

## STAFF REPORT

DATE: May 24, 2011

TO: Utilities Commission

FROM: Cari Dale, Water Utilities Director

SUBJECT: **RECOMMEND APPROVING CLOSING CHANGE ORDER 1 IN THE AMOUNT OF \$8,784.00 AND ACCEPTANCE OF IMPROVEMENTS CONSTRUCTED BY PRECISE CONSTRUCTION MANAGEMENT FOR HENIE HILLS RESERVOIR COATING SYSTEM AND PERIMETER FENCING PROJECT**

### **SYNOPSIS**

Staff and the Water/Sewer Committee recommend that the Utilities Commission recommend that the City Council approve closing Change Order #1 in the amount of \$8,784.00 to Precise Construction Management of San Diego for the Henie Hills Reservoir Coating System and Perimeter Fencing project for adjustments to final quantities installed; authorize the City Engineer to execute the change order; accept the improvements constructed by Precise Construction Management; and authorize the City Clerk to file a Notice of Completion with the San Diego County Recorder.

### **BACKGROUND**

The City of Oceanside owns and maintains the Henie Hills Reservoir located at 2 Bernard Drive within the Mira Costa College campus (Exhibit A). It is a 50-year-old dome structure with painted gunite covering the walls and dome cover. The exterior coating (painting) had passed its useful life, was in need of minor repairs and recoating, and was an eyesore. The perimeter chain link fence (CLF) with 3-strand barbed wire was rusted and in some locations was leaning over, and no longer provided adequate security for the site.

On December 8, 2010, City Council awarded a construction contract for the Henie Hills Reservoir Coating System and Perimeter Fencing project to Precise Construction Management in the amount of \$65,620.

The project consisted of preparing the exterior of the three-million-gallon reservoir and coating it with paint and replacing the perimeter fence. The ring girder, around the top of the reservoir wall, was spalled in several areas and was repaired using epoxy

concrete and mortar. The dome roof required extensive repair with epoxy concrete and mortar. During the concrete rehabilitation work, it was determined that an additional 180 square feet of area on the roof dome was spalled, deteriorated, and required repair. Following the repairs and surface preparation, the 29,000 square feet of exterior gunite wall and dome roof was coated with "Crisp Khaki" color paint manufactured by Frazee Paint. The chain link fence and gates covered with "Forest Green" fused PVC were installed. Both the "Crisp Khaki" and the "Forest Green" colors were selected in conjunction with staff at MiraCosta College.

### **ANALYSIS**

Closing Change Order 1 includes adjustments in the final quantity of Bid Item 2, concrete rehabilitation using epoxy concrete and mortar. Change Order 1 is in the amount of \$8,784.00 (Exhibit B).

A final inspection was performed and it was determined that the project was completed per the plans and specifications.

### **FISCAL IMPACT**

The Reservoir Structural Analysis account (908754600712) has an available balance of \$444,368. The construction contract is \$65,620.00 plus one closing change order in the amount of \$8,784.00 for a total construction cost of \$74,404.00. Therefore, there are available funds for the change order.

### **CITY ATTORNEY'S ANALYSIS**

The referenced documents have been reviewed by the City Attorney and approved as to form.

### **INSURANCE REQUIREMENTS**

The City's standard insurance requirements have been met.

### **COMMISSION OR COMMITTEE REPORT**

The Water/Sewer Committee approved staff's recommendation at its regularly scheduled meeting on May 10, 2011.

**RECOMMENDATION**

Staff and the Water/Sewer Committee recommend that the Utilities Commission recommend that the City Council approve closing Change Order #1 in the amount of \$8,784.00 to Precise Construction Management of San Diego for the Henie Hills Reservoir Coating System and Perimeter Fencing project for adjustments to final quantities installed; authorize the City Engineer to execute the change order; accept the improvements constructed by Precise Construction Management; and authorize the City Clerk to file a Notice of Completion with the San Diego County Recorder.

