



City of Malibu

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April 28, 2016

Sent via Email to sunger@waterboards.ca.gov

Mr. Sam Unger, Executive Officer
California Regional Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

RE: Memorandum of Understanding (MOU) Quarterly Progress Report
Malibu Civic Center Wastewater Treatment Plan

Dear Sam:

The following is the quarterly progress report for the Malibu Civic Center Wastewater Treatment Plan, which covers work activities performed on this project during the period between January 1, 2016 and March 31, 2016. To date, the City continues to make progress on all MOU Milestone requirements.

Below is a list of the work performed during the last quarter:

- On January 25, 2016, the City Council conducted a Public Hearing as required by Proposition 218 to hear public testimony on the proposed assessment district. The City Council also adopted Resolution Nos. 16-06 and 16-07 in which the weighted assessment ballots were confirmed in favor of the formation of the district and approved the modified final assessment engineer's report.
- On January 28, 2016 the City notified the property owners within the newly formed assessment district of a cash collection period of sixty (60) days of the option to pay their assessments upfront and avoid paying any associated financing costs with an end date of April 1, 2016.
- On January 29, 2016, the City published a Request for Qualifications/Proposals for qualified consultants to provide Construction Management Services for the construction of the Civic Center Wastewater Treatment Facility – Phase I Project.
- On January 30, 2016, the City submitted the project's 2016 fourth-quarter MOU progress report to the RWQCB.
- On February 19, 2016, the City received three proposals from qualified construction management consultants.



- On February 25, 2016, the City conducted the regular bi-monthly Malibu Civic Center Stakeholders meeting.
- On March 8, 2016, the City interviewed all three construction management consultants and selected Mimiaga Engineering, Inc. to perform Construction Management Services for the construction of the Civic Center Wastewater Treatment Facility – Phase I Project.
- The City’s water quality monitoring consultant, Rincon Consultants, continues to collect baseline background data for the project’s Groundwater/Surface Water Monitoring Programs.
- Continued to work with State Water Resources Control Board (State Board) staff to prepare and submit a Clean Water State Revolving Fund (SRF) funding documents for the Malibu Civic Center Wastewater Treatment Facility project.
- Continued to work with Los Angeles County Waterworks District 29 to seek possible recycled water demand opportunities further west of the Civic Center Area of Malibu and process the necessary documents to finalize the SRF loan application.
- Continued to conduct regular monthly meetings with Stakeholders and Stakeholder groups to discuss the Civic Center Wastewater Treatment Facility Project.

To recap from the last quarter, on January 25, 2016 the Malibu City Council conducted a Public Hearing for the establishment of the proposed Assessment District. The City Council also approved the City to cast a ballot for the City owned parcels and authorized the funding of oversized elements associated with Phase Two of the project. The City will pay for the cost for the oversizing and will be reimbursed once the assessment districts for Phase Two is established. The assessment ballots received were counted and the results of the election were overwhelmingly in favor of establishing the Assessment District. Accordingly, the Malibu City Council adopted resolutions establishing the City of Malibu Assessment District No. 2015-1 for the Civic Center Wastewater Treatment Facility – Phase 1 Project. As you are aware, formation of the Assessment District was a critical step as it will provide the funding necessary to construct and operate the wastewater treatment facility.

City staff and its consultants continue to work with the State Board staff to finalize the SRF funding documents. This work included answering questions from State Board staff in order to complete the SRF financial review, legal review of the funding documents so that a final financing agreement can be reached. On March 30, 2016, the City received a draft State Board SRF funding agreement.

On January 29, 2016, the City published a Request for Qualifications/Proposals for qualified consultants to provide Construction Management Services for the construction of the Civic Center Wastewater Treatment Facility – Phase I Project. Proceeding the interviews, the City had selected a qualified firm, Mimiaga Engineering Group and has been negotiating an acceptable agreement.

City staff has completed its review of the construction bids and have determined that the apparent low bidders’ construction bid were complete. The award of the construction contracts has been scheduled for May 23 2016.

The City continues to implement the groundwater and surface water monitoring program as required by the project permits. The first quarter 2016 water monitoring report was recently completed and submitted to the RWQCB. Staff continues to also hold bi-monthly meetings with stakeholders and stakeholder groups regarding the Civic Center Wastewater Treatment Facility Project.

As you can see, the City is still committed to working with the community and the State and Regional Water Boards in a diligent effort towards the design and completion of the wastewater treatment facility for the Civic Center area. The City also recognizes and appreciates the Regional Board's help and cooperation with revising the MOU Phase 1 and 2 completion dates. Although the City still faces a monumental task in completing this project within the Regional Board's and revised MOU completion dates, we are very proud of the work we have accomplished thus far, and are fully committed to cooperatively working with the State and Regional Board in making every effort to complete this highly complex and very expensive wastewater project within the time allowed.

If you have any questions, or require additional clarification, please do not hesitate to contact me at (310) 456-2489, extension 339, or rduboux@malibucity.org.

Sincerely,



Rob DuBoux, PE, Esq.
Acting Public Works Director

cc: Mayor Laura Rosenthal and Honorable Members of the Malibu City Council
Jim Thorsen, City Manager
Reva Feldman, Assistant City Manager
Bonnie Blue, Planning Director
Craig George, Interim Environmental Sustainability Director/Building Official
Eric Wu, Ph.D., P.E., RWQCB
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