



City of Malibu

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September 30, 2013

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 of July 1, 2013 through September 30, 2013. 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:

- Re-development of three (3) injection testing wells in preparation for injection testing
- Performed and completed injection testing of the three (3) injection wells. To date, the field program is complete. All groundwater aquifer and field testing data has been gathered and will now be analyzed.
- Updated groundwater model using latest geologic and geophysical information from currently completed field testing
- Performed hydraulic calibration work for the groundwater model
- Commenced with groundwater modeling scenarios using results of injection testing work
- Continued with work to refine the wastewater flow projections by Regional Board phase
- Continued with development of site plans, flow schematics, and hydraulic profiles for designing the wastewater treatment plant at Winter Canyon location



- Continued refinement of flow routing and alignments, hydraulic and pipe size analysis, and developed design plans and profile diagrams to identify utility conflicts for the wastewater collection system
- Continued analysis of commercial and residential tie-in locations and hookup points along the wastewater collection system
- Continued hydraulic analysis and developed pipeline alignments and routes and hookup points for the project's reclaimed water system
- Continued site analysis and sizing for collection system pumping stations
- Continued performing independent expert review of the project's design concept, treatment processes, sizing, and site configuration of the wastewater treatment plant facility to ensure plant design and processes are effective and efficient
- Conducted Civic Center Wastewater Treatment Facility (CCWTF) Technical Advisory Committee (TAC) Meeting (Attachment 1). Committee members, including independent experts and Regional Board staff, were given a review of the treatment plant processes. Overall positive comments were received about content and direction of the design.
- Met with officials from Pepperdine University and Las Virgenes Municipal Water District to discuss future recycled water use opportunities. Staff is also working with Los Angeles County Water District No. 29 to seek possible recycled water demand opportunities further west of the Civic Center area.
- Met with California Department of Public Health and Regional Board staff regarding preliminary permitting requirements
- Continued development of the Draft Notice of Preparation for the environmental impact report (EIR)
- Continued biological field survey and a wetlands delineation report for the Winter Canyon wastewater treatment plant site
- Contracted the services of an assessment engineering consulting firm to assist the City with the formation of an assessment district to help finance the final design work and construction costs of the project (Attachment 2)

As you can see, the City continued its approach to perform multiple tasks on parallel tracks in an effort to complete the project in its shortest timeframe. The design of the wastewater treatment plant and collection system is now almost 50% complete. This is an impressive increase of approximately 15% from last quarter. Furthermore, the project's field program is now 100% complete, and the preliminary data collected looks very favorable. Data collected from the groundwater injection testing program can now be used for the final groundwater modeling work using the MODFLOW

hydraulic modeling program. Use of the MODFLOW program is necessary to complete the final design work for the project.

The City's design consultant and City staff continue to meet on a monthly basis with Dr. Eric Wu and Dr. T. Don Tsai of the Board's Groundwater & Permitting Unit (Attachment 3) to discuss the status and details of the project, including the groundwater well injection and testing program, status of the City's regulatory requirements (CDP, CEQA, EIR), WDR permit limits and requirements, water balance and recycled water use, groundwater basin, Malibu Creek Nutrient TMDL, and local agency management plan. Pursuant to the request of Dr. Wu, the City presented a progress report of the project to the Regional Board at its meeting on September 12, 2013 (Attachment 4). Dr. Wu and his staff continue to be very helpful by providing clarity and guidance on many issues.

On September 23 2013, the City Council approved a professional services agreement with the assessment engineering consultant, David Taussig & Associates, to provide consulting services for the formation of the Civic Center Wastewater Treatment Facility Assessment District. As you are aware, commercial property owners approved establishment of a community facilities district (CFD) to fund the project's remaining field and design work. Formation of an assessment district will provide the funding necessary to construct and operate the wastewater treatment facility.

Finally, the City continues to have monthly meetings with stakeholders about the CCWTF (Attachment 5). For several years, the City has met on a monthly basis with stakeholder groups comprised of commercial property owners, residential homeowners association (HOA) representatives and other interested community members. The City also makes presentations to HOAs within the prohibition boundary area when requested. There appears to be continued support from the commercial property owners for the wastewater treatment plan moving forward. There is heightened concern from residential property owners with regard to cost and overall impacts.

The City is committed to working with the community and the Regional Board in a diligent effort toward the design and completion of the CCWTF for the Civic Center area. The Board and the MOU set out a very aggressive schedule that allowed for virtually no delays at all. Therefore, with the delay caused by funding and formation of the CFD, the City will diligently pursue trying to comply with the deadlines. We look forward to continued cooperation from the Board and its staff as we move forward to complete the project.

If you have any questions, or require additional clarification, please do not hesitate to contact me at (310) 456-2489, extension 226, or jthorsen@malibucity.org.

Sincerely,



Jim Thorsen
City Manager

Attachments:

1. Agenda/Meeting Minutes for the August 6, 2013 CCWTF TAC Meeting
2. Council Agenda Report for Assessment District Engineer
3. Agenda/Meeting Minutes for the Malibu Civic Center WWTF July, August and September 2013 Meetings
4. Presentation to RWQCB on September 12, 2013
5. Presentations to the Malibu Civic Center Stakeholders at the July, August and September 2013 Meetings

cc: Mayor House and Honorable Members of the Malibu City Council
Vic Peterson, Environmental Sustainability Director
Bob Brager, Public Works Director/City Engineer
Joyce Parker-Bozylinski, Planning Director
Craig George, Environmental Sustainability Manager / Deputy Building Official
Eric Wu, Ph.D., P.E., Los Angeles Regional Water Quality Control Board
T. Don Tsai, Ph.D., Los Angeles Regional Water Quality Control Board



AGENDA
TECHNICAL ADVISORY COMMITTEE MEETING
CIVIC CENTER WASTEWATER TREATMENT FACILITY
6 AUGUST 2013, 9am – 1pm
MULTI-PURPOSE ROOM, MALIBU CITY HALL

- I. Introductions and roles of participants**
- II. Purpose of TAC meeting**
 - a. Present current project description
 - i. Area to be served
 - ii. Phasing of project
 - b. Present current status
 - i. Groundwater injection studies and findings
 - ii. Detailed design of collection, treatment, reuse, injection facilities
 - iii. Environmental Impact Report and related coastal permitting/zoning actions
 - iv. Overall schedule
 - c. Obtain feedback, input, and recommendations from TAC members
- III. Groundwater injection studies and findings**
 - a. Review of previous work and studies conducted in late 2011/early 2012
 - b. Presentation of current studies and findings
 - i. Geology and geophysics
 - ii. Pump testing and injection testing tentative results (thus far)
 - 1. Indications regarding injection capacity
 - 2. Indications regarding flow direction of injected water
 - iii. Groundwater modeling
- IV. Wastewater collection system design**
 - a. Configuration of collection system, pump stations
 - b. Phasing of service
- V. Wastewater treatment plant**
 - a. Location, site layout
 - b. Flows, loads, and tentative effluent quality targets
 - c. Treatment process, equipment types, sizing
- VI. Treated effluent reuse and disposal**
 - a. Reuse potential and demand vs. project phasing
 - b. Use of percolation within Winter Canyon basin
 - c. Use of groundwater injection within Civic Center area/basin

Meeting Minutes

Malibu Civic Center Wastewater Treatment Facility

Subject: Technical Advisory Committee (TAC) Meeting

Prepared For: City of Malibu

Prepared By: Leslie Dumas

Date/Time: August 6, 2013 at 9:00 AM

Location: Malibu City Hall, Multi-Purpose Room

Attendees: Jim Thorsen, Bob Brager, Craig George, Bonnie Blue, Reva Feldman, Barbara Cameron/City of Malibu; Rebecca Chou, Don Tsai/LARWQCB; Michael Stenstrom/UCLA; Patricia Leary/SWRCB; Ric Vardel/IPC; Jeff Bouse/LADPW; Peter Shellenbarger/Heal the Bay; Steve Clary, Leslie Dumas, Marc Nakamoto/RMC

Project Number: 0127-006

1. Purpose of Meeting

To provide a project update to the TAC and to received feedback regarding project design and progress.

2. Discussion Summary

The meeting started with attendee introductions.

2.1 Introductions and Roles of Participants

- The last TAC meeting was in 2011 after the MOU was signed.
- Several local experts were there to provide input into the project:
 - Ric Vardel of IPC operates many to the OWTS in Malibu
 - Jeff Bouse of LADWP operates the County's water pollution control plant
 - Michael Stenstrom of UCLA is a wastewater expert

2.2 Purpose of TAC Meeting

- Steve noted that the purpose of the TAC is to provide input and feedback to the project team.
- The project will be implemented in phases per the MOU.
- At build-out, it is expected that the project will provide ~125,000 gpd of recycled water for reuse within the City limits; another 100,000 gpd may be used Pepperdine University (on an average annual basis); and approximately 347,000 gpd will be injected into the deeper aquifer and 100,000 gpd will be percolated into the Winter Canyon area. These estimates will be revised after updating the Pepperdine future options, use demand at Legacy Park and residential sites west of Malibu Canyon Road.
- A simplified version of the project schedule was then presented, along with several milestones from the MOU. Interlinks between several of the tasks was then discussed (including how the necessary zoning changes fed into the LCPA which then fed into the CDP process, and how construction will be dependent on permitting, certification of the EIR and design completion).
- It was also noted that the results of the biological, cultural, tree and wetland surveys would be available next week, along with a preliminary draft project description.

- Barbara asked when the required assessment district would be formed. Jim responded that the assessment district would be formed in conjunction with completion of the EIR.
- Jim also noted that the schedule did not include several other tasks, including the land purchase and formation of the assessment district, which were also critical path items.
- Rebecca noted the RWQCB needs the EIR to be certified and the design completed before they could issue the WDR.
- Don asked if they could please get a copy of the detailed project schedule.
- Craig asked if there were any findings from environmental surveys beyond the wetland delineation. Leslie indicated not that she had heard.

2.3 Groundwater Injection Studies and Findings

- Leslie presented a summary of past field studies (including test well installation, bedrock surveys, paleohydrologic studies, preliminary groundwater modeling and geochemical analyses).
- She then presented an update of the current field program which included:
 - Installation of 9 new monitoring wells (pairing the test wells each with one deep and one shallow monitoring wells)
 - Shoreline and off-shore geophysical/resistivity surveys
 - Potable water injection testing (presently completed at MW03 and currently underway at MW01)
 - Geologic cross-section and conceptual model updates (pending)
 - Numerical modeling update (pending)
- Barbara noted that at the last TAC meeting, groundwater injection had a lot of lingering questions. The work performed since then has resulted in data and information that has answered a lot of those questions.
- All except two of the new monitoring wells have gone down to bedrock and are about 150 to 165 feet deep. The two new shallow wells are in the 20 to 25-foot depth range.
- The borings installed to date have indicated a thick clay layer between shallow zone and deeper aquifer.
- A monitoring well installed near the lagoon (to a total depth of ~65 feet deep) showed a thick clay layer that is likely a barrier that prevents migration of water to the lagoon from the deeper aquifer. The clay layer appears to thin as you move upstream.
- Patricia asked if we could provide a pdf copy of slides that shows the details without the animation overlays. Jim also asked for a copy of the presentation for an upcoming RWQCB meeting/presentation.
- Leslie noted that the cross-sections were draft, and that once finalized, would be 11x17 in size.
- Barbara asked about monitoring once the groundwater injection starts. Leslie noted that existing monitoring wells can be used for monitoring. The extent of the needed future monitoring plan will be discussed with RWQCB and will be included in the facility's WDR.
- Don noted that they will have to consider the final TMDL's for Malibu Lagoon and Creek as part of the discharge requirements. This will, to some extent, depend on flows going to the lagoon.

2.4 Wastewater Collection System Design

- Steve presented information regarding the collection system and phasing of the flows, noting both startup flows (95,300 gpd) and flows at build-out (502,350 gpd).
- Bluffs Park and some western properties are moving from Phase 2 to Phase 1 for hook up.
- Steve outlined the locations of the collection system and noted that the backbone of the system will go in with Phase 1, but is designed for build-out flows.
- Everything will flow by gravity to the pump station and then by pressure to the plant. The pump station will be at Bluffs Park.
- Flows from the Civic Center condos will gravity flow to the plant.
- Water meter data and census block data were analyzed for wastewater discharge projections. Conservation is happening resulting in increased concentrations. Barbara noted there are fewer family household members in the Civic Center area than in other parts of Malibu.
- Mike noted that with a centralized facility, wastewater flows may increase as the customer's incentive to minimize flow may decrease. He asked about how customers will connect to the system. Will septic tanks be maintained? Will customers pump from septic tanks to new collection system? Steve noted that this may vary, but generally it is thought that customers will want to decommission individual septic systems.
- Treatment plant buildings should match the existing character of the area. Screening is an option.
- A chlorine residual will be provided to keep distribution system clean and to prevent fouling of the injection wells. The plan is to generally maintain a residual chlorine concentration of 2 mg/L at the injection wells.
- City does not use any water for street cleaning.
- Don noted that the team needs to check federal TMDL for ammonia and nitrate.
- Plant is designed to be modular to be cost effective. The first phase will have one train. As there will not be any redundancy, the project team has assumed that everything can be removed, repaired and put back into service.
- Jeff commented that one biological train is not ideal and operations and maintenance can be challenging.
- The plant is designed to meet peak day demand.
- Mike asked how does the design factor of 69 gpd/capita relate to flow projections. Steve said that they've estimated that there are between 400 and 500 dwelling units that will be coming into the collection system at 69 gpd/capita.
- Jeff noted that they have been seeing a drop in wastewater flows resulting from water conservation; therefore, the older textbook values for residential flows may be too high.
- Mike asked if the City of Malibu requires homeowners to install low-flow devices when they sell their homes. Barbara responded not yet.

