE 5: BANNING THE USE OF CERTAIN  
PLASTICS AND ESTABLISHING A SUSTAINABLE FOOD  
SERVICE WARE AND RETAIL BAGS ORDINANCE**

**WHEREAS**, each year, millions of plastic products produced for a single use that becomes waste that never decomposes when placed in the landfill; and

**WHEREAS**, on average, 8-million tons of this single-use plastic waste becomes litter, and much of it is discharged into the oceans of the world; and

**WHEREAS**, reduction and eventual elimination of single use plastic products that include but are not limited to Styrofoam, food bags, to-go containers and food service ware will improve health and safety by eliminating disposable wares that do not decompose, cause pollution and are harmful to humans and marine life; and

**WHEREAS**, it is in the best interest of the City, the environment, and visitors to the City, to encourage sustainable food service ware, and to the highest extent possible, eliminate the distribution of all single use plastics and single use plastic bags; and

**WHEREAS**, the City is showing leadership to reduce litter and prevent plastics from entering the stormwater discharge system that flow to our creeks and rivers and eventually drains to the ocean.

**NOW, THEREFORE**, by adopting this Ordinance, the City establishes a sustainable food service ware and retail bags policy that commits it to ban single use plastics and single use carry-out bags.

**SECTION 1.** Adds Ordinance number 2020-01, pertaining to Municipal Code Title 5, Section 5-28 as follows:

**Sec. 5-28.1. Definitions**

Unless otherwise expressly stated, whenever used in this Chapter, the following terms shall have the meanings set forth below:

- (A) "Affordable alternative" means a compostable or recyclable product that costs up to 20 percent more than the purchase cost of the noncompostable or nonrecyclable alternative(s).
- (B) "Biodegradable Products Institute" or "BPI" is a North America's leading certifier of compostable products and packaging. Products bearing this certification have been scientifically verified by a third-party testing to biodegrade when diverted for the recovery of compostable materials.
- (C) "Compostable" means all the materials in the product or package will break down, or otherwise become part of usable compost (e.g., soil-conditioning material, mulch) in a safe

and timely manner. Compostable disposable food service ware must meet BPI Certified Compostable standards for composability and any compostable product containing a bioplastic or plastic-like material must be clearly labeled as compostable in accordance with California Public Resources Code Section 42357 et seq. and all State and Federal labeling laws pertaining to the identification of compostable products.

- (D) "Dine-in services" means prepared food provided to a customer for consumption on the provider's premises.
- (E) "Dine-out services" means prepared food provided to a customer for consumption not on the provider's premises.
- (F) "Disposable" means designed or intended for a single use or few uses, or not intended for reuse, recycling or composting.
- (G) "Food provider" means any vendor located or providing food within the City which provides prepared food on or off its premises and includes without limitation any store, shop, sales outlet, restaurant, grocery store, supermarket, delicatessen, food/catering truck or vehicle, including vendors located outside of the City when delivering prepared food into the City.
- (H) "Food service ware" means products used in the restaurant and food service industry for consuming, packaging, serving, and transporting ready-to-consume food and beverages, including, but not limited to, utensils, straws, beverage stirrers, plates, bowls, cups, cup lids, trays, boxes, clamshells, packaging, and containers.
- (I) "Plastic" means a material derived from a petroleum-based polymer. It does not include BPI certified products that are made from vegetable-based polymers and are compostable, such as corn or other plant sources.
- (J) "Polystyrene foam" (aka "Styrofoam") means and includes expanded polystyrene that is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene). To include but not limited to polystyrene foam plate, bleached paperboard plate with low density polyethylene coating and bleached paperboard plate with polystyrene coating.
- (K) "Prepared food" means food or beverage prepared for consumption using any cooking or food preparation technique. This does not include any raw uncooked meat, poultry, fish or eggs unless provided for consumption without further food preparation.
- (L) "Retail Establishment" or "Retail Store" means all sales outlets, stores, shops, vehicles, non-profits, resale businesses or other places of business located within the City that operate primarily to sell or convey goods directly to the ultimate consumer.
- (M) "Recyclable" means any material that is accepted by a local waste collector under franchise with the City to provide a recycling program, including, but not limited to, paper, glass, aluminum, cardboard, plastics labeled as #1 through #5 (including but not limited to plastic bottles, jars and tubs).
- (N) A "Recycled paper bag" is defined as a bag that contains no old growth fiber and a minimum of 40 percent post-consumer recycled content, is 100 percent recyclable, and has printed in a highly visible manner on the outside of the bag the words "reusable" and

“recyclable,” the name and location of the manufacturer, and the percentage of post-consumer recycled content.

- (O) “Reusable” means designed or intended for more than a single use or few uses, or intended for reuse, in contrast to “disposable.”
- (P) A “Reusable bag” is defined as a bag made of cloth or other machine washable fabric that has handles, or a durable plastic bag with handles that is at least 2.25 mils thick and is specifically designed and manufactured for multiple reuse.
- (Q) A “Single-use carryout bag” is defined as a bag, other than a Reusable Bag or Recycled Bag, provided at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting food or merchandise out of the establishment. Single-Use Carryout Bags do not include bags, a maximum of 11 inches by 17 inches, without handles provided to the customer (1) to transport produce, bulk food or meat from a product, bulk food or meat department within a store to the point of sale; (2) to hold prescription medication dispensed from a pharmacy; or (3) to segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a bag.
- (R) “Special Event Organizer” means a person, non-profit (a charitable organization as defined in Section 501(c)(3) of the Internal Revenue Code of 1986), or business that endeavors to organize a special event in the City limits that may involve Retail Establishments and food and beverage services.
- (S) “Special event Participant” means a person providing prepared food at any special event, regardless of size, sponsored by any person, commercial or nonprofit organization as defined in “R” above, or individual, which is held within the City, regardless of whether the prepared food is prepared within or outside of the City limits.
- (T) “Straw” means a tube through which beverages, slurries, smoothies, and similar ingestible products may be ingested by the consumer.

#### **5-28.2 Prohibited Disposable Food Service Ware.**

(A) All persons within, at, or upon any City facility are prohibited from:

- (1) Distributing Prepared food using Polystyrene foam (aka Styrofoam);
- (2) Distributing Plastic Straws (except when a consumer specifically requests a Plastic Straw, whereupon the Retail Establishment shall provide a Plastic Straw to the consumer); and
- (3) Distributing Disposable Food service ware that is not Recyclable or Compostable unless there is no Affordable alternative.

(B) Food providers, Special Event Participants and Special Event Organizers operating within City limits are prohibited from:

- (1) Using or distributing Polystyrene foam (AKA Styrofoam) for prepared food or in any Food service ware;
- (2) Using or distributing Plastic Straws, except when a consumer specifically requests a Plastic Straw, whereupon the Food provider or Special event participant shall provide a plastic straw to the consumer; and



(3) Using or distributing any Disposable Food service ware when providing Dine-in services, unless the consumer requests a Straw, whereupon a food provider shall distribute a Straw that is Compostable such as one made from paper, sugar cane, pasta, or bamboo, though not a Plastic Straw, except when a consumer specifically requests a Plastic Straw, whereupon the Food provider or Special event participant shall provide a Plastic Straw to the consumer.

(4) When providing Dine-out services, using or distributing Disposable Food service ware that is not Compostable or Recyclable, unless:

(a) A consumer requests a Plastic Straw, whereupon the Food provider or Special event participant shall provide a Plastic Straw to the consumer.

(b) There is no Affordable alternative to Disposable Food service ware that is not Compostable or Recyclable, whereupon the Food service provider may use or provide Disposable Food service ware that is not Compostable or Recyclable, though this exception shall not permit the use or distribution use of a Plastic Straw.

### **5-28.3 Encouraged Use of Reusable and Compostable, or Recyclable Food Service Ware.**

(A) All persons, including Retail Establishments including but not limited to supermarkets and vendors, are encouraged to eliminate the use of Polystyrene foam (AKA Styrofoam) for packaging of food and other items that are not Prepared food.

(B) All persons are encouraged to use and distribute reusable, rather than Disposable, Food service ware, even when not required to do so. When it is necessary to use or distribute disposable food service ware, all persons are encouraged to use and distribute Disposable Food service ware that is Compostable or Recyclable, even when not required to do so.

### **5- 28.4 Retail Bag Regulations.**

(A) No Single Use Plastic Bag Distribution No Retail Establishment that sells perishable or nonperishable goods including, but not limited to, clothing, food, and personal items directly to the customer shall provide a Single-use carryout bag to a customer at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment except as provided in this Section. A Reusable Bag or a Recycled Paper Bag may upon request be provided to the customer, pursuant to this Section.

(1) Food providers which receives 90 percent or more of its revenue from the sale of food which is prepared on the premises, to be eaten on or off its premises, are not considered Retail Establishments for the purpose of this Section.

(2) Nonprofit charitable re-users, which is a charitable organization as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, or a distinct operating unit or division of the charitable organization, that re-uses and recycles donated goods or materials and receives more than 50 percent of its revenues from the handling and sale of those donated goods or materials, are not considered retail establishments for the purpose of this Article.

(B) Charge for retail bags: a Retail Establishment may make available for sale to a customer a Recycled paper bag for a minimum charge of \$0.25. A retail establishment may also make available to the customer a Reusable bag.

(1) Notwithstanding this Section, when a Recycled paper bag is distributed to the customer, the amount of the sale of the Recycled paper bag shall be separately itemized on the sales receipt.

(2) A retail establishment may provide a customer participating in the California Special Supplement Food Program, for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code; and a customer participating in the Supplemental Food Program pursuant to Chapter 10 (commencing with Section 15500) of Part 3 of Division 9 of the California Welfare and Institutions Code, with one or more Recycled paper bags at no cost or Reusable bags.

#### **5-28.5. Application for Exemption Caused by Undue Hardship.**

(A) A person or business as defined above in Sections 5-28.1 (D), (E), (G), (L), (R) and (S), seeking an exemption must apply in writing for consideration of this exemption from the requirements set forth in Section 5-28 if said application is submitted within one year of the date this Ordinance is adopted. The application must include all information necessary for the City Manager to make a determination, including but not limited to a statement of the supporting facts made under penalty of perjury and documentation showing factual support for the exemption. The City Manager may require the applicant to provide additional information and may deny the application if the applicant fails to provide it.

(b) The City Manager may, within his or her discretion, approve an application for exemption from the requirements set forth in Section 5-28 for a one-year period only upon a finding and determination that application of Section 5-28 would create an undue hardship upon the applicant. The City Manager may, within his or her discretion, deny the application in whole, approve the application in whole, or approve the application in part and/or with conditions. The City Manager's decision shall be final.

**SECTION 2.** If any section, subdivision, sentence, clause, portion, or phrase of this Ordinance is for any reason held illegal, invalid, or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The City Council hereby declares that it would have passed this chapter and each section, subdivision, sentence, clause, portion, or phrase hereof, irrespective of the fact that any one or more sections, subdivisions, sentences, clauses, or phrases be declared illegal, invalid or unconstitutional.

**SECTION 3.** The City Council hereby finds that enactment of this Ordinance establishing a sustainable food service ware and retail bags policy that commits it to a ban of single use plastics and single use carry-out bags prohibiting single use plastics and disposable food ware, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) [project is exempt when it can be determined with certainty that there is no potential for causing a significant effect on the environment] and Sections 15307 and 15308 [actions taken by a regulatory agency to assure the maintenance, restoration, enhancement,

or protection of the environment where regulatory process involves procedures for the protection of the environment.].

**SECTION 4. EFFECTIVE DATE.** This ordinance shall go into effect thirty days after the date of its signing.

**THE FOREGOING ORDINANCE** was introduced at a regular meeting of the City Council of the City of San Juan Bautista duly held on February 18, 2020, and was passed and adopted at a regular meeting duly held on March 17, 2020 by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Mayor Mary V. Edge

ATTEST:

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City Clerk Laura Cent

**CITY OF SAN JUAN BAUTISTA  
CITY COUNCIL REGULAR MEETING  
FEBRUARY 18, 2020  
DRAFT MINUTES**

**1. CALL TO ORDER** – Mayor Edge called the meeting to order at 6:00 P.M.

**PLEDGE OF ALLEGIANCE** – Vice Mayor Jordan led the Pledge of Allegiance.

**ROLL CALL Present:** Mayor Edge, Vice Mayor Jordan, Council Members Flores and Freeman. Council Member DeVries arrived at 6:01 P.M.

**Staff Present:** City Manager Reynolds, City Attorney Mall, City Clerk Cent, Administrative Services Manager Paetz, Associate Planner Kennedy

**2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Cheri Kao Linthicum asked if the City or the County provided vector control as she has seen mosquitos around standing water in Rancho Vista. She also commented that pet owners are not picking up after their pets and the City should have a fine or supply bags for waste pick up.

**3. CONSENT ITEMS**

**A. Approve Affidavit of Posting Agenda**

**B. Approve Affidavit of Posting Public Hearing Notice**

**C. Approve Minutes of the Regular Meeting of January 21, 2020**

**D. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

**E. Approve Resolution 2020-08 Authorizing Street Closure for Los Padrino's Car Show**

Vice Mayor Jordan made a motion to approve all items on the Consent Agenda. Second by Council Member Flores. Motion passed 5-0.

**4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS**

**A. Presentations: 1) "Is Our Community Prepared for a Disaster?" by Gary Byrne, President/CEO of Community Foundation for San Benito County, and 2) CERT Training Proposal by Michael Linthicum**

Gary Byrne, the President of the Community Foundation for San Benito County, made a slide presentation on the subject of disaster preparedness. He gave the statistics of small businesses failing to reopen in the years after a disaster. The Foundation is starting a disaster relief fund to partner with and to support non-profits in the event of a disaster. A question and answer period followed with the Council. Mr. Byrne stated he would distribute his presentation to the Council via email. Mr. Byrne requested that a budget item for community disaster relief be placed on a future agenda to help the community rebound after a disaster. Michael Linthicum, a Community Emergency Response Team (CERT) instructor, gave a briefing with a slide presentation and proposed starting a CERT team in San Juan Bautista. A question and answer period followed with the Council. There was extensive discussion about concerns of a fire in San Juan Canyon. There was no public comment.

## **B. Monthly Financial Statements**

City Manager Reynolds reviewed the financials and responded to questions. There was no public comment.

## **D. Reports from City Council Appointees to Regional Organizations and Committees**

Council Member Freeman reported transportation and a regional forecast were presented at the AMBAG meeting, officials from agencies in Santa Barbara and San Luis Obispo counties were present at the Super COG meeting in Paso Robles, and MBCP welcomed new jurisdictions from Santa Barbara and San Luis Obispo counties. Vice Mayor Jordan reported on the San Benito County Water District meeting where she was elected to as Chair; she asked that residents stop using water softeners and turn off irrigation. There was no public comment.

## **C. City Manager's Report**

Mayor Edge went back to this item. City Manager Reynolds presented his report, mentioning specifically the water master plan, the wastewater treatment plant, water system flushes, and the Rancho Vista roundabout plans. There was no public comment.

## **E. Strategic Plan Update from Ad Hoc Committee**

City Manager Reynolds presented meeting notes; specifically, the by-laws should define two-year terms, require Brown Act training, a mission statement, and meeting with more stakeholders. Council Member Flores also included looking for committed people to be on the Committee. There was no public comment.

## **5. PUBLIC HEARING ITEMS**

### **A. Introduce an Ordinance Adding Section 28 to Title 5, Banning the Use of Certain Plastics and Establishing a Sustainable Food Service Ware and Retail Bags Ordinance**

City Manager Reynolds reviewed his report and offered to answer any questions.

Mayor Edge opened the Public Hearing. No public comments were received. Mayor Edge closed the Public Hearing.

A question and answer period followed between council members and City staff. City Manager Reynolds reported a bail schedule will be presented in a resolution in time for the second reading of the Ordinance. Mr. Reynolds also reported that not all downtown businesses are on board and time would be needed to correct this, and the restrictions would be posted on the website. City Attorney Mall reminded the Council take-out food in plastic is allowed in this Ordinance.

Council Member DeVries made a motion to Introduce an Ordinance Adding Section 28 to Title 5, Banning the Use of Certain Plastics and Establishing a Sustainable Food Service Ware and Retail Bags Ordinance. Council Member DeVries then tabled his motion and asked City Attorney Mall to comment on the Ordinance. Ms. Mall commented that the Ordinance would apply to City Hall as well as merchants and restaurants. Second by Council Member Flores. Motion passed 5-0.

## **6. DISCUSSION ITEMS**

### **A. Farmers Market Update**

Associate Planner Kennedy reviewed his report, and stated the applicant had filed a new application to continue the Farmers Market. The applicant, Jerry Lami of West Coast Farmers Market, addressed the Council and responded to questions. He presented the challenges he was facing and what he was doing to improve and grow the Farmers Market. Mr. Lami recommended continuing the market to November 2020 and re-evaluating at that time. Council Member DeVries will help Mr. Lami contact local farms about participating in the Farmers Market. If the time of the market was moved to later on Sunday, Mr. Lami reported he would need help with blocking off the street early enough to prevent cars from parking on Mariposa before the Market. There was no public comment.

### **B. Downtown Parking**

City Manager Reynolds reviewed his report, the presentation to the Planning Commission earlier in the month, and the feedback he had received from groups and individuals about paid parking. Mr. Reynolds showed the design boards from a Harris & Associates parking study ordered by the previous Interim City Manager. Council members and City staff discussed and asked questions. There was no public comment.

## **7. COMMENTS**

### **A. City Council**

Vice Mayor Jordan reported she had received positive comments about the workshop held last Saturday. Council Member Flores suggested having more than one workshop a year. Council Member Freeman stated he has received comments about dangerous situations at Donner and Third Streets because of low visibility and some were running stop signs. Council Member Flores has also received comments involving traffic near his home on Seventh Street.

### **B. City Manager**

No comments received.

### **C. City Attorney**

No comments received.

## **8. ADJOURNMENT**

Vice Mayor Jordan made a motion to adjourn. Second by Council Member Flores. The meeting was adjourned at 8:07 P.M.

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Mary Vasquez Edge, Mayor

ATTEST:

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Laura Cent, City Clerk



## CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

**AGENDA TITLE:** REQUEST FOR ACCEPTANCE OF THE STORMWATER  
RETENTION POND, AND THE PUBLIC IMPROVEMENTS  
AT THE COPPERLEAF DEVELOPMENT

**DATE:** March 17, 2020

**DEPARTMENT HEAD:** Don Reynolds, City Manager, on behalf of  
Julie Bezhad, City Engineer

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### **RECOMMENDATION**

It is recommended that the City adopt the attached Resolution and accept the City Engineer's recommendation and approve the construction of the Storm water Retention Pond at the Copperleaf development (Edenbridge L.P.).

### **BACKGROUND**

On February 21, 2017, the City entered into a subdivision agreement with Edenbridge L.P. ("Subdivider") to Tract No. 337 consisting of 45-singlefamily homes, and related public improvements. On March 20, 2017, a subdivision improvement bond was issued to the City in the amount of \$2,429,364 as collateral to assure that the public improvements will be installed to comply with City specifications. This bond is the City's assurance that the improvements will be constructed to the Engineer's design standards.

The subdivision improvements including grading, installation of water mains and services, sewer mains, storm drains, street pavement, lighting, electrical, off-site improvements, exterior sound wall and a bio-retention storm drain. These improvements were estimated by the Subdivider's engineer to the same value as the amount of performance bond issued. The engineer's estimate is attached. After the City has accepted the public improvements, (Section 5(a)), to guarantee or warranty the work done pursuant to the Subdivision Improvement Agreement for a period of one (1) year following acceptance thereof by CITY against any defective work or labor done or defective materials furnished in the amount of 10% of the estimated cost of the public improvements. After the one-year period is completed, the assets transfer to the City and the Community Facilities District pays to maintain them. Before then, if the City Engineer agrees (Section 5 (c)) a bond reduction can be granted.

On October 15, 2019, the public improvements were partially accepted by the City releasing 80% of the bonds. The Storm water Retention pond was part of these improvements due to the need for further work to completed before the City Engineer would recommend City acceptance.

### **DISCUSSION**

In mid-June 2019, the City was asked to consider releasing the bonds, because the Subdivider claimed the public improvements had been completed. Since then several inspections have occurred, and the new City inspector found numerous issues and defects. The Subdivider has worked hard to complete most of the outstanding items in the past two months in an effort to bring the project up to the approved specifications. For this reason, the City Engineer is comfortable reducing the bond being held and retaining only 20% while the Subdivider is finalizing 15 units that are in construction and remaining seven units in the next six months. This authority is granted in Section 5 (c) of the Subdivision Agreement. The remaining units are under construction now.

One of the outstanding items on the punch list were the necessary completion of the Storm Water Retention Basin. The cost of this improvement is estimated to be \$107,170. It was assumed in October 2019, that the remaining 20% of the improvements that required completion would come forward to the City Council at one time, but the City requires the use of this retention basin now.

The City's new filtration system built at Well 06 is designed to filter iron and manganese, and serves both Well 5 and 6 in this capacity. However, when Well 5 is not used, iron deposits collect in the well head. Before placing Well 05 into service, it is necessary to "blow-off" this water for 30-45 minutes to clean-out excess iron.

The Copperleaf storm water retention basin is located next to the City's Well 5. After checking with the Storm Water Division of the Water Board, the City confirmed that blowing off this well water into the retention basin is an accepted practice and did not require any special permit or oversight. Well 05 was pressed into service February 25<sup>th</sup> when high levels of nitrates were found February 16 in Well 06. The City had to use the retention basin to blow off the iron residuals. But the City's use of the retention basin means that the City owns it now.

Well 5 is now in control and the filtration system is showing "0" iron residuals after filtration. The City had to use the retention basin sooner than expected, and that is "OK," as it remains in good shape at full capacity. This report and resolution simply formalizes this acceptance, and sets the start date of March 17, 2020 for the Retention Pond one-year warranty period.

### **FISCAL IMPACT**

Because the subdivision is not complete, the public improvements may be damaged or otherwise compromised. It is not likely that the underground infrastructure will change. As long as sufficient funds in the bond form will be held to repair any outstanding issues, there will be no fiscal impact to the City. On an on-going basis, the Community Facility District will pay for the regular maintenance costs after the project has been accepted by the City. This "acceptance" requires City Council approval.

### **ATTACHMENTS:**

Resolution

Original Engineer's Estimate of Public Improvements



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA  
ACCEPTING STORM WATER RETENTION BASIN/  
PUBLIC IMPROVEMENT FOR THE  
COPPERLEAF SUBDIVISION (EDENBRIDGE L.P.)**

**WHEREAS**, the City Engineer has been working with the Edenbridge developer at Copperleaf, to complete a punch list for public improvements that were not formally accepted by the City during a prior review of these assets on October 15, 2019; and

**WHEREAS**, Copperleaf's Storm Water Retention Pond was part of that punch list, and between October and February, most of the corrections to its construction had been completed; and

**WHEREAS**, the City was pressed to put the Retention Pond into service when it needed to "blow off" and activate Well 05 due to unforeseen circumstances with Well 06, and before doing so, received the City Engineer's approval to use the Pond as it is very near completion; and

**WHEREAS**, the City's use of the retention pond ends the developer's work on this asset, and now the City is in position to accept this improvement and "own it" moving forward; and

**WHEREAS**, by accepting the retention pond improvements, the warranty period for the pond begins the same date this Resolution is adopted.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the City Council concurs with the City Engineer's recommendation to accept the Storm Water Retention Pond at the Copperleaf Subdivision, Tract No. 337.

**BE IT FURTHER RESOLVED**, that the one-year warranty period for the Retention Pond will begin the same date indicated below.