PREPARED BY:

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Greg Blakely  
Administration Manager

Exhibit A – Site Map  
Exhibit B – CCO No. 1 Final

# STAFF REPORT

DATE: May 24, 2011  
TO: Utilities Commission  
FROM: Cari Dale, Water Utilities Director  
SUBJECT: **RECOMMEND APPROVAL OF A RESOLUTION TO ADOPT THE CITY OF OCEANSIDE 2010 URBAN WATER MANAGEMENT PLAN AND APPROVAL OF THE CITY OF OCEANSIDE WATER CONSERVATION MASTER PLAN**

## **SYNOPSIS**

Staff recommends that the Utilities Commission recommend that the City Council approve the City of Oceanside Water Conservation Master Plan (Exhibit A), direct staff to implement the elements of the Plan beginning in fiscal year 2011-12; and approve a resolution to adopt the City of Oceanside 2010 Urban Water Management Plan (Exhibit B).

## **BACKGROUND**

### **City of Oceanside Water Conservation Master Plan**

In June of 2008, the City Council directed staff to prepare a Water Conservation Master Plan in response to the existing drought and court-ordered mandatory water restrictions. On December 10, 2008, the City Council approved a professional services agreement with Maddaus Water Management to prepare the Water Conservation Master Plan (Plan). Staff worked with the consultants to develop a comprehensive conservation program for the City however, the reduction of 20 percent per capita water use by the year 2020 was passed by legislation in November 2009 (SB x 7\_7), necessitating incorporation of the gallons-per-capita-per-day (gpcd) calculation into the proposed plan. The legislative change also required that the department specify additional conservation measures that would need to be implemented to meet the mandated reduction goal.

On February 14, 2011, the additional measures were presented to the Utilities Commission at a public workshop. The Commissioners and members of the public reviewed the programs and chose to recommend a set of conservation measures that will achieve the goals set by the state. Presently, the City of Oceanside's gpcd is 167; the target reduction for the year 2020 is 142 gpcd, a reduction of 25 gpcd. The city's gross gallons-per-capita-per-day (gpcd) baseline, water use target for 2020 and interim

water use target for 2015 will be incorporated into the 2010 Urban Water Management Plan as required by State Law.

### City of Oceanside 2010 Urban Water Management Plan

On December 22, 2010, the City Council approved a professional services agreement with Infrastructure Engineering Corporation (IEC) to prepare the City's 2010 Urban Water Management Plan in order to comply with the California Urban Water Management Planning Act, Water Code Division 6, part 2.6. The UWMP must follow the guidelines set in the "Guidebook to Assist Water Suppliers in the Preparation of a 2010 Urban Water Management Plan" prepared by the California Department of Water Resources. The general provisions within the guidebook require that each urban water supplier review, make changes to and amend its Urban Water Management Plan every five years. The Urban Water Management Planning Act (Act) also requires that water suppliers file the plans with the Department of Water Resources (DWR). The City has complied with the Act by filing a plan in 1985, 1990, 1995, 2000, and 2005. Since the last UWMPs were submitted in 2005, there have been changes in the Act. Former Governor Schwarzenegger in his 20x2020 Plan determined that for California to continue to have enough water to support its growing population, it needs to reduce the amount of water each person uses per day (per capita daily consumption, which is measured in gallons per capita per day). This reduction of 20 percent per capita use by the year 2020 is supported by legislation passed in November 2009 (SB x 7-7). The revised plan will be used by the City of Oceanside to outline strategies for the conservation and efficient use of water and to ensure that the citizens of Oceanside have a safe and adequate water supply.

### ANALYSIS

#### City of Oceanside Water Conservation Master Plan

The purpose of the Water Conservation Master Plan is to evaluate water conservation demand management alternatives and to evaluate them in terms of their water savings, costs, and cost-effectiveness from various perspectives including their acceptability and their ability to be implemented. The successful implementation of the water conservation master plan and meeting the state mandate reduction of 20x2020 will help in meeting the City Council's goal of 50 percent water independence by 2030.

The process used a model which evaluated measures directed at existing accounts as well as new development measures to make new residential and business customers more water-efficient. Several programs were developed to evaluate the net effect of running multiple measures together over time.

