



Legislation Details (With Board Report)

File #: RES 12-0125 **Name:** Adopt CSA 75 Resolution
Type: BoS Resolution **Status:** Passed
File created: 11/21/2012 **In control:** Board of Supervisors
On agenda: 12/11/2012 **Final action:** 12/11/2012

Title: Acting on behalf of County Service Area No. 75 adopt Resolution:
a. Finding that there was sufficient cause to take actions on an emergency basis to implement necessary repairs of the County Service Area No. 75- Chualar wastewater system;
b. Ratifying the execution of purchase orders and emergency actions taken by the Contracts/Purchasing Officer in response to the identified emergency (4/5th vote required);
c. Authorize the Auditor-Controller to amend the budget for County Service Area No. 75- Chualar, Fund 093, Appropriation Unit RMA088, for FY 2012-13 by increasing appropriations by \$399,922 and estimated revenues in the amount of \$399,922 for emergency repairs (4/5th vote required); and
d. Authorize the Auditor-Controller’s Office to incorporate approved appropriation and estimated revenue modifications to the FY 2012-13 Budget (4/5th vote required).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Force Main Emergency Budget, 3. Location Map, 4. Completed Board Order

Date	Ver.	Action By	Action	Result
12/11/2012	1	Board of Supervisors	adopted	Pass

Acting on behalf of County Service Area No. 75 adopt Resolution:
a. Finding that there was sufficient cause to take actions on an emergency basis to implement necessary repairs of the County Service Area No. 75- Chualar wastewater system;
b. Ratifying the execution of purchase orders and emergency actions taken by the Contracts/Purchasing Officer in response to the identified emergency (4/5th vote required);
c. Authorize the Auditor-Controller to amend the budget for County Service Area No. 75- Chualar, Fund 093, Appropriation Unit RMA088, for FY 2012-13 by increasing appropriations by \$399,922 and estimated revenues in the amount of \$399,922 for emergency repairs (4/5th vote required); and
d. Authorize the Auditor-Controller’s Office to incorporate approved appropriation and estimated revenue modifications to the FY 2012-13 Budget (4/5th vote required).

RECOMMENDATIONS:

It is recommended that the Board of Supervisors acting on behalf of County Service Area 75 Chualar adopt a Resolution:

- a. Finding that there was sufficient cause to take actions on an emergency basis to implement necessary repairs of the County Service Area No. 75- Chualar wastewater system;
- b. Ratifying the execution of purchase orders and emergency actions taken by the Contracts/Purchasing Officer in response to the identified emergency (4/5th vote required);
- c. Authorize the Auditor-Controller to amend the budget for County Service Area No. 75- Chualar, Fund 093, Appropriation Unit RMA088, for FY 2012-13 by increasing appropriations by \$399,922 and estimated revenues in the amount of \$399,922 for emergency repairs (4/5th vote required); and
- d. Authorize the Auditor-Controller’s Office to incorporate approved appropriation and estimated revenue

modifications to the FY 2012-13 Budget (4/5th vote required).

SUMMARY/DISCUSSION:

County Service Area No. 75 - Chualar (CSA 75) was first established as a consolidation of prior agencies that served the community and currently provides the following services: 1) Lighting, 2) Storm Drain and Surface Water Disposal, and 3) Wastewater Treatment and Collection.

The operations and maintenance of the wastewater collection and treatment system must meet the regulatory requirements established for it by Water Discharge Requirements Order No. 01-038 issued by the Regional Water Quality Control Board.

On August 29, 2012, the RMA-Public Works (RMA-PW) received a high water alarm from the Sanitary Sewer Pump Station (Pump Station) of the Chualar Sanitary Sewer System (System). The Pump Station was initially checked and found to be functioning properly. Subsequently, it was determined that the problem was being caused by an obstruction in the Force Main which is an 11,000 foot pressurized pipe that carries sewage between the Pump Station and the System's wastewater treatment ponds.

In accordance with Monterey County Code Section 2.32.040, the County Purchasing Agent, or his designee, is authorized in cases of emergency to engage independent contractors to complete all necessary work for the continued operation of the office or department involved, or to prevent or mitigate loss or impairment to life or property. Contracts for all said work may be executed without prior approval of the plans, specifications, and working details, and without issuing notice for bids to let contracts pursuant to Public Contract Code 20134 and 22050. The nature of this emergency posed a significant health and safety issue and jeopardized the continued operation of the System, and therefore responding to the emergency could not be delayed to allow for competitive bid solicitation.

The initial emergency response was provided by RMA-PW staff, but it became clear that additional assistance would be needed to resolve this emergency. Therefore, services were secured using existing master and on-call agreements for electrical work (Central Electric and J&M Electric), sewage bypass pumping and transport (Green Line), Force Main cleaning and overall contractor coordination (Green Line), and construction labor (West Valley).

The emergency work involved a systematic investigation and cleaning of each segment of the Force Main to find the line obstruction. This work required the rehabilitation of six Air Relief Valve (ARV) structures, a check valve, and three Sewer System Manholes (SSM). While, the Force Main obstruction was removed and flow restored on September 12, 2012, the System rehabilitation work was completed on November 14, 2012.

There is one item of work that remains to be completed. The ARV station located at the Highway 101 overpass has been reconstructed to function properly, however, this has resulted in the ARV obstructing a sidewalk. A permanent solution still needs to be provided and coordinated with Caltrans. The estimated cost for this permanent solution is included in the costs outlined in the Financing section below.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel, and Contracts/Purchasing, have reviewed and approved the procedures for finding the need for the emergency action.

FINANCING:

The emergency Force Main repairs that began on August 29, 2012 were an unanticipated expense to CSA 75, which created a funding deficit of \$399,922 in CSA 75, Fund 093, during FY 2012-13. Staff recommends that

the previously established loan in the amount of \$183,468 for emergency pump station repairs and approved by the Board on June 19, 2012 from Fund 402 be increased by up to \$399,922, for a total loan amount of \$583,390. The loan will be repaid to Fund 402 from CSA 75, Fund 093, if and when rates have been adjusted by the Board to fully cover costs of operation, maintenance and capital replacement. It should be noted that there is a risk that if rates can not be adjusted, then the loan amounts may not be fully recovered. When the Board considers a rate increase in late 2013, the budget and loan will be updated as necessary to continue operations.

There were no funds identified in the FY 2012-13 Adopted Budget for the RMA to cover the costs associated with this emergency at CSA 75, Chualar, Fund 093, Appropriation RMA088. The cost of repair and clean-up from this emergency is estimated to be \$399,922. If the Board approves the recommendation to loan these funds out of the Capital Projects Fund 402, the RMA will include this project as part of a pending request to modify the FY 2012-13 Adopted Budget for Fund 402, Capital Projects Unit 8174, RMA014. It is anticipated that these funds would begin to be repaid to Capital Projects, Fund 402, with interest if and when new rates for CSA 75 are approved by the Board. The RMA will be presenting to the Board a modification to the Fund 402 adopted budget which will include any action taken from this request.

Prepared by: Dirk J. Medema, P.E., Environmental Services Manager, (831)784-5647

Approved by:

Robert K. Murdoch, P.E., Director of Public Works

Benny J. Young, RMA Director

Dated: November 30, 2012

Attachments: Resolution, Force Main Emergency Budget; Location Map