



## CITY OF PACIFIC GROVE

### AGENDA REPORT

**TO:** Honorable Mayor and Members of City Council  
**FROM:** Daniel Gho, Public Works Superintendent  
**MEETING DATE:** May 6, 2015  
**SUBJECT:** Amendment to an Existing Agreement with Brezack & Associates Planning for Continued Support for the Local Water Project  
**CEQA:** This Action does not constitute a "Project" under the California Environmental Quality Act (CEQA) Section 15378

#### RECOMMENDATION

Approve a resolution authorizing the City Manager to execute an amendment to an existing agreement with Brezack & Associates Planning for an additional \$47,450.00.

#### DISCUSSION

Local Water Project (LWP) consists of the construction of a sewer diversion structure, a 0.25 million gallons per day (mgd) Satellite Recycled Water Treatment Plant (SRWTP), waste pump station and force main, recycled water pump station, approximately 0.5 miles of small diameter recycled water pipeline to convey recycled water to customer sites, customer connections and onsite retrofits. The recommended proposed project would produce approximately 125 acre-feet per year (AFY) of recycled water mostly to serve the City of Pacific Grove Golf Links and El Carmelo Cemetery and two public restrooms. The predominant use of recycled water would be landscape irrigation.

Currently the City irrigates its Municipal Golf Course and El Carmelo Cemetery with potable water purchased from California American Water Company. When operational, the LWP will result in the creation of 125 AFY of new recycled water that in turn will create 125 AFY of "in-lieu" potable water that can otherwise benefit the Peninsula and its environment. The Monterey Peninsula Water Management District (MPWMD) has collaborated with the City and requested the preparation of the SEIR for the evaluation of water connection permits to the City for the new in-lieu water supply.

To continue to move the project forward the City Council, at its March 18, 2015 meeting, approved an amendment to the existing agreement with Brezack & Associates Planning to complete key activities in FY 14/15 in the amount of \$35,000.00 for work that is estimated to be completed by June 30, 2015. The scope of those services included:

- Development, facilitation, review and evaluation of the Statement of Qualifications and recommendations for the selection of the short-listed design-build entities.
- Development for the formal request for proposals that will be provided to the short-listed design-build entities.
- Facilitate a detailed pre-submittal meeting and job walk for the request for proposals.

- Review and provide answers to the request for proposals
- Continued activities associated with the California Coastal Development Permit.
- Continued efforts associated with the securement of the State Revolving Fund Loan and Grant Application.

In addition to the previously approved amendment, staff is requesting the approval of an amendment to have Brezack and Associates Planning prepare a Supplemental Environmental Impact Report (SEIR) to accompany the Final Environmental Impact Report that was certified by City Council at their November 19, 2014 meeting. The purpose of the SEIR is threefold:

1. Respond to the Governor's emergency drought declaration and restrictions by addressing the potential environmental impacts of bringing additional public landscaping within the first phase of the LWP, including the Recreation Trail and Lovers Point Park, among others.
2. Address potential environmental impacts of the possible entitlement by the Monterey Peninsula Water Management District of potable water freed up by the use of non-potable water on the Golf Course and other landscaping.
3. Address concerns expressed by the Monterey Regional Water Pollution Control Agency (MRWPCA) after the adoption of the EIR and the desires of the MRWPCA to collaborate with the City regarding solid concentrations generated from the LWP and returning those solids to their regional system, causing potential changes to their overall influent flows.

The SEIR will support review by the California Public Utilities Commission (CPUC) of any requests made by CalAm to enable reuse of potable water saved by reason of irrigation with recycled water from the LWP. The SEIR would be used to support any finding that the project and the cumulative impacts of potable water use do not adversely affect the environment.

The infill development that may result from the in-lieu water supply is dependent on reuse of water saved by the City and could potentially have a greater environmental effect under the cumulative impacts analysis (and potentially traffic and utilities, cultural resources and services impacts) than was analyzed in the LWP EIR.

Additionally, the SEIR document is intended to support the request from the MRWPCA for the additional investigation of the effect of the proposed disposal of wastes from the LWP on its wastewater collection system.

The tasks required to evaluate the potential effects of the proposed project are outlined below.

- Task 1: Project Management & Coordination
- Task 2: Prepare Administrative Draft Supplemental EIR
- Task 3: Prepare Draft Supplemental EIR
- Task 4: Prepare Administrative Final Supplemental EIR
- Task 5: Prepare Final Supplemental EIR
- Task 6: Prepare Findings and Notice of Determination

### **FISCAL IMPACT**

Funds in the amount of \$47,450.00 for the recommended contract amendment are available in the Public Works Storm Water Fund (44-512) budgeted for fiscal year 14/15. Once the SRF

loan has been finalized all soft cost associated with the Local Water project will be reimbursed by the SRF loan and grant.