The February 14, 2011, workshop was facilitated by Tamayo and Associates with the goal to provide participants with an overview of the conservation options, to provide discussion and input on the various options that would be recommended and to reach consensus on the best way to move forward. The Utilities Commissioners, staff, several members of the public and Maddaus Water Management participated in the workshop. The themes presented by participants were:

- To implement the program that is comprised of aggressive water conservation, smart meters (AMI) and further implementation of the Recycled Water Master Plan (Phase II), and
- Phase in additional elements up to the level of activity and measures of the other program as appropriate or needed over time, and
- Partner, engage and build relationships with high water users to get their full participation, and
- Use tools including new development offsets to compel participation where possible.

The work group went on to highlight the major benefits of this approach:

- It complies with State SBx7-7 law (and per capita use targets), and
- It is cost-effective and less expensive than buying additional purchased water from SDCWA and MWD, and
- The approach gives the City control over its future water supply availability.

A follow-up recommendation was made to form a 20 x 2020 working group to monitor progress and consider modifications to the plan over time to meet the 2015 and 2020 per capita use targets cost-effectively.

The recommended measures are in the table below. Detailed descriptions of each measure and costs are included in the recommended program and in Exhibit A. There are also measure-by-measure implementation suggestions included in the Plan.

<b>General Measures</b>	<b>Residential Measures (Indoor)</b>	<b>Commercial Measures (Indoor)</b>	<b>Irrigation Measures (Outdoor)</b>
Public Education	High Efficiency Toilet Rebates	High Efficiency Toilet Rebates	Financial Incentives for Irrigation Upgrades
School Retrofit by 2035	Clothes Washer Rebates	High Efficiency Urinal Rebates	Landscape Requirements New Accounts except SF
Automated Meter Infrastructure (AMI)	Water Use Efficiency Surveys (Audits)	Clothes Washer Rebates	Large Landscape Water Budgets + Audits
Recycled Water (Phase 1 & 2)	Hot Water Systems	Water Efficiency Surveys (Audits)	Weather Adjusting Controller Requirement New Dev start in 2020
Senate Bill 407 Fixture Replacement	Zero Footprint for New Development	Kitchen Pre Rinse Spray Nozzles	Landscape Classes for Residential customers
Require WaterSense on all new homes (EPA)		Inefficient Equipment Replacement Rebates	

Successful implementation of the Plan will require a significant increase in level of effort on the part of the City. Many new conservation measures will be employed and high participation rates are needed to achieve Plan goals. Recommendations to assist with implementation include the following next steps:

- Prioritize measures for implementation with those that contribute the most to meeting the per capita use targets;
- Consider working with the largest 100 water-using customers to try to reduce water use as described in section 3;
- Develop an annual work plan for the first plan year as soon as the budget is adopted (or in concert with the budget planning process);
- Form partnerships and apply for grants where appropriate;
- Outsource if needed to gain enough staff support to administer the new program;
- Set up a 20 x 2020 Working Group to guide the implementation;
- Develop analytical tools to track water use by customer class and overall per capita water use, adjusted for the weather and external factors;
- Set up a database to store and manage measure participation, cost and other data to gauge successes and failures;
- Use the tools annually to help decide on priorities for the next plan year;
- Use the Model to annually update the plan including actual measure participation, projected water savings and expected per capita water use reductions to ensure plan is on track to meet 2020 targets;
- Use the input from the 20 x 2020 Working Group and annual work planning process as the forum to amend the plan, budgets, staffing, outsourcing, schedule, etc., to stay on track.

### City of Oceanside 2010 Urban Water Management Plan

The City currently purchases approximately 85% of its water from the Metropolitan Water District through the San Diego County Water Authority. Careful water resource planning has been very important in the development of the City's water supply system that includes 12 reservoirs, 9 pump stations, 1 surface water treatment plant and 1 desalting facility.