**PASSED AND ADOPTED** by the City Council of the City of San Juan Bautista on this 17<sup>th</sup> day of March 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

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Mary Vasquez Edge, Mayor

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Laura Cent, City Clerk

## Copperleaf Engineer's Estimate

Item Description	Quantity	Unit	Unit Price	Total
<b>Onsite Improvements</b>				
<b><u>Grading</u></b>				
Clearing, Grubbing & Demolition		LS	\$	25,000.00
Sub Ex & Recompact		LS		115,400.00
Lot Fine Grading	45	EA	324.00	14,580.00
Erosion Control		LS		20,000.00
Subgrade streets, sidewalk, curb & Gutter		LS		54,700.00
			\$	<b>229,680.00</b>
<b><u>Onsite Water</u></b>				
8" Water	1,892	LF	50.00	94,600.00
1 5" Water Service	54	EA	1,200.00	64,800.00
Re-locate Existing Fire Hydrant	1	EA	2,200.00	2,200.00
Fire Hydrants	8	EA	5,500.00	44,000.00
Connect to Existing Service	3	EA	3,000.00	9,000.00
			\$	<b>214,600.00</b>
<b><u>Onsite Sanitary</u></b>				
8" PVC SS	1,630	LF	37.00	60,310.00
4" Service Laterals	54	EA	750.00	40,500.00
SS Manhole	8	EA	2,890.00	23,120.00
			\$	<b>123,930.00</b>
<b><u>Onsite Storm</u></b>				
15" RCP	725	LF	45.00	32,625.00
18" RCP	590	LF	50.00	29,500.00
Storm Manhole	7	EA	3,350.00	23,450.00
Thru-curb Drain	90	EA	160.00	14,400.00
Catch Basins	8	EA	2,700.00	21,600.00
			\$	<b>121,575.00</b>
<b><u>Storm Water Quality Det/Ret Basin</u></b>				
Bioretention Basin Treatment	9,560	SF	10.00	95,600.00
Flared-out Structure with Rip Rap	1	EA	8,320.00	8,320.00
Basin Outfall Structure	1	LS	3,250.00	3,250.00
			\$	<b>107,170.00</b>
<b><u>Pave, Rock &amp; Concrete</u></b>				
Streets 3" AC over 10 CL2AB	65,080	SF	3.00	195,240.00
Curb & Gutter	3,650	LF	26.00	94,900.00
Sidewalk 6" CL2AB	16,135	SF	6.00	96,810.00
Driveway Approaches	5,365	SF	7.00	37,555.00
Handicap Ramps	8	EA	1,775.00	14,200.00
Monuments	10	EA	600.00	6,000.00
			\$	<b>444,705.00</b>
<b><u>Street Signs, Striping</u></b>				
Street Signs and Striping	1	LS	9,825.00	\$ 9,825.00

November 19,

**Utilities, Lighting, Electrical, Gas**

Joint Trench	55	EA	4,000.00	220,000.00
Electroliner	13	EA	2,500.00	32,500.00
			\$	<b>252,500.00</b>

**Soundwall and Fencing**

Soundwall	1,180	LF	195.00	230,100.00
Fencing	6,308	LF	20.00	126,160.00
			\$	<b>356,260.00</b>

**Landscaping**

Streetscape	16,170	SF	3.20	51,744.00
Park	34,550	SF	4.50	155,475.00
			\$	<b>207,219.00</b>

**Total Onsite Costs \$ 2,067,464.00**

**Offsite Improvements**

**Grading**

Demo, Sawcut & Remove	20,860	SF	1.00	20,860.00
SJH Road Street Subgrade	37,700	SF	1.00	37,700.00
				<b>58,560.00</b>

**Pave, Rock & Concrete**

SJH Road 4" AC over 11.5 CL2AB	25,040	SF	4.00	100,160.00
SJH Road Curb & Gutter	1,020	LF	26.00	26,520.00
				<b>126,680.00</b>

**Offsite Water**

8" PVC SJH Road	84	LF	75.00	6,300.00
12 PVC in SJH Road	50	LS	120.00	6,000.00
Connect to Existing 12" Main	1	LS	5,700.00	5,700.00
			\$	<b>18,000.00</b>

**Offsite Sanitary**

8" SDR 26 PVC SS	1258	LF	70.00	88,060.00
SS Manhole	3	EA	4,000.00	12,000.00
Connect to Existing Alameda Manhole	1	EA	15,000.00	15,000.00
			\$	<b>115,060.00</b>

**Offsite Storm**

15" RCP	300	LF	120.00	36,000.00
Storm Manhole	2	EA	3,800.00	7,600.00
			\$	<b>43,600.00</b>

**Total Offsite Costs \$ 361,900.00**

**Total Onsite & Offsite Costs \$ 2,429,364.00**

## **WAIVER OF READING OF ORDINANCES**

State law requires that an ordinance be read in its entirety prior to adoption unless the City Council waives reading beyond the title. Reading an entire ordinance at the meeting is extremely time-consuming; reading of the title alone usually gives the audience sufficient understanding of what the Council is considering.

To ensure that this waiver is consistently approved by the Council, Council should make the waiver at each meeting, thus, you should do it at this point on the Consent Agenda. The Council then does not have to worry about making this motion when each ordinance comes up on the agenda.

GC36934

**City of San Juan Bautista**  
**Expenditures ~ Budget Vs. Actual**  
**For the Seven Month Period Ended January 31, 2020**

Item #4C  
City Council Meeting  
March 17, 2020

<b>EXPENDITURES</b>	<b>FY19</b>	<b>FY20</b>	<b>Annual</b>		<b>YTD</b>	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>58%</u>	<u>Note</u>
<b>General Fund</b>	869,890	959,210	1,740,248	(781,038)	55%	
<b>Special Revenue Funds:</b>						
Capital Projects Fund	258,185	56,191	1,763,000	(1,706,809)	3%	A
Community Development	323,043	301,585	553,058	(251,473)	55%	
COPS	58,331	58,333	100,000	(41,667)	58%	
Parking & Restroom Fd	7,979	9,710	15,000	(5,290)	65%	
Gas Tax Fund	10,541	31,413	53,851	(22,438)	58%	
Affordable Housing Fund	600	96,699	18,877	77,822	512%	B
Valle Vista LLD	9,057	13,330	26,717	(13,387)	50%	
Rancho Vista CFD	2,809	1,473	40,904	(39,431)	4%	D
Copperleaf CFD	2,809	1,473	21,523	(20,050)	7%	D
<b>Development Impact Fee Funds</b>						
Public/Civic Facility	-	19,250	33,000	(13,750)	58%	
Library	-	14,000	24,000	(10,000)	58%	
Storm Drain	3,000	114,333	196,000	(81,667)	58%	
Park In-Lieu	15,000	67,083	115,000	(47,917)	58%	
Public Safety	-	14,583	25,000	(10,417)	58%	
Traffic	18,000	63,583	109,000	(45,417)	58%	
<b>Internal Service Funds:</b>						
Blg Rehab. & Replace	-	11,667	20,000	(8,333)	58%	
Vehicle Replacement	-	6,936	11,890	(4,954)	58%	
<b>Enterprise Funds:</b>						
Water:						
Operations	333,819	359,432	738,921	379,489	49%	
Capital	725,752	265,204	349,979	84,775	76%	A
Sewer						
Operations	385,044	669,702	1,608,450	938,748	42%	C
Capital	573,379	29,770	638,979	609,209	5%	A
<b>TOTAL Funds</b>	<b>2,727,348</b>	<b>2,205,751</b>	<b>8,203,397</b>	<b>5,997,646</b>	<b>27%</b>	

**Footnotes:**

- A ~ Capital costs occur sporadically during the year, and do not always align with the to date percentages  
B ~ Current year to date costs, which over budget, are offset from prior period impact funds received.  
C ~ Costs are higher than prior year due to Sludge removal costs in the current year.  
D ~ CFD costs anticipated at time of budget have yet to be incurred, but are expected by year end.

**City of San Juan Bautista**  
**Revenues ~ Budget Vs. Actual**  
**For the Seven Month Period Ended January 31, 2020**

<b>REVENUES</b>	<b>FY19</b>	<b>FY20</b>	<b>Annual</b>		<b>YTD</b>	
<b>Fund</b>	<b>Actuals</b>	<b>Actuals</b>	<b>Budget</b>	<b>Difference</b>	<b>58%</b>	<b>Notes</b>
<b>General Fund</b>	916,193	957,600	1,854,841	(897,241)	52%	<b>A</b>
<b>Special Revenue Funds:</b>						
Capital Projects Fund	-	438,005	1,722,000	(1,283,995)	25%	<b>D</b>
Community Development	75,740	224,304	553,058	(328,754)	41%	<b>B</b>
COPS	90,887	77,995	100,000	(22,005)	78%	
Parking & Restroom Fd	17,341	15,636	32,200	(16,564)	49%	
Gas Tax Fund	41,665	55,290	53,851	1,439	103%	
Affordable Housing Fund	32,000	50,000	-	50,000		<b>E</b>
Valle Vista LLD	10,037	12,668	21,717	(9,049)	58%	
Rancho Vista CFD	-	54,101	92,744	(38,643)	58%	
Copperleaf CFD	-	20,061	34,390	(14,329)	58%	
<b>Development Impact Fee Funds:</b>						
Public/Civic Facility	19,848	59,030	25,000	34,030	236%	<b>B</b>
Library	26,700	79,410	33,000	46,410	241%	<b>B</b>
Storm Drain	100,921	2,602	80,000	(77,398)	3%	<b>B</b>
Park In-Lieu	10,465	1,309	10,000	(8,691)	13%	<b>B</b>
Public Safety	20,651	61,418	15,000	46,418	409%	<b>B</b>
Traffic	124,455	3,441	10,000	(6,559)	34%	<b>B</b>
Zone 1 TIMF	-	-	30,000	(30,000)	0%	<b>B</b>
<b>Internal Service Funds:</b>						
Blg Rehab. & Replace	32,375	22,167	38,000	(15,833)	58%	
Vehicle Replacement	35,000	35,000	60,000	(25,000)	58%	
<b>Enterprise Funds:</b>						
Water						
Operations	524,188	607,878	979,000	(371,122)	62%	
Capital	789,421	3,646	100,000	(96,354)	4%	<b>D</b>
Sewer						
Operations	540,046	621,562	1,010,600	(389,038)	62%	
Capital	340,773	33,773	600,000	(566,227)	6%	<b>D</b>
<b>TOTAL Funds</b>	<b>2,832,513</b>	<b>2,479,295</b>	<b>7,455,401</b>	<b>4,976,106</b>	<b>33%</b>	

**A** ~ Increased revenue over prior year is largely due to interal fund transfers established this year to offset administrative costs, and capital expenses of which are covered by special revenue and enterprise funds.

**B** ~ These funds are developer derived and are recognized when received.

**C** ~ Gas tax funds are received at varying increments during the year, as such the amounts received do not always align with the year to date percentages.

**D** ~ The timing of the projects and the related revenue does not always align with the year-to-date percentages.

**E** ~ At the time of budget this revenue was not anticipated.

# City of San Juan Bautista

## Warrant Listing

As of February 29, 2020

Date	Num	Name	Amount
<b>101.000 · Union Bank</b>			
<b>101.001 · Operating Acct. 1948</b>			
02/06/2020	213384	3T Equipment Company Inc.	-1,360.28
02/06/2020	213385	4Leaf, Inc.	-6,321.70
02/06/2020	213386	ACWA Health Benefits Authority	-9,518.44
02/06/2020	213387	AFLAC	-290.69
02/06/2020	213388	All Clear Water Services	-4,100.00
02/06/2020	213389	Armondo Venegas	-31.10
02/06/2020	213390	at&t	-87.97
02/06/2020	213391	at&t	-21.04
02/06/2020	213392	Brenntag Pacific, Inc.	-575.35
02/06/2020	213393	Brigantino Irrigation, Inc.	-1,254.81
02/06/2020	213394	Charter Communications	-1,075.40
02/06/2020	213395	Chris Lauber	-23.24
02/06/2020	213396	City Clerks Association of CA	-45.00
02/06/2020	213397	Clark Pest Control	-95.00
02/06/2020	213398	Code Publishing Company	-1,747.50
02/06/2020	213399	Data Ticket Inc.	-400.00
02/06/2020	213400	Department of Transportation	-443.98
02/06/2020	213401	Design Line & Granger	-264.39
02/06/2020	213402	Don Reynolds	-62.12
02/06/2020	213403	Duffy's Industrial Services	-200.00
02/06/2020	213404	EMC Planning Group Inc.	-3,407.20
02/06/2020	213405	Enrique Arreola	-186.00
02/06/2020	213406	Gary Stubblefield	-500.00
02/06/2020	213407	Graniterock	-4,399.83
02/06/2020	213408	Harris & Associates	-20,083.75
02/06/2020	213409	Hollister Auto Parts, Inc.	-805.10
02/06/2020	213410	Hollister Landscape Supply	-771.60
02/06/2020	213411	Hollister Safe & Lock	-90.46
02/06/2020	213412	Home Depot Credit Services	-44.11
02/06/2020	213413	J.C.J. Electric Corp.	-1,001.77
02/06/2020	213414	Joseph & Lupe Garza	-500.00
02/06/2020	213415	Laura Cent.	-181.25
02/06/2020	213416	League of California Cities	-150.00
02/06/2020	213417	Level 1 Private Security.	-10,728.00
02/06/2020	213418	Luis Guzman.	0.00
02/06/2020	213419	Mc Kinnon Lumber Co., Inc.	-45.67
02/06/2020	213420	Mission Linen Service	-232.17
02/06/2020	213421	P G & E	-940.57
02/06/2020	213422	at&t	-225.10
02/06/2020	213423	Monterey Bay Analytical Services	-619.20
02/06/2020	213424	Monterey County Health Department	-54.00
02/06/2020	213425	Ofelia Murillo.	-500.00
02/06/2020	213426	P G & E	-1,750.48

# City of San Juan Bautista

## Warrant Listing

As of February 29, 2020

Date	Num	Name	Amount
02/06/2020	213427	Patricia Paetz	-51.04
02/06/2020	213428	Paul Champion	-185.27
02/06/2020	213429	Pet Waste Co	-175.70
02/06/2020	213430	Pinnacle Strategy	-625.00
02/06/2020	213431	Ponce's Climate Control Inc.	-375.00
02/06/2020	213432	R & B Company	-747.57
02/06/2020	213433	Reyna Sierra.	-500.00
02/06/2020	213434	San Benito Co Sheriff's Ofc.-Communicatin	-62,153.63
02/06/2020	213435	San Benito County Environmental Health	-2,670.00
02/06/2020	213436	San Benito County Sheriff	-39,513.60
02/06/2020	213437	San Juan Bautista Committee.	-5,000.00
02/06/2020	213438	Selena Garcia.	-500.00
02/06/2020	213439	Smith & Enright Landscaping	-1,260.00
02/06/2020	213440	Sprint	-113.28
02/06/2020	213441	Staples	-189.02
02/06/2020	213442	State Compensation Insurance Fund	-1,851.50
02/06/2020	213443	The Rotary Club of San Juan Bautista	-501.00
02/06/2020	213444	Thomas & Associates	-521.94
02/06/2020	213445	Todd Kennedy	-50.00
02/06/2020	213446	True Value Hardware	-263.48
02/06/2020	213447	United Site Services of California, Inc.	-331.73
02/06/2020	213448	Univar Solutions	-665.07
02/06/2020	213449	US Bank Equipment Finance	-249.61
02/06/2020	213450	Valero Marketing & Supply	-543.28
02/06/2020	213451	Wendy L. Cumming, CPA	-4,350.00
02/20/2020	213453	Wellington Law Offices	-2,932.00
02/20/2020	213454	4Leaf, Inc.	-8,760.00
02/20/2020	213455	at&t	-175.94
02/20/2020	213456	California Building Standards Commission	-385.05
02/20/2020	213457	Cypress Water Services	-10,075.00
02/20/2020	213458	Harris & Associates	-15,715.00
02/20/2020	213459	Level 1 Private Security.	-4,968.00
02/20/2020	213460	Lynn Myers Bookkeeping Services, Inc.	-225.00
02/20/2020	213461	New SV Media	-232.00
02/20/2020	213462	US Bank	-7,808.93
02/20/2020	213463	Wright Bros. Industrial Supply	-44.85
02/20/2020	213464	at&t	-90.08
02/25/2020	213465	Abbott's Pro Power	-37.09
02/25/2020	213466	AFLAC	-290.69
02/25/2020	213467	Akel Engineering Group, Inc.	-16,704.25
02/25/2020	213468	Allied Insurance Services, Inc.	-1,211.00
02/25/2020	213469	Amanda Tellez	-80.84
02/25/2020	213452	at&t	-242.34
02/25/2020	213470	AVAYA	-250.66
02/25/2020	213471	Clark Pest Control	-95.00



# City of San Juan Bautista

## Warrant Listing

As of February 29, 2020

Date	Num	Name	Amount
02/25/2020	213472	Clear Gov Inc.	-4,700.00
02/25/2020	213473	CMAF	-1,770.00
02/25/2020	213474	CSG Consultants, Inc.	-24,105.00
02/25/2020	213475	Federal Licensing, Inc.	0.00
02/25/2020	213476	Hamner Jewell Associates	-78.75
02/25/2020	213477	Hugo Garcia.	-700.00
02/25/2020	213478	Jardines, Inc.	-150.00
02/25/2020	213479	KBA Docusys	-308.85
02/25/2020	213480	Kessia De La Cruz.	-400.00
02/25/2020	213481	Laura Cent.	-100.00
02/25/2020	213482	Level 1 Private Security.	-405.00
02/25/2020	213483	Mission Linen Service	-137.66
02/25/2020	213484	Monterey Bay Analytical Services	-2,433.70
02/25/2020	213485	New SV Media	-97.00
02/25/2020	213486	P G & E	-3,113.29
02/25/2020	213487	Petty Cash	-118.17
02/25/2020	213488	Pinnacle Healthcare Medical Group	-109.00
02/25/2020	213489	Ponce's Climate Control Inc.	-230.00
02/25/2020	213490	Ready Refresh	-327.21
02/25/2020	213491	Salvador Perez.	-700.00
02/25/2020	213492	Samuel Juarez	-605.50
02/25/2020	213493	Smith & Enright Landscaping	-1,120.00
02/25/2020	213494	Sprint	-113.28
02/25/2020	213495	State Compensation Insurance Fund	-1,851.50
02/25/2020	213496	SWRCB	-5,306.40
02/25/2020	213497	United Site Services of California, Inc.	-331.73
02/25/2020	213498	US Bank Equipment Finance	-499.22
02/25/2020	213549	Valero Marketing & Supply	-1,153.05
02/25/2020	213500	Wells Fargo	-196,891.68
02/25/2020	213501	Wright Bros. Industrial Supply	-16.05
02/25/2020	213502	P G & E	-5,202.13
02/25/2020	213503	P G & E	-30.64
02/27/2020	213504	Smith & Enright Landscaping	-1,210.00
02/27/2020	213505	Abbott's Pro Power	-326.29
02/27/2020	213506	FedEx	-31.67
Total 101.001 · Operating Acct. 1948			-523,517.48
Total 101.000 · Union Bank			-523,517.48
<b>TOTAL</b>			<b>-523,517.48</b>



## CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

**AGENDA TITLE:** CITY MANAGER'S MONTHLY REPORT

**DATE:** MARCH 17, 2020

**FROM:** DON REYNOLDS, CITY MANAGER

---

**RECOMMENDATION:** That the City Council receive and file this report.

**DISCUSSION:** A summary of February's activities will follow:

**Administration-** Citygate launched its organizational study for the City the first week in March, by taking two days to interview both current and past employees, and several critical contractors (City Engineer, CPA, Building Officials, etc.). A retired Finance Director is also looking deeper into the City's fiscal stability. In general, Citygate seemed surprised to discover that the City has some real good talent working on its behalf. In the end, Citygate will be able to respond to the City's question: is the City receiving the most services it can for the costs? In the meantime, we are continuing to perform staff evaluations, and continuing to improve our job descriptions and personnel policies.

**Budget/Finance-** As mentioned, Citygate is reviewing our finances, and at the same time, staff is implementing new budget tools with a second provider "Cleargov." Cleargov is building a new transparency platform for the City's web-site that will present how the City uses its revenues to better serve the community. It has already copied past data from prior years that will appear next to the current budget and proposed budget for next fiscal year, to give everyone a "clear" picture of where the City is heading. Included with these tools, are new templates for City staff to use when making budget requests that will simplify the data for the City Council. This process will really help communications moving forward, culminating in budget workshops scheduled in May.

**Cannabis** – The updated its web-page and is ready for cannabis applications. To date, only a few inquiries have been received.

**Planning-** Discussions about Urban Growth Boundaries began with the Planning Commission on March 10<sup>th</sup>. There seems to be general support for the idea of limiting growth around the City. This matter is before the Council on this March 17<sup>th</sup> agenda. The City received notification from HCD that it has received its award of SB2 grant funds in the amount of \$160,000. This project will focus on a small specific plan along the Alameda stretching south beyond the City boundaries to Mission Vineyard Road. Two additional HCD grants are in the works. They are referred to as Local Early Action Planning, and Regional Early Action Planning grants. These resources will be used to pay for the zoning code amendments identified during the Housing Element adoption.

Many of these changes apply to Accessory Dwelling Units, and the revised State process to encourage the use of ADU's as a source of affordable housing.

**Public Works-** Joining the Third Street Reconstruction project (Muckelemei to Monterey Streets) that is out to bid, a second project went out to bid this month to construct the sewer line required on San Juan Hollister Road to connect the filtrations system to the sewer lift station. These are two big capital improvements scheduled for award on the April agenda. Close to \$2 million will be spent funds dedicated to streets, sidewalks, water and sewer infrastructure. None of these costs are paid for by the General Fund.

The status of the City's water systems has been the big focus for staff this month. The latest actions are described in a separate report to the City Council, as well as the proposed path forward.

**Public Works Crew-** a new job description has been drafted for the Maintenance Worker job classification. It updates the 2007 job description. This tool will be used to incentivize education growth. This matter is summarized in a separate report to the City Council on the March 17<sup>th</sup> agenda.

**Fleet-** In the past week, we have had four critical pieces of equipment fail, requiring constant upkeep by the Fleet Maintenance worker. The power mower, and several small engine hand tools are in the shop. These aging equipment failures may become budget requests for next fiscal year.

**Other stuff-** A coordinated response to the Corona Virus is well underway at this time. Information has been posted on the web-site. The City is working closely with Public Health, Hollister Fire, County EOC, the School District and State Parks. The City's special events in March, April and May remain intact moving forward, but the organizers are on notice that this status could change if conditions change for the worst in San Juan Bautista.

The City Manager attended two emergency preparedness training classes taught by the State Office of Emergency Services at no cost to the City, in the past month. Both were general overview of the EOC operations, and the role of various players. The first training was good because it included CAO Ray Espinoza, who was great to learn with. The second was great because I was in class the Fire Chief. These are two great partners to have moving forward.

The Mayor and two councilmembers joined me in Yosemite last week at the Local Government Commission's annual elected official's Policy Makers Conference. Cutting edge presentations from several jurisdictions covered topics from emergency preparedness and emergency power, to housing and homeless crisis. Other focus areas include creating sustainable transportation systems to reduce green-house emissions. The Mayor of San Jose was the last key-note speaker.



## CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

**AGENDA ITEM:**                    **AMEND THE MAINTENANCE WORKER JOB  
DESCRIPTION AND ADD AN INCENTIVE PROGRAM  
FOR PROFESSIONAL DEVELOPMENT**

**MEETING DATE:**                March 17, 2020

**DEPARTMENT HEAD:**        Don Reynolds, City Manager

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### **RECOMMENDED ACTION(S):**

That the City Council approve the attached job description for Maintenance Works I and II, and the attached proposed amendment to the City's personnel policies that establish an educational incentive program for professional development.

### **BACKGROUND INFORMATION:**

As is true for most small agencies, the City's public works crew consists of a tight-knit group of dedicated employees, who have to wear "many hats" to cover all of the public works and facility maintenance needs of the City. The City may require expertise in one field or another, but ultimately every City maintenance worker may have to work in fields that they are not as familiar with as another expertise. The City is fortunate to currently have a balanced team, with expertise in sewer collections and water distribution systems, facility, grounds and landscape maintenance efforts. It is important to recognize this good fortune and find ways to provide for incentives for growth amongst the staff to make the regular duties of the maintenance crew more meaningful.

The Maintenance Worker I position is an entry level job. No special training or credentials are required except for high school graduation and a valid driver's license. The MWII position requires a Level 1 Water Distribution ("D-1") certificate and training. This credential only helps the MWII understand water distribution and does not respond to the City's need for training Water Collection and Waste Water Treatment credentials. No other City job descriptions have this specific credential required.

The first attachment is the current City job description for MW I and MW II positions. It has not been updated since 2007. A quick review of it illustrates the need to simplify the job description and better define the current standards. There is also a need to remove obsolete job duties including "act as a fire fighter as needed."

**DISCUSSION:**

The second attachment is a new draft job description for MWI and MWII. It generally describes the expectations for various types of maintenance work required by the City's crew. Safety for the public and for the employee has been emphasized and introduced into regular maintenance processes through the use of standard operating procedures ("SOPS"). The Water and Sewer Collection SOP's are particularly important. It is required to follow the emergency call-out process as well.

This draft job description emphasizes the importance of job training. In addition to requiring a credential in water distribution (the "D-1" certificate) it adds the ability for staff to achieve higher levels of training that are incentivized with 2.5% salary increase for up to two additional certificates. These can be in any of the three categories of Distribution, Collection or Treatment.

The third attachment is a proposed policy change to the City's Personnel Policies. While written broadly to include all City full-time positions, it is targeted towards the MW classification. It provides for pre-approval, job-related, and no expenses would be incurred by the City. If the certification expires, the incentive ends.

**FISCAL IMPACT:**

This policy if approved and awarded by the City to its employees will incur additional salary expenses of between 2.5 and 5% per year. A 2.5% increase applied to a payroll of \$350,000 equals \$8,790 per year. These expenses would be shared amongst various City funding sources (general fund, sewer and water enterprise, etc.).