**ATTACHMENTS**

1. Resolution: Brezack and Associates Planning contract amendment

RESPECTFULLY SUBMITTED:

REVIEWED BY:



Daniel Gho  
Daniel Gho  
Public Works Superintendent



Thomas Frutchey  
Thomas Frutchey  
City Manager

**RESOLUTION NO. 15-xxx**  
**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE**  
**AUTHORIZING THE CITY MANGER TO AMEND AN EXISTING AGREEMENT**  
**WITH BREZACK AND ASSOCIATES PLANNING FOR CONTINUED PLANNING,**  
**ENGINEERING AND TECHNICAL SUPPORT SERVICES FOR THE PACIFIC**  
**GROVE LOCAL WATER PROJECT FOR AN ADDITIONAL AMOUNT**  
**NOT TO EXCEED \$47,450.00**

**FINDINGS**

1. On October 1, 2012, the City of Pacific Grove submitted a public participation proposal to the California Public Utilities Commission (CPUC) for the Cal-Am Monterey Peninsula Water Supply Project through the implementation of one or more small water projects, as authorized by the City Council in Resolution No. 12-067.
2. The Pacific Grove Local Water Project (LWP) is a non-potable recycled water supply project of 125-600 acre-feet per year (AFY) to meet irrigation needs on the Pacific Grove Golf Links, El Carmelo Cemetery, and other uses, reducing potable water demands on the Cal-Am system.
3. Given the CPUC's schedule delays and other factors, Cal-Am does not expect to have its project in place within the timeframe of the SWRCB CDO.
4. Small projects like the LWP may help to avoid water rationing and other draconian measures that would be detrimental to public health and safety as well as severely impact the local economy.
5. The City has continued development of the LWP with the assistance of Brezack and Associates Planning (BAP) and funding from the SWRCB in the form of a Facilities Planning Grant (FPG). The FPG Plan of Study was approved by the SWRCB in March 2013, and the grant agreement executed in May 2013.
6. BAP has initiated the required environmental review process called CEQA-Plus. The CEQA-Plus process includes requirements under National Environmental Protection Act (NEPA), to be prepared because the SRF includes Federal funding.
7. The LWP's Final Environmental Impact Report was certified in November of 2014.
8. Currently the City irrigates its Municipal Golf Course and El Carmelo Cemetery with potable water purchased from California American Water Company. When operational, the LWP will result in the creation of 125 AFY of new recycled water that in turn will create 125 AFY of "in-lieu" potable water that can otherwise benefit the Peninsula and its environment. The Monterey Peninsula Water Management District (MPWMD) has collaborated with the City and requested the preparation of a Supplemental Environmental Impact Report (SEIR) for the evaluation of water connection permits to the City for the new in-lieu water supply.

9. The SEIR will also address concerns expressed by the Monterey Regional Water Pollution Control Agency (MRWPCA) and its desire to collaborate with the City regarding solid concentrations generated from the LWP and returning those solids to their regional system, causing potential changes to their overall influent flows. The SEIR will therefore include scoping with an additional investigation of the effects of the LWP on the regional wastewater system. The SEIR document is intended to support the request from the MRWPCA for the additional investigation of the effect of the proposed disposal of wastes from the LWP on its wastewater collection system.
10. The SEIR will support review by the California Public Utilities Commission (CPUC) of any requested made by Cal-Am to enable reuse of potable water saved by reason of irrigation with recycled water from the LWP.
11. The SEIR would be used to support any finding that the project and the cumulative impacts of potable water use do not adversely affect the environment.
12. The infill development that may result from the in-lieu water supply is dependent on reuse of water saved by the City and could potentially have a greater environmental effect under the cumulative impacts analysis (and potentially traffic and utilities, cultural resources and services impacts) than was analyzed in the LWP EIR.
13. The SEIR document is intended to support the request from the MRWPCA for the additional investigation of the effect of the proposed disposal of wastes from the LWP on its wastewater collection system.
14. The tasks required to evaluate the potential effects of the proposed project are outlined below:
  - Task 1: Project Management & Coordination
  - Task 2: Prepare Administrative Draft Supplemental EIR
  - Task 3: Prepare Draft Supplemental EIR
  - Task 4: Prepare Administrative Final Supplemental EIR
  - Task 5: Prepare Final Supplemental EIR
  - Task 6: Prepare Findings and Notice of Determination
15. Funds in the amount of \$47,450.00 for the recommended contract amendment are available in the Public Works Stormwater Fund (44-512).
16. Estimated completion of work for Amendment #7 to the original agreement is August 2015.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:**

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.

2. The Council authorizes the City Manager to execute an amendment to an existing agreement with Brezack and Associates Planning for Continued Planning, Engineering and Technical Support Services for the Pacific Grove Local Water Project in amount of \$47,450.00.
3. This Resolution shall become effective immediately following passage and adoption thereof.

**PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE**  
this 6<sup>th</sup> day of May, 2015, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

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BILL KAMPE, Mayor

ATTEST:

\_\_\_\_\_  
SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:

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DAVID C. LAREDO, City Attorney