- Don and Rebecca wondered if visitors coming from out of town are using the most water. Steve replied that the value of 69 gpd/capita is from a nationwide study that looked at multiple locations and that despite widely varying locales, the per capita numbers were generally consistent. They (RMC) had also dredged up an old Malibu Colony study and compared using 69 gpd/capita with the number of people living in the Colony and compared it to the census data. They used the wastewater generated in Malibu Colony as “representative of residential flows” of the area (both from a socio-economic standpoint and because they have the least amount of landscape area, therefore best representing indoor use).
- At build-out, commercial flows represent approximately 40% of overall flows.
- Mike noted that, at present, people probably use the minimum amount of water because they don’t want to have to pump out their septic tanks. This could change once they’re on the sewer system.
- Steve then said that the collection system is designed to allow for metering of outflows from each property to be able to “apportion” the flow if necessary.
- Ric commented that permanent flow meters to each customer may be desired because a leaky toilet on a small system can create issues. Permanent meters allow for identifying the issue quickly.
- Mike noted that it is important to make sure that businesses understand that increased flow rates will not be allowed.
- The question then was asked about thoughts regarding the conversion of septic tanks to pump tanks. Steve responded that, in general, lateral connections will be gravity fed (except in one area). He thought that commercial property owners may want to keep the septic tanks to act as grease traps. Mike said that he thought that it might be better to convert the septic tanks to pump tanks to allow for metering of flows to the collection system pipeline. He also stated that the commercial properties have convoluted onsite wastewater plumbing and therefore may want to pump to the centralized sewer as the easiest way to connect.
- Jim said that he thought that most commercial property owners will want to abandon their septic systems because they are expensive to run and maintain. Property owners may not want to keep septic systems operating and pump to the collection system, feeling that this was a double cost. But he agreed that we need to be able to monitor where flows are coming from.
- It was recommended that the design team consider continued flow monitoring with SCADA back to plant for at least the initial commercial hookups.
- Craig said that there will have to be some form of allocation of wastewater capacity to property owners. We have seen similar situations in undeveloped areas where designs are changing as a result of pending collection system.
- Barbara noted that we should consider that commercial owners need to provide restrooms for the public (which they’ve been reluctant to do in the past because of the septic systems). This increase in public restrooms could increase commercial wastewater flows but may also provide a public benefit.
- Patricia said that she felt that we need to be able to monitor for illegal dumps to the sewer too (i.e. from aquariums and water softeners).
- Mike agreed that we need to plan for some increases in flow from restrooms as the area is presently constrained for public restrooms.

2.5 Wastewater Treatment Plant

- Marc presented the anticipated water quality targets, citing both anticipated RWQCB targets and CDPH targets. He noted the MBR treatment is good for fine particle removal.
- Marc then walked through the overall design flows, anticipated influent water quality, and anticipated design loads, and then outlined the wastewater treatment plant facilities and layout.
- Marc noted that there will be a 60,000 gallon equalization tank for Phase 1.
- Patricia noted that there were two sodium hypochlorite systems in the design and asked what they were for. Marc responded that one system will be used to keep the overall system clean and provide residual chlorine, and that the second one (located next to the membranes) will be used for backflush/membrane cleaning.
- Don asked what the residual chlorine level will be. Steve responded that, at present, they are designing a 2 mg/L concentration. He noted that they want the residual chlorine in the injectate to help keep the wells clean and that this will have to be wrestled with as part of the permit process.
- Jeff noted that we have to be careful in making sure that the sludge is not too thick and asked if the project team has checked with the City of LA or whoever will take the sludge. Steve noted that we have not yet started these discussions.
- Mike then noted that you don't want the sludge to be thicker than 2:1. Marc noted that the design team was aiming for approximately 30%.
- Craig asked if the design team has selected component manufacturers yet; Steve responded no.
- Reva noted that the City does have ability to sole source. Steve noted that one way to approach this would be to do a competitive qualification first, followed by sole source procurement. This way you ensure that you are getting quality products in a fair manner.
- Jeff asked how will the existing Winter Canyon treatment system be handled during construction. Steve responded that construction will work around it
- Mike then asked what facilities will be above-ground vs. below ground. Marc noted that the headworks will be above ground, and that the membranes will require a sky bridge.
- Barbara asked what the highest structure will be, and Marc noted that it will be the sky bridge (bridge crane over the membrane tanks) with a height of approximately 22-25 feet. Barbara then asked what the number of square feet will be above-grade at the site, and Marc said that we don't know this yet. Barbara noted that the public will want to know the number of square feet above ground. Steve then estimated that it will be around 5,000 to 6,000 ft² and definitely less than 10,000 ft².
- Patricia asked that, once the new plant is built, what will happen to existing facilities? Steve said that we are going to try to reuse them as much as possible, noting that their height impacts are minimal.
- Jeff noted that the DPW treatment plant across the street from the site is on an easement that may revert back to original property owner if not used for sanitary services.
- Bob asked about odor control; Steve said that the design team is going to try and repurpose the existing trickling filters for odor scrubbing. They will also cover some structures for odor control.

- A question was then asked about headworks screening. It was envisioned that the wastes will go into long sausage-like bags and dumped. They are also planning on using washer/compactors at headworks to keep odor down.
- Above-grade super structures at the site will include:
 - The operations building
 - The blower building
 - The membrane structure
- Jim asked if the plan was to design the onsite structures to mimic those across the street so that people didn't know it's a treatment plant. Steve noted that the original plan was to use pre-fab metal buildings; the City commented that they may not go over well. We need to look at alternatives, including using screening to make buildings not visible. It was also noted that the structures have to be fire resistive too.
- Mike commented that the proposed neuros turbo blowers were very quiet, but that they are restricted to small sizes (approximately 250hp).
- Bonnie asked for a description of the percolation (perc) ponds.
- Marc said that the ponds would be 3 to 4 feet deep and that fully treated water would be "batch" flowed into the ponds. Steve noted that the perc pond operations have not yet been figured out and will depend on the injection test results.
- Don asked if the perc ponds could be used for firefighting, and if we wanted them to, to be sure it's addressed in the Title 22 report.
- Patricia also noted that the recycled water can be used for construction dust control and that that should be covered in the Title 22 report too.
- Craig asked if there was any way to landscape the perc ponds. Steve noted that the outer edges of the pond can be landscaped, but not the ponds themselves as they will need to be maintained.
- The current plan for treated wastewater dispersal is:
 - Reuse
 - Inject
 - Percolate
- Rebecca noted that recycled water use is preferred over discharge and recommended that the project team look for ways to maximize recycled water use.
- Bonnie asked how traffic will circulate around the plant. Marc noted that they are planning to continue to use existing main entrance, but would like to have trucks run through plant site and exit out the old back exit on north side. Also it would be nice to have two entrances/exits for safety.
- Bonnie asked if there will be odors associated with solids loading. Marc noted that the loading facility will be aerated to help keep odors down. A discussion then ensued about using perimeter odor control, which most agreed that they disliked because it created additional bothersome odors.
- Patricia then asked about security plans. Marc noted that the plans call for two automated gates.
- Bonnie noted that there is peakaboo view of the site from Pacific Coast Highway (PCH), and that we'll have to make the case that it's not significantly visible from PCH. The only other scenic areas that would be protected under the LCP are parks and trails and there aren't any of those in the immediate area.

- Regarding visual impacts and the planned hotel, the treatment plant would likely be the first one in and the site will be designed to minimize visual impacts and to follow code. It was recommended that RMC collect photo ideas for screening and perhaps develop a superview for hill and PCH views. Maybe use a combination of façades and canopy trees for screening.
- Mike said that he just visited some new treatment plants in Washington that used some clever ideas, and will pass the photos onto Barbara for sharing.
- It was also noted that a linear park is planned for along Civic Center and it would be nice if there was a way to incorporate that into the plant design. The problem with this is security.
- Steve also noted that another possibility is to include a living roof on the main building, but the problem with this is leakage and structure damage.
- It was also recommended that the design team consider coloring top of concrete to more earth tone colors to mitigate visual impacts from uphill.
- Bonnie also noted that the design team needs to keep in mind lighting, especially night lighting.
- Steve asked what is the best way to bring aesthetic ideas to the table. Jim responded that maybe the team should take photos of the existing area and have the design team work on blending ideas. It was recommended that we look to Colony Plaza, the new Whole Foods design and the Ioki building for possible design ideas.
- Jeff noted that the school across the street can be screened out by landscaping but asked about the possibility of adding in educational elements to the project. He suggested considering the possibility of adding another 100 ft² to the proposed operations building and parking to allow for an educational element.
- Leslie noted that many of the treatment plants she's been to have a demonstration garden featuring native and water-saving plants.
- Barbara noted that Malibu is isolated from certified water quality monitoring labs and wondered if there was enough space to add a lab certified to handle water quality analyses.
- Steve noted that we need to identify options and select the "amenities" to be incorporated into the plant now so that we don't get caught at the end trying to fit them in.

2.6 Treated Effluent Reuse and Disposal

- Steve noted that, at present, there is approximately 20,000 to 21,000 gpd of recycled water demand within the Phase 1 boundaries. This is equivalent to an approximately 20% recycling effort for Phase 1. This number does not include Pepperdine University, increased Legacy Park irrigation, or the larger residential parcels to the west of Malibu Canyon Road.
- Steve noted that Legacy Park was designed to be water friendly (drought resistant and water tolerant). At present, recycled water use in Legacy Park is minimal, but this may increase in the future.
- Jeff noted that the figure showing imported water throughout the year by Pepperdine University doesn't seem right based on his understanding. Pepperdine doesn't typically import much in winter months.

- Steve noted that the figure was based on data received from Pepperdine for 2008/2009. Jeff requested that RMC check the numbers because Pepperdine has to take recycled water back from Las Virgenes for every gallon they send there, and they have periods where the ponds are full.
- Barbara noted that she is working on scheduling a meeting with Pepperdine, and that the figure represents annual averages expressed as gpd.
- Steve noted that this issue needs to be resolved ASAP as the design team should be at 50% design in approximately 2 months.

2.7 Final Thoughts

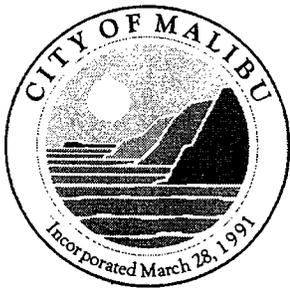
- The next TAC Meeting is scheduled for 12/12/13
- Steve requested ideas of things to cover at that meeting:
 - Odor control – bring up at next monthly stakeholder meeting
 - Building aesthetics concepts and bring to next monthly stakeholder meeting
 - Collection line over PCH bridge for Phase 2
 - Maximum daily loads coming from plant and going to the disposal system/receiving waters
 - Wastewater monitoring and sampling locations for each customer as connections may be complex
 - Financing plan; requesting financial assistance from state (SRF loan) and/or private bond market
 - Dealing with CDPH input and review in the regulatory permitting process
 - Design parameters for the wastewater treatment plant
 - With respects to the WDR, will consider: TMDL, Ocean Plan Water Quality Objectives, Chemicals of Emerging Concern (CECs), system performance goals.
 - Explore additional recycling capacity
 - What to do about the parcel that the County-operated Malibu WPCP is on (note that this needs to be identified in the EIR).

3. Action Items

The following is a list of action items resulting from the meeting.

Action Item Summary Table

Task No.	Responsible Party		Task/Action Item
	Organization	Name	
1	RMC/City of Malibu	Steve Clary/Barbara Cameron	Clarify recycled water use at Pepperdine University
2	RMC	Leslie Dumas	Send set of cross-sections on 11x17 paper to RWQCB
3	RMC	Steve Clary/Leslie Dumas	Send set of plans to RWQCB
4	RMC/City of Malibu	Steve Clary, Leslie Dumas, ICF, Bonnie Blue	Develop possible mitigations to plant site to resolve aesthetic impacts
5	RMC/City of Malibu	Steve Clary, Leslie Dumas, ICF, Bonnie Blue	Develop list of possible project 'amenities' and estimated square footage needed
6	RMC	Steve Clary/Marc Nakamoto	Identify possible future uses for County WPCP facility
7	RMC	Leslie Dumas	Amend project schedule to reflect the requirement of a certified EIR before a WDR can be issued.
8	RMC/City of Malibu	Leslie Dumas/Brandie Sanchez	Post a version of the TAC meeting PowerPoint without animation
9	TAC members	Dr. Stenstrom and others	Send photos of well-designed WW facilities to Barbara malibugrants@aol.com
10	City of Malibu	Craig George, Bob Brager, Barbara Cameron	Meet with Pepperdine University and Las Virgenes MWD to update verify current opportunities for recycled water use and/or recycled water storage
11	RMC	Steve Clary	Meet with LA County or LA City sanitation districts to confirm sludge management options
12	RMC	Steve Clary	Work with Legacy Park ecologist, Dr. Rich Ambrose, on recycled water use estimates for landscape irrigation



Council Agenda Report

To: Mayor House and the Honorable Members of the City Council

Prepared by: Robert L. Brager, PE, JD, Public Works Director/City Engineer 

Approved by: Jim Thorsen, City Manager 

Date prepared: September 4, 2013 Meeting date: September 23, 2013

Subject: Professional Services Agreement with David Taussig and Associates, Inc.

RECOMMENDED ACTION: Authorize the City Manager to execute a professional services agreement with David Taussig & Associates, Inc. in an amount not to exceed \$40,000 to provide consulting services for the formation of the Civic Center Wastewater Treatment Facility Assessment District.

FISCAL IMPACT: It is anticipated that an Assessment District will be formed and bonds will be sold shortly thereafter to fund the Civic Center Wastewater Treatment Facility Project. There is no fiscal impact associated with the execution of this Agreement as the fees for the services provided by David Taussig & Associates, Inc. will be paid as part of the cost of issuance during the closing of the bonds.

In the event that an Assessment District is not formed and bonds are not issued, the City will be responsible for the total cost of the Agreement with David Taussig & Associates, Inc. in an amount not to exceed \$40,000.