**ATTACHMENTS:**

- Original Job Description
- Proposed Amended Job Description
- Personnel Policy Amendment adding educational incentive

**City of San Juan Bautista  
Position Description**

**Public Works Maintenance Worker I/II**

**Full Time, 40 Hr. Week**

**Permanent Employee**

**Non-Exempt Classification – Overtime Provided per Municipal Personnel Policies**

**General Description of Function & Purpose:**

Under general supervision of the Public Works Manager, performs a variety of semi-skilled work in the construction, modification, maintenance, repair and operation of City infrastructure, including streets, the park and landscaped areas, trees, storm and sanitary sewers, buildings and facilities; and performs other related duties as required.

**Class Characteristics:**

Public Works Maintenance Worker I is the entry-level into this maintenance class series. Initially under close supervision, incumbents with basic maintenance experience learn City facilities, use of tools and equipment and a wide variety of practices and procedures. As experience is gained, assignments become more varied and are performed with greater independence. This class is alternatively-staffed with Public Works Maintenance Worker II and incumbents may advance to the higher level after gaining the knowledge, skill and experience which meet the qualifications for and demonstrating the ability to perform the work of the higher-level class. This class may also be used for temporary or part-time staffing as determined by the needs of the City.

Public Works Maintenance Worker II is the experienced-level class, capable of performing a wide variety of work to ensure that the public facilities and infrastructure of the City are maintained in a safe and effective working condition. Responsibilities include performing work in all operational and maintenance areas, depending upon the immediate needs of the City. While incumbents may have developed skills in one or more areas of activity, all are expected to be able to perform basic maintenance and repair in all areas of assignment. This position may also serve on the City Fire Department during normal duty hours.

**Specific Examples of Duties and Responsibilities:** (Illustrative only)

- Excavates and prepares potholes and excavations related to storm drain repair and for patching on streets.
- Loads cold and hot mix, asphalt and patching oil; applies and finishes as required.
- Removes concrete, builds forms and repairs curbs and gutters that have been damaged or need repair after underground line work; performs other concrete work around City buildings as required.
- Cleans storm drains and other appurtenances using a variety of hand and power tools and equipment; repairs and flushes a variety of underground mains and appurtenances.
- Uses an airless paint sprayer, mixes, thins, and applies paint and stripes streets, crosswalks and stop sign bars; replaces reflective pavement markers and street signs.

- Determines the location of underground lines and marks them accordingly.
- Plants, waters, fertilizes and removes annual and perennial plantings and maintains landscaped areas in an attractive condition.
- Mows and rakes grass areas; edges areas and removes weeds from landscaped and grass areas.
- Prunes hedges, shrubs and trees in the park and landscaped areas.
- Maintains playground equipment in a safe operating condition.
- If appropriately certified, applies herbicides and pesticides as required.
- Empties trash containers and removes trash from parks, landscaped areas and other City properties.
- Plants, trims, waters, stakes and maintains City Park trees; removes dead or unwanted trees.
- Maintains public facilities, shop areas and other buildings in a clean and orderly condition, performing regularly assigned custodial work.
- Performs basis remodeling to City facilities; paints the inside and outside of all City buildings; removes graffiti and repairs vandalism.
- Repairs and replaces plumbing fixtures, as required; installs and repairs irrigation systems.
- Repairs, replaces and maintains interior and exterior lighting systems.
- Performs minor maintenance and repair problems, determines materials and equipment required for repair; may purchase materials and supplies from established suppliers.
- Contacts residents to inform them of work to be performed.
- Operates a variety of vehicles and construction equipment.
- Inspects and performs service, minor maintenance and repair on a variety of hand and power tools, vehicles and equipment.
- Maintains logs and records of work performed and materials and equipment used.
- Maintains and repairs water system.
- Other duties as assigned.

### **Required Knowledge, Skills and Abilities**

#### **Knowledge of:**

- Maintenance principles, practices, tools and materials for maintaining and repairing a variety of facilities, buildings, grounds and equipment such as found in the City.
- The operation and minor maintenance of a variety of hand and power tools, vehicles and power equipment.
- Safety equipment and practices related to the work, including the handling of hazardous chemicals.
- Applicable codes and regulations.
- Shop arithmetic.
- Safe driving rules and practices.
- Basis traffic control procedures.

#### **Skill to:**

- Performing semiskilled construction, modification, maintenance and repair work on a variety of facilities, buildings, grounds and equipment such as found in the City.
- Troubleshooting maintenance problems and determining materials and supplies required for repair.

- Using and maintaining tools and equipment related to the work skillfully and safely.
- Making accurate arithmetic calculations.
- Reading and interpreting construction drawings and specifications.
- Maintaining accurate logs, records and basic written records of work performed.
- Understanding and following oral and written directions.
- Working independently or in a team situation.
- Establishing and maintaining effective working relationships with those contacted in the course of the work.

**Minimum Qualifications:**

**Experience and Training:**

Education equivalent to graduation from high school.

**Experience:**

Public Works Maintenance Worker I – Six months of construction, maintenance or repair experience in at least one of the areas found in City public maintenance work.

Public Works Maintenance Worker II – In addition to the above, two years of semi-skilled maintenance experience in a variety of craft areas of a level equivalent to the City's class of Public Works Maintenance Worker I.

**Licenses or Certifications:**

Must possess and keep valid a Level D-2 Water Distribution license. Opportunities for advancement with valid water distribution, collection and treatment certifications, and code enforcement certification.

Must possess a valid California Class C drivers license and have a satisfactory driving record.

**Special Requirements/Working Environment**

**Working Conditions:**

Must be available for regular standby assignments and work emergency overtime as required. Must be willing to work out of doors in all weather conditions and with exposure to traffic and potentially hazardous conditions.

**Physical Demands:**

Must possess strength, stamina and mobility to perform heavy physical work, use varied hand and power tools, drive a motor vehicle and heavy construction equipment and lift and move materials and equipment weighing to 90 pounds and heavier weights with the use of proper equipment; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone or radio.



**City of San Juan Bautista  
Position Description**

**Public Works Maintenance Worker I/II**

**Full Time, 40 Hr. Week**

**Permanent Employee**

**Non-Exempt Classification – Overtime Provided per Municipal Personnel Policies**

**General Description of Function & Purpose:**

Under general supervision of the Public Works Supervisor, performs a variety of semi-skilled work in the construction, modification, maintenance, repair and operation of City infrastructure, including water and waste water systems, streets, the park and landscaped areas, trees, storm and sanitary sewer collection systems, buildings and facilities; and performs other related duties as required.

**Class Characteristics:**

Public Works Maintenance Worker I is the entry-level into this maintenance class series. Initially under close supervision, incumbents with basic maintenance experience learn City facilities, use of tools and equipment and a wide variety of practices and procedures. As experience is gained, assignments become more varied and are performed with greater independence. This class is alternatively-staffed with Public Works Maintenance Worker II and incumbents may advance to the higher level after gaining the knowledge, skill and experience which meet the qualifications for and demonstrating the ability to perform the work of the higher-level class. This class may also be used for temporary or part-time staffing as determined by the needs of the City.

Public Works Maintenance Worker II is the experienced-level class, capable of performing a wide variety of work to ensure that the public facilities and infrastructure of the City are maintained in a safe and effective working condition. Responsibilities include performing work in all operational and maintenance areas, depending upon the immediate needs of the City. While incumbents may have developed skills in one or more areas of activity, all are expected to be able to perform basic maintenance and repair in all areas of assignment.

**Specific Examples of Duties and Responsibilities:** (Illustrative only)

**Building and Grounds, Parks and Landscape:**

1. Perform weekly public building and park safety inspections that includes the safety and equal access to all play equipment, furniture and structures. Report any deficiencies or concerns to the Supervisor if they cannot be resolved immediately.
2. Perform landscape and ground maintenance around public buildings, recreation facilities, rights-of-way, and open areas.
3. Perform irrigation maintenance and repairs as necessary.

4. Mow lawns, remove garbage and litter, and blow leaves and debris from assigned facilities.
5. Clean and maintain park buildings and restrooms.
6. Assist in park development when required.
7. Perform or coordinate necessary plumbing, carpentry, painting, and related building maintenance and vandalism repair as assigned.
8. Work closely with other City departments and the public to coordinate maintenance schedules with the use of assigned facilities.
9. Perform work in support of the ball field preparation and clean-up and special event preparation and clean up.
10. Take appropriate action when laws, regulations, and policies pertaining to public use of the parks and municipal facilities are not being followed.
11. May be assigned to work in different facilities through the City.
12. May coordinate requisition, procurement and storage of janitorial supplies.
13. May perform support services during major functions that occur in City facilities.

**Sewer Systems:**

1. Implement the City's Standard Operating Procedures established for the City's sewer collection systems, including routine flushing of lines, and regular maintenance of the sewer lift stations.
2. Replace and maintain collection system pipes, manholes and lift station equipment.
3. Operate equipment specifically related to sewer collections systems including the camera and flushing equipment as part of the daily operations.
4. Maintain an inventory of spare parts necessary to keep systems in operations during all hours of the day or night.
5. Maintain experienced and licensed vendor list to respond to system failures in an emergency.
6. Trouble shoot system failures including water testing, odor control and chemical additives used to control odors.
7. Work closely with the City contractor relied upon for the operation of the City's Waste Water Treatment Plant Operations.
8. Follow emergency response protocols.

**Water:**

1. Implement the City's Standard Operating Procedures for maintaining the City's water distribution system.
2. Perform general maintenance work on the water system, as well as repairs and replacement of water mains, water services, fire hydrants and water meters.
3. Maintain water systems in City facilities and building grounds.
4. Take water quality samples per State of California regulations.
5. Read water meters.
6. Perform backflow tests on City-owned backflow assemblies. Repair and replace all back-flow devices found not to be in working condition.
7. Perform cross-connection surveys on City and private premises.

**Streets/Trees:**

1. Perform general maintenance and repair work involved in streets, sidewalks, trees, and storm drains.
2. Perform work in asphalt patching, cement masonry, carpentry, painting, and minor plumbing and electrical.
3. Street light repair and replacement as needed.

**All Sections:**

1. Operate and provide daily maintenance on equipment, vehicles, and hand and power tools as assigned.
2. Oversee the work of full-time, part-time, volunteers and others (such as social Service and Department of Correction programs and individuals) as assigned. Fill in for Public Works Supervisor in his/her absence as assigned.
3. Participate in related training programs.
4. Prepare and keep accurate records and reports.
5. Investigate service requests and complaints.
6. Conduct inspections.
7. Provide training to Maintenance Worker I's, Maintenance Aides, and others (including Social Service and Department of Correction individuals) as assigned.

8. Perform disaster relief work as required.
9. Perform related work as necessary and require.

## **REQUIRED KNOWLEDGE, SKILLS AND ABILITIES**

### **Buildings, Grounds, Parks and Landscape Section**

#### **KNOWLEDGE OF:**

1. Proper custodial practices and techniques related to building and restroom maintenance.
2. Principles of irrigation system design and maintenance.
3. Proper horticultural practices related to parks, municipal facilities, rights-of-way, and open areas, including, but not limited to:
  - a. Cultivation, pruning, fertilization, irrigation, and proper cultural practices for lawns, flowers, trees, shrubs, and plants.
  - b. Basic identification and cultural needs of individual ornamental and native plants.
  - c. Identification of plant diseases and appropriate treatments.
  - d. Identification of weeds and chemical and cultural methods of control.

#### **All Sections:**

1. Standards methods, materials, tools and equipment used in maintenance work of assigned area.
2. Rules and practices required by Cal OSHA in the safe performance of work.
3. Leadership principles and practices such as coordinating work, motivating the team, and resolving problems.
4. Operation and maintenance of assigned vehicles and equipment.
5. Laws, regulations and policies pertaining to assigned Section.
6. Proper safety practices and techniques related to lane closure and traffic control on public rights-of-way.
7. Correct English usage sufficient to understand, provide, and follow oral and written instructions and to prepare reports and complete necessary forms.

#### **SKILLS:**

##### **All Sections:**

1. Operate a variety of equipment associated with maintenance work in assigned section.
2. Interpersonal and customer service skills necessary to work effectively with the public and fellow employees.

3. Leadership skills necessary to oversee and direct the work of other employees.

**ABILITY TO:**

**All Sections:**

1. Read and interpret advanced schematic and blue print plans and maps pertaining to assigned section.
2. Walk or stand for long periods of time.
3. Perform medium to heavy manual/physical labor including lifting and carrying weighted objects.
4. Oversee and direct the work of others, including taking responsibility for the work to be performed by the crew.
5. Lift, pull, carry and move weighted objects.
6. Dig, rake, shovel, saw and perform other manual tasks.
7. Work out of doors under sometimes unfavorable weather conditions.
8. Express ideas effectively, orally and in writing.
9. Training and guide subordinates in work practices and methods.
10. Use hand and power tools.
11. Understand, follow, and provide verbal and written instructions and keep accurate records.
12. Establish and maintain effective working relationships with supervisors, co-workers, other departments, outside agencies, and the general public.
13. Work in a safe manner.

**MACHINES/TOOLS/EQUIPMENT UTILIZED:**

***See Attachment A***

**REQUIREMENTS, TRAINING, EXPERIENCE AND QUALIFICATIONS:**

1. Must have a valid California Drivers' License, and be insurable as a driver by the City.
2. Minimum twelfth grade education or a G.E.D.
3. Three years of experience in public works maintenance areas such as water, sewer, streets, trees, parks, landscape, or other related areas is preferred.
4. Prior work for a public agency preferred.
5. May learn or be credentialed to drive the fork-lift and tractor.
6. Will drive trucks, mowing equipment, and pull trailers and other related accessories.
7. Must be familiar and be able to use a variety of powered and unpowered hand tools.

8. Must be able to use a smart-phone responsibly.

**SPECIAL REQUIREMENTS/WORKING ENVIRONMENT**

1. When assigned to the Parks and Landscape Section, must possess, or obtain within twelve months from appointment, upgrade or transfer to this position, a valid Qualified Applicators Certificate with a minimum of two Categories (one of which must be a Category B – Landscape Maintenance).

2. When assigned to the water Section, must possess, or obtain within twelve months from appointment, upgrade, or transfer to this position, a Grade II Water Distribution Operator Certificate issued by the State of California.

3. When assigned to the Street/Sewer/Tree Section, may be required to possess, or obtain within twelve months from appointment, upgrade, or transfer to this position, a CWEA Collection System Maintenance Certification Grade I. This requirement, when enforced, applies to employees appointed, upgraded or transferred. Employees hired to this position must be able to demonstrate proficiency in the use of the following list of equipment: backhoe, front end loader, dump truck, chain saw, compressor jack hammer, Tiger mower/flail, Vactor truck, aerial lift, pressure washer, forklift, chipper, bob cat, paving box, water truck, sweeper, concrete/asphalt saw, emergency lights, oxy-acetylene cutting and welding torch, and arrow and message board.

4. When assigned to the Water Section, may be required to obtain a Backflow Prevention Assembly General Tester Certificates within twelve months of hire, transfer, or notification that the certification is needed.

5. When assigned to the water Section may be required to obtain a cross Connection Control Program Specialist Certificate within twelve months of hire, transfer, or notification that the certification is needed.

6. When subject to assignment on paid standby duty, must reside within sixty (60) minutes normal driving time of the City Corporation Yard. Normal driving time is the most direct route, at the speed limit.

7. May be subject to scheduled 7 day paid standby duty on a rotating basis.

8. May be subject to weekend work, work on holidays, and varied shifts.

9. Subject to recall and/or emergency basis.

10. Possess at time of employment, and maintain during employment, a valid California Class C Driver License and a safe driving record necessary to operate assigned vehicle(s).

11. Pass a post-offer medical examination, which includes a drug test.

## Attachment A

### MACHINES/TOOLS/EQUIPMENT UTILIZED:

When working in the office and in the field, the following may be used:

1. Computer, keyboard and monitor
2. Laser-jet or ink jet printer
3. Telephone
4. Copier
5. Calculator
6. Facsimile machine
7. Typewriter
8. Digital or polaroid camera
9. Paper cutter and paper shredder
10. Specialized computer software, including the telemetry system
11. Handcart or dolly
12. Pager
13. Two-way radio
14. Safety goggles, gloves, hard-hat, shoes, earplugs, respirator, first-aid kit and safety vest
15. Meter reader and meter boxes
16. Chlorine barrels
17. Meter-reading interrogator
18. Leak detectors
19. Chlorine machine
20. PH meter
21. Colorimeter
22. Confined space apparatus, tripod, oxygen sensor, full-body harness, and recovery wrench
23. Aerosol containers, muratic acid, hydrochloric acid, ascorbic acid, paint, thinners, P.V.C. glue, etc.
24. Broom and mop
25. Various hand tools such as rakes, shovels, pruners, hedge trimmer, trimmers (string or blade), backpack blower, sanders, dig bars, drills, crowbars, screwdrivers, pipe wrenches, hammers, electric drills, impact wrenches, etc.
26. Ladders and reservoir ladders equipped with a safety harness
27. Confined space apparatus, tri-pod, oxygen sensor, body harness, hand crank
28. Jumping jack, soil compactor, cement mixer, etc.
29. Water pump, welder, cutting torch, auger, pipe threader, pipe cutter, and drill press
30. Concrete saw, chain saw, chop-saw, and trench snapper, saber saw, circular saw, band saw
31. Air compressor, jackhammer, clay spade, impact wrenches, pneumatic nail gun, etc.
32. Traffic control barricades, cones, and signs and light bars
33. Automobiles, vans, trucks and large vehicles such as sewer trucks, water trucks, etc.
34. Heavy equipment, cat loader, dump truck, roller, backhoe, bobcat, forklift, chipper, turf tractor, tractor mower, trailers, asphalt spreader, sweeper, vactor truck, hydraulic truck with tools and generators, sign board, light bars, etc.
35. Paint truck and portable sprayer
36. Oiler, crack seal machine
37. Sign machine
38. Turf maintenance equipment, rototiller, mowers (push or riding), edger, turf vacuum, turf trucks, sprayers (3, 30, 100 gallon), seed and fertilizer spreader (hand and tractor-mounted), aerator (walk-behind/tractor-mounted), verti-cutter, tractor-mounted brush mower, etc.
39. Soil compactor, cement mixer
40. Irrigation controller

## **RESOLUTION NO. 2020-XX**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AMENDING RULE XIII OF THE CITY OF SAN JUAN BAUTISTA PERSONNEL RULES RELATING TO EDUCATIONAL INCENTIVE FULL TIME EMPLOYEES**

#### **RECITALS**

A. The City of San Juan Bautista adopted new Personnel Rules on June 19, 2018 by Resolution 2018-26.

B. The City Council wishes to amend the Personnel Rules to provide educational incentives for full time employees.

#### **THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA, CALIFORNIA, DOES RESOLVE AS FOLLOWS:**

SECTION 1. A new Section 18 is added to Rule I (Definitions) of the San Juan Bautista Personnel Rules as set forth in Attachment A, attached hereto and incorporated by reference herein.

SECTION 2. A new Section 1.11 (Educational Incentive) is added to Rule XIII (Compensation, Benefits and Overtime) of the San Juan Bautista Personnel Rules as set forth in Attachment A, attached hereto and incorporated by reference herein.

SECTION 3. The City Manager is directed to distribute the new Rule XIII, Section 1.11 to all City personnel, along with any additional required notices, and after distribution, to begin enforcing the requirements of this new Rule XIII, Sections 1.11.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption by the City Council.

PASSED, APPROVED, AND ADOPTED ON March 17, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Mary V. Edge, Mayor

ATTEST:

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Laura Cent, City Clerk



## **Attachment A**

### **PERSONNEL POLICY AMENDMENT**

#### **Rule I Definitions**

Add Section 18. "Educational Incentive" (adjusting other definitions by one number). An incentive for educational achievement of up to 2.5 percent of the salary, for those Full Time Employees who satisfactorily complete pre-approved coursework related to their job duties. A maximum of two incentives may be received while working in any one job-classification.

#### **Rule XIII**

##### **Section 1.11- Educational Incentives**

A Full-time employee shall receive a salary increase of 2.5%, upon City receipt of a credential stating the full-time employee has satisfactorily completed the pre-approved coursework that is directly related to the job duties. As many as two increases may be received from this Incentive, while working in the same job classification. The costs of the coursework, books and other expenses, including the time-off to attend courses, must be paid by the full-time employee. If a certification is allowed to expire, the Incentive will end at the next pay period.

City Maintenance Workers are encouraged to complete courses in any of these three categories: water distribution, water collection, water treatment. Copy of the completed certification will be held on file in Human Resources. The incentive pay will begin at the start of the next pay period following the date of the certification.



## CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

**AGENDA TITLE:** FIRST READING OF AN ORDINANCE REVISING THE  
APPOINTMENT PROCESS FOR PLANNING COMMISSIONERS

**DATE:** March 17, 2020

**FROM:** CITY ATTORNEY

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### **RECOMMENDATION:**

It is recommended that the City Council Give first reading to Ordinance No. 20- , to be read by title only, replacing the current Section 2-3-110, with a new Section 2-3-110, which revises the appointment process for Planning Commissioners.

### **BACKGROUND**

In spring of 2018, the City Council revised the Municipal Code to allow the City Council, as a whole, to interview and appoint Planning Commissioners. Prior to that, the Municipal Code contained a complicated process by which each member of the City Council appointed one member to the Planning Commission. The current City Council attempted to implement the Planning Commissioner selection process at a Public Meeting. It was cumbersome to try and interview and vote on multiple candidates at a Public Meeting and resulted in allegations that the process was not fair.

The City Attorney advised that many city councils appointed members of commissions or committees through an ad hoc subcommittee, to be appointed annually by the city council to review resumes and applications and conduct interviews without having to adhere to Brown Act restraints of public meetings. That is applications, interviews and personal opinions of candidates would not have to be made public. The City Council directed the City Attorney to come back with an ordinance which revised the process so that a subcommittee could make a recommendation to the City Council for Planning Commission appointments.

The Ordinance with the desired revision is attached as Exhibit "A." Some of the language remains the same, some was renumbered to improve the flow and the new language is principally in sub-paragraphs (D) and (E).

### **ENVIRONMENTAL REVIEW**

The approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") because pursuant to CEQA Guidelines Sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); and, 15060 (c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines,

California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the approval of this ordinance is not a "Project" under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**CONCLUSION:**

Staff recommends that the City introduce and give first reading to Ordinance 2020-XX to be read by title only, which revises and simplifies the appointment process for Planning Commissioners. The ordinance will become effective thirty (30) days after the second reading.

**EXHIBIT "A"**

**ORDINANCE NO. 2020-\_\_**

**ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF SAN JUAN BAUTISTA DELETING THE CURRENT SECTION 2-3-110, IN ITS  
ENTIRETY AND ADDING A NEW SECTION 2-3-110 TO THE SAN JUAN BAUTISTA  
MUNICIPAL CODE REVISING THE "QUALIFICATIONS-APPOINTMENT- TERM" OF  
PLANNING COMMISSIONERS**

**-o0o-**

**WHEREAS**, the City Council asked the City Attorney to provide the City Council with an Ordinance to change the process for appointment of members to the Planning Commission so that an ad hoc subcommittee reviewed applications and resumes, interviewed candidates and made a recommendation to the City Council for Planning Commission members.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** Section 2-3-110 is deleted in its entirety and is replaced with a new Section 2-3 -110, which is hereby added to the San Juan Bautista Municipal Code, to read as follows:

**2-3-110 Qualifications – Appointment- Term.**

(A) Members of the Planning Commission shall be residents and registered voters of the City of San Juan Bautista and shall not be officers or management-level employees of the City at the time of their appointment and continuously during their terms of office. A Commissioner who has moved residence from the City shall be considered to have resigned from the Commission office.

(B) Planning Commission member's terms shall be four (4) years, which terms shall be staggered.

(C) Any vacancy in the Planning Commission from whatever cause arising, including expiration of term, shall be filled by appointment by the Council. Upon a vacancy occurring, leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term.

(D) When there is a vacancy to be filled on the Planning Commission, except for a successful reappointment of a Planning Commission member for a successive, consecutive term as defined in Paragraph (E), the City Council shall appoint an ad hoc subcommittee of two members to receive applications and/or resumes, select qualified candidates for interviews, conduct interviews and make a brief report with a recommendation to the City Council. The City Council shall consider and vote on the recommendation and shall appoint the applicant who receives a majority of votes, to the Planning Commission. If an applicant does not receive a majority of votes, the ad hoc subcommittee shall select a new candidate and present that candidate to the City Council at the following meeting.

(E) The City Council may, upon expiration of the Planning Commission member's term, reappoint a Planning Commission member for a successive, consecutive term, without requiring an ad hoc subcommittee to conduct interviews and make a recommendation. If the Planning Commissioner, whose term has expired, is not reappointed, the Council may direct the ad hoc subcommittee to review credentials and interview that Planning Commissioner, or to also consider other candidates for appointment to the City Council, as set forth in Paragraph (B).