In June of 2008, the City Council directed staff to prepare a Water Conservation Master Plan in response to the existing drought and court-ordered mandatory water restrictions. Staff worked with the consultants to develop a comprehensive conservation program that is being presented to Council on May 18, 2011. The City's long-term goal is not only to reduce the amount of water each person uses per day (per capita daily consumption), but on a larger scale to reduce Oceanside's dependence on imported water. To assist in accomplishing this goal, the City Council has supported the development of a Water Conservation Master Plan which utilizes conservation demand measures developed in terms of their water savings, costs, and cost-effectiveness from various perspectives including their acceptability and their ability to be implemented. The successful implementation of the water conservation master plan and meeting the state mandate reduction of 20x2020 will help in meeting the City Council's goal of 50 percent water independence by 2030. The programs developed from these measures

will provide City water customers with information, water efficient plumbing fixtures, financial incentives, and practices that reduce water used for interior and exterior purposes. The end result will be providing the tools for Oceanside customers to be more water-efficient.

The City of Oceanside 2010 Urban Water Management Plan includes details of the City's participation in these water conservation programs in the demand management and water conservation activities (Best Management Practices) section, as well as analysis of the City's water sources and reliability, and the water shortage contingency plan.

## **FISCAL IMPACT**

### **City of Oceanside Water Conservation Master Plan**

The total estimated cost of the program until 2020 is \$11,764,326 which has an estimated annual cost of \$1,176,433. The cost increase for FY12 is \$370,000, the bulk of which includes increased residential public education, washer rebates, replacement of inefficient equipment at commercial/industrial facilities and residential and commercial high-efficiency toilet rebates. The rate increases taking effect in February 2011 and July 2011 already account for the FY12 increased Department costs associated with this program.

The largest cost component over the next nine years is funding a portion of the Phase I & II recycled water projects. The conservation portion of the Phases is \$4.1M and is planned to commence during FY13. Phase I includes replacement of the pilot treatment facility at San Luis Rey as well as retrofit and use of recycled water at San Luis Rey for plant processes. Phase II includes optimizing use of recycled water from Fallbrook Public Utilities District in the Morro Hills area. It is anticipated that the remainder of the project will be paid for from Developer Fees and Fixed Asset Replacement Funds.

The other larger cost component is for Automated Meter Infrastructure (AMI) at an added cost of \$300,000/year, starting in FY15. For future years, the costs to implement the Plan will be paid for by a combination of operating and capital funds. The implementation of the Water Conservation Master Plan is an unfunded state mandate.

### **City of Oceanside 2010 Urban Water Management Plan**

Because the UWMP incorporates the elements of the Water Conservation Master Plan, the fiscal impact is the same as above.

## **COMMISSION OR COMMITTEE REPORT**

The Utilities Commission was unable to review staff's recommendation at its meeting on April 19, 2011, due to the lack of a quorum. The Commission will review staff's recommendation at their May 24, 2011, meeting.

**CITY ATTORNEY'S ANALYSIS**

The referenced documents have been reviewed by the City Attorney and approved as to form.

**RECOMMENDATIONS**

Staff recommends that the Utilities Commission recommend that the City Council approve the City of Oceanside Water Conservation Master Plan (Exhibit A), direct staff to implement the elements of the Plan beginning in fiscal year 2011-12; and approve a resolution to adopt the City of Oceanside 2010 Urban Water Management Plan (Exhibit B).

PREPARED BY:

SUBMITTED BY:

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Greg Blakely  
Administration Manager

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Peter Weiss  
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

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Cari Dale, Water Utilities Director

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Teri Ferro, Financial Services Director

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Exhibit A: City of Oceanside Water Conservation Master Plan

Exhibit B: City of Oceanside 2010 Urban Water Management Plan

# STAFF REPORT

DATE: May 24, 2011

TO: Utilities Commission

FROM: Cari Dale, Water Utilities Director

SUBJECT: **RECOMMEND AMENDMENT TO THE WATER SUPPLY AGREEMENT BETWEEN THE CITY OF OCEANSIDE AND WHELAN LAKE BIRD SANCTUARY, INC. TO EXTEND THE AGREEMENT FOR AN ADDITIONAL ONE YEAR**

## **SYNOPSIS**

Staff recommends that the Utilities Commission recommend that the City Council approve Amendment 2 to the Water Supply Agreement (Exhibit A) between the City of Oceanside and the Whelan Lake Bird Sanctuary, Inc., (Sanctuary) extending the term of the agreement from June 30, 2011 to June 30, 2012, for the provision of recycled water to Whelan Lake from the San Luis Rey Wastewater Treatment Plant at no charge to the Sanctuary for the term of the amended agreement, and authorize the City Manager to execute the amendment.