DISCUSSION: On September 21, 2010, the State Water Resources Control Board approved a Basin Plan Amendment that prohibits discharge of onsite wastewater disposal systems into existing dispersal fields in the Malibu Civic Center area. On June 27, 2011, the Council approved a Memorandum of Understanding (MOU) between the City and Regional Water Quality Control Board and the State Water Resources Control Board regarding the implementation of the Basin Plan Amendment for the Malibu Civic Center Area Prohibition. The MOU requires the City to implement a wastewater treatment plan that mandates certain properties in the Civic Center area be connected to a centralized wastewater treatment facility in a phased approach to lead this effort. As part of the plan, it is necessary to form an Assessment District to pay for design and construction of these facilities.

On June 24, 2013, staff distributed a Request for Proposals (RFP) detailing a scope of work and solicited proposals from qualified consulting firms for the formation of an assessment district for the Civic Center Wastewater Treatment Facility. The RFP was sent to qualified consulting firms and on August 1, 2013, the City received a total of two (2) proposals from David Taussig & Associates, Inc. and Penfield & Smith. Staff reviewed the proposals and has determined that David Taussig & Associates, Inc. is the most qualified consultant to provide the required services necessary to complete the project.

David Taussig & Associates, Inc. has worked with the City on other assessment related projects and has provided public finance consulting services to over 2,000 public and private sector clients.

At this time, in an effort to minimize any delays to the project, staff recommends that Council authorize the City Manager to execute a professional services agreement in an amount not to exceed \$40,000 with David Taussig & Associates, Inc. to provide consulting services for the formation of the Civic Center Wastewater Treatment Facility Assessment District.

STAFF FOLLOW-UP: Staff will issue a notice to proceed to the consultant after the professional services agreement has been executed.

ATTACHMENTS: Professional Services Agreement with David Taussig & Associates, Inc.

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is made and entered into as of September 23, 2013 by and between the City of Malibu (hereinafter referred to as the "City"), and David Taussig and Associates, Inc. (hereinafter referred to as the "Consultant").

The City and the Consultant agree as follows:

RECITALS

A. The City does not have the personnel able and/or available to perform the services required under this Agreement.

B. The City desires to contract out for consulting services for certain projects relating formation of a district for the Civic Center Wastewater Treatment Facility.

C. The Consultant warrants to the City that it has the qualifications, experience and facilities to perform properly and timely the services under this Agreement.

D. The City desires to contract with the Consultant to perform the services as described in Exhibit A of this Agreement.

NOW, THEREFORE, the City and the Consultant agree as follows:

1.0 SCOPE OF THE CONSULTANT'S SERVICES. The Consultant agrees to provide the services and perform the tasks set forth in the Scope of Work, attached to and made part of this Agreement. The Scope of Work may be amended from time to time by way of a written directive from the City.

2.0 TERM OF AGREEMENT. This Agreement will become effective on September 23, 2013, and will remain in effect for a period of 3 years from said date unless otherwise expressly extended and agreed to by both parties or terminated by either party as provided herein.

3.0 CITY AGENT. The City Manager, or his designee, for the purposes of this Agreement, is the agent for the City; whenever approval or authorization is required, Consultant understands that the City Manager, or his designee, has the authority to provide that approval or authorization.

4.0 COMPENSATION FOR SERVICES. The City shall pay the Consultant for its professional services rendered and costs incurred pursuant to this Agreement in accordance with the Scope of Work's fee and cost schedule, as described in Exhibit B of this agreement. The cost of services shall be for a total amount not to exceed \$40,000. No additional compensation shall be paid for any other expenses incurred, unless first approved by the City Manager, or his designee.

4.1 The Consultant shall submit to the City, by no later than the 10th day of each month, its bill for services itemizing the fees and costs incurred during the previous month. The City shall pay the Consultant all uncontested amounts set forth in the Consultant's bill within 30 days after it is received.

5.0 CONFLICT OF INTEREST. The Consultant represents that it presently has no interest and shall not acquire any interest, direct or indirect, in any real property located in the City which may be affected by the services to be performed by the Consultant under this Agreement. The Consultant further represents that in performance of this Agreement, no person having any such interest shall be employed by it.

5.1 The Consultant represents that no City employee or official has a material financial interest in the Consultant's business. During the term of this Agreement and/or as a result of being awarded this contract, the Consultant shall not offer, encourage or accept any financial interest in the Consultant's business by any City employee or official.

5.2 If a portion of the Consultant's services called for under this Agreement shall ultimately be paid for by reimbursement from and through an agreement with a developer of any land within the City or with a City franchisee, the Consultant warrants that it has not performed any work for such developer/franchisee within the last 12 months, and shall not negotiate, offer or accept any contract or request to perform services for that identified developer/franchisee during the term of this Agreement.

6.0 GENERAL TERMS AND CONDITIONS.

6.1 Termination. Either the City Manager or the Consultant may terminate this Agreement, without cause, by giving the other party ten (10) days written notice of such termination and the effective date thereof.

6.1.1 In the event of such termination, all finished or unfinished documents, reports, photographs, films, charts, data, studies, surveys, drawings, models, maps, or other documentation prepared by or in the possession of the Consultant under this Agreement shall be returned to the City. If the City terminates this Agreement without cause, the Consultant shall prepare and shall be entitled to receive compensation pursuant to a close-out bill for services rendered and fees incurred pursuant to this Agreement through the notice of termination. If the Consultant terminates this Agreement without cause, the Consultant shall be paid only for those services completed in a manner satisfactory to the City.

6.1.2 If the Consultant or the City fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the Consultant or the City violate any of the covenants, agreements, or stipulations of this Agreement, the Consultant or the City shall have the right to terminate this Agreement by giving written notice to the other party of such termination and specifying the effective date of such termination. The Consultant shall be entitled to receive compensation in accordance with the terms of this Agreement for any work satisfactorily completed hereunder. Notwithstanding the foregoing, the Consultants shall not be relieved of liability for damage sustained by virtue of any breach of this Agreement and any payments due under this Agreement may be withheld to off-set anticipated damages.

6.2 Non-Assignability. The Consultant shall not assign or transfer any interest in this Agreement without the express prior written consent of the City.

6.3 Non-Discrimination. The Consultant shall not discriminate as to race, creed, gender, color, national origin or sexual orientation in the performance of its services and duties pursuant to this Agreement, and will comply with all applicable laws, ordinances and codes of the Federal, State, County and City governments.

6.4 Insurance. The Consultant shall submit to the City certificates indicating compliance with the following minimum insurance requirements no less than one (1) day prior to beginning of performance under this Agreement:

(a) Workers Compensation Insurance as required by law. The Consultant shall require all subcontractors similarly to provide such compensation insurance for their respective employees.

(b) Comprehensive general and automobile liability insurance protecting the Consultant in amounts not less than \$1,000,000 for personal injury to any one person, \$1,000,000 for injuries arising out of one occurrence, and \$500,000 for property damages or a combined single limit of \$1,000,000. Each such policy of insurance shall:

1) Be issued by a financially responsible insurance company or companies admitted and authorized to do business in the State of California or which is approved in writing by City.

2) Name and list as additional insured the City, its officers and employees.

3) Specify its acts as primary insurance.

4) Contain a clause substantially in the following words: "It is hereby understood and agreed that this policy shall not be canceled nor materially changed except upon thirty (30) days prior written notice to the City of such cancellation or material change."

5) Cover the operations of the Consultant pursuant to the terms of this Agreement.

6.5 Indemnification. Consultant shall indemnify, defend with counsel approved by City, and hold harmless City, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with Consultant's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole active negligence or willful misconduct of the City. The Consultant shall promptly pay any final judgment rendered against the City (and its officers, officials, employees and volunteers) with respect to claims

determined by a trier of fact to have been the result of the Consultant's negligent, reckless or willful misconduct. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

6.6 Compliance with Applicable Law. The Consultant and the City shall comply with all applicable laws, ordinances and codes of the Federal, State, County and City governments.

6.7 Independent Contractor. This Agreement is by and between the City and the Consultant and is not intended, and shall not be construed, to create the relationship of agency, servant, employee, partnership, joint venture or association, as between the City and the Consultant.

6.7.1. The Consultant shall be an independent contractor, and shall have no power to incur any debt or obligation for or on behalf of the City. Neither the City nor any of its officers or employees shall have any control over the conduct of the Consultant, or any of the Consultant's employees, except as herein set forth, and the Consultant expressly warrants not to, at any time or in any manner, represent that it, or any of its agents, servants or employees are in any manner employees of the City, it being distinctly understood that the Consultant is and shall at all times remain to the City a wholly independent contractor and the Consultant's obligations to the City are solely such as are prescribed by this Agreement.

6.8 Copyright. Notwithstanding the provisions of Section 6.13, no reports, maps or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Consultant.

6.9 Legal Construction.

(a) This Agreement is made and entered into in the State of California and shall in all respects be interpreted, enforced and governed under the laws of the State of California.

(b) This Agreement shall be construed without regard to the identity of the persons who drafted its various provisions. Each and every provision of this Agreement shall be construed as though each of the parties participated equally in the drafting of same, and any rule of construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.

(c) The article and section, captions and headings herein have been inserted for convenience only, and shall not be considered or referred to in resolving questions of interpretation or construction.

(d) Whenever in this Agreement the context may so require, the masculine gender shall be deemed to refer to and include the feminine and neuter, and the singular shall refer to and include the plural.

6.10 Counterparts. This Agreement may be executed in counterparts and as so executed shall constitute an agreement which shall be binding upon all parties hereto.

6.11 Final Payment Acceptance Constitutes Release. The acceptance by the Consultant of the final payment made under this Agreement shall operate as and be a release of the City from all claims and liabilities for compensation to the Consultant for anything done, furnished or relating to the Consultant's work or services. Acceptance of payment shall be any negotiation of the City's check or the failure to make a written extra compensation claim within ten (10) calendar days of the receipt of that check. However, approval or payment by the City shall not constitute, nor be deemed, a release of the responsibility and liability of the Consultant, its employees, sub-consultants and agents for the accuracy and competency of the information provided and/or work performed; nor shall such approval or payment be deemed to be an assumption of such responsibility or liability by the City for any defect or error in the work prepared by the Consultant, its employees, sub-consultants and agents.

6.12 Corrections. In addition to the above indemnification obligations, the Consultant shall correct, at its expense, all errors in the work which may be disclosed during the City's review of the Consultant's report or plans. Should the Consultant fail to make such correction in a reasonably timely manner, such correction shall be made by the City, and the cost thereof shall be charged to the Consultant.

6.13 Files. All memoranda, reports, plans, specifications, maps and other documents ("Documents") prepared under the terms of this Agreement shall be and remain the property of the City. The Consultant will control the physical location of such files during the term of this Agreement and shall be entitled to retain copies of such files upon termination of this Agreement. All software (including without limitation financial models, compilations of formulas and spreadsheet models), inventions, designs, programs, improvements, processes and methods (collectively, the "Proprietary Models"), and computer files prepared by Consultant are Instruments of Service of Consultant and shall remain the property of Consultant. Consultant shall likewise retain all common law, statutory and other reserved rights, including the copyright thereto.

6.14 Waiver; Remedies Cumulative. Failure by a party to insist upon the performance of any of the provisions of this Agreement by the other party, irrespective of the length of time for which such failure continues, shall not constitute a waiver of such party's right to demand compliance by such other party in the future. No waiver by a party of a default or breach of the other party shall be effective or binding upon such party unless made in writing by such party, and no such waiver shall be implied from any omissions by a party to take any action with respect to such default or breach. No express written waiver of a specified default or breach shall affect any other default or breach, or cover any other period of time, other than any default or breach and/or period of time specified. All of the remedies permitted or available to a party under this Agreement, or at law or in equity, shall be cumulative and alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right of remedy.

6.15 Mitigation of Damages. In all such situations arising out of this Agreement, the parties shall attempt to avoid and minimize the damages resulting from the

conduct of the other party.

6.16 Partial Invalidity. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

6.17 Attorneys' Fees. The parties hereto acknowledge and agree that each will bear his or its own costs, expenses and attorneys' fees arising out of and/or connected with the negotiation, drafting and execution of the Agreement, and all matters arising out of or connected therewith except that, in the event any action is brought by any party hereto to enforce this Agreement, the prevailing party in such action shall be entitled to reasonable attorneys' fees and costs in addition to all other relief to which that party or those parties may be entitled.

6.18 Entire Agreement. This Agreement constitutes the whole agreement between the City and the Consultant, and neither party has made any representations to the other except as expressly contained herein. Neither party, in executing or performing this Agreement, is relying upon any statement or information not contained in this Agreement. Any changes or modifications to this Agreement must be made in writing appropriately executed by both the City and the Consultant.

6.19 Notices. Any notice required to be given hereunder shall be deemed to have been given by depositing said notice in the United States mail, postage prepaid, and addressed as follows:

TO CITY: Jim Thorsen
City Manager
City of Malibu

23825 Stuart Ranch Road
Malibu, CA 90265-4861
TEL (310) 456-2489 x 226
FAX (310) 456-2760

TO David Taussig
CONSULTANT: President
David Taussig and Associates,
Inc.
5000 Birch Street, Ste. 6000
Newport Beach, CA 92660
TEL (949) 955-1500
FAX (949) 955-1590

6.20 Warranty of Authorized Signatories. Each of the signatories hereto warrants and represents that he or she is competent and authorized to enter into this Agreement on behalf of the party for whom he or she purports to sign.

7.0 GENERAL TERMS AND CONDITIONS. (City and Consultant initials required at EITHER 7.1 or 7.2)

7.1 Disclosure Required. By their respective initials next to this paragraph, City and Consultant hereby acknowledge that Consultant is a "consultant" for the purposes of the California Political Reform Act because Consultant's duties would require him or her to make one or more of the governmental decisions set forth in Fair Political Practices Commission Regulation 18701(a)(2) or otherwise serves in a staff capacity for which disclosure would otherwise be required were Consultant employed by the City. Consultant hereby acknowledges his or her assuming-office, annual, and leaving-office financial reporting obligations under the

Agreement for Professional Services
David Taussig and Associates, Inc.
Page 7 of 7

California Political Reform Act and the City's Conflict of Interest Code and agrees to comply with those obligations at his or her expense. Prior to consultant commencing services hereunder, the City's Manager shall prepare and deliver to consultant a memorandum detailing the extent of Consultant's disclosure obligations in accordance with the City's Conflict of Interest Code.

