

FILLMORE CITY COUNCIL/REDEVELOPMENT AGENCY
TUESDAY, NOVEMBER 20, 2007

SPECIAL MEETING
WATER RECYCLING PLANT WORKSHOP
CITY COUNCIL CHAMBERS
6:30 P.M.

FILLMORE CITY HALL
CENTRAL PARK PLAZA
250 CENTRAL AVENUE
FILLMORE, CALIFORNIA 93015-1907

AGENDA

IF YOU WISH TO SPEAK: Oral Communications is the time for citizen presentations or comments on items **not on the agenda**, but within the responsibility of the City Council. Please complete an Audience Participation Form prior to the beginning of oral communications and hand it to the clerk if you wish to speak. Please stay within the time limit indicated by the Mayor. If you wish to speak on an item **on this agenda**, please fill out an Audience Participation Form and hand it to the clerk prior to that item.

AUDIBLE DEVICES: Please ensure all audible devices (pagers, telephones, etc.) are off or otherwise not audible when the Council is in session. Thank you.

AGENDA TIMES: Please note the time listed for each agenda item is the **suggested/estimated time for that item to begin**. Items may be heard earlier or later than the listed time. The estimation includes providing an occasional 10-minute break. No new business will be considered by the City Council **after 11:30 p.m.** unless a majority of the Council determines to continue.

MEMORANDUMS: Memorandums relating to agenda items are on file in the Administrative Assistant's Office. If you have questions regarding the agenda you may call City Hall at (805) 524-3701 or come to City Hall for information.

City Council and Redevelopment Agency Agendas are posted on the Web at: www.fillmoreca.com/cityhall/agendas

<u>ITEM</u>	<u>REFERENCE**</u>
1. CALL TO ORDER & PLEDGE OF ALLEGIANCE	Oral
2. APPROVAL OF AGENDA	Oral
3. ORAL COMMUNICATIONS Oral Communications is the time for citizen presentations or comments on items not on the agenda , but within the responsibility of the City Council. Please complete an Audience Participation Form prior to the beginning of oral communications and hand it to the clerk if you wish to speak. Please stay within the time limit indicated by the Mayor. If you wish to speak on an item on this agenda , please fill out an Audience Participation Form and hand it to the clerk prior to that item.	Oral
4. WATER RECYCLING PLANT WORKSHOP	
4A. Business Water Conservation, Sewer Flow Reduction Grant Program, Redevelopment Agency. Presenter: Bert Rapp Action: Council will be asked to approve the grant program	
4B. Water Recycling Program Financial Summary: a. Annual dept. service on \$57,000,000 bonds b. Date bonds can be called i.e.: refinanced or paid off c. Current monthly total sewer rate revenue d. Collection record i.e.: delinquency history e. When is the next and also the last rate increase	

- f. New Development's share of construction and operation and maintenance
 - Presenter: Barbara Smith
 - Action: Discussion

- 4C. Open Book savings to date Water Recycling Plant and any additional cost savings ideas
 - Presenter: Rick Barns, American Water, Glen Hille, Boyle Engineering
 - Action: Discussion

- 4D. Approval of Change Order #1 & #2, Levee/100-year flood cost impacts
 - Presenter: Glen Hille
 - Action: Staff will ask for approval of the change orders

- 4E. Demonstration Wetlands for Prop 50 Grant
 - a. Location and capacity
 - b. Cost and justification of demonstration wetlands
 - Presenter: Bert Rapp

- 4F. Office/laboratory building cost savings revisions
 - Presenter: Rick Barns, American Water

- 4G. 2001 to 2006 wet/dry influent flow rates into WWTP
 - Presenter: Bert Rapp
 - Action: Discussion

- 4H. New Development anticipated wet/dry flow rates
 - Presenter: Bert Rapp
 - Action: Discussion

- 4I. Summary of recycled water reuse and disposal
 - a. Identify locations for recycled water reuse and disposal with capacity of each location
 - b. Demonstrate why the existing percolation ponds are not sufficient
 - c. Outline and justify costs for recycle/reuse and monitory benefit
 - d. Identify water quality and supply benefits of recycling water including monitory benefit
 - e. Back up plan if the recycle/reuse disposal system fails
 - f. Energy to irrigate the schools with potable vrs recycled water
 - Presenter: Bert Rapp, Glen Hille