## **BACKGROUND**

The Whelan Lake Bird Sanctuary, which is adjacent to and west of the San Luis Rey Wastewater Treatment Plant, is a 323 acre natural habitat for migratory and indigenous birds (Exhibit B). Since 1958, the City has provided Whalen Lake, which is on the Sanctuary property, with recycled water.

The existing Water Supply Agreement between the City and the Sanctuary expires on June 30, 2031 however, a provision in the agreement to supply recycled water without cost, expires on June 30, 2011. For the remaining term of the water supply agreement, recycled water is supposed to be provided at (i) the City's cost to supply the water, or (ii) at the price which the City would otherwise sell the same water to another buyer, whichever is less.

In October of 2010, the City received a request from the Whalen Lake Sanctuary, Inc. to extend the existing water supply agreement for a ten-year period without cost to the Sanctuary (Exhibit C).

## **ANALYSIS**

The original agreement, dated July 9, 1958 and expiring on July 9, 1988, was executed in order for establish storage for 200 Acre-Feet of reclaimed water produced at the San Luis Rey Wastewater Facility. The Whalen sisters, who were owners and operators of the Whelan Dairy, were allowed to withdraw 100 Acre-Feet for their dairy operations; i.e.

growing pasture and forage for cattle. Payment by the City for use of the storage was the actual 200 Acre-Feet of reclaimed water.

The terms of the agreement were renegotiated and prior to the expiration date of the original agreement, on January 1, 1973, a new agreement was executed with an expiration date of July 9, 1988. This new agreement contained similar provisions which allowed the city to lease Whelan Lake for the purpose of discharging 100 Acre-Feet of reclaimed water to the Lake for use in pasturing milk animals and for landscape irrigation. In exchange, the owner of the property, Ellen Douglas Whelan (Whelan), was provided with initial rent of \$6,915/year. The agreement also stated that Whelan would have use and control of the lake surface area for development, maintenance and preservation of the same as a refuge for fish, water fowl and wildlife with the right to dedicate the lake as a refuge at a time as Ms. Whelan deemed appropriate.

In 1977, the agreement was amended and the use of the land changed to an agricultural preserve. Amendments included payment of \$29,700 from the City for maintenance, repair and improvement work on the roadway providing access to the property and to extend the term of the lease to continue for a ten (10) year period with an automatic renewal of an additional ten (10) year period. Additionally, language changed to allow Whelan to discharge into the Lake and to use any or all other water processed through the reclamation plant that the City had determined is did not need or could not utilize.

In March of 1991, Council took action to terminate all previous agreements and execute a new Agreement with a term of thirty (30) years during which the first ten (10) years, recycled water would be supplied at no cost to the Sanctuary. For the following twenty (20) years, water would be provided at either the City's cost to supply the water, or at the price which the City would otherwise sell the same water to another buyer, whichever is less. In March of 1996, the Sanctuary requested that upon expiration of the ten-year term for free water (March 11, 2001), the City continue for an additional ten years, through 2011, and preferably for a longer period of time, to supply the Sanctuary with recycled water at no cost. In response, Council took action to rescind all previous agreements with Whelan Lake and to execute a new Water Supply Agreement. The new agreement, effective May 17, 2000, expires on May 17, 2030 and allowed for recycled water to be supplied to Whelan Lake at no cost until May of 2006. During the next twenty-five year period, the water would be provided at either the City's cost to supply the water, or at the price which the City would otherwise sell the same water to another buyer, whichever is less.

In 2006, the Sanctuary again requested that the contract be extended at no cost because the City received the following benefits:

- The Lake provides ongoing preservation of a natural habitat for indigenous birds and a nesting and breeding ground for protected birds, such as the least Bell's vireo, the Clapper rail and the least tern;
- The City has ongoing accessibility to a treated water storage basin in emergencies;
- The Sanctuary provides an open-space buffer for the San Luis Rey Wastewater Treatment Plant;

- The Sanctuary land could be used for mandatory environmental mitigation to compensate for construction impacts to wetlands in other areas. The California Department of Fish and Game and the Army Corps of Engineers requires replacement or re-creation of wetlands at a 3:1 ratio, or 3 acres created for every 1 acre impacted. The Sanctuary has areas where wetlands can be created at a minimum 3:1 ratio. The 2006 estimated value of open land in the Whelan Lake Sanctuary is approximately \$50,000 per acre, based upon the value of 1 acre of mitigation credit at the nearby Whelan Ranch Mitigation Bank.