City Initials _____
Consultant Initials _____

7.2 Disclosure not Required. By their initials next to this paragraph, City and Consultant hereby acknowledge that Consultant is not a "consultant" for the purpose of the California Political Reform Act because Consultant's duties and responsibilities are not within the scope of the definition of consultant in Fair Political Practice Commission Regulation 18701(a)(2)(A) and is otherwise not serving in staff capacity in accordance with the City's Conflict of Interest Code.

City Initials _____
Consultant Initials DT

This Agreement is executed on this _____, at Malibu, California, and effective as of September 23, 2013.

CITY OF MALIBU:

JIM THORSEN, City Manager

ATTEST:

LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:

CHRISTI HOGIN, City Attorney

CONSULTANT:

By: David Taussig, President

EXHIBIT A

SCOPE OF WORK CITY OF MALIBU ASSESSMENT DISTRICT FORMATION CIVIC CENTER WASTEWATER TREATMENT FACILITY PROJECT

Consulting services associated with Assessment District formation and bond issuance include the following tasks:

A. Assessment Engineer's Report

A.1 Kickoff Meeting

DTA proposes a kickoff meeting with City staff, bond counsel, underwriter, and RMC Water and Environment. The intent of the meeting will be to discuss (i) the Civic Center wastewater treatment facility project, (ii) the lien apportionment methodology in light of recent Proposition 218 court decisions, and (iii) any other questions and/or concerns.

Deliverable: Formation schedule

A.2 Background Research and Parcel Database

DTA shall compile a parcel database including property characteristics typically found in the County Assessment Roll and/or on County Assessor's Maps such as Assessor's Parcel Number, lot frontage, lot area, and record owner name, mailing and situs address.

A.3 Boundary Map and Assessment Diagram

DTA will prepare the boundary map and assessment diagram based on the parcel configuration per the County Assessor's maps. Pursuant to the Streets and Highways Code the Assessment Diagram will make reference to the Assessor's maps for parcel dimensions. The map and diagram will be prepared to the standards required by the County Recorder's Office for recordation. DTA will record the boundary map after the Malibu City Council ("City Council") adopts the Resolution of Intention.

Deliverable: DTA will prepare up to three (3) boundary maps and three (3) assessment diagram

A.4 Assessment Lien and Financing Analysis

DTA will determine the lien apportionment methodology and apportion the estimated improvement costs in proportion to the benefit received by each parcel. Assessment liens and estimated installment payments will be calculated assuming the issuance of

bonds. DTA will coordinate with bond counsel and underwriter regarding estimated bond term, issuance costs, capitalized interest, reserve funds as well as annual debt service and administrative expenses.

Deliverable: DTA will prepare up to five (5) assessment lien and financing analyses.

A.5 Engineer's Report

DTA will be the "Engineer of Work" in conformance with the Municipal Improvement Act of 1913 and prepare the Final and Preliminary Engineer's Reports pursuant to the requirements of Section 10204 of the Streets and Highways Code and Proposition 218. DTA assumes that a petition pursuant to Section 2804 of the Streets and Highways Code will be submitted and the Majority Protest Act of 1931 will apply. As required by law, the report shall contain the following:

- Plans and specifications describing the general nature, location, and extent of the improvements proposed to be installed or acquired;
- An estimate of the total costs, including construction, land, rights-of-way, easements, and incidental expenses in connection with the improvements;
- The Assessment Diagram;
- The proposed assessment of the total amount of the cost and expenses of the proposed improvements upon all parcels in the district in proportion to the benefits to be received by each parcel;
- The proposed maximum annual assessment to be levied on each parcel in the district to pay costs associated with the administration and collection of assessments, the administration or registration of any associated bonds or reserve or other related funds; and
- A description of the methodology and formula for apportioning the assessment. The apportionment methodology will assess parcels based only on the Special Benefit they receive from the improvements, as required by Proposition 218.

Consultant shall produce the Final Engineer's Report in connection with the confirmation of the assessments by the City Council. This report shall include confirmed costs in place of the estimated costs listed in the Preliminary Engineer's Report and make any revisions requested by the City Council.

Pursuant to Proposition 218, all parcels on which special benefit is conferred shall be identified and the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement and/or the maintenance and operation expenses of a public improvement. Special benefits must be separated from general benefits. Parcels owned or used by any public agency, the State of California or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and

convincing evidence that those publicly owned parcels in fact receive no special benefit.

Deliverable: DTA will prepare up to two (2) Preliminary Engineer's Reports and two (2) Final Engineer's Reports.

A.6 Public Notices and Ballot Protest Procedures

Consultant will print and mail notice of public hearing and assessment ballots. Consultant assumes that bond counsel will draft the notice and ballot text.

Deliverable: Notice of Public Hearing and Assessment Ballots

A.7 Ballot Tabulation

DTA shall provide a spreadsheet to the City Clerk to tabulate ballots submitted by property owners to determine whether a majority protest exists. As requested, DTA shall tabulate the ballots on City's behalf. This tabulation will be completed prior to the close of the public hearing, and the results will be provided to the City Clerk for inclusion in the public record.

Deliverable: Tabulation spreadsheet

A.8 Post-Formation Services

After confirmation of the assessments by the City Council, DTA will provide the following services:

- Mail the notice of cash collection;
- Prepare a paid and unpaid list and calculate the new amount to bond after the end of the thirty-day cash collection period; and
- Record the assessment roll and diagram, and Notice of Assessment.

Deliverable: Notice of cash collection, Assessment Roll, and Notice of Assessment

B. Issuance of Bonds

B.1 Bond Document Preparation/Review

As requested, DTA will assist the AD finance team in the preparation and review of bond documents, including indenture, official statement, and continuing disclosure agreement, as well as preparation of tables for inclusion in the official statement. Such tables shall not include direct and overlapping general fund debt analysis.

Deliverable: DTA will prepare up to three (3) sets of official statement tables.

C. Meetings

DTA will attend up to six (6) meetings, which in addition to the kickoff meeting described in A.1 above, may include subsequent meetings to review the draft preliminary Engineer's Report and/or attendance at the public hearing and/or other City Council meetings at which resolutions pertaining to the proposed assessment district are scheduled for adoption.

D. Compensation for Services

Compensation for services shall be in accordance with the attached fee schedule Exhibit B

EXHIBIT B

**FEE SCHEDULE
CITY OF MALIBU ASSESSMENT DISTRICT FORMATION
CIVIC CENTER WASTEWATER TREATMENT FACILITY PROJECT**

DTA's estimated budget is time and materials, not to exceed \$40,000. DTA shall charge the following hourly rates for services rendered:

Managing Director/Vice President	\$200/hour
Manager	\$190/hour
Senior Associate	\$175/hour
Associate	\$155/hour
Senior Analyst	\$135/hour
Analyst	\$120/hour
Research Assistant	\$90/hour

A. PAYMENT TERMS

Monthly progress payments will be made by City upon presentation of invoice by DTA providing details of services rendered and expenses incurred. In addition to fees for services, City will reimburse DTA for travel, photocopying, database services or materials, facsimile and telephone calls, clerical services, and other out-of-pocket expenses.

B. LIMITATIONS

The estimated budget is based on certain limitations which include the following:

- The Majority Protest Act of 1931 will apply;
- DTA will prepare a maximum of three (3) boundary maps;
- DTA will prepare a maximum of three (3) assessment diagrams;
- DTA will prepare a maximum of five (5) assessment lien and financing analyses;
- DTA will prepare a maximum of two (2) Preliminary Engineer's Reports;
- DTA will prepare a maximum of two (2) Final Engineer's Reports;
- DTA will prepare a maximum of three (3) sets of official statement tables;
- DTA will not prepare direct and overlapping general fund debt analysis; and
- DTA will attend a maximum of six (6) meetings.

Any additional tasks assigned by City, other than those specified in the Scope of Work or outside of the limitations listed above, shall be charged at the hourly rates listed above.



MEETING AGENDA WWTF

**Wednesday, July 17, 2013, 9:00 AM
City Hall – Westward Conference Room
23825 Stuart Ranch Road**

1. Status of the Injection Program - Leslie
2. Status of the City's Regulatory Obligations – CDP, CEQA, EIR – Craig/Steve
3. WDR – Permit reporting – Leslie/Steve
4. WDR – Project Permit – Leslie/Steve
5. Recycled Water Use - Barbara
6. August 6 TAC meeting – Craig/Barbara
7. Questions and Answers
8. Next Meeting Date and Time

Meeting Minutes

City of Malibu Civic Center Wastewater Treatment Facility

Subject: Project Status

Prepared For: Craig George/City of Malibu

Prepared By: Leslie Dumas/RMC

Date/Time: July 17, 2013 at 9:00 AM

Attendees: Craig George, Andrew Sheldon, Barbara Cameron, Bob Brager/City of Malibu; Leslie Dumas, Steve Clary/RMC Water and Environment; Eric Wu, Don Tsai/LA RWQCB

Project Number: 0127-006

1. Purpose of Meeting

The purpose of this meeting was to provide a project status update for the City of Malibu's Civic Center Wastewater Treatment Facility.

2. Discussion Summary

2.1 Status of Injection Program

- Parts 1 and 2 of the field program (monitoring well construction and geophysical survey) have been completed. All wells are in and have been developed; the coordinates of the well heads have been surveyed.
- Currently working on the injection testing portion of the program (Part 3). Have completed capacity testing and redevelopment at all three wells, and the step injection testing and 24-hour injection testing have been completed at MW03. The 7-day injection test began at MW03 on Monday (July 15th). They have been injecting at around 100 gpm with ~1 foot of drawup in the deep aquifer.
- The results that we are seeing at MW03 jives well with the geophysical survey which indicates an ancient buried stream channel on the west side of the basin. The geophysical survey shows less fresh water emerging offshore on the east side of the basin, which also jives with the results from the new monitoring well at Malibu Lagoon State Park (which didn't show any civic center gravels or deep aquifer).
- The old modeling results are no longer applicable given the new information from the recent borings and testing.
- RMC will send the RWQCB copies of the final boring logs/well construction diagrams.

2.2 Status of the City's Regulatory Obligations

- The EIR is underway. By early August we should have:
 - The cultural survey completed
 - The biological survey completed (including wetlands delineation and ESHA definition)
 - Draft project description
- The city is working on the rezoning. This will have to be presented at a city council meeting to change the designation for the plant site. This rezoning should take ~1 year to complete.

- The Administrative Draft EIR (ADEIR) will be completed at the end of December, but this will be missing some of the Phase 2 work. The Phase 2 work will be included as an addendum to the ADEIR. The first public raft (PDEIR) will be released early next year (2014).
- Jim Thorsen is meeting regularly with Bay Keeper and Heal the Bay.
- There are several documents that will require a certified EIR; these include the WDR, the LCP Amendment, the coastal development permit and the zone text amendments.
- The WDR permit will depend on the treatment process and disposal options.
- In records it shows that the project is '~9 months delayed' is that still true.
- RMC will create a calendar update to show projected completion of the project and projected MOU dates.
- MOU has 6/20/2013 for completion of the design. If you add 9 months to that, you get March 2014, and we're on track to meet this.
- The MOU has the go-to-bid date of 10/30/2013. If you add 9 months to that, you get July 30, 2014.
- We can declare the design done without a certified EIR, but the city cannot go to bid without the certified EIR.
- The next RWQCB board meeting will be on 9/12/2013

2.3 WDR – Permit Reporting

- The City received a Notice of Violation (NOV) from Paula regarding missing quarterly reports. Eric had not seen the NOV.
- Everything has been submitted to date (reconciliation reports have been sent to the RWQCB).
- Eric will check his records to see if he has any record of the original submittals.

2.4 WDR – Project Permit and Final TMDL

- Regarding the California Department of Public Health (CDPH), they are going to want to see the injectate treated via reverse osmosis (RO) and advanced oxidation processing (AOP).
- Injectate will also have a chlorine residual in it that could result in the formation of trihalomethanes (THMs).
- The groundwater basin is designated Municipal in the Basin Plan.
- In reality, the groundwater basin is defined and the downstream users will be one row of houses and then the Pacific Ocean.
- Data has shown that the groundwater basin has been intruded in the past from overdrafting.
- Cannot outright ban the use of groundwater as it could be considered a 'take' under water rights law. Water District 29's 2010 Urban Water Management Plan shown that they have sufficient supply to meet the potable water needs for the City into the future, and the project will create a recycled water distribution system that will provide recycled water for non-potable water uses.
- Another level of protection is a proposed city ordinance that will require any groundwater user to demonstrate that they won't affect the injection system or create saltwater intrusion.
- The RWQCB has a meeting with CDPH next Tuesday; Eric will talk with management about how they want to approach CDPH.