**SECTION 2. Severability.** The City Council declares that each section, subsection, paragraph, subparagraph, sentence, clause and phrase of this ordinance is severable and independent of every other section, subsection, paragraph, subparagraph, sentence, clause, and phrase of this ordinance. If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this ordinance is held invalid, the City Council declares that it would have adopted the remaining provisions of this ordinance irrespective of the portion held invalid, and further declares its express intent that the remaining portions of this ordinance should remain in effect after the invalid portion has been eliminated.

**SECTION 3. Environmental assessment.** The City Council declares that the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") because pursuant to CEQA Guidelines Sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); and, 15060 (c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the approval of this ordinance is not a "Project" under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**SECTION 4. Effective date.** This ordinance shall go into effect thirty days after the date of its adoption.

**THE FOREGOING ORDINANCE** was first read at a regular meeting of the San Juan Bautista City Council on the 17<sup>th</sup> day of March, 2019, and was adopted at a regular meeting of the San Juan Bautista City Council on the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
**Mary V. Edge, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Laura Cent, City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Deborah Mall, City Attorney**



## CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

**AGENDA TITLE:** Discuss the re-establishment of an Urban Growth Boundary

**MEETING DATE:** March 17, 2020

**SUBMITTED BY:** David J. R. Mack, AICP (Contract Planner)

**DEPARTMENT HEAD:** Don Reynolds, City Manager

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**RECOMMENDED ACTION(S):** Staff recommends the City Council:

1. Receive an informational presentation on the Urban Growth Boundary; and
2. Discuss the option(s) of re-establishing an Urban Growth Boundary

**BACKGROUND INFORMATION:**

An urban growth boundary, or UGB, is a regional boundary, set in an attempt to control urban sprawl by, in its simplest form, mandating that the area inside the boundary be used for urban development and the area outside be preserved in its natural state or used for agriculture.

Legislating for an "urban growth boundary" is one way, among many others, of managing the major challenges posed by unplanned urban growth and the encroachment of cities upon agricultural and rural land.

Prior to the adoption of the 2035 San Juan Bautista General Plan, adopted on November 1, 2015, the City of San Juan Bautista had an Urban Growth Boundary surrounding it. However, the adopted 2035 General Plan did not include an UGB, and therefore a UGB is not in place now.

That being said, there are numerous policies/goals within the 2035 General Plan that speak to a UGB, as detailed below:

Goal HO 4

- Objective HO 4.1
  - Policy 4.1.4
    - Program HO 4.1.4.1 – Maintain an Urban Growth Boundary to promote new growth in desirable areas and protect prime agricultural lands and viewshed.

Goal LU 3

- Objective LU 3.2
  - Policy LU 3.2.1
    - Program 3.2.1.1 – Develop urban growth boundaries to successfully control urban sprawl without restricting development to avoid home price increases.

Goal PF 1

- Objective PF 1.2
  - Policy PH 1.2.3 – Provide extensions of the City potable water service to properties within the designated sphere of influence. Do not extend service or sell capacity to development on agricultural or open space lands outside of the City's Urban Growth Boundary.

**DISCUSSION**

Process for Re-Adoption/Re-Establishment of an Urban Growth Boundary

Amending and/or re-implementing an Urban Growth Boundary, will require coordination between the City, LAFCO, and San Benito County, as well as cooperation with effected land owners.

Application to re-institute (or change) a UGB is part of a series of tools the City can use to plan for future annexations and determine where development will occur. LAFCO would oversee all jurisdictional boundary changes.

Implementation (and/or future amendments) of a UGB requires a series of actions:

- 1) Identification of where the boundary(ies) shall be placed;
- 2) Coordination with San Benito County;
- 3) Coordination with LAFCO;
- 4) General Plan Amendment(s) (potentially multiple sections);
- 5) Re-zoning of applicable properties
- 6) Zoning Ordinance Amendment;
- 7) California Environmental Quality Act (CEQA).
  - a. Initial Study/Mitigated Negative Declaration; or
  - b. Environmental Impact Report (EIR).
    - i. Supplemental EIR; or
    - ii. Addendum to prior EIR; or
    - iii. Tier off prior EIR

(The level of environmental review will need to be determined at a later date, and will depend on the content of the 2015 General Plan EIR and where the proposed UGB is located.)



#### Information in 2035 General Plan

As mentioned above, a UGB was *not* included in the 2035 General Plan. The 2035 General Plan did include a “sphere of influence” discussion and map (Figure 4.2) which is attached to this Staff Report.

A “Sphere of Influence” is intended to encourage cooperation between governing bodies/jurisdictions, even though one governing body/jurisdiction has no formal governing power. A city’s “Sphere of Influence” is adopted by LAFCO and is “a plan for the probable physical boundaries and service area of a local government agency as determined by the commission”.

The City of San Juan Bautista first had a “sphere” boundary established by LAFCO in 1985, when approximately 3.7 square miles of unincorporated land outside of the city limits. The original “sphere” was bounded by Lucy Brown Road (to the east), San Justo Road (to the north), Prescott Road (to the northwest), the hills of the Gabilan Range (to the west), and San Juan Canyon Road (to the south).

This the adoption of the original “sphere”, it has been amended and most recently includes a larger stretch of land to the north along San Juan Highway and to the west along SR-156.

In this particular case, the “sphere of influence” would encourage the County of San Benito to consult with the City of San Juan Bautista, for all development project and/or activities what are conducting or proposed within the “sphere”. The “Sphere of Influence” does not provide San Juan Bautista with any governing powers, as the land remains under the jurisdiction of San Benito County, for all permits (land use) and legislative actions.

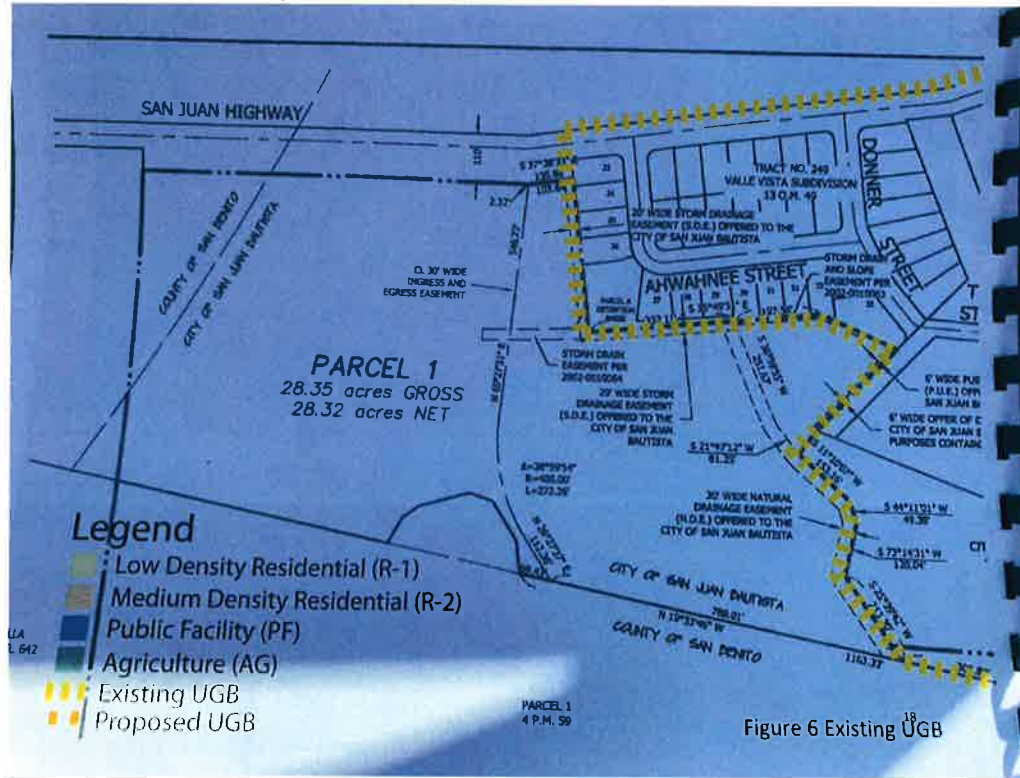
Unfortunately, the “Sphere of Influence” shown in Figure 4.2, while included in the 2035 General Plan, was never formally adopted, approved, and/or recorded wit LAFCO, so it is unclear if the “sphere” is adequately and formally accepted by all jurisdictional parties (San Juan Bautista, LAFCO, and San Benito County).

#### Prior Urban Growth Boundary / CEQA Efforts

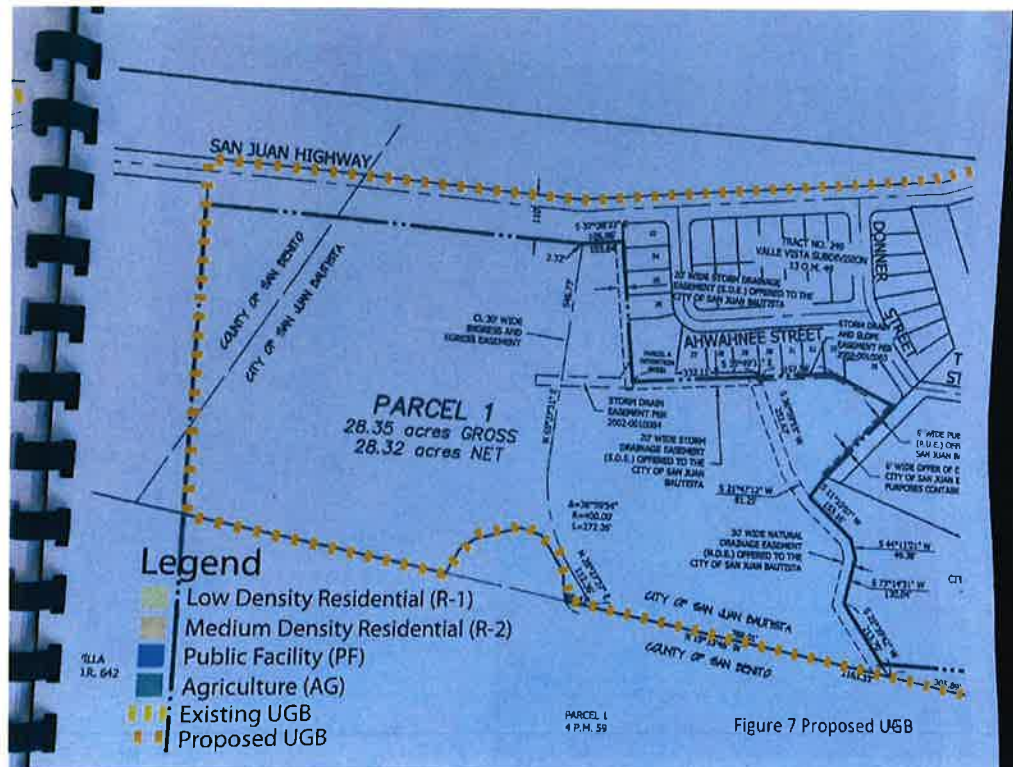
As mentioned earlier the City of San Juan Bautista previously had an UGB in place, however the UGB was not carried forward with the adoption of the 2035 General Plan.

However, while in effect/existence, the last amendment to the prior UGB was done in October 2014, when the UGB was expanded to include the former Christopher Ranch property, where the Rancho Vista subdivision is currently being developed. (see photos below).

Existing UGB – May 2014



Amended UGB – October 2014



This amendment was done via a Mitigated Negative Declaration, which addressed potential environmental effects to the UGB boundary change.

Conclusion

Currently the City of San Juan Bautista does not have an Urban Growth Boundary in place, as it was dropped off during the adoption and implementation of the 2035 General Plan. Additionally, it is not clear that the "Sphere of Influence" shown in the 2035 General Plan is correct and/or valid, as it was never adopted or approved by LAFCO following the 2035 General Plan adoption.

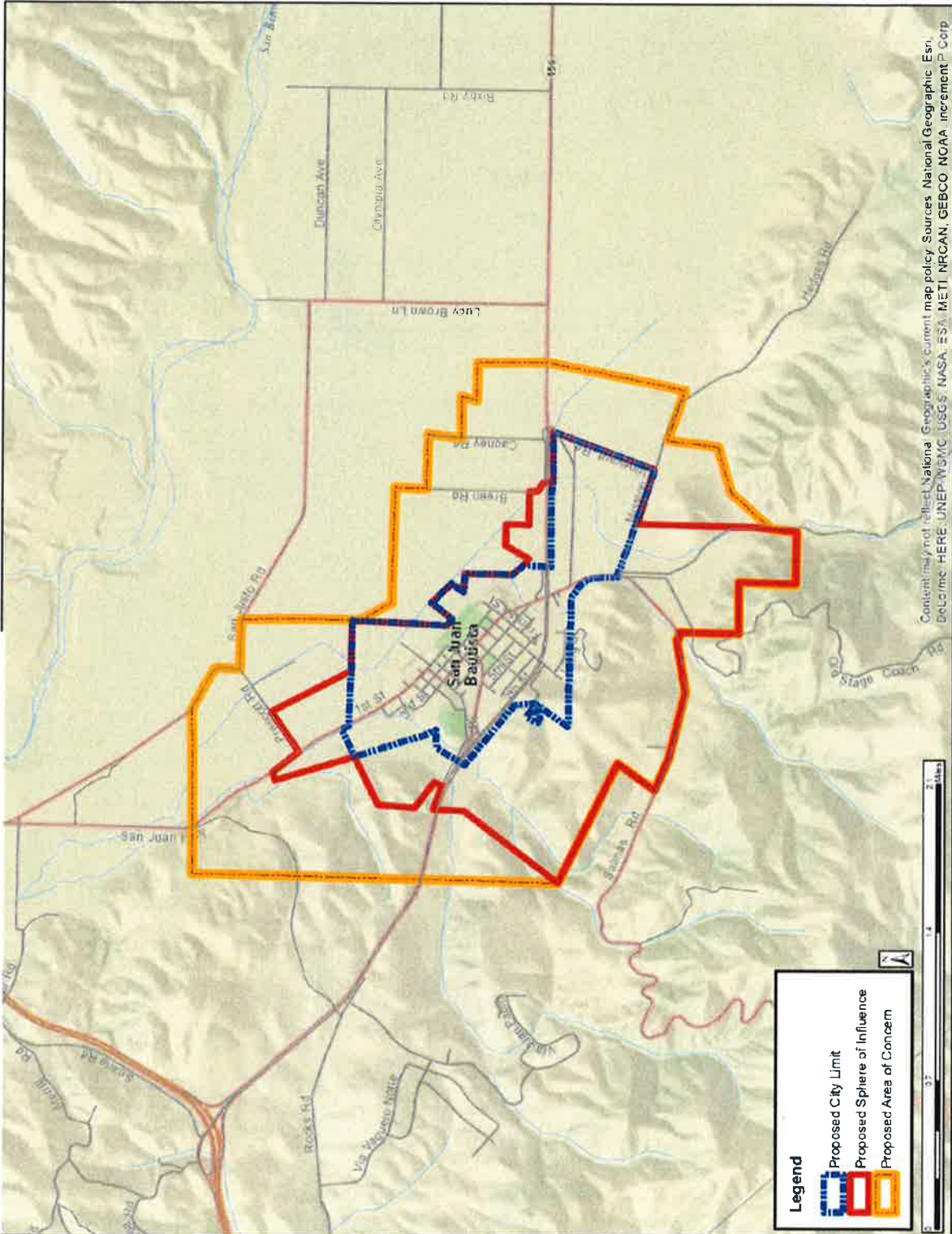
If San Juan Bautista desires to re-implement an Urban Growth Boundary, substantial coordination with the County of San Benito, LAFCO, and effected private property owners (where the boundaries would be placed) will be required. Upon identification of the desired placement of the boundary, a General Plan Amendment (to include the UGB within the General Plan) would be required. The adoption of an UGB is a "project" under the California Environmental Quality Act (CEQA), and therefore will require the preparation of an appropriate environmental document (EIR, IS/MND, etc.).

Staff is seeking direction from the City Council, as to their desire on whether a UGB should be implemented.

ATTACHMENTS:

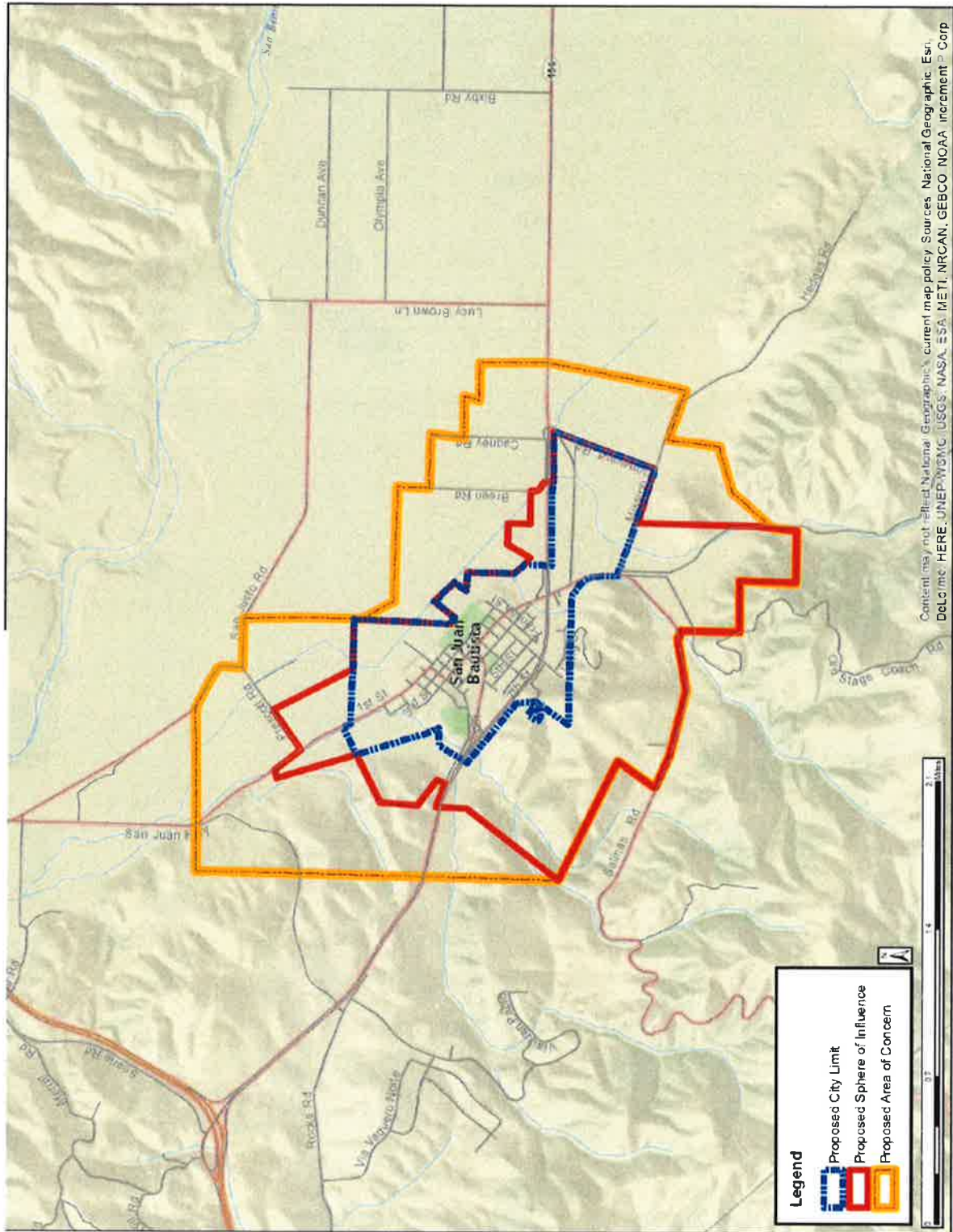
1. Map 4.2 of the 2035 San Juan Bautista General Plan (Sphere of Influence and Area of Concern Map).

## Map 4.2 City of San Juan Bautista: Proposed Boundaries





Map 4.2 City of San Juan Bautista: Proposed Boundaries





## CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

**AGENDA TITLE:** WATER AND WASTE WATER STATUS REPORT

**MEETING DATE:** March 17, 2020

**DEPARTMENT HEAD:** Don Reynolds, City Manager

---

### **RECOMMENDED ACTION(S):**

That the City Council receive this drinking water and waste water systems status report, discuss its implications, and consider scheduling a Special City Council meeting to discuss follow-up actions.

### **BACKGROUND INFORMATION:**

In July 2018, the former City Manager wrote the State Water Control Board to share the City's strategies to improve conditions at the Waste Water Treatment Plant, ("WTP"), and to stabilize the City's drinking water system. That letter was part of the latest reply from the City to the Central Coast Regional Water Control Board and EPA, copied to the City Council in December of this year and attached to this report. This Background will summarize City efforts between 2018 and 2020.

#### **Waste Water**

Since the July 2018 letter, more than \$600,000 has been spent by the City to improve its waste water treatment plant, removing sludge, and repairing many of the critical components described in the September 2018 "Conditions of Failure Report." The City retained a new plant operator that has worked hard to stabilize the conditions and minimize the violations. On March 6, 2019, the City Manager sent the attached email to the Water Board and EPA describing the City's progress.

In June 2019, the Environmental Protection Agency surprised the City with an unannounced inspection of the WTP. The findings of that inspection were received in October, and the City provided an update and detailed reply in December 2019 (attached). Their reply received January 23<sup>rd</sup>, 2020, follows:

*Dear Mr. Reynolds,*

*Thank you for your detailed response to EPA's October 17, 2019 letter about our Clean Water Act inspection of the City of San Juan Bautista's wastewater treatment plant.*

*I understand from your letter that by March 6, 2020 you plan to dispose of unlabeled chemicals stored at the facility, provide secondary containment for chemicals which will remain, repair baffles in Pond 2, and complete repairs to the UV disinfection system. You've offered to provide quarterly reports on your progress towards bringing the City's wastewater treatment system into compliance with permit requirements, with the first report to be submitted by March 30, 2020.*

*The City, its operators, and consultants should work with Katie DiSimone ([Katie.DiSimone@waterboards.ca.gov](mailto:Katie.DiSimone@waterboards.ca.gov)) at the Central Coast Regional Board to determine what information is needed to apply for a permit reissuance and/or a permit modification.*

*I also understand that the City is working with Karl Bjarke and Akel Associates to complete a Water and Wastewater Master Plan by June 30, 2020. The Master Plan will look at three categories of alternatives for complying with effluent chloride limits; 1) Buy water from an alternative source such as the West Hills Water Treatment Plant; 2) Pump wastewater to the City of Hollister Waste Water Treatment Plant; or 3) Install a city-wide pellet water softener and ban the use of household water softeners.*

*EPA would like to provide an opportunity for you, your operators, and your consultants to present your Master Plan strategy and explain how it will result in compliance with your NPDES permit. At the meeting, we would also take the opportunity to discuss options for formalizing a going-forward compliance agreement between the City and EPA. To that end, could you suggest some dates/times during the second half of February for us to visit the City and meet with you? In attendance would be me, an attorney from EPA Office of Regional Counsel, representatives from the California Regional Board, and the Regional Board's counsel. As such, we ask that you have your attorney attend as well.*

On February 25<sup>th</sup>, the EPA and Water Board Enforcement Division arrived at City Hall with their attorneys. Both regulators expressed frustration and continued concern about the City's WTP. Agreements with both regulatory bodies and the City were discussed, with an understanding that the City's current work on the Master Plans will lead to the ultimate long-term solution.

After 18-months of focused efforts to improve the WTP, the system is stable and functioning correctly. The violations have been reduced to one concern: high levels of salt being discharged into the creek. The WTP was not designed to removed dissolved solids (also referred to as salt, chlorides, and "brine"). Addressing the high chloride issue requires a multi-faceted solution that engages both the waste water process, and the quality of water received at the source.

### Water System

A reliable safe water system requires a “portfolio” of water resources that assures redundancy and contingencies in the event that any single source fails to deliver. The City’s fresh water supply is served primarily by Well 01. This Well delivers pristine water to the community, from a unique source close to the entrance to the Canyon south of San Juan. To complete its “portfolio,” the City has to have multiple sources of water to support Well 01. Efforts over the past 2-years have been focused on securing reliable back-up sources.

In December 2018, the City received notice that the development moratorium imposed by the Drinking Water Division of the Water Board had been removed. This was accomplished after bringing new Wells 05 and 06 on-line to back-up the water produced from Well 1. But more problems ensued when it was determined that a filtration system was needed to remove iron and manganese from the water these Wells produce. Well 5 can be high in iron when not used on a regular basis, so initially the system relied on Well 6, with back-up provided by Well 5. The City invested \$750,000 on the two new Wells, and the filtration system came on-line in September 2019. The Water Board issued the City an interim operational permit that requires continuous testing to assure the highest safety standards are reliably met by the new system.