Council took action to approve the contract at no cost from June 30, 2006 to June 30, 2011.

In October of 2010, the City received a written request from the Sanctuary for a ten year extension to the term of the agreement allowing for a free supply of recycled water. During staff's review of the request, it was discovered that in March of 2000, 2.41 acres of land adjacent to the lake were used as mitigation for repair of a sewer line off of Douglas Drive. The mitigation included creation of southern willow scrub and freshwater/alkali marsh habitat. Typically, a mitigation implementation schedule is followed with site preparation and plant installation occurring in the early parts of the project and maintenance, monitoring and technical assessments concluding in the latter parts of the project. In this case, the project should have concluded in 2006 and there should have been a final inspection, removal of non-native plant material that may have grown and then closing out of the project however, this was not completed.

Staff is currently in the process of hiring a biologist to oversee the closing of the project and the final removal of the non-native plant material. Until such time, the city is obligated to maintain the habitat which, in staff's opinion, includes the supply of recycled water to the habitat.

With the importance of recycled water to the city for both its local water supply development as well as compliance with the Water Conservation Master Plan components, continuing to deliver recycled water to any customer on a long-term no-cost basis does not make good business sense for the utility. The recycled unit at the San Luis Rey Plant sent approximately half of its production to Whelan Lake during 2010; the other half was purchased by the Oceanside Municipal Golf Course.

Staff recommends that the City Council approve Amendment 2 extending the term of the agreement from June 30<sup>th</sup>, 2011 to June 30, 2012, for the provision of recycled water to Whelan Lake from the San Luis Rey Wastewater Treatment Plant at no charge to the Sanctuary.

### **FISCAL IMPACT**

During 2010, the City delivered 112.50 AF (36.65 Million Gallons or 49,008 units) of recycled water to Whelan Lake. The recycled water rate is \$1.75/unit and 112.50 AF of

water delivered to paying customers would generate \$85,764 annually. In July of 2011, the recycled water rate will increase to \$1.81/unit and annual revenue from paying customers would generate \$88,704.

The increased cost for chemicals, electricity, labor and equipment to treat to tertiary (recycled water standards) and to pump to Whelan Lake is approximately \$24,000. If the water were not treated to tertiary standards and was otherwise disposed of through the outfall, the city would incur a cost of approximately \$10,000. The increased cost for the additional year to deliver water to Whelan Lake is approximately \$14,000.

### **CITY ATTORNEY'S ANALYSIS**

The referenced documents are being reviewed by the City Attorney's office.

### **INSURANCE REQUIREMENTS**

The City's standard insurance requirements will be met.

### **COMMISSION OR COMMITTEE REPORT**

Does not apply.

### **RECOMMENDATIONS**

Staff recommends that the Utilities Commission recommend that the City Council approve Amendment 2 to the Water Supply Agreement (Exhibit A) between the City of Oceanside and the Whelan Lake Bird Sanctuary, Inc., (Sanctuary) extending the term of the agreement from June 30, 2011 to June 30, 2012, for the provision of recycled water to Whelan Lake from the San Luis Rey Wastewater Treatment Plant at no charge to the Sanctuary for the term of the amended agreement, and authorize the City Manager to execute the amendment.

PREPARED BY:

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Cari Dale  
Water Utilities Director

Exhibit A: Amendment 2  
Exhibit B: Site Map  
Exhibit C: Whelan Lake Bird Sanctuary Letter

# STAFF REPORT

DATE: May 24, 2011

TO: Honorable Mayor and City Councilmembers

FROM: Water Utilities Department

SUBJECT: **RECOMMEND ADOPTION OF THE CITY OF OCEANSIDE NEW  
PRETREATMENT ORDINANCE AND INDUSTRIAL WASTE  
PRETREATMENT PROGRAM ENFORCEMENT RESPONSE PLAN**

## **SYNOPSIS**

Staff recommends that the Utilities Commission recommend that the City Council adopt the new Pretreatment Ordinance and Industrial Waste Pretreatment Program Enforcement Response Plan.