City of Malibu Civic Center Wastewater Treatment Facility
Project Status Meeting Minutes

- Mr. Kurt Karzoza/CDPH will be at the meeting with Eric. Eric will provide information to CDPH and talk with him about the proposed ordinance.
- It was recommended that this issue (MF versus RO) not be discussed at the TAC meeting as this is a preliminary meeting with CDPH.
- CDPH will ask if Malibu knows of the number of wells within the prohibition zone and if anyone is currently using the aquifer.
- Craig has talked with the Los Angeles County Public Health Department about the number of permitted wells; he's still waiting to hear back.
- At present, there are no known municipal wells in the basin. Probably a few agricultural/irrigation wells, but we don't know if they are in use.
- Barbara is only aware of one ag well that is in the Civic Center area.
- In the 1950s, the County told people living in Malibu that they can only use the wells for irrigation of salt tolerant plants due to the saltwater intrusion.
- The City will confirm with Water District 29 that all residences and commercial properties are looked up to the public water system.
- The USEPA has just released its final TMDL and the state is working on the implementation plan.
- There's still a stringent permit level for phosphorus
- One key question is where the point of compliance will be for the new TMDL. To establish this, the earliest the RWQCB can get the field work and modeling results the better.
- The TMDL standard will have to be incorporated into the permit.
- The RWQCB is presently working on a proper compliance point.
- Another question to address is how to capture legacy concentrations of N and P in groundwater with respect to meeting the treatment standards.
- Based on RWQCB reviews the water quality data to date, the nutrient levels appear to be low.
- Injection cannot inject above existing groundwater quality per the anti-degradation policy.
- An analysis of RO versus MF would be useful, looking at benefits achieved, impacts and economics. Need to demonstrate that RO won't resolve the anti-degradation issues and will be extremely costly and that brine discharge will be problematic. Discuss that, given what we know now, why we think the proposed project won't impact Malibu Lagoon and legacy N and P in groundwater.
- Don and Eric will prepare a summary table documenting the approach to meeting the TMDL and treatment criteria for comment prior to the August TAC meeting.
- Regarding constituents of emerging concern (CECs), based on the CDPH draft regulation for groundwater recharge with recycled water, treatment recommendations include peroxide for oxidizing the remaining organic compounds and UV disinfection along with RO treatment.
- The current draft policy requires CEC monitoring per the amendment to the current recycled water policy. The WDR will have some CEC monitoring requirements in the permit.
- Per Jennie/RWQCB noted that they (the RWQCB) will begin drafting the TMDL implementation plan and schedule. Not sure when it will be done.

2.5 Recycled Water Use

- The City has tried to meet with Pepperdine to confirm the recycled water use, but they haven't been able to set up a meeting yet. They will try to do it before the TAC meeting.
- Barbara is still trying to look at the large water users to the west for possible recycled water expansion.
- The Bluffs Park has been formally added into Phase 1 for supply.

2.6 August TAC meeting

- The next TAC meeting will be on August 6th
- Eric will not be able to attend.
- Kristen James will represent Heal the Bay on the TAC.
- Steve Clary and Bob Brager will be putting together the agenda for the meeting. The purpose of the meeting is to bring everyone up to date on the project progress.
- There will be another TAC meeting on December 12th to cover the last part of the field program and the modeling results.

2.7 Closure

- Eric will be out of town for the next two weeks starting next Friday (July 26th).
- The next meeting will be on August 28th at 9 am.

3. Action Items

Action Item Summary Table

Meeting Date	Responsible Party		Task/Action Item
	Organization	Name	
June 19, 2013	City of Malibu	Andrew Sheldon	Prepare schedule showing City tasks – zoning change, LCP amendment, CDP application preparation and CDP approval
June 19, 2013	City of Malibu	Jim Thorsen	Update LA RWQCB on project at July 11, 2013 meeting
June 19, 2013	City of Malibu	Craig George/Barbara Cameron	Meet with Pepperdine to reaffirm recycled water use
June 19, 2013	LA RWQCB	Eric Wu	Talk with TMDL staff re: method to demonstrate TMDL compliance
June 19, 2013	LA RWQCB	Eric Wu	Confirm TMDL limits for Malibu Creek and if there is a load allocation
June 19, 2013	RMC	Leslie Dumas/Steve Clary	Perform necessary analyses for to demonstrate TMDL compliance
June 19, 2013	RMC	Leslie Dumas/Steve Clary	Talk with John Izbicki/USGS re: denitrification occurring in Malibu Lagoon
June 19, 2013	RMC/City of Malibu	All	Develop strategy for TMDL compliance and document on paper
June 19, 2013	RMC	Leslie Dumas	Coordinate collection of groundwater samples for CEC analyses
June 19, 2013	RMC	Leslie Dumas	Obtain copy of USBR seawater barrier permit to identify treatment requirements
June 19, 2013	LA RWQCB	Eric Wu	Discuss recycled water reuse hierarchy with management team to obtain feedback on permit strategy and groundwater use ordinance requirements
June 19, 2013	City of Malibu	Barbara Cameron	Schedule next meeting on July 17, 2013
July 17, 2013	RMC	Leslie Dumas	Send final borings to RWQCB
July 17, 2013	LA RWQCB	Eric Wu	Check records for original WDR submittals
July 17, 2013	City of Malibu	Craig George	Confirm residential and commercial hookups to WD29 system
July 17, 2013	RMC/City of Malibu	Leslie Dumas/Steve Clary/Bob Brager	Create updated milestones calendar
July 17, 2013	RMC	Leslie Dumas/Steve Clary	Analysis of RO vs MF
July 17, 2013	LA RWQCB	Don Tsai/Eric Wu	Summary table documenting approach and treatment criteria
July 17, 2013	RMC/City of Malibu	Steve Clary/Bob Brager	Prepare draft agenda for August 6 th TAC meeting



MEETING AGENDA WWTF

**Wednesday, August 28, 2013, 9:00 AM
City Hall – Westward Conference Room
23825 Stuart Ranch Road**

1. Status of the Injection Program - Leslie
2. Status of the City's Regulatory Obligations – CDP, CEQA, EIR – Craig/Steve
3. WDR – Permit reporting – Leslie/Steve
4. WDR – Project Permit – Leslie/Steve
5. Recycled Water Use – Barbara/Steve
6. Questions and Answers
7. Next Meeting Date and Time

Meeting Minutes



City of Malibu Civic Center Wastewater Treatment Facility

Subject: Project Status
Prepared For: Craig George/City of Malibu
Prepared By: Leslie Dumas/RMC
Date/Time: August 28, 2013 at 9:00 AM

Attendees: Craig George, Andrew Sheldon, Barbara Cameron, Bob Brager/City of Malibu; Leslie Dumas, Steve Clary/RMC Water and Environment; Eric Wu, Don Tsai/LA RWQCB

Project Number: 0127-006

1. Purpose of Meeting

The purpose of this meeting was to provide a project status update for the City of Malibu's Civic Center Wastewater Treatment Facility.

2. Discussion Summary

- The California Department of Public Health (CDPH) representative was invited to the meeting but did not attend. The RWQCB would like to schedule a meeting with CDPH in their offices in downtown LA next week.
- Eric will contact Kurt at CPH to see about his availability.
- Barbara has been talking the conservation regarding add-ons that was conducted at the TAC meeting. Specifically, items discussed were a certified laboratory and educational opportunities.
- There is broad support for the certified laboratory. They are working out figuring out the square footage requirement for the laboratory. Jennifer is talking to a lab in Simi Valley.
- As for education opportunities, they are working on those.
- The City Council wants to be assured that the site can be adapted to waste-to-energy when it's the right time; that the site can be retrofitted easily down the line.

2.1 Status of Injection Program

- The injection program has been completed at MW03, and we have just finished the same program at MW01.
- The field equipment will be moving to MW02 now. The program will begin with a step-injection test at MW02 on Friday and the rest will be done after Labor Day.
- The City, RMC and the RWQCB had several conference calls last week with regards to the water costs and the analytical fees required by the injection permit. A request was made for respite from the sampling program to save.
- During the same conference calls, there was discussion about concentrations of copper, chromium and zinc in the shallow groundwater.
- Leslie will be compiling all available water quality data for these three metals in the shallow aquifer.
- RWQCB was wondering if the metals are the result of industrial activities in the Civic Center area. A discussion ensued. Past and current industries in the Malibu area are dry cleaners, gas stations and former agricultural area.

- It was also noted that there is a bunch of imported landfill from the construction of highway 105 that was deposited in the Civic Center area to bring up the land surface elevation. The chili cook-off site was filled with imported fill to raise the elevation. This fill may be the source of the metals.
- Steve noted that a soil sample from a boring conducted in the Pump Station location (Legacy Park) had a hit of chromium. This boring was located relatively close to well CCW4.
- Eric and Don agreed to reduce the sampling requirements for the injection program and to remove the constituents from the sampling and analysis plan. Analyses to be conducted in monitoring wells at MW02 include nitrates in both wells, both before and after injection, and sampling for copper, chromium and zinc from the shallow well only, both before and after injection.
- Don and Eric also requested that RMC provide the data files from the injection at MW03 to show that there are any major problems with the water quality. They would like the laboratory reports, compiled data and a narrative to go with it.

2.2 Status of City's Regulatory Obligations

- The draft tree survey and habitat surveys have been completed and are being reviewed.
- The rest of the surveys (cultural and wetlands jurisdiction) will follow.
- The geotechnical report should be done and ready in September.
- By mid-September, we should have all the documents in to move forward with the NOP.
- The tree survey identified 31 walnut trees in the survey area. Two of those trees have the potential to be impacted by construction; the rest will have to be protected during construction. No other protected tree species were identified on the site.
- The habitat survey identified several potential habitats defined as having either moderate potential to support species or less than reasonable potential for species to occur. Everything appears to be protected by pre-construction surveys.

2.3 WDR Permitting

- Eric noted that there are several possible limits that could be applied in the project WDR, including Basin and Ocean Plan water quality objectives, TMDL limits, and CDPH requirements.
- Eric and Don had brief discussions internally regarding the WDR permit. They were directed to talk with Rene Purdy of the TMDL branch about TMDL limits and points of compliance (i.e., groundwater versus Malibu Creek).
- At the same time, they had a meeting with CDPH Section Chief Kurt Souza. They will be scheduling a follow-on meeting.
- Barbara noted that we're still working off the old modeling results and that we need to update the modeling before we can really talk about compliance points and limits.
- There's a story in WET magazine about a USGS study regarding the migration of nutrients in groundwater to surface water. It noted that these legacy nutrient flows can go on for years, impacting surface water.
- Don noted that they have three injection permits they are working on: Alamitos, West Basin, and Dominguez Gap. All will be injection MF/RO treated water into the aquifer.
- The current practice is towards compliance at the end of the point.

- Another issue to deal with besides protecting the Lagoon, is addressing the anti-degradation policy.
- Steve asked, with respect to groundwater, we will be able to use the assimilative capacity of the groundwater basin.
- Barbara noted that we need written arguments for use by the City and the RWQCB regarding why the anti-degradation policy (and other policies) will be met by the project. Items to be addressed in a TM (or series of TM) include: TMDL, Ocean Plan, Basin Plan, CDPH concerns, anti-degradation policy and assimilative capacity. It was agreed that there will be three TMs addressing the issues as follows:
 - TM1 – reverse osmosis/CDPH concerns
 - Assimilative capacity and the anti-degradation policy
 - TMDLs relative to the lagoon and creek
- RMC will have TM1 and TM2 done by the end of September. In the interim, RMC will prepare annotated outlines for all three TMs.
- Eric will talk with Rene about the notice of violation that the City received and the status of processing the reconciliation reports.

2.4 Recycled Water Use

- The City had a meeting with Pepperdine University regarding recycled water use. Pepperdine has an agreement with Las Virgenes. When their (Pepperdine's) treated effluent is off-spec (does meet treatment requirements), they send the water to Las Virgenes' Tapia treatment plant.
- Pepperdine sends water to Tapia for treatment. For every gallon of effluent sent to Tapia, they have to take a gallon of recycled water back.
- Based on their 2008-2009 numbers, Pepperdine had to buy an additional 100 AFY of recycled water from Tapia to meet summertime irrigation demands. This was done under a gentleman's agreement (there's not contractual commitment to take the water).
- Pepperdine is checking with Tapia to see if the water Pepperdine buys from them can be sold/used elsewhere.
- Pepperdine wants to grow, which will increase their effluent flows. Given this, they could potentially supply all their recycled water demands in the future.
- Barbara noted that Pepperdine as a coastal development permit from the California Coastal Commission that will allow them to grow.
- There is a joint meeting in 20 days with Pepperdine and Las Virgenes and the City about the future. Pepperdine will lay out their future plans and Las Virgenes will lay out their treatment constraints at Tapia.
- Pepperdine believes that current water purchases from Tapia are less than 100 AFY.
- Under a future growth scenario (per Pepperdine), they believe that they will 'take back' from Tapia all the recycled water they may need in the future (given their own 'give-one, take-one back' contract agreement).
- The wastewater treatment facility at Pepperdine should be meeting Title 22 requirements.
- The City requested that Pepperdine write a response to Malibu's inquiries regarding potential future recycled water use at the college. The hope to have this in hand for the December TAC meeting.

- Eric will look into what we need to do in terms of applications for the plant's WDR. Form 200 plus what else?
- Once the application goes in, the RWQCB opens a 'project' and a file in their office. It gives them a home for all the documents that the City will be submitting.

2.5 Other

- Eric will be out of the office for the next two weeks.
- Regarding the Notice of Violation (NOV), Eric will check with Kristie about the status of the NOV and its response.
- On September 12th, Jim will be presenting an update to the RWQCB. Jim and Sam Unger have met to discuss topics to be covered.
- Stakeholders meetings have been held in Malibu each month; the next one is tomorrow. The non-governmental organizations are at this meeting regularly, so they know exactly what the project is about.
- The MOU is an agreement and is not contractually enforceable.
- Dr. Mike Stenstrom from UCLA noted at the TAC meeting that everything looks good.
- Don asked if the City can plant more trees, both to use the recycled water and to offset greenhouse gas emissions.
- Next meeting: Tuesday, September 24h.

3. Action Items

Action Item Summary Table

Responsible Party		Task/Action Item
Organization	Name	
LA RWQCB	Eric Wu	Eric will contact Kurt Souza at CDPH to find out his availability for a meeting in the next week or two.
RMC	Leslie Dumas	Leslie will prepare submittal for the RWQCB that includes the laboratory reports from sampling done at MW03, compiled data and a narrative to go with it.
RMC	Leslie Dumas	Leslie will tabulate all available copper, chromium and zinc data for water samples from the shallow alluvial aquifer.
RMC	Leslie Dumas/Steve Clary	Prepare annotated outlines for TMs 1 through 3 (see below)
RMC	Leslie Dumas/Steve Clary	RMC will prepare three TMs addressing (1) CDPH's concerns (including reverse osmosis analysis); (2) basin assimilative capacity and an anti-degradation analysis; and (3) TMDLs relative to the lagoon and creek.
LA RWQCB	Eric Wu	Eric will look into what will need to be done to prepare the application for the plant's WDR
LA RWQCB	Eric Wu	Eric will check into the Notice of Violation that the City received, and the status of the reconciliation reports that were submitted.