On February 16, 2020, Well 6 reported increasingly high levels of nitrate. The nitrates had increased to 9.4 microgram per liter, and 10 micrograms is the maximum allowed. In less than a week, the City changed this system back to reliance on Well 5 as the primary source. By February 25<sup>th</sup>, Well 5 was in the lead and Well 6 was placed into reserve status with all systems moving forward. Last week, however, Well 6 test results indicated a nitrate level of 11.4 micrograms per liter. Well 6 is out of commission until further notice.

### **DISCUSSION:**

The City has spent more than \$16 million in the past ten years on its water system. Adding a new storage tank cost the City \$14 million and the debt service is approximately \$500,000 per year. Since 2018, it has spent \$1.5 million fixing its WTP (\$600,000) and adding new wells (\$750,000). A lot has been accomplished but there is still work to do. This discussion will outline the path forward.

### Water System

In a call with the Water Board’s Drinking Water Division on Friday, March 6<sup>th</sup>, 2020, it was clear that the City needs to take immediate action to remove Well 6 from the current system. Then the City must move from reliance on either Well 5 or 6, to a “blended permit.” Here is their summary of the call:

“Here is a recap of our conference call this afternoon regarding the high nitrate levels in Well 06.

- Well 06 may not be discharged into the distribution system until a permit amendment for nitrate reduction treatment has been approved.



- The City will submit a permit amendment application for nitrate reduction treatment for Well 06 by blending the water from Well 05 and Well 06.
- The blending treatment plan must at a minimum, include the following:
  - Well 05 must always come online before Well 06 and shut down after Well 06.
  - The pipeline for the blended water must have a static mixer installed to ensure adequate blending of the water from both wells.
  - A nitrate compliance sample tap must be installed downstream of the static mixer.
  - The blending compliance point will be before the blended water reaches any service connection.

The long-term plan is to remove Well 6 entirely. The City is back to locating a new back-up well (or other source) to support Wells 1 and 5.

### Waste Water System

The EPA and Water Board Enforcement Division require the City to take action related to the WTP. The EPA expressed interest in learning more details about the City's Master Plans, and a two-hour meeting is scheduled on March 17th. They are drafting an agreement for the City to consider that commits it to an action plan that corrects deficiencies at the WTP and will lead to removal of salt from the water discharged into the creek.

The Water Board has re-calculated the fees and penalties associated with the City's years of violations and is proposing "minimum penalties" be assessed that far exceed those considered in 2018. They have also concluded that the City no longer qualifies for the advantages afforded "Disadvantaged Cities, or DAC." DAC status allows the City to reinvest and improve the water systems, instead of paying fines. Without DAC status, it seems like the City will be required to pay fines and pay for the repair of the systems. The Water Board's recent DAC conclusion, and proposed fines are troublesome and are currently under consideration by staff and its experts.

These negotiations with the Water Board are considered confidential. It is proposed that this topic be the focus for special closed session meeting Tuesday March 24<sup>th</sup>. Extra time is needed to clearly understand the Water Board's conclusions, and to evaluate the City's ability to comply.

### Master Plan Status

The EPA and the Drinking Water Division of the Water Board are both very interested in the status of the City's Master Plans. A third meeting between the City's consultant team and the San Benito Water District will occur later this week. The Plans are focusing on better water supplies, and alternatives to discharging the brine water into the creek.

The City is fortunate that there are many options available to source new water. It can be purchased (either treated or untreated) from other neighboring water districts. New wells can be considered. Sourced water treatment with the pellet plant (bought in 2014 but not installed) remains a consideration. All of these options have a cost associated with them, and the study will provide a thorough analysis to determine the best option.

There are also several options available in relation to the disposing waste water. Additional improvements can be made to the existing Plant to reduce the production of sludge by solidifying it and removing it from the site. Taking the sewage to the Hollister treatment plant is a consideration. If a pipe is built between cities using the abandoned Cal Trans right-of-way, can it be shared with other waste water producers along the way, to help pay for a system that removes many end users from the septic systems that contribute to the high nitrate levels in the aquifer? Is there an alternative means to remove just the brine from the water being discharged into the creek? Could it be discharged on the surface of range land, rather than into the creek? The City is fortunate to have several choices moving forward.

One idea that has recently surfaced is whether or not the City wants to be in the water business at all. The volume maybe too small to be managed in a cost effective manner. There is a regional push to consolidate water in this County. Could the City's water systems be incorporated into an existing district? Could smaller surrounding communities join the City in its efforts to pump waste to Hollister and reduce their reliance on septic or on smaller treatment plants? Could a new district be formed that improves water services for the west part of San Benito County?

The Master Plan study is open all and every idea, as solving the City's decade long problem will require a multifaceted solution. In the end, it will require good partnerships with many different stakeholders.

#### Next Steps

Staff will provide monthly status reports to the City Council on the several agendas until this matter improves. The EPA has requested monthly meetings, and the results of these conversations will be shared as well. We expect an "agreement" in draft form from the EPA in April. Efforts to reply to the Water Board's Enforcement Division are subject to "confidential negotiations" and will be shared with the City Council in closed session hopefully as soon as the 24<sup>th</sup> of March.

We are taking steps necessary to amend the City's drinking water permit to allow for blended water that relies on Well 5, taking Well 6 off-line for now. Several system changes are still needed to make this work.

Any solution will require partnerships and funding. Staff is continuing to work with the San Benito Water District and other potential sources to find the best solution to a permanent viable City water source. There are state and federal grants that are being explored, and working with the State and Federal elected representatives are also part of the City's strategy.

#### **FISCAL IMPACT:**

Fiscal impacts are to be determined at a later date when the facts are better aligned.

#### **ATTACHMENTS:**

- December 2019 Letter to the EPA
- May 2019 Email to the EPA

Don Reynolds  
City Manager  
City of San Juan Bautista  
831.623.4661 x 14  
831.594.6322 (cell)

**From:** Don Reynolds

**Sent:** Tuesday, December 10, 2019 5:42 PM

**To:** 'citymanager@san-juan-bautista.ca.us' <citymanager@san-juan-bautista.ca.us>;

'sharon.denker@waterboards.ca.gov'; 'Susan.Loscutoff@Waterboards.ca.gov'; 'Erin.Mustain@waterboards.ca.gov'; 'Thea.Tryon@waterboards.ca.gov'; 'Todd.Stanley@waterboards.ca.gov'

**Cc:** Mayor Flores <c.flores@san-juan-bautista.ca.us>; 'Miles@CypressWaterServices.com' <Miles@CypressWaterServices.com>; 'Karl Bjarke' <kbjarke@charter.net>

**Subject:** RE: SJB Response- ENFORCEMENT PROGRAM: CITY OF SAN JUAN BAUTISTA, SAN JUAN BAUTISTA WASTEWATER TREATMENT AND RECLAMATION PLANT, 1120 THIRD STREET, SAN JUAN BAUTISTA, SAN BENITO COUNTY

Hello, I am the "new" City Manager. Please reach out to me when you are able. I need to know what is happening on your end, as I prepare a reply to the EPA.

Don Reynolds  
City Manager  
City of San Juan Bautista  
831.623.4661 x 14  
831.594.6322 (cell)

**From:** citymanager@san-juan-bautista.ca.us <citymanager@san-juan-bautista.ca.us>

**Sent:** Wednesday, March 6, 2019 5:48 PM

**To:** 'sharon.denker@waterboards.ca.gov'; 'Susan.Loscutoff@Waterboards.ca.gov'; 'Erin.Mustain@waterboards.ca.gov'; 'Thea.Tryon@waterboards.ca.gov'; 'Todd.Stanley@waterboards.ca.gov'

**Cc:** c.flores@san-juan-bautista.ca.us; citymanager@san-juan-bautista.ca.us; Miles@CypressWaterServices.com

**Subject:** FW: SJB Response- ENFORCEMENT PROGRAM: CITY OF SAN JUAN BAUTISTA, SAN JUAN BAUTISTA WASTEWATER TREATMENT AND RECLAMATION PLANT, 1120 THIRD STREET, SAN JUAN BAUTISTA, SAN BENITO COUNTY

All:

I wanted to provide some updates to the plan above.

- 1.SJB is marching forward with option 1 (pellet plant). We are in the process of selecting a company to do a thorough assessment of the state of the equipment. We plan to move the equipment within the next 6 months and operationalize the system in FY20.
2. SJB invested \$500K and removed 60% of the sludge in the WWTP.
3. We also invested \$30K in a deep dive Dudek assessment of the plant and have been following up on suggested improvements. These improvements to the plant will improve our effluent quality, lower plant risks and increase efficiencies.
4. We changed WWTP operators from Bracwell to Cypress Water Services

We would like to come give you all an in person update at your convenience. Please let us know what works for you.

Finally, wanted to let you know that I have accepted another assignment in the bay area, but have transitioned this project to Ed Tewes, the interim City Manager. He will be hiring a permanent city manager in the next 3 months. I have offered to the city to continue to be the project manager this project for the city if they would like me to. Finally, there is a good chance that after I complete my assignment, if SJB needs my help in the future, I will return as city manager or Public Works Director. I am a long term resident of this area and want to continue to help the city become compliant in all areas.

Respectfully,

Michaele LaForge  
City Manager, San Juan Bautista, CA



# City of San Juan Bautista

*The "City of History"*

P.O. Box 1420  
311 Second Street  
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California 95045  
(831) 623-4661  
Fax (831) 623-4093

**City Council  
Mayor**  
César E. Flores

**Vice V. Mayor**  
Mary Edge

**Councilmember**  
John Freeman

**Councilmember**  
Dan DeVries

**Councilmember**  
Leslie Jordan

**City Manager**  
Don Reynolds

**City Clerk**  
Laura Cent

**City Treasurer**  
Chuck Geiger

December 13, 2019

Eric Magnan  
Manager, Wastewater Section  
Enforcement Division  
US EPA Region IX SW Region  
76 Hawthorne Street  
San Francisco CA 95045

RE: NPDES Permit No. CA0047902/WDR Order No. R3-2009-0019  
Response to EPA's letter dated October 17, 2019 Areas of Concern

Dear Mr. Magnan:

The following is the City of San Juan Bautista's response to the letter written October 17, 2019 from your office concerning the June 24 SJB Wastewater Treatment Plant inspection. The first attachment is a "Task Matrix" for the 11 Areas of Concern identified in the EPA's October letter. I personally take these issues very seriously, and will apply my standing as the City's permanent City Manager to resolve them as soon as possible.

I have researched the history behind this issue dating back to 2009, and most recently from July 7, 2018, when the City Manager last wrote to SWRCB in regards to the non-compliance of the City's wastewater system. Attachment 2 is a copy of this letter. Please confirm that the SWRCB is the "permit writer."

Since I have been on-board (July 2, 2019), the WTP has operated better than it has in the past five years. That being said, I recognize that the City is still not compliant with the 2009 issue related to the sodium levels in the effluent water being discharged into the waterway.

In 2009, there was primarily one concern and that was the quality of the effluent water. Over the past ten-years, the WTP slipped into disrepair. The 11 "Areas of Concern" in the EPA's October letter can therefore be divided into the quality of the effluent discharge water, the practical operations and maintenance issues, and undocumented changes to the daily treatment of the waste water. The City Manager's 2018 letter split these two topics into "Current Situation" concerns and "Potential Long Term Solution."

**IMPROVE THE QUALITY OF THE EFFLUENT WATER**  
(responses to Concerns 5, 6 and 11)

I will begin with an update of the "Potential Long Term Solutions" to address improving the effluent discharge water. Four potential solutions were outlined in the City Manager's letter: pellet water treatment system; importing water from



# City of San Juan Bautista

## *The "City of History"*

San Benito Water District, citizen water softener pay-out program, and upgrading the WTP with NBR capability. We are evaluating new options as well.

Updating the July 2018 strategy begins with the City's 2019/2020 Capital Improvement budget. CIP 20-4 and CIP 20-18 budget \$320,000 toward a Water and Wastewater Master Plans. In August of this year, the City retained the services of retired Morgan Hill Public Works Director Karl Bjarke. In 2017, Karl completed their Water and Waster Master Plans, and he joins our team to complete that specific task. On October 15, 2019, the City approved a professional services agreement with Akel and Associates. This is the same firm Karl worked with in Morgan Hill. **The Plan will be completed by June 2020 in time for the next CIP Budget.**

On October 11, 2019, Akel and the City met with San Benito County Water District, Sunnyslope Water District, and the City Manager of Hollister. We confirmed that the options to buy water from these two districts remains open. We are also exploring buying water from wells cleaner than ours. Our conductivity is between 700-800, and we think we can buy water locally with a conductivity lower than 50. A new option to pump SJB wastewater to Hollister also exists as we confirmed that they have the capacity for SJB, and the right-of way is in place (soon to be abandoned old State Hwy 156). No matter how well our WTP operates, unless the wastewater is pumped to Hollister's plant, SJB will need a new source of water, or to re-visit the pellet plant and out-law residential water softeners. These Master Plans will provide what the EPA asks for: a strategy, a schedule and CIP Budget.

This is Karl Bjarke's summary of the tasks he is working on:

### **Area of Concern #5 – Out of compliance effluent chloride limits**

The City is undertaking a master plan analysis for both its water and wastewater systems. Because the City understands how the water provided to its residents and businesses affects the treatment plant effluent quality, it has recently hired a consulting firm that specializes in long term master planning of wet utilities to develop comprehensive master plans. These master plans, when completed, will provide the blueprint for addressing water quality both in the municipal water supply and the ultimate effluent coming from the wastewater treatment plant. For the water supply system, the City's consultant is tasked with evaluating two options for improving the water quality provided through the municipal supply system. First, a packaged water softening system which would treat the existing water supply before delivering it to the City's customers will be evaluated. The goal for such a system is to ultimately eliminate domestic water softeners that are now ubiquitous in the City which, in turn, would all but eliminate the high amounts of effluent chloride. The second option to be studied by the consultant is the importation of water of higher quality from outside the City's limits. Currently, the neighboring community of Hollister has partnered with San Benito County Water District and Sunnyslope Water District to build the West Hills Water Treatment plant that provides high-quality municipal water with low amounts of total dissolved salts. Because of the high capacity of the West Hills plant, San Juan Bautista is in discussions with the three agencies to potentially bring that water into its supply system. The City's master planning consultant will be evaluating the feasibility of a pipeline from the plant to the City.

With respect to the wastewater system, the consultant is tasked with providing a cost/benefit analysis evaluating making the necessary upgrades to the wastewater treatment plant to meet federal and state compliance requirements vs. abandoning the City's treatment plant and piping wastewater to Hollister as a regional treatment solution. These master plan studies are an important first step for the City to understand options, formulate a capital infrastructure plan, and inform its constituents of the upcoming steps needed to bring the wastewater treatment plant into compliance. The master plans are anticipated to be completed by June 30, 2020.



# City of San Juan Bautista

## *The "City of History"*

**Area of Concern #6 – Ongoing development is adding connections to an already aging infrastructure system and adding to the problems of effluent limits for sodium, total Coliform, BOD, sulfate, total dissolved solids, and ammonia**

The City's aging wastewater treatment infrastructure will be addressed with the Wastewater Master Plan described above. In addition, the master plan will identify options for bringing the treatment plant effluent within established state restrictions. Once the options are provided, the City will formulate a capital infrastructure program backed by the financial means to bring the plant into compliance (unless abandoning the existing plant and piping waste to a regional treatment facility becomes a more economically preferable option).

The City request that the system be able to remain functioning as it is until at least June 30, 2020, when the Master Plans are completed, and the CIP strategy can be further refined and submitted to the EPA and SWRCB for approval.

### CURRENT SITUATION

Since I arrived, the City has brought two new wells on-line and a filtration system designed to remove iron and manganese from these fresh water sources. Since September 13, 2019, it has been operating its water system under an interim order from the SRWCB Drinking Water Division. New Well 6 sits on 1.5 acres and has room for the not-forgotten pellet plant (this option remains open) and a solar array with battery storage capacity for emergency power. (A grant application to Cal-OES for the emergency power solution at Well 6 as well as for all of the City's four sewer lift stations and WTPP was submitted in October). This accomplishment is much to the credit of the new City Engineering firm CSG, that replaced Harris and Associates July 1, 2019. The stabilization of the current drinking water system frees up time and expertise to implement the new CIP and improve the WTPP.

When I took the WTPP Dudek Conditions of Failure Report (referenced by the previous City Manager and provided as the 3<sup>th</sup> attachment ) to my interview with the City Council, three of the five Council Members had never seen it before. Many of the aged system's reliability issues reported in the June 24 inspection are identified in its 15 findings. The FY 19/20 City budget identifies \$260,000 in its CIP just focused on improving the systems at the WTPP.

Cypress Water Services replaced Bracewell November 1, 2018 as the City's WTPP Operator. Their reply to the EPA's October letter is the 4<sup>th</sup> attachment. The Cypress memo describes in detail on pages 1-3 how the treatment plant flow has been modified. ***In response to Concern #3, this information will be sent to the "Permit Writer" (I assume this to be SWRCB) the week of January 6<sup>th</sup> so the permit can be updated.*** Pages 3 & 4 provide the latest test results pertaining to Ammonia, BOD, and TC. This is evidence of how since July, we have brought this operation under control. Pages 5-7 are detailed replies to the 11 Areas of Concern. Between September and November, several matters have been addressed. Attachment 5 is the latest invoice for \$18,820 where Cypress and the City replaced the influent systems controller and a decant pump.



# City of San Juan Bautista

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Key questions presented by Cypress include:

1. Can the City continue with the current operation while long-term repairs are made, including abandoning Pond 2 and replacing it with a sludge solidification equipment? (questions 1, 2& 3).
2. Questions 4 & 7 are asking for 90-days to get these tasks done.
3. Concern 8- Addressing this issue and will provide a written Spill Prevention and Response Plan- we are also drafting a complete WTP Standard Operating Procedure as well.
4. Concern 9- updating the UV system entirely- this is underway- 90-days for parts to arrive and be installed.

Concern 10- The City is seeking 90-days to establish a strategy for the new NPDES Permit. If the City Engineer cannot take this on, then we may have to bid it out. I have recently sent a request to several members of the SWRCB who worked with the previous City Manager to begin this process. This will be completed at the same time Concern 3 is addressed and the permit is updated.

## SUMMARY AND COMMITMENT

The City is fully committed to bring its waste water and water systems into compliance with State and Federal standards. We have added new staffing, committed resources to strategic planning and new equipment that are already making a positive impact on the situation. We have new contractual services in Engineering and Waste Water Operator to see the success of these efforts come to fruition.

To assist the regulatory agencies to stay on top of the City's progress, I am recommending that the City submit 90-day reports, starting March 30th, for the next twelve months. This way both the EPA and SWRCB can monitor our progress and be assured that we are working toward implementing the best strategies for the City to correct decades of neglect. We hope that you will accept this offer as a serious commitment toward reaching our mutual goals.

We have asked several questions in this reply to the June 24 EPA inspection and October 17, 2019 letter. Because help me share your questions and replies, and due to the diversity within our team members, please reply in writing either by mail or Email at [citymanager@san-juan-bautista.ca.us](mailto:citymanager@san-juan-bautista.ca.us). And if clarification of any of these details is needed, please feel free to call me at (831) 623-4661, or my cell number at (831) 594-6322.

Respectfully Submitted,

Don Reynolds  
City Manager

CC: SWRCB  
Mayor and City Council  
CSG and Cypress Water Services  
Karl Bjarke, Project Manager

Attachments 1. Task Matrix  
2. July 2018 letter  
3. Dudek CoF Report  
4. Cypress Letter  
5. Cypress Invoice for recent upgrades



CITY OF SAN JUAN BAUTISTA WTPP STRATEGIES

12-Dec-20					
#	Area of concern	Current Strategy	Long Term Strategy	Time Line	RESPONSIBILITY/ SOURCE
1	Pond 2- gaps in baffles	Continue to by-pass system	End Reliance on Pond 2- Install sludge solidification process	FY 20/21	FY 20/21 Budget \$ .50 million
2	Floating Media in Cell C2- Pond 2	Refer to # 1 above	End Reliance on Pond 2- Pump waste to Hollister	FY 23/24	TBD
3	Changes Communicated to Permit Writer	Within 90 days			
4	Calibration Records	Within 90-days		1/6/2020 - 3/6/2020	N/A
5	Effluent Chloride Limits, inadequate infrastructure	Master Plan to identify best strategy 6/30/2020	Treat at source, or buy from a different source for drinking water	1/6/2020 - 3/6/2020	N/A
6	Noncompliance with effluent composition	Only issue that remains is sodium	Treat at source, or buy from a different source for drinking water	Decide on strategy FY 20/21 Resolution by FY23/24	TBD
7	Unlabeled chemicals	In process- current budget		Decide on strategy FY 20/21 Resolution by FY23/24	TBD
8	Chemicals-secondary cont.	In process- current budget		1/6/2020 - 3/6/2020	\$500 CYPRESS
9	Coliform exceedances	In-process to repair UV system- currently budgeted		1/6/2020 - 3/6/2020	\$1,000 CYPRESS
10	NPDES Permit has expired	develop a strategy	implement strategy		\$5,000 CYPRESS
11	Not complaint with 2018 inspection- quality of effluent	Master Plan to identify best strategy 6/30/2020	Treat at source, or buy from a different source for drinking water	Dev. Strategy 1/6/2020 - 3/6/2020 Implement strategy FY 20/21	FY 20/21 budget
				Decide on strategy FY 20/21 Resolution by FY23/24	TBD
					MASTER PLAN

FF 2





# City of San Juan Bautista

*The "City of History"*

July 7, 2018

Michael Thomas  
Office of Enforcement  
State Water Resources Control Board  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, CA 95814

P.O. Box 1420  
311 Second Street  
San Juan Bautista  
California 95045  
(831) 623-4661  
Fax (831)623-4093

**City Council**  
**Mayor**  
Jim West

**Vice Mayor**  
John Freeman

**Councilmember**  
Tony Boch

**Councilmember**  
Chris Martorana

**Councilmember**  
Dan DeVries

**City Manager**  
Michael LaForge

**City Clerk**  
Mackenzie Quaid

**City Treasurer**  
Chuck Geiger

**Fire Chief**  
John Fox

Mr. Thomas,

I was appointed City Manager for San Juan Bautista, CA on March 30, 2018. I took over for an interim city manager, Ed Tewes, who was brought in in August 2017 after the longterm city manager Roger Grimsley abruptly resigned

I come from the corporate sector as an operations executive in three large companies. I have a reputation for turning companies around. In the fall of 2018, I decided to stop commuting and made an effort to find a job that I could travel to within a 10 minute drive from home. I have been a 22-year resident of San Juan Bautista and had several friends encourage me to use my skills to 'turn around' the city. I threw my name in the hat, interviewed with local residents and the council and they appointed me. I share this story because I think it is important to let you know my experience and track record. Due to high turn-over and poor management, The State Water Resources Control Board has been 'strung along' by this city since 2009. I can imagine how frustrating it must be to manager this case.

Since I began as City Manager I have been feverishly working on resolving 3 compliance orders. Two are with the Drinking Water Board and one is with you all. I have formal sign off on one drinking water violation and will be closing the other by end of September. While executing these major projects we also have 3 large developments underway that will increase the population of SJB by 20% in the next 18 months. I think that the council and the residents would agree that this is the most progress the city has seen the 1800s.

The effluent limit problem is complex, but I assure you it will get fixed. I have spent time understanding the work on solving this to date and spoken with many experts on options to solve it and the respective pros and cons related to each option.