## **BACKGROUND**

The City of Oceanside's current ordinance Sec. 29.45-29.51 adopted August 11, 1982 does not comply with all applicable State and Federal laws, including the Federal Clean Water Act, 33 United States Code Section 1251 et seq., as amended and United States Environmental Protection Agency's General Pretreatment Regulations and included in Title 40 Code of the Federal Regulations (CFR), Part 403.

The United States Environmental Protection Agency (EPA) requires that municipalities operating Publically Owned Treatment Works (POTWs) to develop pretreatment programs to regulate industrial discharges to their sanitary sewer systems. Federal EPA encourages municipalities to use EPA model Pretreatment ordinance released in January 2007 as guide for adopting new or revised provisions of local law to implement and enforce a pretreatment program that fulfills requirements set out in the Code of Federal Regulations. EPA also requires that municipalities consider conditions at its POTW and consult State Water Quality law (i.e. California Porter-Cologne Water Quality Act) to determine what adjustments might need to be made to their current ordinances and what provisions are authorized under State law.

## **ANALYSIS**

Under the amended 40 CFR Part 403, the City is required to revise its current Sewer Use Ordinance (SUO) and implement the Federal Pretreatment Streamlining Rules released in February 2006 as a guide to draft local ordinance to control non-domestic

dischargers within its jurisdiction. Pursuant to the requirements set forth in 40 CFR 403.8(f)(5) and in accordance with the City's Sewer Use Ordinance, the City is required to revise its Enforcement Response Plan. The new ordinance must also include an updated study report containing the Technically Based Local Limits for the City's two treatment plants (La Salina & San Luis Rey Wastewater Treatment Plants). The Local Limits study must meet all regulatory requirements and protect the treatment plants, its discharge, and by-products from pass-through or interference caused by regulated (industrial) dischargers. A mass balance around the City's treatment plants will be used to determine the removal rates for each pollutant of concern.

The primary objectives of the City's new ordinance & industrial waste pretreatment program enforcement response plan (copies attached) are:

- A. To prevent the introduction of pollutants into the POTW that will interfere with its operation;
- B. To prevent the introduction of pollutants into the POTW that would pass through, into receiving waters, or otherwise be incompatible with the POTW;
- C. To protect both the general public and POTW personnel who may be affected by wastewater and sludge in the course of their employment;
- D. To promote and protect the ability to reuse, recycle and reclaim Wastewater, Bio-solids and Wastewater byproducts;
- E. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW; and
- F. To enable the City to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws that the POTW is subject to.
- G. To enable the City to compel industrial dischargers to reduce their impact to the city sanitary sewer system and impose fines to the violators of this ordinance. The City's fine must be as stringent as the State Porter-Cologne Water Quality Act.

This ordinance shall apply to all Users of the POTW. The ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This ordinance shall supersede all previous regulations and policies of the City governing items covered in this ordinance. The proposed changes to the City's pretreatment ordinance are considered a modification to its approved pretreatment

program. All modifications to the City's pretreatment program and industrial waste pretreatment program enforcement response plan must be approved by the State Regional Water Quality Control Board in San Diego.

**FISCAL IMPACT**

The consultants' cost associated with developing a Technically Based Local Limits (TBLL) study using the 2004 Federal EPA Guidelines. On February 24, 2010, the Council approved a professional services agreement in the amount of \$55,400 with RvL Associates of Costa Mesa to develop the TBLL study.

**INSURANCE REQUIREMENTS**

None

**COMMISSION OR COMMITTEE REPORT**

Does not apply

**CITY ATTORNEY'S ANALYSIS**

The reference documents are being reviewed by the City Attorney's office.

**RECOMMENDATION**

Staff recommends that the Utilities Commission recommend that the City Council adopt the new Pretreatment Ordinance and Industrial Waste Pretreatment Program Enforcement Response Plan.