MEETING AGENDA WWTF

**Tuesday, September 24, 2013, 9:00 AM
City Hall – Westward Conference Room
23825 Stuart Ranch Road**

1. Status of the Injection Program – Leslie
2. Status of the City's Regulatory Obligations – CDP, CEQA, EIR – Craig/Leslie
3. Design Update – Steve
4. Recycled Water Use – Barbara/Steve
5. WDR – Project Permit– Eric/Leslie
6. WDR – Permit Project Permit – Craig/Leslie
7. Workshop meetings with Prohibition residents – Craig/Barbara
8. Form 200 Status - Craig
9. Questions and Answers
10. Next Meeting Date and Time

Meeting Minutes



City of Malibu Civic Center Wastewater Treatment Facility

Subject: Project Status

Prepared For: Craig George/City of Malibu

Prepared By: Leslie Dumas/RMC

Date/Time: September 24, 2013 at 9:00 AM

Project Number: 0127-006

Attendees: Andrew Sheldon, Barbara Cameron, Bob Brager/City of Malibu; Leslie Dumas, Steve Clary/RMC Water and Environment; Eric Wu, Don Tsai/LA RWQCB

1. Purpose of Meeting

The purpose of this meeting was to provide a project status update for the City of Malibu's Civic Center Wastewater Treatment Facility.

2. Discussion Summary

2.1 Status of Injection Program

- The field program has been completed; all equipment will be removed from the field by close of business today.
- The next step is data management, primarily removing the tidal effects and lagoon stage effects from the data set so we can analyze the data.
- The data will be used to update the numerical model. The consultant is presently updating the hydrogeology, and once that's done, the model will need to be recalibrated before we can run the various scenarios and sensitivity analyses.
- The model results should be done by mid-November.
- The Malibu staff had a meeting with CDPH and the LA RWQCB to talk about programs. They are interested in the percentage of recycled water migrating to Malibu Lagoon/Creek as this will be key in determining if and how the TMDLs will be applied.
- We should plan to meet in early December to discuss the preliminary results; RMC will provide an update as to the status of the modeling during our October meeting.

2.2 Status of City's Regulatory Obligations

- Regarding the EIR, the survey reports (tree, biology, wetlands) are currently being word-smithed and the City just got the project description for their review.
- The geotechnical report should be done by the end of September.
- The biology/wetlands report is being revised to include the pipeline alignments and to confirm the ESHA definition.
- The cultural report is still pending.
- The first cut of the tree survey report was completed and has gone back to ICF-Jones & Stokes for revision.

2.3 Design Update

- The design is moving along well; the mechanical design is nearly complete.
- The civil and structural designs are still to come along with the architectural and other details (like odor control).
- Overall, the design is still on schedule.
- Regarding the pipelines, the plan and profiles are almost done, except in areas where we may extend the system out.
- The design is approximately 45% completed.
- We need to get the architectural theming.

2.4 Recycled Water Use

- The City has met again with Pepperdine. They will be drafting a letter describing their ability to take recycled water. The letter should be done in about one week.
- The City will meet with Las Virgenes tomorrow to discuss possible recycled water use. They (the City) will be requesting a letter from them too.
- Barbara has been working with Water District 29 to get demand numbers from them to look at other possible recycled water opportunities further west.
- There's one more zone to the west that the City wants to look at.
- The City is also looking at Legacy park to see what could be used there and to see if they can plant more trees around the City. However, tree planting is subject to setback requirements from buildings due to fire code.
- Once we get the letters from Pepperdine and Las Virgenes, we can present the anticipated recycled water use by them to the TAC as an update to the recycled water opportunities presentation.

2.5 WDR Project Permit

- The next self-monitoring reports are due October 15th (for the injection permit) and November 15th (for the discharge permits).
- Regarding the Notice of Violation, Don will follow up on the status of that and will get back to us next Friday.

2.6 WDR/Form 200 Status

- Per the last meeting, the City should start preparing Form 200 and submit it to the RWQCB. This will allow the RWQCB to open a file for the project.
- Leslie will coordinate with Craig to get the Form 200 completed.
- Per Eric, it's ok to submit a partial Form 200 to the RWQCB; we do not necessarily have to put specific dates in it for deliverables.

2.7 Workshop with Prohibition Residents

- Steve will join the City in a series of 'town hall' meetings with those in the Prohibition Zone about the project.

- Some of the homeowners are going to contact the RWQCB about trying to get removed from the Prohibition Zone.
- Barbara recommended that the RWQCB reinforce/use the same messages that they've been giving the City in order to provide a consistent message.
- There are five groups that will be addressed at the Town Hall meetings: Malibu Knolls, Sara Canyon, Malibu Colony, Malibu Road, and the Condominium Group in the Civic Center.
- Each group is going to vote for their neighborhood zone to determine if they want to tie into the collection system earlier (prior to 2019, after the commercial Phase 1), or as planned in the MOU. The poll is not a legal vote, it's mainly to determine if they should be included in the technical assessment for the Engineer's Report.
- The Town Hall meetings have not yet been scheduled but should happen in the next month.
- The commercial property assessment district formation vote can't happen after the EIR and CDP are completed. And the economic analysis cannot be conducted until after the Engineer's Report is done, and they can't do the vote on the assessment district until after the economic analysis is done.
- The Sarah Canyon community asked the RWQCB for a meeting which is currently scheduled to happen next Monday. There is no agenda set yet.

2.8 Other

- Regarding the shallow water quality (RWQCB concerns about copper, chromium and zinc concentrations), Leslie will send the RWQCB the compiled data and graphs showing the water level changes with the injection at MW03.
- At the October meeting, we will discuss the metals in shallow groundwater around MW03, after the RWQCB has a chance to look at the data.
- Next meeting will be on October 30th at 9 AM

3. Action Items

Action Item Summary Table

Responsible Party		Task/Action Item
Organization	Name	
RMC/City of Malibu	Leslie Dumas/Craig George	Prepare Form 200 for submittal to the LA RWQCB
RMC	Leslie Dumas	Send shallow groundwater quality and MW03 injection test water levels to the LA RWQCB.



Progress Report Civic Center Wastewater Treatment Facility Design

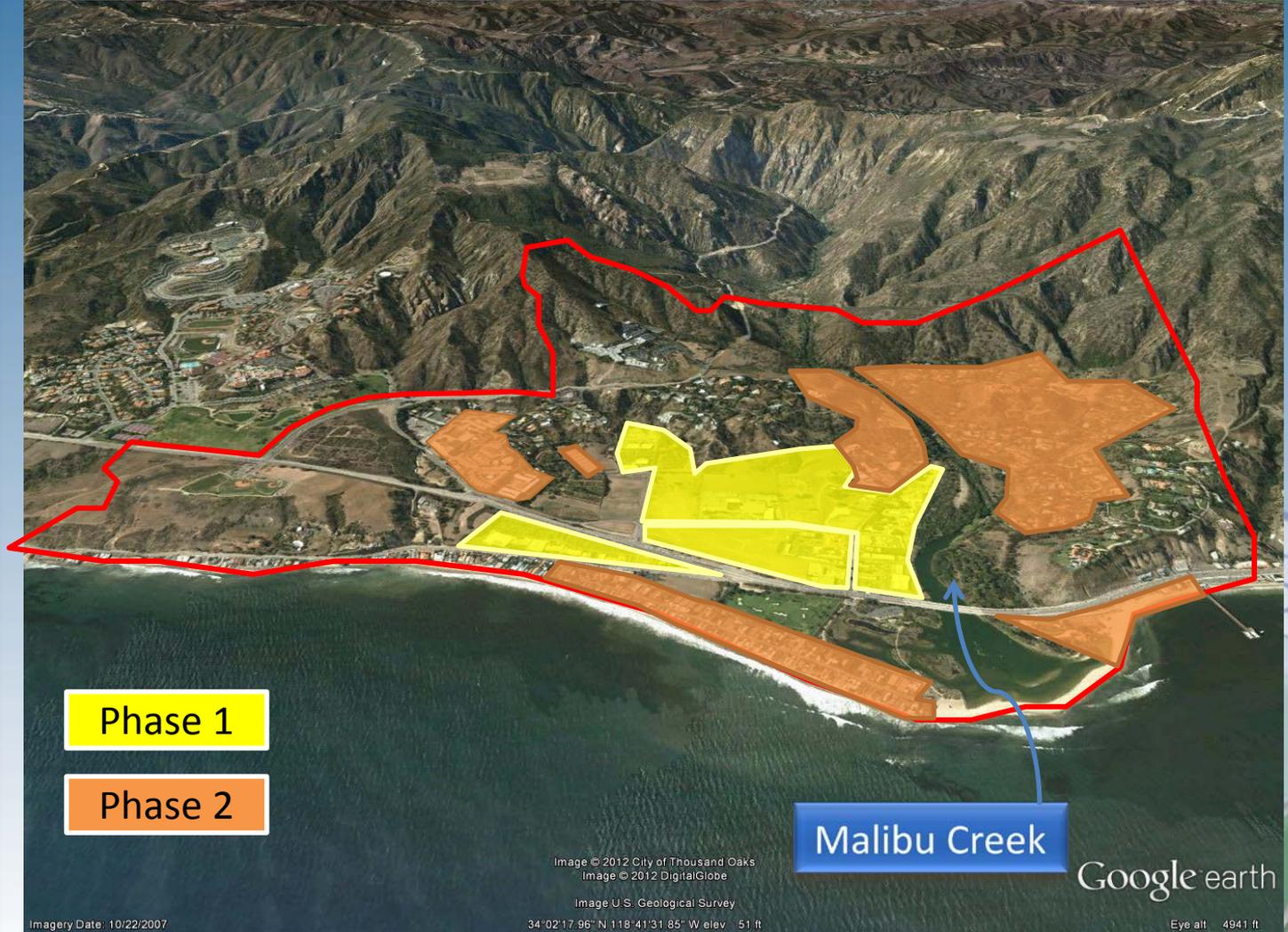
September 12, 2013



Prohibition Area

CHUMASH

Humaliwo, "surf sounds loudly," was a Chumash Indian village on the high ground at the foot of Malibu Canyon where the creek ran into the ocean.



Phase 1

Phase 2

Malibu Creek

Image © 2012, City of Thousand Oaks
Image © 2012 DigitalGlobe

Image U.S. Geological Survey

Imagery Date: 10/22/2007

34°02'17.96" N 118°41'31.85" W elev. 51 ft

Google earth

Eye alt. 4941 ft

MBR Plant Layout

Headworks

Operations Bldg

Recycled Water
Storage

Recycled Water
Pump Station

- Offshore and onshore Geophysical Surveys Completed
- 3 Injection & 9 Monitoring wells installed
- 18 week injection testing program
- Monitoring wells providing favorable data

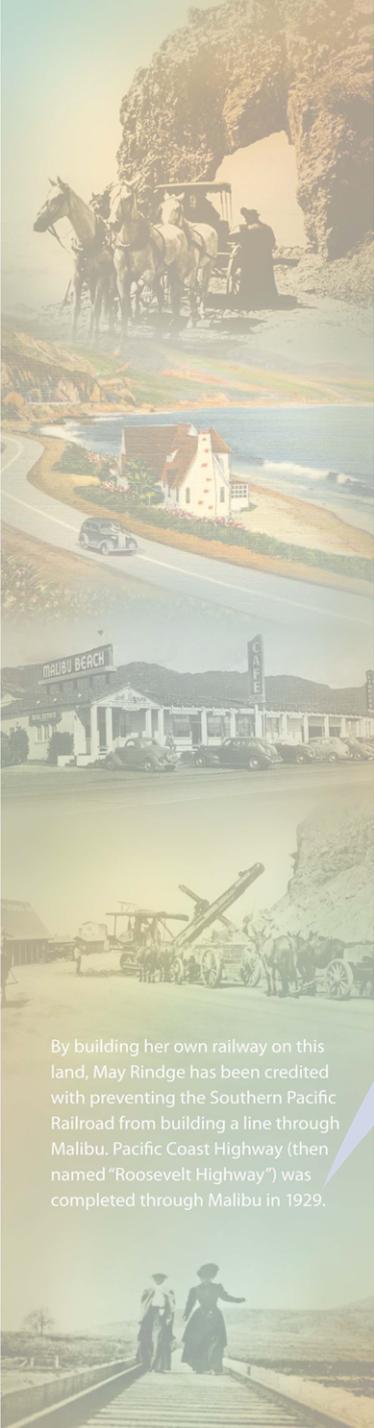
Phase 1: MOU Milestones

● **Sep 2011:**
Public Outreach
**Completed
and ongoing**

● **Dec 2011:**
Recycle water
study
Completed

● **June 2012:**
Groundwater
Injection Study
Completed

● **March 2013:**
EIR
Anticipated 1/14



By building her own railway on this land, May Rindge has been credited with preventing the Southern Pacific Railroad from building a line through Malibu. Pacific Coast Highway (then named "Roosevelt Highway") was completed through Malibu in 1929.



Phase 1: MOU Milestones

9 months behind schedule

June 2013:
Design for
WWTF

Sep 2013:
Assessment
Dist.

Oct 2013:
Bid Package

March 2014:
Begin
Construction

Nov 2015:
Complete
Construction

COASTAL
ROUTE

Frederick Rindge's widow, May, fought against coast roads and railroads crossing Malibu Range. She battled all the way to the State and U.S. Supreme Court.



Why Behind Schedule?