ALL 2



# City of San Juan Bautista

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Current situation as it relates to solving the Chloride issue:

- Violations began March 31, 2007
- Chloride levels have remained steady and exceeding the 200mg/L by 25-85%
- The City owes \$252K in fines to date to you all
- The City is paying on an Enterprise Fund \$11M bond\* and 4% interest that goes out to 2044
- The City makes \$1.6M\* in sewer and water annually and currently spends \$11.8M to run the plants
- With the recent development impact fee revenue, Sewer and water fund will spend \$1M in long overdue capital improvements (including \$400K in sludge removal and \$100K to develop a plan/project to solve this chloride issue) and will have \$2M in cash at the end of FY19 to execute capital project
- With the addition of the new customers the sewer and water will be break even on operating cash by fall of 2019

Potential Long Term Solutions being explored and pros and cons:

1. City wide pellet water softener(9month project)
  - Pro: city purchased much of the facility
  - Pro: residents have been waiting for this
  - Con: monthly costs \$10K/mo
  - Con: Installation cost \$1M
2. San Benito Water District treated surface water piped to SJB (2-3 year project due to CEQA and construction of 4 mile pipeline)
  - Pro: great quality water which can be used in recycle water system
  - Pro: leverages existing Hollister based plant, leverages an existing county asset
  - Con: City will take on more operating expenses (pay SBWD for metered water), and enterprise fund will be cash negative until 2044
  - Con: Build costs will be \$3-4M
3. Generous (\$\$1-2K/ customer) water softener pay out with legal contract for annual random inspections (3 month project)
  - Pro: least expensive on time and ongoing costs
  - Pro: allows City enterprise fund to build cash to fix piping and maintain WWTP
  - Con: City overhead to enforce inspections
  - Con: may require and ballot measure
4. Upgrade WWTP with NBR capability
  - Pro: state of the art WWTP for SJB
  - Con: cost



# City of San Juan Bautista

*The "City of History"*

## Timeline:

March 2018-November 2018 select a solution  
FY18/19 – Spend \$100K on project plan  
FY19/20 – Seek funding if option 2 is selected otherwise begin executing  
FY 20/21 – continue executing if option 1 or 2 are selected  
FY21/22 – continue executing if option 2 or 4 is selected

## Current actions:

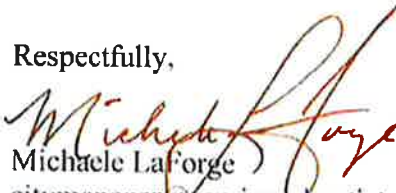
- Putting WWTP service contract up for bid – August 2018
- Using Veolia as a consulting and benchmarking firm - currently
- Putting sludge removal project up for bid in the fall (see capital projects in back of budget document)\*
- Talking about this issue in the news papers and at public meetings to begin the change management to get softeners removed from households

## Requests:

- Please provide grant advice
- Please allow me to provide a face to face formal update to your team each quarter (rotating between SJB and SLO) until violation is resolved
- Please allow me to deliver a solid plan by Spring of 2019
- Please help the City with options to utilize fine debt to contribute to the solution chosen

In closing, I appreciate the opportunity to solve this long-standing violation. I am committed to staying 'on the job' until the violation is lifted. Thank you for your consideration.

Respectfully,

  
Michael La Forge  
[citymanager@san-juan-bautista.ca.us](mailto:citymanager@san-juan-bautista.ca.us)  
City Manager San Juan Bautista, CA  
311 2<sup>nd</sup> Street  
PO Box 1420  
SJB, CA 95045

\*Attachments: SJB FY19 Budget

AA 2

DRAFT

# Consequence of Failure Analysis

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For the City of San Juan Bautista WWTP

*Prepared for:*

City of San Juan Bautista  
311 2<sup>nd</sup> Street  
San Juan Bautista, CA 95045  
*Contact: Michaele LaForge*

September 2018

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## APPENDICES

A Complete CoFA Tables	
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# 1 Introduction

The City of San Juan Bautista (City) contracted Dudek to prepare a Consequence of Failure Analysis (CoFA) for the City's wastewater treatment plant (WWTP). The CoFA is intended to identify and prioritize risk within the WWTP facility to guide strategic planning and investments for the City's WWTP in the short-term to long-term future.

## Summary of Findings

The analysis of the WWTP in its present form finds that the City faces risk of a catastrophic failure of the plant, which could result in discharge of thousands of gallons of raw or partially treated wastewater into the nearby unnamed creek. If a failure were to occur, the City would be subject to significant regulatory fines and likely subject to a cease and desist order to improve the wastewater treatment plant and additional regulatory treatment, monitoring, and reporting requirements.

## Summary of Recommendations

It is recommended that the City proceed immediately with capital project planning and development followed by engineering design and construction of top priority projects. In addition, the City has approved new connected sewer housing development that is currently under construction and it is recommended that a thorough evaluation is completed to determine the effect of this future flow and load on the treatment plant, and what improvements may be necessary to accommodate current and future growth.

## 1.1 Treatment Plant Summary

The City's WWTP is regulated by the State of California Regional Water Quality Control Board (RWQCB) Central Coast Region, according to Waste Discharge Requirements Order No. 00-006 and NPDES No. CA0047902. Currently, the WWTP is permitted to discharge 0.270 million gallons per day (mgd) average day flow and 0.500 mgd wet weather flow of effluent to the nearby unnamed creek tributary to the San Benito River.

Specific WWTP process areas with associated equipment and components evaluated in this CoFA are summarized in **Table 1-1**, which also served as the outline to the workshop.



WWTP Pond 1



WWTP Pond 2



**Table 1-1. CoFA Workshop Unit Process and Major Asset Summary**

Unit Process	Description	Assets
Headworks	Functions to remove rags, grit, and other large materials from the influent wastewater before entering downstream processes. Influent wet well also provides small storage volume. The WWTP utilizes a mechanical screen for screenings removal and influent pumps to pump screened influent to Pond 1.	<ul style="list-style-type: none"> <li>• Mechanical Screen</li> <li>• Bar Rack</li> <li>• Influent Channels &amp; Wet Well</li> <li>• Influent Pumps</li> <li>• Influent Flow Meter</li> </ul>
Biological Treatment – Sequencing Batch Reactor (Pond 1)	Functions to remove biochemical oxygen demand (BOD) and biologically nitrify ammonia to nitrate using surface aerators and mixers in a single pond reactor. The sequencing batch cycle ends with a settling and decant cycle, where suspended solids settle to the bottom and clear water is pumped from Pond 1 to Pond 2's nitrification cell. Settled sludge on the bottom of the pond is pumped from Pond 1 to Pond 2 for storage.	<ul style="list-style-type: none"> <li>• Aerators</li> <li>• Mixers</li> <li>• Decant Pump</li> <li>• Waste Pump</li> </ul>
Biological Treatment – Polishing (Pond 2)	Functions to equalize flow from Pond 1, serve as emergency storage during high flows, and store waste sludge. Pond 2 is baffled to separate sludge storage from Pond 1 effluent. Stratified water in Pond 2 is recycled back to Pond 1 to maintain hydraulic balance and return ammonia to Pond 1 for re-nitrification.	<ul style="list-style-type: none"> <li>• Aeration (in nitrification cell)</li> <li>• Hydraulics/Flow Equalization</li> <li>• Recycle Pump</li> </ul>
Tertiary Treatment	Functions to remove residual total suspended solids (TSS) from the Pond 2 effluent to clean up the water and improve disinfection effectiveness and efficiency. Two gravity-fed pressure sand filters are operated simultaneously.	<ul style="list-style-type: none"> <li>• Pressure Sand Filter System</li> <li>• Polymer Feed</li> <li>• Backwash Pumps</li> </ul>
Disinfection	Functions to inactivate pathogens and bacteria in the filtered effluent to meet regulatory requirements. The WWTP utilizes four banks of Trojan 3000 UV equipment installed in an open channel for disinfection.	<ul style="list-style-type: none"> <li>• UV Disinfection System</li> </ul>
Ancillary Systems	Includes Electrical equipment to supply power, motor control and process control for the facility as well as a backup generator to provide backup power in the event of a utility power outage. Also includes buried process control valves.	<ul style="list-style-type: none"> <li>• Electrical Equipment</li> <li>• Backup Generator</li> <li>• Process Control Valves</li> </ul>

The City's WWTP has been contract operated for many years by Bracewell Engineering Inc. (Bracewell). Over the past 10 years, Bracewell has notified the City of issues and concerns about the WWTP, primarily the need to remove the decades-long accumulation of waste sludge in Pond 2. In August 2018, Bracewell gave the City a 90-day notice of termination of their contract operations agreement, citing a lack of City action to invest in improvements to the treatment plant and the concern that continuing to ignore issues at the WWTP will bring about more frequent, and potentially catastrophic failures and associated regulatory violations of their effluent discharge requirements.

## 1.2 Methodology

The CoFA is a process that facilitates deliberate discussion and analysis of the criticality of process systems, drilling down to the component-level failure modes that may occur. Each unit process (e.g. Headworks) is analyzed through the major assets and functions of that process (e.g. Influent Pumps) and further by the failure modes of that asset (e.g. mechanical failure, control failure, etc.) that lead to a functional failure of that asset. Through a workshop format, critical Operations staff input is captured to expeditiously define a consequence of failure score. **Figure 1-1** presents the CoFA flowchart. The outcome from the CoFA process is identification of operating and maintenance (O&M) adjustments and/or capital improvement projects (CIP) that improve the reliability and efficient operation of the treatment facilities.

The Consequence of Failure (CoF) and Probability of Failure (PoF) are used to establish a risk designation that allows for the prioritization of risk-based strategic planning. Depending on the risk designation and the nature of the defined failure mode, operational-based and/or capital-based recommendations are made in order to mitigate the risk by either reducing the defined consequence and/or probability of failure.

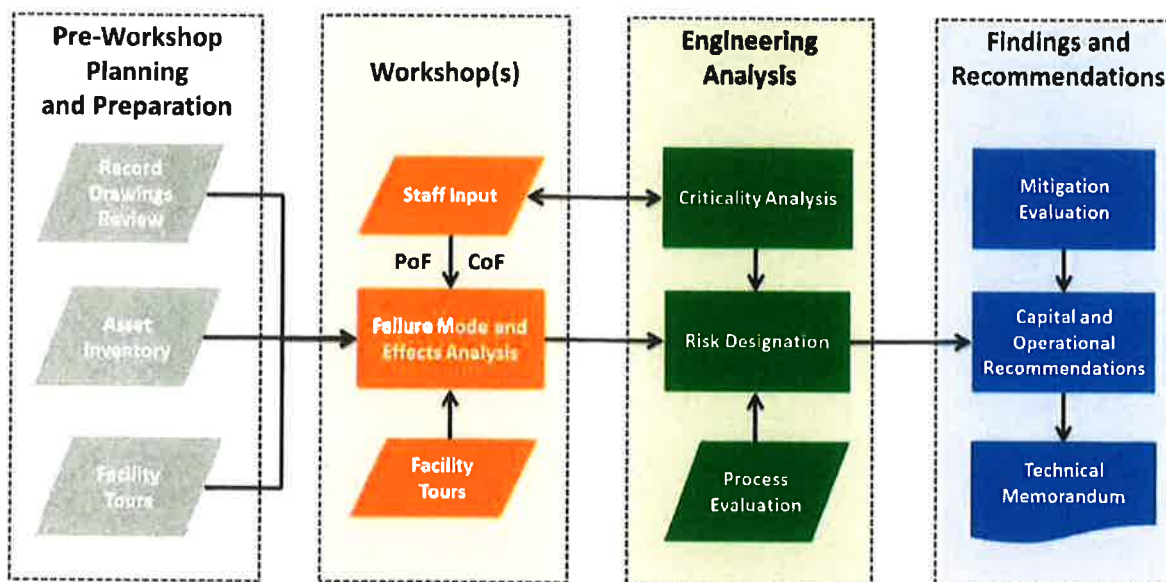


Figure 1-1. Consequence of Failure Analysis Flow Chart

## 1.2.1 Consequence of Failure

Consequence of Failure (CoF) is a scoring metric to provide context to the effect of a failure and are conventionally focused on capacity, level of service, and mortality. The effects of a failure are categorized among four distinct categories: Health and Safety, Treatment Performance/Regulatory, Economic/Personnel Resources, and Public Image. Each CoF category is weighted to align with the District's risk management priorities and philosophies. The CoF categories, weight factors, and descriptions are summarized in Table 1-2.

**Table 1-2. Description of Consequence of Failure Categories**

CoF Categories	Weight Factor	Description
Health & Safety	7	Failure results in potential health and safety risk for Operations staff or visitors on WWTP site.
Treatment Performance/Regulatory	5	Failure results in treatment performance impacts and potential regulatory violations, penalties, fines, etc.
Economic/Personnel Resources	5	Failure results in economic resources cost and/or major staff time and resource allocation.
Public Image	3	Failure results in potential negative public attention and scrutiny.

Each CoF category receives a numerical score, 1 to 5, for each failure mode based on the tolerance of failure of the process or equipment. The CoF scores for each category generally apply as follows:

1. Insignificant Consequence
2. Minor Consequence
3. Moderate Consequence



4. Major Consequence
5. Catastrophic Consequence

After the CoF score is determined for each category, the category scores are multiplied by the corresponding weight factor and summed (i.e. a sum-product is performed) to produce a comprehensive score defined as "criticality". The criticality of each unit process or asset is established by the criticality score(s) associated with its failure mode(s). Based on the weight factors recommended in Table 2, the highest criticality score, assuming each CoF category is assigned a score of "5", would be 100. The lowest criticality score, assuming each CoF category is assigned a score of "1", would be 20. The guidelines used to score each CoF category in detail are presented in **Table 1-3**.

The baseline (existing conditions) CoF scores were defined given the assumption that no activity is performed to mitigate the consequence of failure to the process or equipment. The baseline CoF score is important for prioritizing recommendations and subsequent analysis and recommendations have considered mitigation or activities that reduce the risk potential of a given failure mode.

**Table 1-3. Consequence of Failure Scoring Guideline**

CoF Category	Weight Factor	CoF Score				
		1	2	3	4	5
Health & Safety	7	Negligible Injury	Minor injury, medical attention required	Serious injury hospitalization required	Serious injury, extensive hospitalization and/or permanent health impacts	Loss of Life
Treatment Performance/Regulatory	5	Insignificant loss of treatment performance	Minor loss of treatment performance, impacts on multiple processes. No regulatory violations.	One-time regulatory violation.	Major loss of treatment performance, extended violation or multiple violations, regulatory sanctions	Plant-wide catastrophic failure, treatment process uncontrollable for 48 hrs+ regulatory sanctions.
Economic/Personnel Resources	5	<\$500	<\$2,500	<\$10,000	<\$100,000	>\$100,000
Public Image & Board Concerns	3	Insignificant effect or community/Board concern	Minor community/Board interest or complaints	Public community discussion and local paper coverage	Loss of confidence by community/Board. Public agitation for action.	Public investigation, news coverage, management changes demanded.

## 1.2.2 Probability of Failure

While Consequence of Failure evaluates the effects of failure modes it lacks the context of defining the likelihood of the failure scenario actually happening. Therefore, it is equally important to evaluate the probability of the failure mode to complete a comprehensive risk assessment. Probability of Failure (PoF) is qualitatively assessed by assigning a relative probability level derived primarily upon input from Operations staff regarding past failures, current condition assessment, and current operational procedures. Probability of Failure is ranked according to the system described in **Table 1-4**.

The baseline (existing conditions) PoF scores were defined given the assumption that no activity is performed to mitigate the probability of failure to the process or equipment (i.e. routine maintenance, preventative maintenance, condition assessment, etc.). The baseline PoF score is important for justifying current O&M practices and identifying needs for additional mitigation measures to reduce the risk of a given failure.

**Table 1-4. Probability of Failure Scoring Guideline**

PoF	Likelihood of Occurrence	Current Probability of Condition Based Occurrence
A	Rare	3+ years
B	Unusual	Within 1 – 3 years
C	Annual	Within 6 – 12 months
D	Occasional	Within 1 – 6 months
E	Common	Within 1 month
F	Certain - Ongoing	Daily

## 1.2.3 Risk Exposure Designation

Following the workshop from which CoF and PoF scores are established for each failure mode, a risk exposure designation is assigned by combining the two scores. The risk exposure designation represents the relative level of risk associated with the failure mode evaluated. Risk exposure is designated according to four levels described in **Table 1-5**.

**Table 1-5. Risk Exposure Designations**

Risk Designation		Strategy for Risk Mitigation
L	Low	Reactive strategy is acceptable. The risk level does not suggest proactive monitoring strategies or capital improvement projects are necessary.
M	Medium	Proactive strategy for monitoring performance and condition may be recommended. Mix of proactive and reactive strategies may also apply. Capital Improvement projects may be recommended to mitigate risk where applicable.
H	High	Proactive planning and risk mitigation strategy is required. Capital Improvement projects will be recommended if operations and maintenance strategies are insufficient to mitigate risk to an acceptable level.
E	Extra High	Proactive planning and risk mitigation strategy is required immediately. Capital Improvement projects and operations and maintenance strategies must be developed and implemented as soon as possible to mitigate risk to an acceptable level.

These levels of risk designations are assigned to each failure mode according to the PoF ranking and criticality score generated through workshop discussion. The risk designation level is assigned to a failure mode scenario according to the matrix presented in **Figure 1-2**.

PoF	Criticality							
	20-29	30-39	40-49	50-59	60-69	70-79	80-89	90-100
A	L	L	L	L	L	M	M	M
B	L	L	L	M	M	H	H	H
C	L	L	M	M	H	H	H	E
D	L	M	M	H	H	E	E	E
E	L	M	H	H	E	E	E	E
F	L	M	H	H	E	E	E	E

Figure 1-2 ~ Risk Exposure Designation Matrix

Recommendations for risk mitigation are prioritized based on the resulting risk designations. Mitigation measures are categorized as O&M procedural adjustments or as recommended CIP projects. Depending on the risk designation, the recommendations can be prioritized over the planning horizon. Items with significant risk potential that cannot be adequately mitigated by O&M measures are recommended for CIP projects which could supersede programmed replacement scheduling.

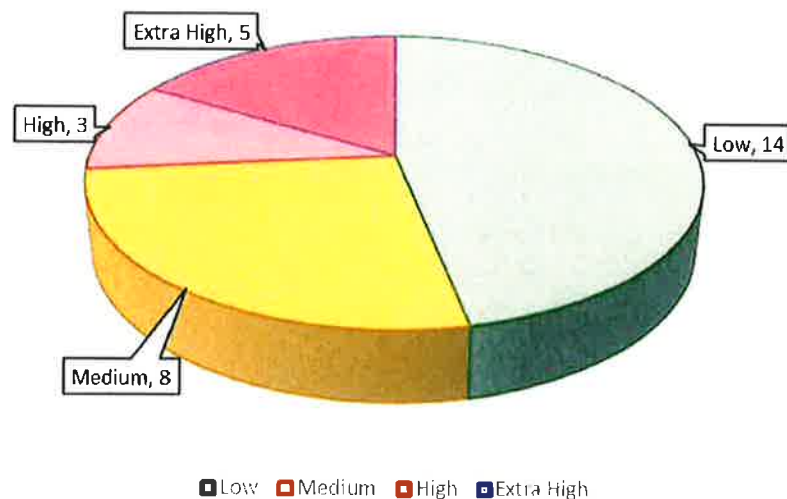
#### 1.2.4 Analysis and Recommendations

Each unit process and asset failure mode is categorized and ranked according to the risk designation that it received. Failure modes designated to result in high-to-extra high exposure to risk are prioritized and mitigation measures aimed to reduce the probability or consequence of failure are identified to mitigate risk to an acceptable level. Capital project recommendations identified through the CoFA process should be prioritized according to their risk designation and the criticality score within the designation. In most cases, medium risk is acceptable for critical assets and unit processes, and a low risk designation may not be achievable.

If a number of failure modes are designated to be high-risk, the priority of capital projects should be made to address the highest criticality scores as a first measure of priority and probability of failure ranking should be a secondary measure of priority.

## 2 Results

In total, 30 unique failure mode scenarios were identified and analyzed through the workshop process for the City's WWTP. Of these 30 failure mode scenarios, five were identified as "Extra High" risk, three were identified as "High" risk, eight were identified as "Medium" risk, and fourteen were identified as "Low" risk. This breakdown is depicted in **Figure 2-1**.



*Figure 2-1. Risk Designations by Failure Mode*

Many of the current operational and treatment challenges at the plant can be attributed to aging infrastructure and deferred maintenance. The current operations staff have developed creative mitigation measures to keep the plant operational, however, these adjustments are temporary fixes and capital projects and investment in the facility will be required to provide short- to long-term solutions to current operational and treatment process challenges. The plant, in its current state, is no longer capable of effectively and reliably performing its intended function. Additionally, the prospects of new developments increasing average day flow and load to the plant raises questions about whether or not the plant is capable of treating future loading rates.

Notes, scoring, and documentation of the complete workshop are provided in full in **Appendix A** to this report. Appendix A documents all of the notes from the workshop, including current system performance and condition, current operations and maintenance mitigation measures, potential operational and maintenance adjustments, "one-time" recommendations that could be implemented by staff, as well as potential capital projects that could be used to mitigate risk and reduce consequences or probability of failure occurrence for each failure mode.

The prioritized summary of Extra High, High, and Medium risk failure modes are summarized in Table 5.

**Table 2-1. Prioritized Summary of Extra High, High, and Medium Risk Failure Modes**

Priority	Failure Mode/Scenario	Criticality	Probability of Failure (PoF)	Risk Designation
T1	Influent pumps MCC/control panel failure	100	C	E
T1	Pond 1 MCC failure	100	C	E
3	Backup power/generator failure	79	F	E
4	Decant pump mechanical failure	74	E	E
5	Pond 2 sludge accumulation failure	69	F	E
6	Influent flow I/I failure – berm failure of Pond 1	100	B	H
7	Influent wet well grating failure	54	F	H
8	UV disinfection failure	51	E	H
9	Screen mechanical failure	56	C	M
10	Backwash storage pipes failure	56	B	M
11	Sand filters structural failure	53	B	M
12	Influent pumps mechanical failure	51	B	M
T13	Aerator mechanical failure	49	C	M
T13	Mixers mechanical failure	49	C	M
15	Nitrification cell diffuser fouling failure	35	F	M
16	Sand filters media clogging failure	35	D	M

## 2.1 Conclusions and Recommendations

Several extra high and high risk failure modes exist for the WWTP that are not sufficiently mitigated at this time. The analysis of the WWTP in its present form finds that the City faces risk of a catastrophic failure of the plant, which could result in discharge of thousands of gallons of raw or partially treated wastewater into the nearby unnamed creek. If a failure were to occur, the City would be subject to significant regulatory fines and likely subject to a cease and desist order to improve the wastewater treatment plant and additional regulatory treatment, monitoring, and reporting requirements.

It is recommended that the City proceed immediately with capital project planning and development followed by engineering design and construction of top priority projects. Capital project ideas identified during the workshop are documented for each failure mode in Appendix A, however, these concepts should be further vetted for practicality, synergy, and implementation. The City has recently contracted with Synagro to remove a portion of the sludge accumulated in Pond 2, which would help mitigate “Pond 2 sludge accumulation failure”, the 5<sup>th</sup> priority failure mode at the WWTP.

The City has approved new connected sewer housing development that is currently under construction. There has not yet been an engineering analysis completed by the City to determine the impacts of the additional wastewater flows and load on the existing treatment plant. This CoFA is limited to identifying existing facility risks based on current flow and load conditions, and does not consider the effect of future conditions. It is recommended that a thorough evaluation is completed to determine the effect of this future flow and load on the treatment plant, and what improvements may be necessary to accommodate current and future growth.