- 4J. Fillmore Middle School Geotechnical Report and percolation system design
 - Presenter: Craig Prentice, Fugro; Glen Hille, Boyle Engineering
 - Action: Discussion

- 4K. Summary of all parameters required of the City from the Prop 50 \$3 million grant
 - Presenter: Bert Rapp
 - Action: Discussion

- 4L. Status of \$1,000,000 River Parkway grant
 - Presenter: Bert Rapp
 - Action: Discussion

5. CITY COUNCIL BUSINESS ITEMS

- 5A. Approval of Change Orders #1 & #2 for Water Recycling Plant. **Memo**
- 5B. Approval of Business Water Conservation, Sewer Flow Reduction Grant Program. **Memo**
- 5C. Discussion on Proclamation to Declare December 1 as All Pet Day. **Oral**

6. CITY COUNCIL REPORTS, DISCUSSION

- 6A. Information/Direction to Staff on Legislative Matters and Emerging Issues. **Oral**
- 6B. Request(s) for Approval of City Council Member Travel / Travel Reports. **Oral**
- 6C. Other Discussion/Information from Mayor, City Council and City Staff. **Oral**
- 6D. Any Council Member may propose items for placement on a future agenda. **Oral**
 Members may discuss whether or not an item should be placed on a future agenda and the description of the agenda item. Any direction to the City Manger shall have discretion as to when the item will come back on the Agenda, unless the City Council identifies a specific meeting for the item's return.

7. CITY COUNCIL EXECUTIVE SESSION – NONE

- 8. **ADJOURNMENT** – City Council adjourns to its next regular meeting, set for Tuesday, November 27, 2007 at 6:30 p.m. at Fillmore City Hall, 250 Central Avenue, Fillmore, California.

PLEASE NOTE: If you challenge the actions of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. (Calif. Gov't Code §65009).

Any legal action by an applicant seeking to obtain a judicial review of the City Council's decision on a Hearing listed on this Agenda may be subject to the 90-day filing period of, and governed by, Code of Civil Procedure Section 1094.6

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administrative Assistant at (805) 524-3701. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)



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AGENDA ITEM #

5A

NOVEMBER 20, 2007

TO: MAYOR AND CITY COUNCIL
FROM: BERT J. RAPP, P. E., PUBLIC WORKS DIRECTOR *Bert J. Rapp*
SUBJECT: APPROVAL OF CHANGE ORDERS #1 & #2 WATER RECYCLING PLANT

RECOMMENDATION

The Public Works Director recommends that the City Council approve Change Orders #1 & #2 and authorize the City Manager to approve change orders on the Water Recycling Plant contract in an amount not to exceed \$300,000.

BACKGROUND

Change Order #1 Reduces the cost of Builders Risk insurance, changes the office/laboratory building from masonry to metal, eliminates the gas meter and shortens the gas line, deletes the tree removal along River Street and adds in the bike path and percolation ponds per the contract options. The overall change is a \$64,367 reduction.

Change Order #2 recognizes the construction cost change to the Levee associate with the increase of the 100-year design flow from 98,000 CFS to 135,000 CFS. This change made the levee higher and the levee foundation deeper and required an earthen berm along the south side of the plant property. The overall change is a \$375,000 increase.

ANALYSIS

In addition to these change orders the Public Works Director is asking for the City Council to grant \$300,000 change order authority to the City Manager. The City's normal procedure is to grant the City Manager change order authority at 10% of the contract amount. However on this project that would be \$4,000,000 and we do not expect to exceed the \$300,000 request.

CONSISTENCY WITH 2005 CITY COUNCIL GOALS

This item helps to complete adopted 2005 City Council goal #16:

Complete by September 2009 a new **Wastewater Treatment Plant** to comply with the Time Schedule Order issued by the Regional Water Quality Control Board utilizing best management

practices to achieve the greatest plant operating efficiency and best available financing plan to minimize the cost to existing and future Fillmore sewer rate payers.

CONSISTENCY WITH VISION 2020 GOALS

This item does not involve any of the Vision 2020 goals.

FISCAL IMPACT

The construction contingency on the DBO contract is \$1,965,000.

Change Order # 1 (\$64,367 credit) revises the contingency from \$1,965,000 to \$2,029,367.

Change Order #2 (\$375,000 added cost) revises the contingency from \$2,029,367 to \$1,654,367.