- Funding

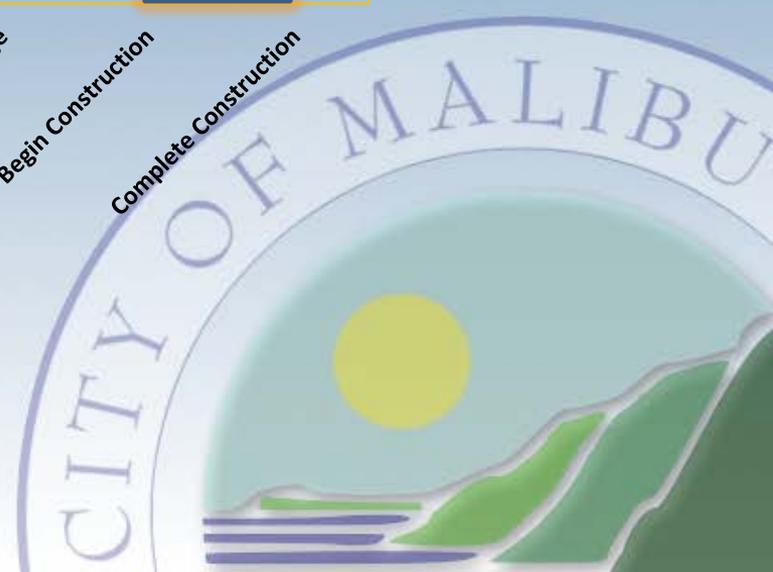
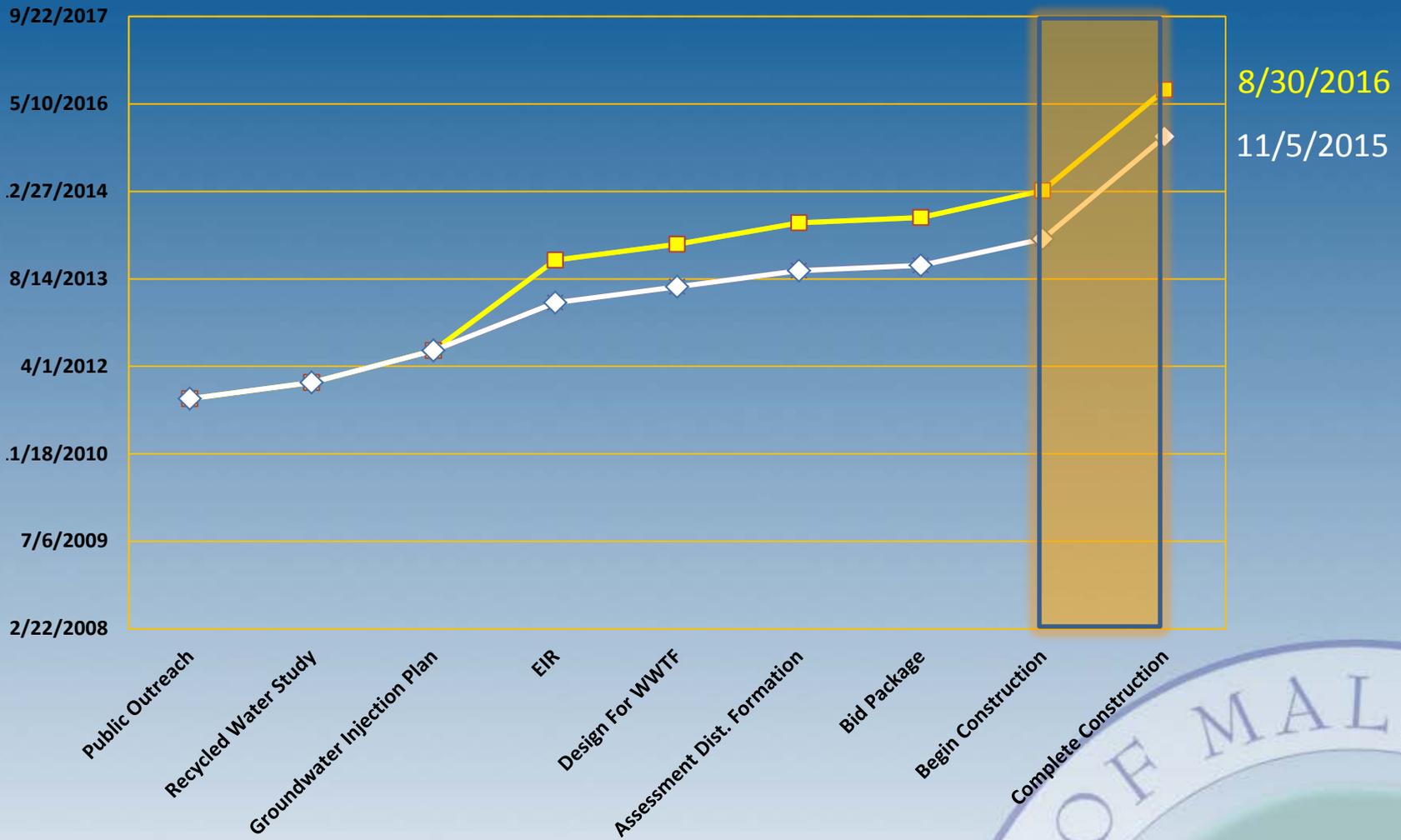
- Design, EIR, Studies, Assessment District Formation, Permitting
 - Over \$5 million

- Community Facilities District (CFD)

- Coordination of 15 properties (8 property owners)
- 2/3 Vote required
- Approved in Jan 2013



Timeline for WWTF



Cooperation

- RWQCB Staff
- Coastal Staff
- Ca Department of Public Health
- NGO's
- Stakeholders (residential and commercial property owners/chamber/realtors/etc)
- Technical Advisory Committee Experts
- Pepperdine and LVMWD
- County Water and WW District

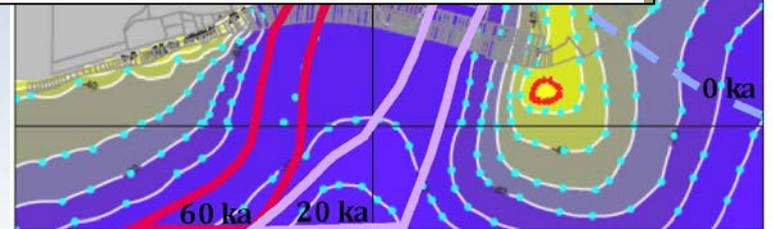


Thank you



Phase I and II Groundwater Injection Studies

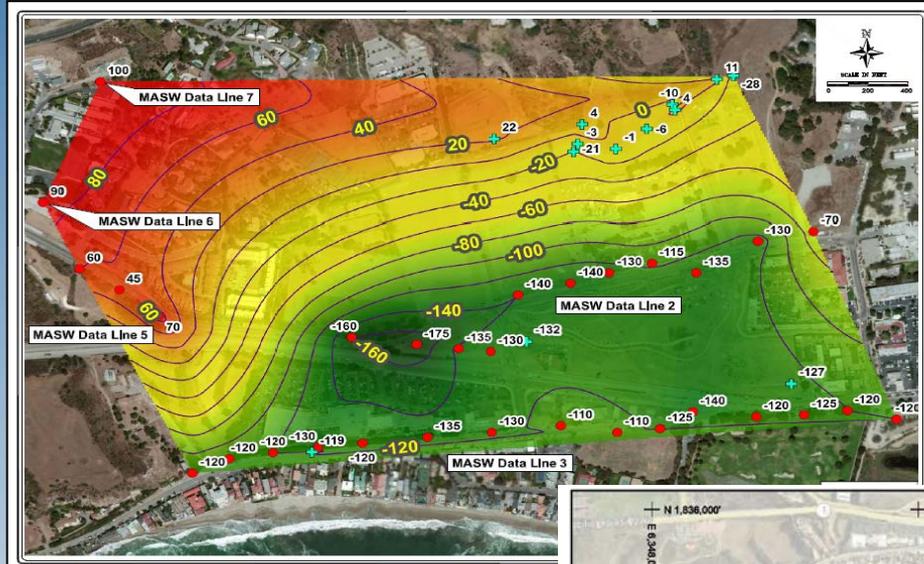
1. Installed three new deep monitoring wells



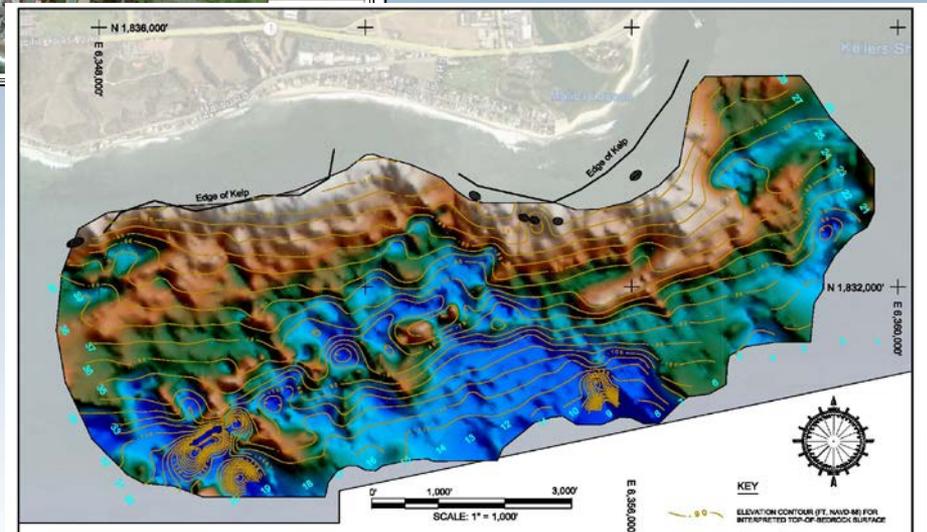
Phase I and II Groundwater Injection Studies