# Appendix A

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Complete CoFA Tables



CoFA - City of San Juan Bautista WWTP

Unit Process Asset	Consequence of Failure (CoF)					Risk Designation	General Notes	Current O&M Mitigation Measures	O&M Recommendations	Capital Project Ideas
	Health & Safety	Treatment Performance/Regulatory	Economic/Personnel Resources	Public Image	Criticality					
Failure Mode/Scenario	7	5	5	3						
Headworks										
Screen							Single Duty screw-type mechanical screenings unit installed in 2009. Functions to remove rags and debris from the influent wastewater. Bio-solids staff notes that screen has resulted in significant reduction in the ragging and clogging of pumps, iterations, and mixers. Overflow bypasses to manual bar rack channel.			
Mechanical failure	4	2	3	1	56	C	<p>The screen operates off a single level sensor. There is an alarm for a mechanical failure internal to the equipment, but no level alarm.</p> <p>Staff feels that there is significant health and safety risk when repairing equipment. Screen needs to be deactivated when working on equipment, and there is a risk of a person falling into the wet well if working on the equipment. Need proper lockout/tagout for high safety risk. No annotated lockout/tagout procedures.</p>	<p>Staff possesses an O&amp;M Manual for the equipment, which they believe is very clear. Routine maintenance activities required every 6 months. Staff also manually runs the screen every week to clear the headworks from backups and grease blockages. This means that the operator would know the level sensor is working or not, but somewhat inadvertently and based on observation.</p> <p>Current O&amp;M Manual does not include the change from a comminutor to the mechanical screen. Recommend updating the O&amp;M manual to include O&amp;M information for the screen to replace the comminutor information.</p> <p>Also recommend an independent backup level sensor or float switch that can alarm on high water level, when the overflow bypass occurs.</p> <p>Develop annotated lockout/tagout procedures for the equipment for maintenance safety.</p>	None.	
Level sensor failure	1	2	3	1	35	B	Potential hidden failure, although staff identify where there may be an issue with their weekly maintenance.	Staff wrapped plastic around the level sensor to try to protect it from rain moisture, temperature, and other factors.	Install a backup level float with an alarm to identify when the level sensor has failed.	None.
Bar Rack							Single duty bar rack with 1-inch spacing. Functions to remove large rags and debris from the influent wastewater in the event of a failure of the mechanical screen.			
Screenings & debris removal failure	1	2	1	1	25	A	Bar rack acts as a backup to the mechanical screen. It is not highly effective at removing rags and debris due to the large spacing. Bar rack needs to be cleaned daily, at a minimum, if in use. Low criticality due to it being a static, redundant process. Influent channels and wet well function to contain and convey influent wastewater before being pumped up to Pond 1 for treatment.	Clean bar rack daily, at a minimum, if in use.	No additional O&M mitigation measures are recommended.	None.
Influent Channels & Wet Well							Staff notes good condition of concrete in influent channels. The channels are unlined, but due to ventilation, there is little to no corrosion potential. If new checker plate grating, or similar, is installed that would restrict ventilation, corrosion protection for the concrete channels would be needed.	None.	No additional O&M mitigation measures are recommended.	None.
Structural/Corrosion failure	1	1	1	1	20	A	Existing grating is damaged. There is some bent grating which may be structurally compromised. Staff feels that grating should be replaced. Staff notes that there have been a couple close calls with staff almost falling into the wet well when the grating is removed. Grating is supported on concrete recesses, but hold down brackets can shift when grating is stepped on. Grating is removed with a small ground-mounted crane assembly, which is challenging to use. System is inherently failed due to the mesh and safety risk if grating is removed to access wet well and pumps.	None.	Exercise caution when removing grating and working within influent channels and wet well until grating is replaced.	Replace grating with more secure, engineered grating system designed for easier and safer access when servicing/removing influent pumps.
Grating failure	4	1	3	2	54	F				

## CoFA - City of San Juan Bautista WWTP

Unit Process Asset	Consequence of Failure (CoF)					Risk Designation	General Notes	Current O&M Mitigation Measures	O&M Recommendations	Capital Project Ideas
	Health & Safety	Treatment Performance	Economic	Personnel	Public Image					
Failure Mode/Scenario						Probability of Failure (Post)				
Influent Pumps										
Functions to pump all flow to the City from the headworks to Pond 1. Two 1500 pump units replaced with three pumps, one is still a 1500 pump. System is designed to have two pumps alternate on load-up, with a third pump on Lag 2. Third pump acts as a redundant pump but is designed to come online only in a very high flow emergency situation, if needed										
Mechanical failure	4	1	3	1	51	B	Right now, one pump does not have capacity to handle all of the flow at any given time. Two pumps are needed during wet weather/high flows. Health and safety risk associated with pulling grating. Staff looks at the influent flow meter (on discharge piping). Pumps are resilient to ragging/clogging, and pass through any rags that get through the headworks to Pond 1. Check valves are original from 1988. Limit switches on the valves are a key concern and highly prone to failure. Limit switches have been replaced once in the past, and if they fail it is not catastrophic. External corrosion on the valves could be a concern long-term.	Routine maintenance. Occasionally look at hours to see if there might be a malfunction. Pull pump if run times start to rise.	Document SOP's for safe maintenance practices for pulling pumps.	Design safe and practical way to pull pumps out of the wet well with grating replacement project.
Piping/Valves failure	2	1	2	1	32	B		Routine maintenance	No additional O&M mitigation measures are recommended	None.
MCC/Control Panel failure	5	5	5	5	100	C	The 3 phase, 100 amp, 480V headworks MCC/control panel is old but PLC and program are relatively new. There is a risk of arc-flash due to the high voltage and age of equipment. The equipment is designed to automate control to the extent possible. The PLC has failed because it is not sealed and gas comes in from the lift station causing corrosion to the equipment. Internals, if the panel fails, staff would try to use pump trucks to the extent possible, but are skeptical that they could keep up with the flow if this occurred. Could be as short as 30 minutes before spill reaches the creek.	Use pump trucks to pump effluent from the wet well to Pond 1, but staff does not believe they could keep up at certain times of the day	No additional O&M mitigation measures are recommended	Regular panel with new, more reliable equipment. Design should consider event of panel failure and have protocol to respond to failure before a spill
Influent Flow Meter										
Calibration failure	1	2	1	1	25	D	The flow meter could be more accurate if it was calibrated more frequently. Right now, it is calibrated every year by Cooper Controls. Staff sometimes calibrate the unit, but the process is very time consuming and not very productive.	Tracking flow/meter of influent pumps is a backup measure to ensure that pumps are running properly and performing according to the specs.	Procure and install a new standard magnetic flow meter with more operator-friendly control, calibration, and data capture	None.
I/I failure - Berm failure of Pond 1	5	5	5	5	100	B	Plant experiences roughly 6 times average day flow during rain events. Staff believes there is a storm drain cross-connection somewhere in the City sewer system. There would need to be an investigation with smoke testing to check for cross-connections. After infrastructure improvements were made, inflow issues have become worse and more consistent. No alarms on pond level. All action would be manual. Ultimately, biggest risk of failure is a failure of the Pond 1 berm. If enough flow comes into the Pond, it could theoretically breach the freeboard limit and result in a catastrophic berm failure.	Staff have already done some investigation of an collection system to determine whether or not any cross-connections exist, and if so, where.	Perform (V) investigation, including smoke testing, on collection system to determine whether or not any cross-connections exist, and if so, where.	Make improvements to the collection system to mitigate (V).
Biological Treatment - Sequencing Batch Reactor (Pond 1)										
Aeration function to provide oxygen to Pond 1 for BOD removal and nitrification. Staff try to maintain a 2 mgd DO in Pond 1 during their aeration cycle. Staff has a portable DO probe to check DO in the pond. Aerator control is staggered slightly, but generally come on for the same time. Currently there are three 7.5 HP aerators, with the oldest being 8 years old. Have replaced all 3 in the last 8 years.										
Aerators										
Mechanical failure	3	2	3	1	49	C	Roughly 8 years ago, staff replaced the existing 3 HP aerators in the pond with 7.5 HP aerators as they struggled with nitrification. Now that the aerators have been upsize, there has been no trouble achieving a high DO and fully nitrifying in the pond. This, however, is based on current flow and loads, and staff is unsure if current aeration would be sufficient for the future additional flow and load coming from the new developments. Staff has difficulty pulling out aerators, especially the 7.5 HP aerators. One staff person hurt their back trying to pull one out of the pond. Trying to pull the aerators out is a concern also in terms of the risk of damaging the reactor.	Procure additional backup aerators as spares in the event of an aerator failure. Staff routinely grease and clean and quarterly paint. Failure has typically been due to the harsh environment on the castings.	Need a treatment process evaluation to analyze the effect of future flow and load coming from new development. Need a better setup and equipment for access, removal, and maintenance of aerators.	



CoFA - City of San Juan Bautista WWTTP

Unit Process Asset	Consequence of Failure (CoF)							Risk Designation	Probability of Failure (Pof)	Criticality	General Notes		Current O&M Mitigation Measures	O&M Recommendations	Capital Project Ideas		
	Health & Safety	Treatment Performance	Economic/Regulatory	Personnel Resources	Public Image	7	5									5	3
Failure Mode/Scenario																	
Mixers												Two mixers are installed in Pond 1 to keep solids in suspension and are turned off during the settle & decant treatment cycles					
Mechanical failure	3	2	3	3	1	49	C	M			Mixers function to maintain sludge management & mixing to keep sludge in suspension. Failure of the mixers have same consequences as failure of the aerators.	Mixers are strategically placed within the pond and should not be moved. The mixers sit atop a concrete pad to prevent erosion of the Pond 1 bottom.	No additional O&M mitigation measures are recommended.		Need a better setup and equipment for Jockey, removal, and maintenance of mixers.		
Decant Pump											Decant pump is single-duty, submersible Pkg2. Installed in 2001. Has not been replaced or removed since installation, and is in unknown condition.						
Mechanical failure	2	5	4	5	74	E					Single-duty pump represents a single point of failure. If decant pump fails, operators lose ability to convey flow from Pond 1 to Pond 2. Risk of a staff person falling into the pond off the boat if trying to pull the pump. No current mechanism to replace pump system provided by decanter. Staff says if the pump failed, they would need to cut and remove the whole decanter assembly and replace full system, likely with a new design. The metal and bolts are all rusted out and not salvageable. Bricewell got a quote for a new decanter system which would cost roughly \$20,000. Failure, in summary, would lose the treatment process in any controllable way for days to weeks.			Need a new & redundant decanter/pump. Also need appropriate maintenance equipment/process to pull and maintain. Entry crane likely required.			
Waste pump											Single-duty waste pump functions to pump settled sludge from Pond 1 to Pond 2 to target an MLSS concentration in Pond 1. In the event of a failure, the pump could be replaced with a temporary pump.						
Mechanical Failure	1	3	2	2	38	B	L				Failure of the waste pump would not have immediate effect on the process. Would take a couple weeks before sludge buildup in pond 1 would become a serious issue. There was a past failure that took operators over a week to realize that it had failed. Now, operators look at the color of the sludge around the outlet of the waste pump pipe for fresh sludge to confirm that it is working. Operators try to target 2000 mg/L MLSS in Pond 1.	No routine maintenance. Operators manually turn on waste pump to check to see if it is functioning as part of their rounds.	Have a standby pump, likely a temporary pump or staff spare on hand in case there is a failure.	None.			
Biological Treatment - Polishing (Pond 2)																	
											Pond 2 aeration is not specifically designed for permit compliance. Aeration system does not function properly and does not serve a treatment purpose. Bricewell suggests abandoning the nitrification cells as they do not serve a purpose. Aeration is intended to keep Pond 1 effluent aerated and nitrified before going to the tertiary filters.						
Aeration											Diffusers have fouled and are no longer effective. Diffuser racks are heavy and overtaxed with sludge. Would be difficult and expensive to replace. Likely not worth replacing.						
Diffuser fouling failure	1	2	3	1	35	F	M						No additional O&M mitigation measures are recommended.		None.		
Process failure	1	2	1	1	25	F	L				Process is not critical to compliance. The aeration system has failed and does not appear to be affecting compliance, based on the current operation and mitigation measures. The aeration, in and of itself, is more of a mitigation measure than a treatment process.	Currently, operators send decant flow to a specific point in the nitrification cell to minimize ammonia contamination generated by the accumulated sludge. Nevertheless, ammonia concentrations do increase from Pond 1 effluent to Pond 2 effluent, despite operators' best efforts.	No additional O&M mitigation measures are recommended.		None.		

CoFA - City of San Juan Bautista WWTTP

Unit Process Asset	Consequence of Failure (CoF)				Criticality	Probability of Failure (Per)	Risk Designation	General Notes	Current O&M Mitigation Measures	O&M Recommendations	Capital Project Ideas
	Health & Safety	Treatment Performance/Regulatory	Economic/Personnel Resources	Public Image							
Failure Mode/Scenario	7	5	5	3							
Hydraulics / Flow Equalization											
Sludge accumulation failure	1	5	5	4	69	F	H	Originally, Pond 2 was designed with three major functions: Equalize flow, emergency storage, and sludge storage. Now that the pond has been filled with sludge, the pond cannot function to perform any of its duties.			
								Sludge accumulation is the root cause that has led to secondary failure modes, including a lack of flow equalization, emergency storage, and ammonia contamination of the nitrification cell. Since sludge has been accumulating over 30+ years in the pond, it has reached the point where operators feel like they have done everything they can to keep the plant in compliance, but there is not much left for them to do. Operators note that in the past when the pond was not full of sludge, they had the ability to send significant more flow to Pond 2 for flow equalization when they needed it.	Operation return Pond 2 water back to Pond 1, due to the fact that the sludge in Pond 2 generates ammonia which needs to be re-aerated.	No additional O&M mitigation measures are recommended.	Recommend that the City hire a contractor to remove and dispose of sludge buildup in Pond 2 to increase emergency storage and flow equalization capacity, and allow for future sludge storage. Sludge should be removed from the pond every 5-10 years as long as the treatment plant design is the same. If sludge is dewatered inside, then the additional ammonia load on Ponds 1 and 2 must be considered.
Recycle Pump											
Mechanical failure	1	2	2	1	30	B	L	Single-duty recycle pump is a small, submersible pump that serves to balance the system hydraulically as well as return ammonia to Pond 1. Operators record pump hours to monitor flows and whether or not the pump is functioning. Operator would detect failure prior to the hydraulic gradient being compromised.	Currently, operators check the baffle positions in Pond 2 to confirm that the recycle pump is working. If the pump fails, the baffle positions will shift as flow will change direction to flow towards the nitrification cell.	Procure a shelf-spare backup recycle pump in case the current pump fails.	None.
								Pressure sand filters installed in 1995 function to remove TSS and clean up the Pond 2 effluent prior to UV disinfection and discharge to the creek. The filters are necessary for permit compliance, but are not regulated in Title 22 tertiary filters, meaning that there is no established max loading rate on the filters. Current operation is to run both filters at duty with no redundancy, but staff believe they could get by with one for some period of time if needed.			
Pressure Sand Filter											
Media clogging failure	1	3	2	1	35	D	M	Media was originally dual media, but past failure occurred and media was replaced with a uniform media. Recently, the City violated for the first time on coliform, likely meaning that enough sludge was able to pass through the filter and UV system to trigger the violation. Staff believes this is due to an incomplete backwash of the filters which can happen when the filters get plugged with an excessive amount of sludge. The operators can't tell when excessive plugging occurs and backwash the system manually. This may lead to incomplete backwashing and pass particles through the filter and onto the UV disinfection system.	Staff use acetate acid to clean the media quarterly, but believe that frequency may need to go up because of increased solids loading. Staff have already implemented more frequent backwashing and maintenance cleaning frequencies to account for higher solids loading.	Increase backwash frequency and/or duration for a more complete backwash. Increase media cleaning frequency as needed to maintain filter performance.	Consider installation of a third media filter for additional capacity and reliability. Backwash system would need to be upgraded accordingly.
								Vessel has a white enamel/epoxy lining. Filter is gravity pressure fed. Operators have observed corrosion inside and outside the media vessel. In the past, maintenance have ground down and painted the external parts of the vessel. Staff believes that the vessels will need an overhaul soon. Filters were originally installed in 1995 and underdrains replaced in 2000 along with the media change.	None. Previously the vessels had been re-coated to prevent external corrosion.	Perform an extensive rehabilitation of the filter vessels following sludge removal from Pond 2. This may be able to be performed by maintenance staff, but would likely require a contractor.	Consider hiring a contractor to perform extensive rehabilitation of the existing filter vessels to extend their useful life.
Structural failure	1	4	4	2	53	B	M	A new controller was installed for the system 3 years ago. Control failure would require operator to manually control the process until one system is fixed.	None.	No additional O&M measures are recommended.	None.
Control failure	1	2	2	1	30	B	L	Filter system utilizes automatic butterfly valves with electric actuators. The valves have been replaced at least once, but not for some time.	Regular valve maintenance.	No additional O&M measures are recommended.	Replace valves and actuators at end of useful life.
Valve failure	1	2	2	1	30	C	L				

CoFA - City of San Juan Bautista WWTP

Unit Process Asset	Consequence of Failure (CoF)					Criticality	Probability of Failure (Pot)	Risk Designation	General Notes	Current O&M Mitigation Measures	O&M Recommendations	Capital Project Ideas
	Health & Safety	Treatment/Performance/Regulatory	Economic/Resources	Personnel	Public Image							
Polymer Feed												
Polymer feed failure	1	1	1	1	1	20	D	L	Small dose of polymer is used for coagulation of the Pond 2 effluent to help with TSS removal in the pressure sand filters. Staff indicates that polymer is used more as a "polishing" process.  Staff notes that polymer is not critical to successful filtration, and only increases solids removal marginally.	None	Recommend run-to-fail operation	None
Backwash Pumps												
Mechanical failure	1	4	4	4	2	53	A	L	With current normal flows, the system backwashes each filter once per day on average. High flows can result in several backwashes per day, which can lead to running out of backwash supply water. Single-media filter. Media is 12 years old. Currently, filters can be set up to backwash on time or differential pressure. Operators typically use time to control backwashes.  Backwash pump is a single-duty, 15 HP backwash pump roughly 10 years old. Failure would result in a loss of ability to backwash the filters, which would build up headloss and clog the sand. Backup in the vessels. Operations claims that pump has never failed since installed, but would likely take 3 to 4 weeks to replace and would be more than \$10,000.  In the last major plant upgrade, the old concrete CCB pipes from 1988 were converted to backwash supply storage. Operations suggests that the pipes are not sealed well and could be leaking. The storage volume provided by the pipes is only enough for 2 or 3 backwashes, meaning that during the high flow events that require additional backwashes can deplete the backwash storage volume.	None	Recommend procuring a backup shelf-space backwash pump to install in the event of a failure	Consider replacing the existing backwash pipe storage system with designated backwash storage tanks that provide more backwash storage volume for operations.
Disinfection												
UV Disinfection System									Triplex 3000 system. Function to remove conform to meet effluent requirements. UV system has its own breaker which could fail. Typical operation is to run all 4 racks at a time.			
Disinfection failure	4	1	3	1	1	51	E	M	No emergency chlorination ability if the UV system were to fail, along with dechlorination and monitoring equipment. No automatic fail close valve if power/UV system is lost to and discharge. System is designed to meet compliance with 2 out of 4 modules running. Need to have eyewash protection when working on the system.	Routine maintenance, cleaning bulbs, replacing bulbs every 2 years or so. Maintenance is sufficient to sustain performance. Monitoring coliform counts in between racks.	Track hours on the UV system to monitor efficiency.	Replace controllers
Bulb failure	2	1	1	1	1	27	B	L	Failure of the bulbs occur, but there is significant bulb and bank redundancy to accommodate individual bulb failures. Bulbs are cleaned weekly and replaced every 2 years. So far, staff have had no problem ordering more bulbs.	None		No additional O&M measures are recommended.

CoFA - City of San Juan Bautista WWTTP

Unit Process Asset	Consequence of Failure (CoF)					Risk Designation	General Notes	Current O&M Mitigation Measures	O&M Recommendations	Capital Project Ideas
	Health & Safety	Performance/Regulatory	Treatment	Economic/Personnel Resources	Public Image					
Failure Mode/Scenario	7	5	5	5	3	Probability of Failure (PoF)				
Auxiliary Systems										
Electrical Equipment										
MCC failure	5	5	5	5	100	C	<p>Backup generator: Functions to provide power to the critical components of the plant in case of a utility power outage. Diesel generator was installed in 1988.</p> <p>MCCs: Functions to provide motor control to equipment in Ponds 1 and 2. There are two MCC's located next to Pond 2, one is original from 1988, and the second was installed in 2000 to expand capacity and maximize the available power supply.</p>	<p>Staff check connections, but no other maintenance is performed by staff</p> <p>No additional O&amp;M measures are recommended</p>		<p>Electrical inspection and safety needs to be performed. Also recommend an electrical condition assessment and engineering report to document the existing conditions, capacity, and make recommendations for improvement, if applicable.</p> <p>Upgrade the control panel with more modern controls</p>
Backup power/Generator	2	5	5	5	79	E	<p>Generator has undergone significant maintenance. State electrical has come out to perform maintenance on the generator once per year. It is regulated by an air board permit, which requires a baseline of specific maintenance that needs to be done. After maintenance and testing, State electrical does an evaluation of the generator and prepares recommendations for repairs. This maintenance includes the switchgear and all of the components of the generator. The staff have experienced a variety of failures. Over time, staff notes that failures have become more frequent. So far, every time generator was needed and didn't come on, staff has been able to fix the issue before a spill, but available response time before a spill can be as short as 30 minutes. If the power outage occurs, an automatic dialer will send an alarm to staff, but they do not know if the generator has started properly or not until they get to the site. Had to bypass sensors. In the past, staff could get 2 or 3 companies to come out at almost any time of the day or night to truck influent flows from the influent pump station to Pond 1 if the generator and power was down. This is no longer the case, and it would likely take at least 4 or 5 hours to get someone out to the site, and by this time there would already be a significant spill into the creek.</p>	<p>Staff test the generator and transfer switch once per week by shutting the main power feed to the plant. Roughly 20% of the time, staff claims the generator doesn't start automatically. This has been due to a variety of reasons, including sensor failure, not transferring correctly, or another issue. If there is an issue, staff either calls State, or fix themselves if the staff can identify the issue. Sometimes it just needs to be reset or it fuses out.</p>	<p>So far there have been some "close calls", and staff have been fortunate enough to fix the issue prior to a spill or the power has come back on quickly, but there is no guarantee that would be the case next time this occurs. Recommend keeping some spare parts or sensors that are prone to failing on the shelf in case they are needed.</p> <p>Replace old generator with new, more reliable generator</p>	
Process Control valves										
Valve failure	1	1	2	1	25	F	<p>There are some buried valves on the plant site that have failed, but operators have not needed to access them so it hasn't been a major concern. Staff notes that some of these valves have to be dug up to be operated.</p>	None	<p>Eventually, perform a valve inventory and dig up buried valves and replace failed valves with new valves and stem guides for buried operation.</p>	None



## **Cypress Water Services**

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November 19, 2019

Eric Magnan  
Manager, Wastewater Section  
Enforcement Division  
USEPA Region IX-Pacific Southwest  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Regarding: San Juan Bautista WWTP Areas of Concern Written Response from letter dated 10/17/19

Dear Mr. Magnan,

The purpose of this letter is to serve as a written response to your letter dated October 17<sup>th</sup>, 2019 which outlines areas of concern from the June 24<sup>th</sup>, 2019 inspection of the San Juan Bautista (SJB) WWTP. Your letter is officially directed to the City Manager however as most of the items covered in your letter fall under my scope as the Operator of Record, I will be providing responses where applicable. The City of course will also be responding in writing to your letter so I apologize in advance for any redundancy and would like to thank you for taking the time to review my responses.

### **Background**

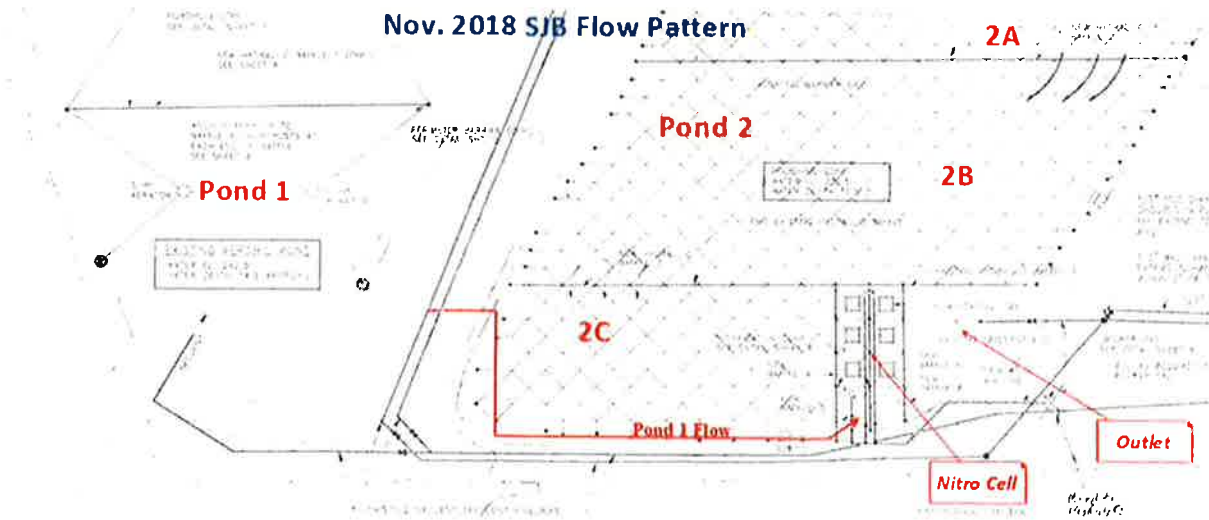
Cypress Water Services (CWS) took over operations of SJB WWTF on November 1<sup>st</sup>, 2018 with several training events occurring in October with Bracewell Engineering (BCE) prior to the transition. Much time and dedication were put forth by our staff to quickly learn the intricacies of this system from the onset and do our very best to keep the operator transition as seamless as possible. The SJB WWTP, which is an older facility and a unique design to say the least, has many operational and maintenance challenges that CWS continues to stay dedicated to working through. Each day we learn more about the system and as we gain more experience with the plant, we apply this experience, along with practical operational knowledge, to make adjustments accordingly to optimize the plant effluent.