The bike path work is paid for with a separate \$125,000 TDA Article 3 Bike Path Grant.

CONCUR:



Tom Ristau, City Manager

CITY OF FILLMORE

CHANGE ORDER NO. 1

to the Service Contract for the Design, Construction and Operation
of the City of Fillmore Water Recycling Facility

DELETIONS: Reduction of Builders' Risk Insurance coverage, deletion of tree removal work along River Street, deletion of gas meter and a certain portion of gas line installation and certain architectural reductions.

ADDITIONS: Bike Path and Percolation/Emergency Storage Ponds

PROJECT: City of Fillmore Water Recycling Facility

DATE: September 26, 2007

TO: American Water Operations and Maintenance, Inc (the "Company"). You are hereby directed to make the following changes to the Design Requirements and the Design/Build Work for the Service Contract.

Note: This Change Order No. 1 is not effective until approved by the City's Public Works Director and accepted by the Company.

INTRODUCTION:

This Change Order No. 1 incorporates revisions to the Design Requirements and the Design/Build Work (Appendix O of the Service Contract) including Architectural Reductions (O-1.1), addition of bike path and percolation/emergency storage ponds (O-2.4), deletion of gas meter and a certain portion of gas line installation, removal of trees along River Street, and reduction of Builders' Risk Insurance Coverage.

SCOPE OF WORK AND CHANGE ORDER AMOUNT IS AS FOLLOWS:

<u>Item</u>	<u>Description</u>	<u>Amount</u>
1.	Reduction of Builders' Risk Insurance coverage in accordance with CAM 3.	(\$139,788)
2.	Architectural reduction in accordance with Appendix O-1.1 of the Service Contract.	(\$164,000)
3.	Delete installation of the on-site gas meter and a certain portion of the gas line from the point of connection with the gas company's main to the point of connection at the on-site gas meter.	(\$55,579)
4.	Delete tree removal along River Street (performed by the City).	(\$5,000)
5.	Add the design and construction of the bike path and percolation/emergency storage ponds to the Company's development period and construction period work in accordance with Appendix O-2.4 of the Service Contract.	\$300,000
	TOTAL NET FIXED DESIGN/BUILD PRICE ADJUSTMENT	(\$64,367)

The undersigned Company has given careful consideration to the changes proposed, including its effect on other work already contracted for, and hereby agrees, if this Change Order No. 1 is approved and accepted, that it will provide all equipment, furnish all materials, and perform all services necessary for the work above specified, and will accept as full payment for all cost related in any way thereto the prices shown above, in accordance with the terms of the Service Contract except as may otherwise be noted above and in Section 14.3 of the Service Contract.

CURRENT FIXED CONSTRUCTION PRICE ("FCP")	\$ 40,206,999
CHANGE ORDER NO. 1 ADJUSTMENT TO FCP	\$ (64,367)
NEW FIXED CONSTRUCTION PRICE	\$ 40,142,632
ADJUSTMENT TO SCHEDULED ACCEPTANCE DATE	None

This Change Order No. 1 may be executed in any number of original counterparts. All such counterparts shall constitute one and the same Change Order No. 1.

ACCEPTED BY:

By: _____

Printed Name: _____

Title: _____
American Water Operations and Maintenance, Inc.

APPROVED BY:

CONCUR:

Bert J. Rapp, P.E.,
Public Works Director
City of Fillmore

Tom Ristau,
City Manager
City of Fillmore

Charge \$ _____ to City Account _____, City P.O. # _____

City Manager's Change Order authority:

Original	\$
C.O. #1	\$
Amt Remaining	\$

copy: Tom Ristau, City Manager
James Barnes, American Water Operations and Maintenance, Inc.
Robert E. Stein, PE, Boyle Engineering Corp.

CITY OF FILLMORE

CHANGE ORDER NO. 2

to the Service Contract for the Design, Construction and Operation
of the City of Fillmore Water Recycling Facility

DELETIONS: N/A

ADDITIONS: Sespe Creek Levee changes resulting from FEMA and Ventura County Watershed Protection District.

PROJECT: City of Fillmore Water Recycling Facility

DATE: October 30, 2007

TO: American Water Operations and Maintenance, Inc (the "Company"). You are hereby directed to make the following changes to the Design Requirements and the Design/Build Work for the Service Contract.

Note: This Change Order No. 2 is not effective until approved by the City's Public Works Director and accepted by the Company.