PREPARED BY:

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Greg Blakely  
Administration Manager

Exhibit A: Pretreatment Ordinance  
Exhibit B: Industrial Waste Pretreatment Program  
Enforcement Response Plan

# STAFF REPORT

DATE: May 24, 2011

TO: Utilities Commission

FROM: Cari Dale, Water Utilities Director

SUBJECT: **RECOMMEND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR UNIFORM RENTAL AND CLEANING SERVICES FOR VARIOUS FACILITIES WITHIN THE WATER UTILITIES DEPARTMENT**

## **SYNOPSIS**

Staff recommends that the Utilities Commission recommend that the City Council approve a three-year professional services agreement in an amount not to exceed \$88,211.76 to Aramark Uniform Services, Inc. of San Diego for rental and cleaning of uniforms for Water Utilities staff at the City Operations Center, the Robert Weese Filtration Plant, the Mission Basin Desalting Facility, the San Luis Rey Wastewater Treatment Plant, the La Salina Wastewater Treatment Plant; and authorize the City Manager to execute the agreement.

## **BACKGROUND**

The Water Utilities Department currently has 125 employees working at the City Operations Center, the Robert Weese Filtration Plant, the Mission Basin Desalting Facility, the San Luis Rey Wastewater Treatment Plant, and the La Salina Wastewater Treatment Plant who wear uniforms during their scheduled work shifts. Previously, several facilities obtained these services from different sources.

## **ANALYSIS**

The City provides uniforms for any employee required by the city to wear such uniforms in the course of regular job duties per the employees association Memorandum of Understanding. Staff determined that combining these services with one company would provide continuity of products and services and allow the City to obtain competitive pricing for these services.

On March 16, 2011, a request for proposals was sent to five companies and five proposals were received by the April 5, 2011 deadline. After evaluation of the proposals, based on the range of services provided and cost, Aramark Uniform Services, Inc. was selected to provide uniform rental and cleaning services for a three-year contract period.

<b>Company</b>	<b>Weekly Cost</b>	<b>Annual Cost</b>	<b>3-year Contract Cost</b>
Cintas Corporation	867.35	\$45,102.20	\$135,306.60
Mission Linen Supply	\$808.47	\$42,040.44	\$126,121.32
Unifirst Corporation	\$757.30	\$39,379.60	\$118,138.80
G&K Services	\$722.07	\$37,547.64	\$112,642.92
Aramark Uniform Services	\$565.45	\$29,403.92	\$88,211.76

This agreement shall not exceed the total three-year contract price of \$88,211.76 or an annual contract price of \$29,403.92 or a monthly contract price of \$2,450.32, with the following exceptions:

- (1) Lost items at the fault of the CITY; and
- (2) Inventory additions requested by the CITY.

Additional charges for lost items or inventory additions must be signed for by an authorized representative of the City of Oceanside. Additional charges must be itemized separately from the monthly base contract amount.

### **FISCAL IMPACT**

The first year contract amount is \$29,403.92. The FY2011-12 has a proposed budget in Sewer Admin fund (800010721.5380) of \$30,000 and Water Admin fund (750010711.5380) of \$30,000 for a total of \$60,000, therefore sufficient funds will be available. The second and third contract years will be budgeted in the next budget cycle.

### **CITY ATTORNEY'S ANALYSIS**

The referenced documents are being reviewed by the City Attorney's office.

### **INSURANCE REQUIREMENTS**

The City's standard insurance requirements will be met.

## **RECOMMENDATIONS**

Staff recommends that the City Council approve a three-year professional services agreement in an amount not to exceed \$124,544.16 to Mission Linen Supply of San Diego for rental and cleaning of uniforms for Water Utilities staff at the City Operations Center, the Robert Weese Filtration Plant, the Mission Basin Desalting Facility, the San Luis Rey Wastewater Treatment Plant, the La Salina Wastewater Treatment Plant; and the Clean Water Program; and authorize the City Manager to execute the agreement.

PREPARED BY:

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Greg Blakely  
Administration Manager

Exhibit A: Request for Proposals Mailing List  
Exhibit B: Consultant's Rating Form  
Exhibit C: Professional Services Agreement