### **Plant Flow Pattern at Transition**

At the time CWS took over operations all Pond 1 effluent (Decant) flowed from the 10,000-gallon Equalization Tanks to the Nitrification Cell (Nitro Cell) located in Pond 2C area. The following illustrates the flow pattern existing at the transition:

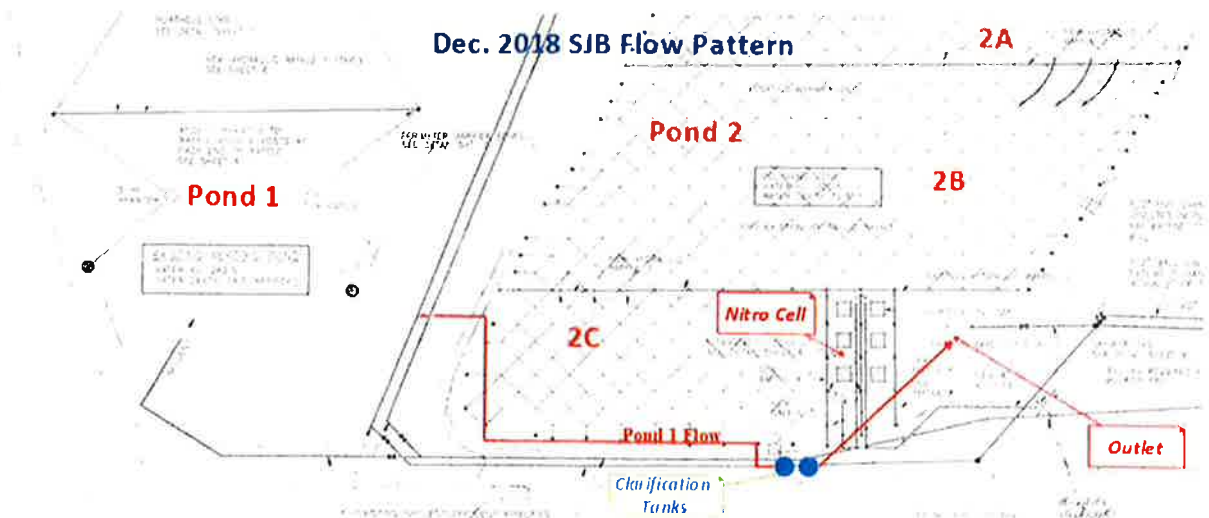
44





### Sludge Removal Project

November 1<sup>st</sup>, 2018 also marked the beginning of the planned sludge removal project from Pond 2. The sludge in this pond was an accumulation of decades of stored wasting and this event was the first attempt ever to remove the sludge. The removal process utilized a dredge followed by centrifugal dewatering and pond 2-A was the starting point. As the project progressed, we quickly observed the composition of Pond 2 in all sections (A-C) change from clear and quiescent to dark, turbid and full of suspended sludge as result of the sludge resurfacing from the mixing action of the dredge. An additional issue observed was the centrate returned to Pond 2 from the centrifuge was concentrated with polymer and additives from their process. Within a week of the sludge removal project the effluent was beginning to be affected and we knew we needed to act fast to not allow the overloading of the filtration and disinfection processes. We decided to intercept the Decant before it entered the Nitro Cell, install two (2) 5,000-gallon storage tanks equipped with aeration and plumbed to provide upflow clarification with the effluent of these tanks flowing directly into the Outlet area. Below demonstrates the modification described above:





Following is logic and reasoning associated with the modification:

1. The Nitro Cell components are a mass of pipes and diffusers that are buried deep in the sludge that has accumulated over the years in the 2C area. There is zero functionality to this process and after conversations BCE prior to CWS moving the flow BCE indicated that this system never functioned or provided any benefit.
2. By moving the flow over (essentially a few feet) to the outlet we were able to force clean decant into that area which allowed any flow not leaving to the filters to push back into the other cells of the pond and not allow the sludge and other contamination into the subsequent processes
3. Applying clean Pond 1 decant water to Pond 2 to then become contaminated from the sludge removal process was clearly going to cause an upset so moving the flow was an easy fix to a serious problem

\*It should be noted that Pond 2C areas (including Nitro Cell & Outlet) were not included in the sludge removal process as the dredge could not fit in the small areas\*

## Operational Changes & Effluent Quality Improvements

### Ammonia

Throughout 2019 CWS has worked hard to get all Pond 1 aerators functioning and placed in the best location to deliver the best mixing and dissolved oxygen (DO) values. As we were able to achieve higher DO levels relative to when we took over the system we began increasing the Pond 1 mixed liquor (MLSS) in an effort to increase the population of nitrifying bacteria. In June of 2019 the results of this effort began to show as the effluent ammonia values dropped sharply. By August we reached the maximum level MLSS the system could handle before solids carryover occurs in the decant and since this time we consistently show (weekly) non-detect for ammonia with our field test kits. Below are the 3<sup>rd</sup> Quarter 2019 Ammonia data (lab) demonstrating compliance (sampled 9/30 & included in the Qtrly Report):

Ammonia-N	0.10 mg/L
Ammonia-NH3 (calc) Un-Ionized	0.002 mg/L (permit max 0.025)

### BOD

Increasing the MLSS has helped the overall clarity of the decants and improved the BOD reduction as well. We continue to manually clean the outlet of the Pond 2 to control the unremoved sludge in the that area. Following are the 3<sup>rd</sup> Quarter Results for BOD submitted with the Quarterly Report:

7/5/2019 14:18 Biochemical Oxygen Demand		13 mg/L
7/12/2019 9:06 Biochemical Oxygen Demand		8 mg/L
7/19/2019 8:00 Biochemical Oxygen Demand		16 mg/L
7/24/2019 8:40 Biochemical Oxygen Demand		4 mg/L
7/31/2019 8:50 Biochemical Oxygen Demand		18 mg/L
8/9/2019 17:10 Biochemical Oxygen Demand		18 mg/L
8/21/2019 10:01 Biochemical Oxygen Demand		5 mg/L
8/28/2019 8:39 Biochemical Oxygen Demand		4 mg/L
9/6/2019 10:50 Biochemical Oxygen Demand		2 mg/L
9/11/2019 8:57 Biochemical Oxygen Demand		3 mg/L
9/18/2019 8:22 Biochemical Oxygen Demand	ND	mg/L
9/25/2019 9:44 Biochemical Oxygen Demand	ND	mg/L

### Total Coliform (TC)

TC has improved greatly from the 2<sup>nd</sup> Quarter however we had a few exceedances. We recently purchased 120 quartz sleeves and we will be replacing all UV sleeves when they arrive (we have plenty of replacement lights). We hope by doing this and continuing good treatment upstream we will return to compliance with regard to TC. Following are the TC sampling results for the 3<sup>rd</sup> Quarter of 2019:

7/2/2019 15:30 Coliform, Total (Quantitray)		<1 MPN/100mL
7/5/2019 13:10 Coliform, Total (Quantitray)		<1 MPN/100mL
7/9/2019 16:00 Coliform, Total (Quantitray)		<1 MPN/100mL
7/11/2019 16:45 Coliform, Total (Quantitray)		<1 MPN/100mL
7/18/2019 14:00 Coliform, Total (Quantitray)	✓	4 MPN/100mL
7/22/2019 15:00 Coliform, Total (Quantitray)	✓	6 MPN/100mL
7/24/2019 16:00 Coliform, Total (Quantitray)	✓	213 MPN/100mL
8/9/2019 17:05 Coliform, Total (Quantitray)		<1 MPN/100mL
8/19/2019 16:30 Coliform, Total (Quantitray)	✓	20 MPN/100mL
8/26/2019 16:00 Coliform, Total (Quantitray)	✓	13 MPN/100mL
9/3/2019 16:30 Coliform, Total (Quantitray)	✓	9 MPN/100mL
9/5/2019 16:35 Coliform, Total (Quantitray)		140 MPN/100mL
9/9/2019 16:40 Coliform, Total (Quantitray)		2 MPN/100mL
9/17/2019 17:00 Coliform, Total (Quantitray)		<1 MPN/100mL
9/23/2019 15:20 Coliform, Total (Quantitray)		<1 MPN/100mL
9/26/2019 15:30 Coliform, Total (Quantitray)		>2420 MPN/100mL



## Inspection Report Inaccuracies

- Section II – Facility / Site Description paragraph two, sentence one mentions the Pond 1 decanting by gravity. There is actually a pump suspended in the pond that conveys the decant each decant cycle
- Section II – Facility / Site Description paragraph two, sentence three references Pond 2-C providing denitrification. According to the O&M (also referenced on Flow Pattern Illustrations provide in this letter), the Nitrification Cell functioned to nitrify by providing a habitat for this type of bacteria to flourish. I've attached language from the O&M describing the system, *Chapter 4 - Nitrification Polishing System*. Also, reviewing historical effluent nitrate data, the plant has no issue removing nitrogen. Following is the NO3/NO2 data from the 3<sup>rd</sup> Quarter of 2019:

9/10/2019 20:08 Nitrate as N

0.2 mg/L

9/10/2019 20:08 Nitrite as N

0.1 mg/L

## City's Forthcoming Master Plan

The City is developing a Master Plan (MP) that encompasses the City's drinking water, sewer collections and WWTP. Part of the MP will evaluate the feasibility of the installation of a sludge management/dewatering system (volute press) that was piloted at SJB WWTP in December 2018 by PWTech, LLC and Cloacina, LLC at the request of CWS. It is my hope that this technology is selected to be utilized at SJB for not just the obvious reasons of practical sludge management but to also change how we utilize Pond 2. If we can stop wasting into Pond 2 and instead create dry cake to haul off to landfill we would forever eliminate the potential for waste sludge to affect effluent BOD, TSS, TC and Ammonia levels. I feel it is important the City is all allowed to develop the MP before any significant investment is directed toward the Pond 2 components.

It's true that there are gaps low spots in the baffle systems. We believe that we can raise the baffle separating 2A and 2B to gain more height in the low sections by using a tractor to tighten the guide cable. We've also tested corrugated drain pipe laid across sections of the pond and found this product is buoyant to some degree. We will be trying to place this material in low areas of the baffles in the coming months to stop migration of floating solid from Pond 2A to 2B and 2C.

## Inspection Areas of Concern

I've pasted all items of concern listed in your letter below and will address each specifically to make sure I've covered everything:

1. Pond 2 may not be providing full treatment because of gaps in the baffles; some flows may be bypassing the treatment cells and this could reduce treatment effectiveness.

*It's true that there are gaps and low spots in the baffle systems. We believe that we can raise the baffle separating 2A and 2B to gain more height in the low sections by using a tractor to*

Att 4

tighten the guide cable. We've also tested corrugated drain pipe laid across sections of the pond and found this product is buoyant to some degree. We will be trying to place this material in low areas of the baffles in the coming months to stop migration of floating solid from Pond 2A to 2B and 2C.

2. The floating media in Cell 2C is likely no longer doing what it was designed to do, presumably nitrogen reduction.

The floating media was designed to help treat any residual ammonia that was unoxidized in the Pond 1 according to the O&M as I referenced previously on page 5, *Inspection Report Inaccuracies*. We attempted to pull the units out to inspect them in December 2018 but found them to encased in 7 to 10 feet of sludge and intertwined in the collapsed baffles that section that area off from the outlet and 2C. I don't see any way to salvage these units and no easy way to remove them without fatally damaging all the baffles in the 2C area. I feel we should wait for the City's Master plan for direction on how to proceed.

3. Cypress Water Services has made changes to the flows at the plant that should be communicated to the permit writer and documented in a permit modification.

This is a reasonable request and I can certainly work with the permit writer to describe in detail what changes we made. Would it be possible to allowed to operate in the current manner without a permit modification for an interim period until the master plan is finalized?

4. Calibration records should be kept for all meters.

Consider this done. CWS will create a binder to be kept on the counter with tabs for the following instruments within 90 days:

- pH/Temp
- DO
- NTU
- Annual Flow Meter Calibration Certs

I've attached with this letter the annual flow meter calibrations (influent/effluent) performed by Cooper Control performed in August 2019.

5. The City has been out of compliance with effluent chloride limits since they became part of the permit on May 10, 2009. Current drinking water treatment infrastructure is inadequate to reduce the hardness of the City's current drinking water sources and current wastewater treatment infrastructure is not designed to remove chlorides.

The SJB source water is high in chlorides, sodium, TDS and sulfates the WWTP is not designed to remove these constituents. The City's Master Plan will layout a path for compliance.

6. Ongoing development and new wastewater connections are increasing the load on the City's aging wastewater treatment infrastructure. The City is not consistently complying with effluent limits for sodium, total Coliform, BOD, sulfate, total dissolved solids, and ammonia.

I've addressed concerns with regard to BOD, TC and ammonia previously on pages 3-4, *Operational Changes & Effluent Quality Improvements* and I feel the flow increase from

Att 4

additional development is something the SJB WWTP can treat effectively with regard to these constituents.

7. Unlabeled and unused chemicals in drums need to be disposed of in accordance with all applicable regulations.

Consider this done. Please allow 90 days to accomplish this task. I will include of the removal of these tanks in the quarterly report following the 90 day period.

8. Chemicals which remain stored onsite should have secondary containment and/or be stored in a location where a spill would not reach the discharge drainage. The Facility should develop and implement a Spill Prevention and Response Plan.

This is a reasonable request and something we can facilitate. I've order two (2) – four drum containment stands and one (1) spill kit drum for the facility (order confirmation attached). We will have them installed before the next quarterly report (before 1/31/20) and submit photos along with report.

Will develop a Spill Prevention & Response Plan to be kept onsite within 90 days and I will include this plan in the submission of quarterly report following the 90 day period.

9. There have been six exceedances of the Median Total Coliform limit and five exceedances of the Instantaneous Maximum Total Coliform limit since November 2018. This may be caused by an inadequate or malfunctioning disinfection system.

These exceedances are important to us to mitigate. At this time there are several light out because the lights are cracked and the quartz sleeves are broken. We've purchased 120 quartz sleeves are will replacing any faulty lights plus replacing all quartz sleeves. We will then create a maintenance log specific to the UV system. Moving forward from the date of these replacements will replace all light and/or sleeves based of the manufacturers recommend replacement cycle. The hour counters on each UV unit are hard to read but once the replacements are all done at once we can keep track of the hours as the are always on except during cleaning. Included in this letter is the quartz sleeve order confirmation.

10. The San Juan Bautista WWTP NPDES permit became effective in 2009 and expired in May 2014. No new permit has been issued since its expiration. The 2009 permit has been administratively continued and does not match existing Facility conditions.

I have no comment to this concern at this time. I look to the City to address this and I will certainly work with the City in whatever capacity needed to get this resolved.

11. The San Juan Bautista WWTP is in Significant Noncompliance for unionized ammonia, sodium, and chloride effluent exceedances and has numerous other effluent violations detailed in Section II.3. These violations will likely continue until the Facility makes improvements to the wastewater treatment plant and its operations. Several of these areas of concern were noted in the January 25, 2018 Inspection Report and remain unaddressed.

The exceedances that I have the operational control to mitigate have been addressed previously on pages 3-4, Operational Changes & Effluent Quality Improvements. I believe it prudent that

Att'ny

the EPA allow for the development of the City's Master Plan so that path forward can be presented with timelines for actions that lead us to compliance.

## Summary

Following is a brief summary of the items CWS has addressed in this response letter:

- Efforts will be made to address issues with low spots in the Pond 2 baffles. Progress will be updated within 90 days
- CWS recommends that efforts to salvage Pond 2C floating media would yield little value and we should wait on the City's MP for the path forward
- CWS asks that modifications to the plant's flow pattern be detailed to the EPA but not permit modifications made until MP complete
- CWS will generate a calibration log which will be left in plain sight at the plant within 90 days
- CWS has made operational changes which has resulted in compliance of Ammonia and BOD.
- Total Coliform exceedances were greatly reduced in the 3<sup>rd</sup> Quarter of 2019 and a plan is in place to get the UV system 100% functional.
- Unlabeled chemical containers will be removed from the site within 90 days
- Spill containments have been purchased and CWS will generate a spill prevention plan within 90 days

This completes the CWS written response and I hope I have addressed your concerns sufficiently. Please reach to directly by phone or email if you wish to discuss these matters further or need further clarification on my responses.

Sincerely,



Miles Farmer  
831-594-2620 (cell)  
Chief Operator, Cypress Water Services  
[miles@cypresswaterservices.com](mailto:miles@cypresswaterservices.com)

Att 4



## Cypress Water Services

P.O. Box 615

Castroville, CA 95012

• (831) 920-6796 (Office)

• (408) 766-7618 (Fax)

[Service@CypressWaterServices.com](mailto:Service@CypressWaterServices.com)

### Bill To

Invoice Date: 11/29/2019

San Juan Bautista

Michaele LaForge

## INVOICE

Invoice # 18580

Purchase Order Number:

Project:

Quantity

Description

Rate

Amount

139	WWTP - Additional and/or Emergency Services:  8/2/19 (JG/JR/JR/AG) - Manually clean sludge from 2C Outlet area. Took filters offline acid treatment for day & put online (36hrs) 9/13/19 (JG/JR) - trouble shooting waste pump. Removed from pond to diagnose. Found faulty SO cord - fixed short but pump appears to fried(4hrs) 9/26/19 (MF/JG/JR) - Pulled pump for delivery to Salinas Armature (4.5hrs) 10/1/19 (JG/JR) - Pulled waste pump skid for retrofit for new style Goulds pump. Delivered to R&L Welding Salinas (4hrs) 10/2/19 (JG/JR/MF) - Install new waste pump & skid. clean outlet & acid treat filters. Trouble shooting WWTP influent liftstation - alarming & PLC not controlling pumps (21hrs) 10/3/19 (JG/JR) Picked up gasket material. Replaced faulty filter inspection port gaskets on both filters. Put filters online (6hrs) 10/4/19 - (JG/JR/AG/JR/MF) Modified filter influent hard piping to incorporate bypass for backwash tank fill (this is required when filters become clogged & there is not sufficient stored backwash water to clean filters). Manually pumped down sludge in Pond 2C Outlet. Trouble shooting influent liftstation PLC - stored logic lost & PLC in need of replacement. Wired in alternating relays so that station would not run off of alarm float system only (25hrs) 10/17/19 (JG/JR/AG) Clean out Pond 2C Outlet manually. Pick up material for aerator repair work (9hrs) 10/18/19 (JG/JR) Remove & reinstall aerator 8 - cord caught in unit. Replaced/added stainless steel cables to better secure aerator (4hrs) 10/23/19 (JG/JR) Clean out Pond 2C Outlet manually (6hrs) 10/25/19 (MF/JG) Trouble shooting influent liftstation float system & Misc electrical issue. Replaced fuses & stocked panel with spare fuses (6hrs) 10/31/19 (JG/JR/AG/JR) Pick up materials, clean out Pond 2C Outlet manually (13.5hrs)	75.00	10,425.00
-----	--	-------	-----------

Rebuilt  
WWTP  
Control Panel  
CIP 20-8  
→

Total

5



## Cypress Water Services

P.O. Box 615

Castroville, CA 95012

• (831) 920-6796 (Office)

• (408) 766-7618 (Fax)

[Service@CypressWaterServices.com](mailto:Service@CypressWaterServices.com)

### Bill To

**San Juan Bautista**  
**Michaele LaForge**

**Invoice Date: 11/29/2019**

## INVOICE

**Invoice # 18580**

**Purchase Order Number:**

**Project:**

Quantity	Description	Rate	Amount
	Materials: ✓ 10/2/19: Waste Pump Replacement • Qty 110 feet - #10 SO Cord/stock \$4.42/ft (\$486) • Misc. 4" Sch 80 PVC fittings, stainless steel nipples & fittings, heat shrink submersible, 3" layflat hose, fittings & adapters, stainless steel hex bolt kits & 10mil tape (\$362.20) • Qty 1 - Goulds WS3034D4 Submersible Sewage Pump (\$3062.08) 10/3/19: Filter manway gasket • Neoprene gasket material (\$42.27) 10/4/19: Filter Bypass for backwashing ✓ • 4" Sch 80 fittings (flanges, tee, 90s, blank flange) plus bolt kits. (\$167) • Alternating relay, relays & Misc. electrical material (\$145) 10/17/19: Rescuing Aerator ✓ • Misc stainless steel wire rope, spring links & clamp sets (\$148.36) 10/25/19: Liftstation Panel Fuses ✓ • Panel fuses (\$53.25)	4,466.28	4,466.28
10	Influent Liftstation PLC & Touch Screen Replacement 10/24/19 (MF) Assisted DMR automation with programming of new influent liftstation PLC & Touch Screen (4hrs) 10/31/19 (MF) Wire in new PLC & Touch Screen at influent liftstation panel & test (6hrs)	75.00	750.00
<b>Total</b>			

445



## Cypress Water Services

P.O. Box 615

Castroville, CA 95012

• (831) 920-6796 (Office)

• (408) 766-7618 (Fax)

[Service@CypressWaterServices.com](mailto:Service@CypressWaterServices.com)

### Bill To

**San Juan Bautista**  
**Michaele LaForge**

**Invoice Date: 11/29/2019**

## INVOICE

**Invoice # 18580**

**Purchase Order Number:**

**Project:**

**Quantity**

**Description**

**Rate**

**Amount**

Materials:

10/2/19: PLC Replacement:

• Qty 1 - (New PLC) 1763-L16AWA Allen Bradley MicroLogix 1100 Controller, 120/240VAC 16-Points (\$475)

• Qty 1 - (PLC Input Card) Allen-Bradley 1762-IF4 MicroLogix 4 Channel Current/Voltage Analog Input Module Series B (\$275)

• Qty 1 - (Touch Screen) 2711P-T6C21D8S Allen-Bradley PANELVIEW Plus 7 (\$878.56)

Invoice attachments for reimbursement

1,628.56

1,628.56

1,550.51

1,550.51

**Total \$18820.35**

AS



Salinas Armature and Motor Works, Inc.  
899 Vertin Avenue

Salinas, CA 93901

# Invoice

Date	Invoice #
9/27/2019	18894

(831-424-3741)

Fax: (831) 758-8010

Bill To
CYPRESS WATER SERVICES P.O. BOX 615 CASTROVILLE, CA 95012

✓ 2870

P.O. No.	Terms	Project
SJB	DUE ON RECEIPT	

Description	Qty	Rate	Amount	U/M
SHOP LABOR : Flight 3HP pump S/N- 3085.182-5007 Inspection, not repairable		90.00	90.00	

WARNING: Cancer and Reproductive Harm  
[www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov)

**Subtotal** \$90.00

**Sales Tax (0.0%)** \$0.00

**Total** \$90.00

**Payments/Credits** \$0.00

**Balance Due** \$90.00

## DUE ON RECEIPT

A Finance Charge calculated at the rate of 1-1/2 percent per month (18% Annually) or at the highest rate permitted by law, will be applied to all past due accounts. In the event that any suit or action is instituted relating to the goods and services set forth in the invoice, or in the event that suit or action is instituted to collect sums due under this invoice, the prevailing party in such action shall be entitled to, in addition to such action other relief as may be granted, recover its attorney's fees and costs reasonably incurred in such action and/or in enforcing any judgement granted in the action, in addition to such relief as may be granted.

AMS



DMR Automation Services, Inc  
1821 Hemingway Drive  
Salinas, CA 93906  
(831)214-4536  
drodgershome@att.net

Invoice 1536

*JSB*

*JSB*

**BILL TO**

Miles Farmer  
Cypress Water Services  
PO Box 615  
Castroville, CA 95012 USA

DATE  
11/25/2019

PLEASE PAY  
**\$630.00**

DUE DATE  
12/25/2019

**DESCRIPTION**

**QUANTITY**

**RATE**

**AMOUNT**

Services: Programming Services  
Demo Program for lift Station  
Thank you for your Business.

6

105.00

630.00

TOTAL DUE

\$630.00

THANK YOU

*Att 5*

11/20/2019

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THANK YOU for your purchase!

ORDER CONFIRMATION

Order Number: 16521245 Order Date: November 20, 2019

Print Confirmation

Your order information is provided below. You can check the status of your order by visiting [My Account](#) and clicking on the Order History section. An email will be sent to you once your order ships.

BILLING ADDRESS		SHIPPING ADDRESS		PAYMENT METHOD	
Miles Farmer	Miles Farmer	16815 Blackie Rd	16815 Blackie Rd	Payment Type:	PayPal
Prunedale	Prunedale	CA 93907	Prunedale		
UNITED STATES	UNITED STATES				
8315942820	8315942820				

Item	Item Number	Price	Quantity
------	-------------	-------	----------

Total



ENPAC3 RadIII For 95 Gallon Wheeled SpillPack Spill Kit, Universal, 1487-35F  
More +

T9FB284745  
\$310.95

\$310.95

1

Subtotal: \$310.95  
Shipping: \$41.80  
Tax: \$32.63  
Order Total: \$385.38

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11/19/2019

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11/19/2019 11:45 AM

Click here for your purchase!

ORDER CONFIRMATION

Order Number: 16521197 Order Date: November 20, 2019

Global Industrial

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**BILLING ADDRESS**

Milas Farmer  
16815 Blackie Rd  
Punxsutaw  
CA 93907  
UNITED STATES  
8315942620

**SHIPPING ADDRESS**

Milas Farmer  
16815 Blackie Rd  
Punxsutaw  
CA 93907  
UNITED STATES  
8315942620

**PAYMENT METHOD**

Payment Type: PayPal



SJB

Item

Item Number

Price

Quantity

Total

Global Industrial™ 4 Drum Spill Containment Modular Platform  
More +

T8F88853  
\$345.90

\$172.95

2



Subtotal: \$345.90

Shipping: \$61.54

Tax: \$37.69

Order Total: \$445.13

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Don't show me this again.

Mobile Number

X

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