INTRODUCTION:

This Change Order No. 2 incorporates revisions to the Design Requirements and the Design/Build Work related to the Sespe Creek Levee. Ventura County Watershed Protection District and FEMA required changes to the height and the depth of levee and also required the addition of a berm on the south side of the Water Recycling Plant property. These changes result in increased excavation, soil cement, fill and dewatering.

SCOPE OF WORK AND CHANGE ORDER AMOUNT IS AS FOLLOWS:

<u>Item</u>	<u>Description</u>	<u>Amount</u>
1.	Incorporate the changes and additional requirements contained in the Sespe Creek Levee and Bike Path plans "Approved" 9-13-07 (VCWPD Permit 2006-015) into the Service Contract for the design, construction and operation of the City of Fillmore Water Recycling Facility.	\$ 375,000
TOTAL NET FIXED DESIGN/BUILD PRICE ADJUSTMENT		\$ 375,000

The undersigned Company has given careful consideration to the changes proposed, including its effect on other work already contracted for, and hereby agrees, if this Change Order No. 2 is approved and accepted, that it will provide all equipment, furnish all materials, and perform all services necessary for the work above specified, and will accept as full payment for all cost related in any way thereto the prices shown above, in accordance with the terms of the Service Contract except as may otherwise be noted above and in Section 14.3 of the Service Contract.

CURRENT FIXED CONSTRUCTION PRICE ("FCP")	<u>\$ 40,142,632</u>
CHANGE ORDER NO. 2 ADJUSTMENT TO FCP	<u>\$ 375,000</u>
NEW FIXED CONSTRUCTION PRICE	<u>\$ 40,517,632</u>
ADJUSTMENT TO SCHEDULED ACCEPTANCE DATE	<u>None</u>

This Change Order No. 2 may be executed in any number of original counterparts. All such counterparts shall constitute one and the same Change Order No. 2.

ACCEPTED BY:

By: _____

Printed Name: _____

Title: _____
American Water Operations and Maintenance, Inc.

APPROVED BY:

CONCUR:

Bert J. Rapp, P.E.,
Public Works Director
City of Fillmore

Tom Ristau,
City Manager
City of Fillmore

Charge \$ _____ to City Account _____, City P.O. # _____

City Manager's Change Order authority:

Original	\$
C.O. #1	\$
C.O. #2	\$
Amt Remaining	\$

copy: Tom Ristau, City Manager
James Barnes, American Water Operations and Maintenance, Inc.
Robert E. Stein, PE, Boyle Engineering Corp.



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AGENDA ITEM # 5B

November 20, 2007

TO: REDEVELOPMENT AGENCY BOARD

FROM: BERT J. RAPP, P. E., PUBLIC WORKS DIRECTOR *Bert J. Rapp*

SUBJECT: APPROVAL OF BUSINESS WATER CONSERVATION, SEWER FLOW REDUCTION GRANT PROGRAM

RECOMMENDATION

The Public Works Director recommends that the Board approve the attached business water conservation, sewer flow reduction grant program overview.

BACKGROUND

In the 2007/08 budget the City Redevelopment Agency has set aside \$50,000 for water conservation and sewer flow reduction to reduce the water and sewer bills for businesses impacted by the rising sewer rates.

Once this grant program is approved staff will mail out invitations and the program overview to all businesses that have sewer bills greater than the minimum monthly bill. The cost for mailing will be charged against the \$50,000 budget for the program.

ANALYSIS

The attached program overview describes how the program will work.

Businesses may apply for funding to do any type of water conservation improvement that would reduce their water or sewer bill. The Agency Finance Sub committee and ultimately the Agency Board will award the grants based on value achieved by the grant proposals.

Some of the improvements might include such things as automated low flow fixtures, low flow toilets, low water use dish washers or washing machines. Businesses might also find ways to divert grey water to landscape irrigation or other water conservation measures that would lower their water and sewer bills. Restaurants or bakeries that do not have grease traps could also apply for monies to install grease traps because grease traps would lower their sewer bill.

CONSISTENCY WITH 2005 CITY COUNCIL GOALS

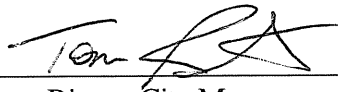
This item does not involve any of the adopted 2005 City Council goals.

CONSISTENCY WITH VISION 2020 GOALS

This item does not involve any of the Vision 2020 goals.

FISCAL IMPACT

\$50,000 is budgeted in account # 902-4533-31-485 for this program.

CONCUR: 

Tom Ristau, City Manager



CITY OF FILLMORE WATER CONSERVATION, SEWER FLOW REDUCTION GRANT PROGRAM: **OVERVIEW**

Note: Each eligible "conservation project" may receive up to \$12,000 in grant assistance. Program details may change at any time. For further information please contact the City of Fillmore at (805) 524-3701.

PROGRAM STEPS

1. **Develop Proposal**
 - a. Consultation with City Staff: A City Staff member can help review the program with you and help you determine what improvements are eligible under the program.
 - b. Develop the Proposal: Make a brief written proposal that explains what work will be done and how it will reduce water use and/or waste water flows. City staff is available for consultation and can help draft the proposal with you.
2. **Obtain Quotes from Contractors**
 - a. Obtain Three Quotes: The City will need to see three quotes for the proposal. The work can be split up between more than one contractor. The contractor need not be local, but will need to have or obtain a City of Fillmore business license before beginning work. If building permits are necessary then those will need to be obtained from the City as well.
 - b. Forward the Final Proposal to the City: Your final proposal, along with three quotes, should now be ready for submission to the City. It is best to include a cover letter identifying yourself, your business, and how the improvements will reduce water use and/or waste water flows and how much it will reduce your annual sewer or water bill to the benefit of your business. Keep in mind there are limited City funds and your proposal will be judged on its effectiveness at reducing your water and/or sewer bill. If you are also contributing your own funds toward these or other improvements, you should let that be known as well.
3. **Submit Proposal to City's Finance Committee**
 - a. Meet with Finance Committee: If the proposal meets the requirements for the program, you will be invited to meet with the City's Redevelopment Agency Finance Committee. The Committee, which includes two City

Council Members and members of the City staff, will likely have questions about your proposal and how it will benefit your business.

- b. Decision from Finance Committee: The Finance Committee will determine which proposals will be funded. City staff will contact you with their decision.

4. Finalize Quotes and Enter Agreement

It will now be necessary to finalize any details on the proposal and make sure you have firm quotes for all the work to be done. The next step will be to enter into a signed Water Conservation Improvement Rebate Agreement with the City. The final quotes from your chosen contractor(s) will be attached as part of the agreement.

5. Proceed with Improvements

- a. Ensure Contractor has City Business License & Permits: While it is the contractor's ultimate responsibility, it is best to make sure they have a Business License from the City, as the City cannot pay them for their work or reimburse you for any payments if they are not licensed and do not have proper permits (if necessary).
- b. Commence Improvements: Everything should now be ready to go. Please make sure the improvements are done per the City agreement and within the time frame established in the agreement.

6. Submit for Reimbursement

The City can either pay you or pay the contractor as the work is done. If you have paid the contractor, the City will need to see evidence of the payment made as well as the contractor's invoice for the work done. Or, you may submit the contractor's invoice and the City will pay them directly if the work has been done. The City can make progress payments to the contractor as the work is done, or you can wait until all work is done to seek reimbursement. In any event, the City will not make payment unless it is satisfied that the work has been properly done.



CITY OF FILLMORE STOREFRONT REHABILITATION PROGRAM: APPLICATION

Date: _____

Section 1: Business Information

Name of Business: _____

Business Owner (or responsible party): _____

Business Address: _____

Business Mailing Address: _____

Description of Business: _____

Contact Person: _____

Business Phone: _____ Year Business Opened: _____

Owner-Occupied? Yes No

If not owner-occupied, please list name of property owner and contact information: _____

Tenants Involved in Proposal (if any, list name, address and telephone numbers):

Tenant No. 1 _____
Business Name Physical Address Telephone

Tenant No. 2 _____
Business Name Physical Address Telephone

Tenant No. 3 _____
Business Name Physical Address Telephone

(Please list any additional tenants as necessary)

Section 2. Please Briefly Describe the Proposed Improvements & Estimated Costs (example: A. Two Automated Low Flow Toilets; \$2,000.00

A. _____

B. _____

C. _____

D. _____

E. _____

Section 3. Narratives (please use this section to expand, as necessary, on the above proposed improvements.)

A. _____

B. _____

C. _____

D. _____

E. _____