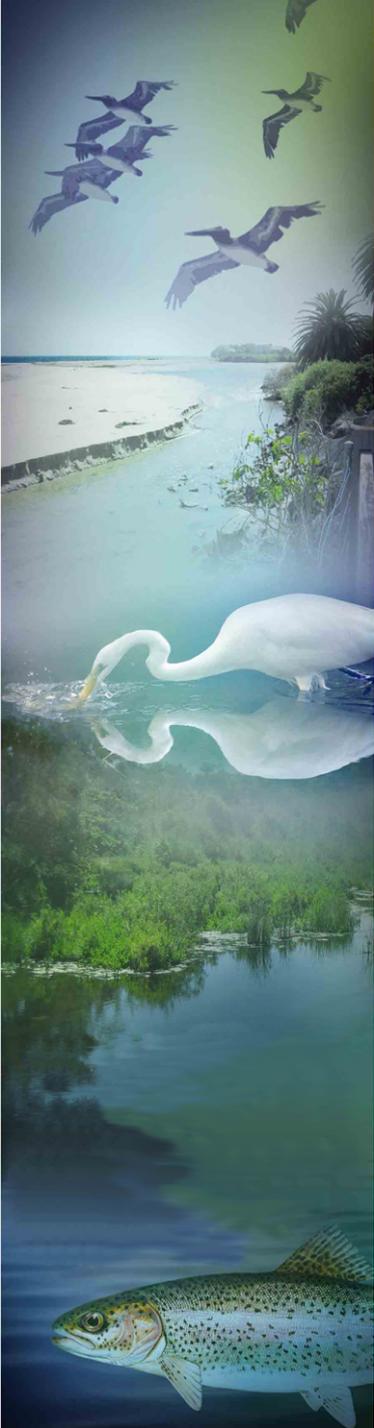
3. Bedrock surveys

On-shore

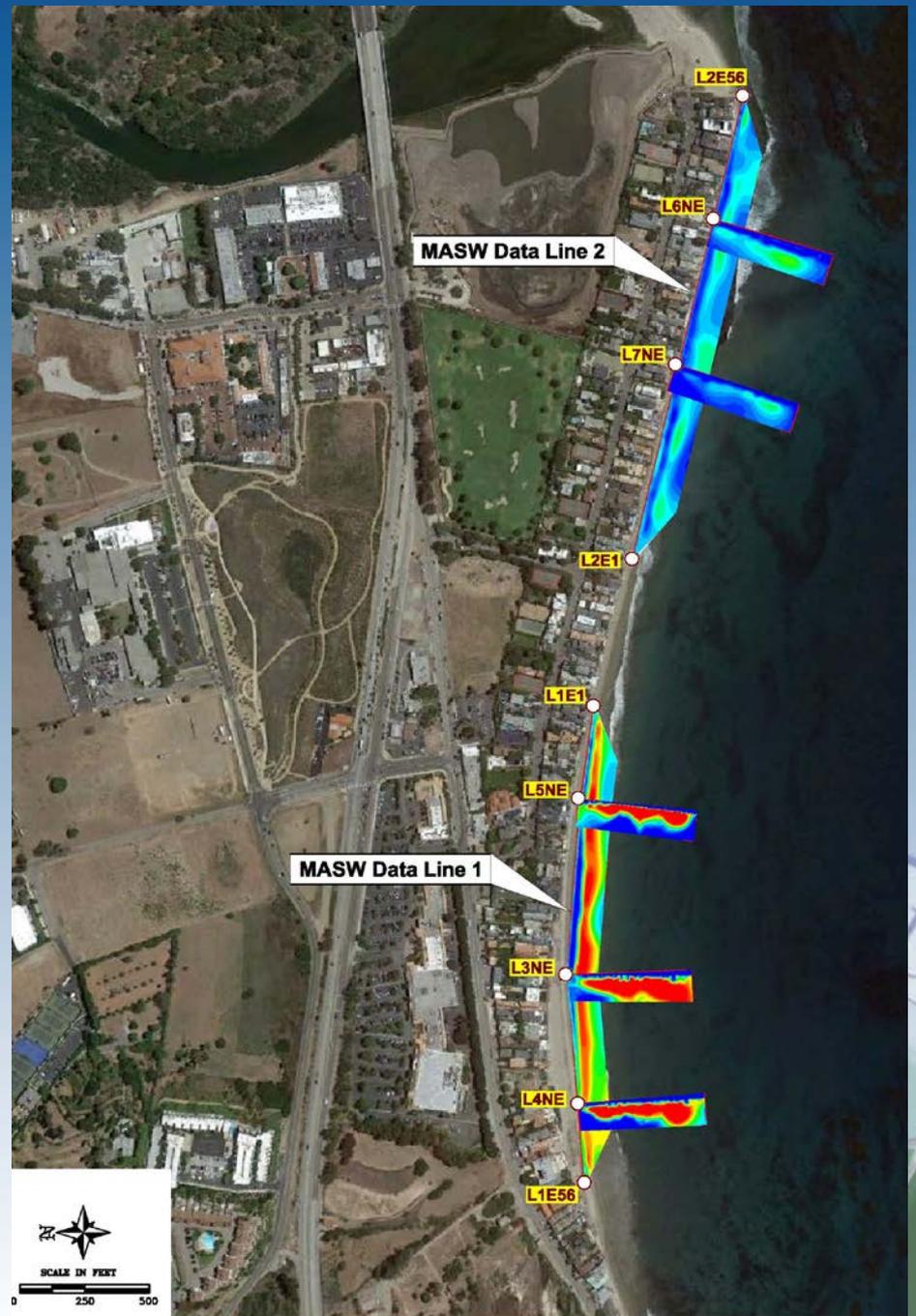


Off-shore



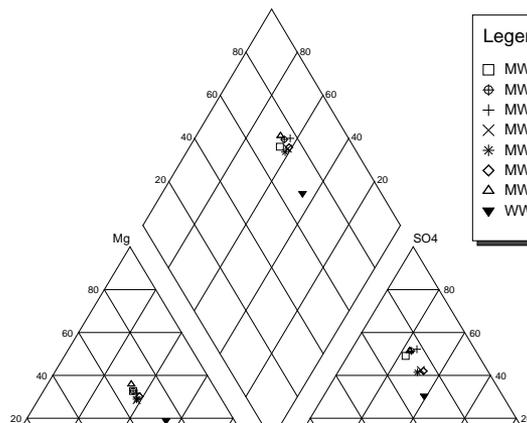
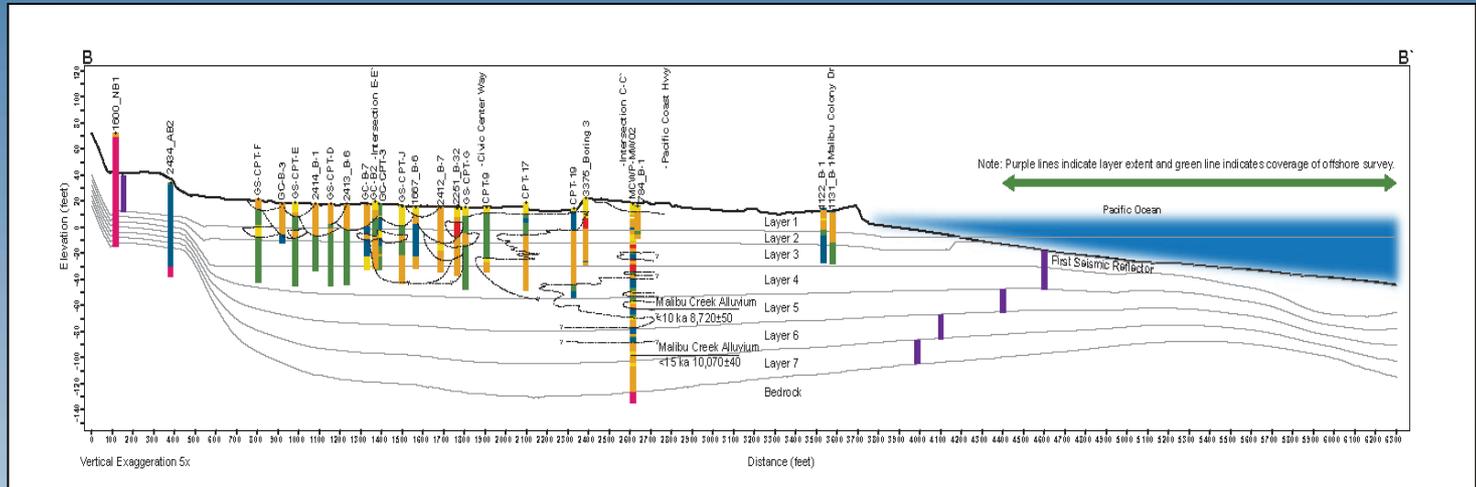


Current Studies – Geophysical Survey (completed)



Phase I and II Groundwater Injection Studies

4. Preliminary groundwater model

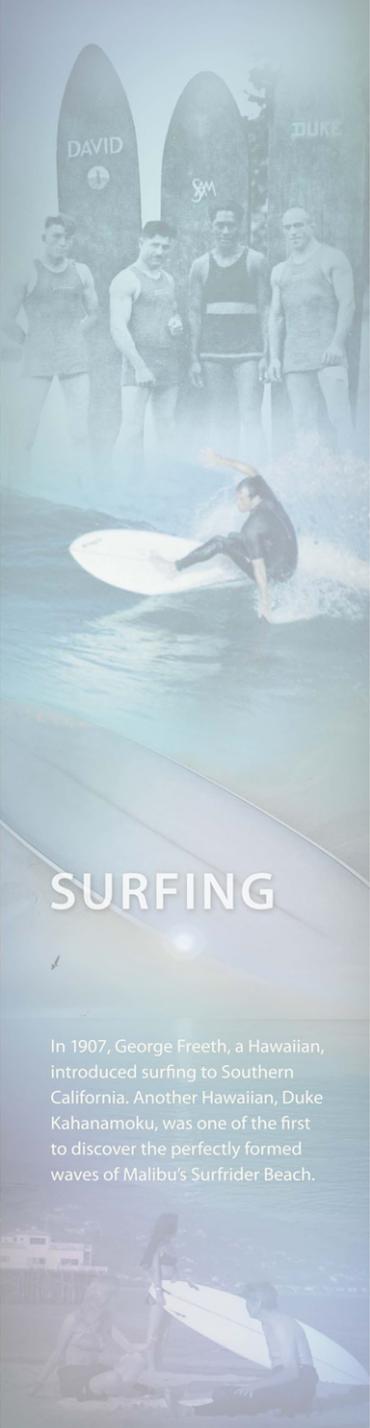


Legend:

- MW-1 12/19/11
- ⊕ MW-1 12/20/11
- + MW-1 12/21/11
- × MW-2 12/15/11
- * MW-2 12/16/11
- ◇ MW-2 12/17/11
- △ MW-3 12/23/11
- ▼ WWTP-1 3/8/12

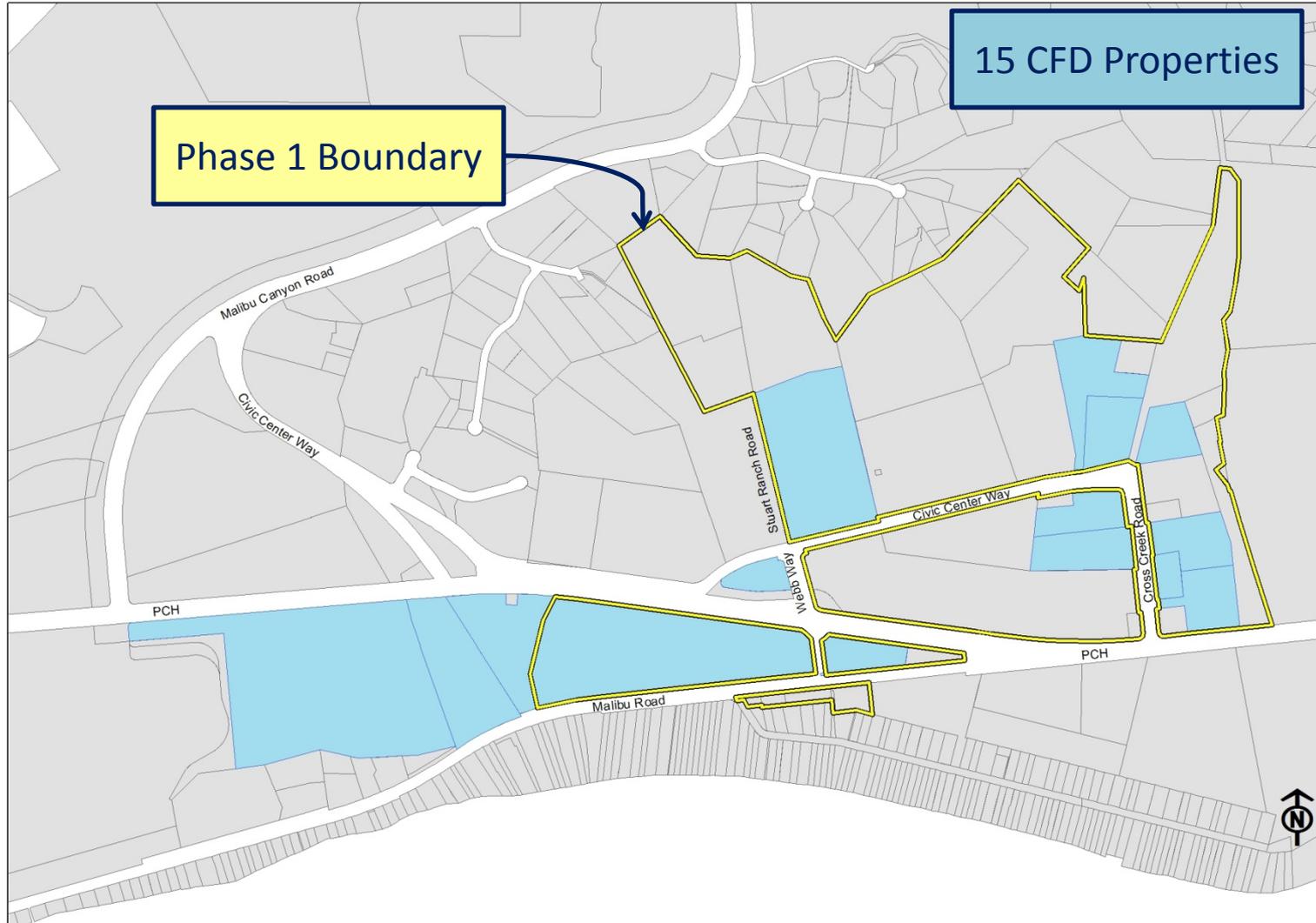
Preliminary
geochemical analysis

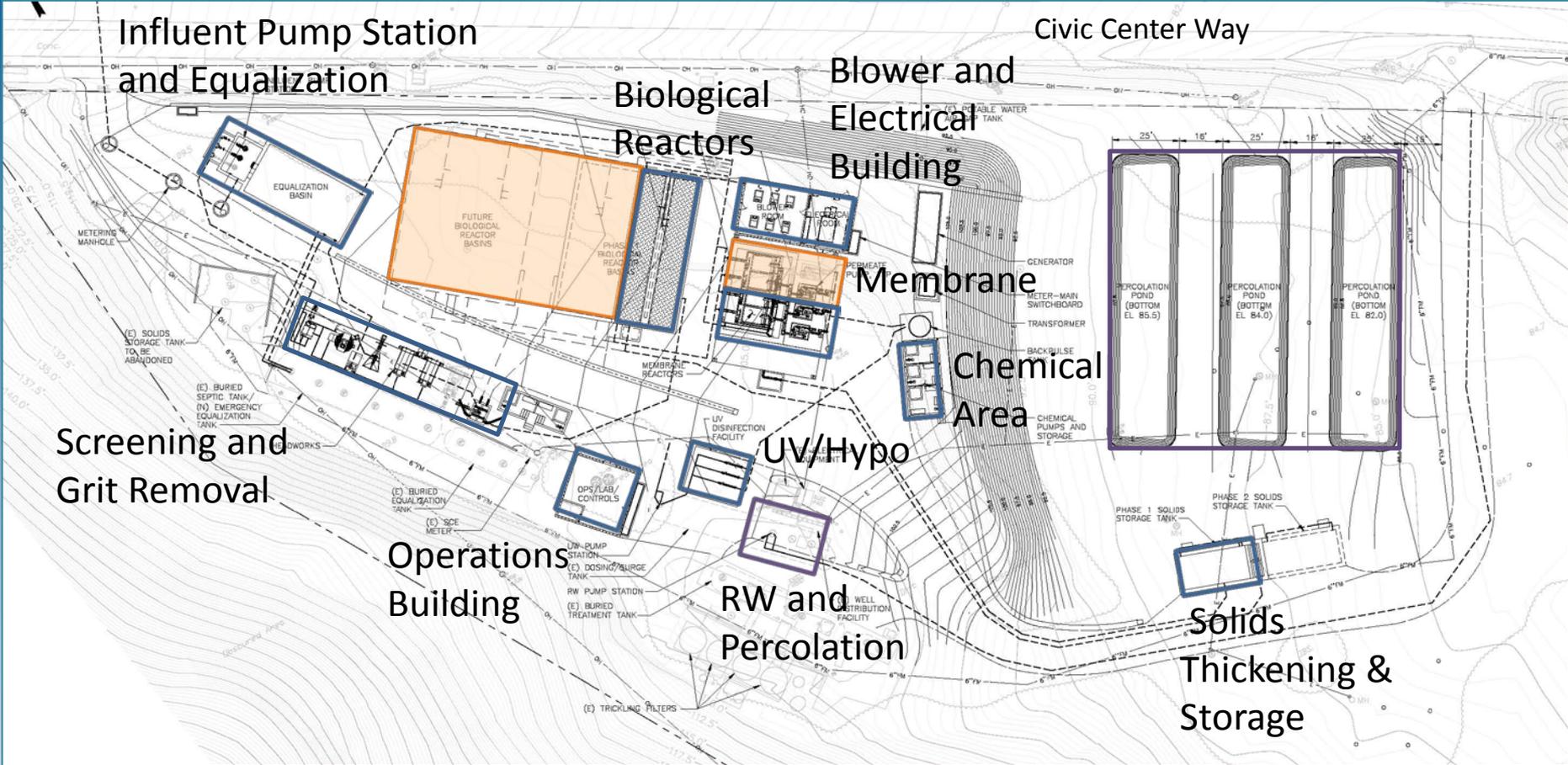
Community Facilities District



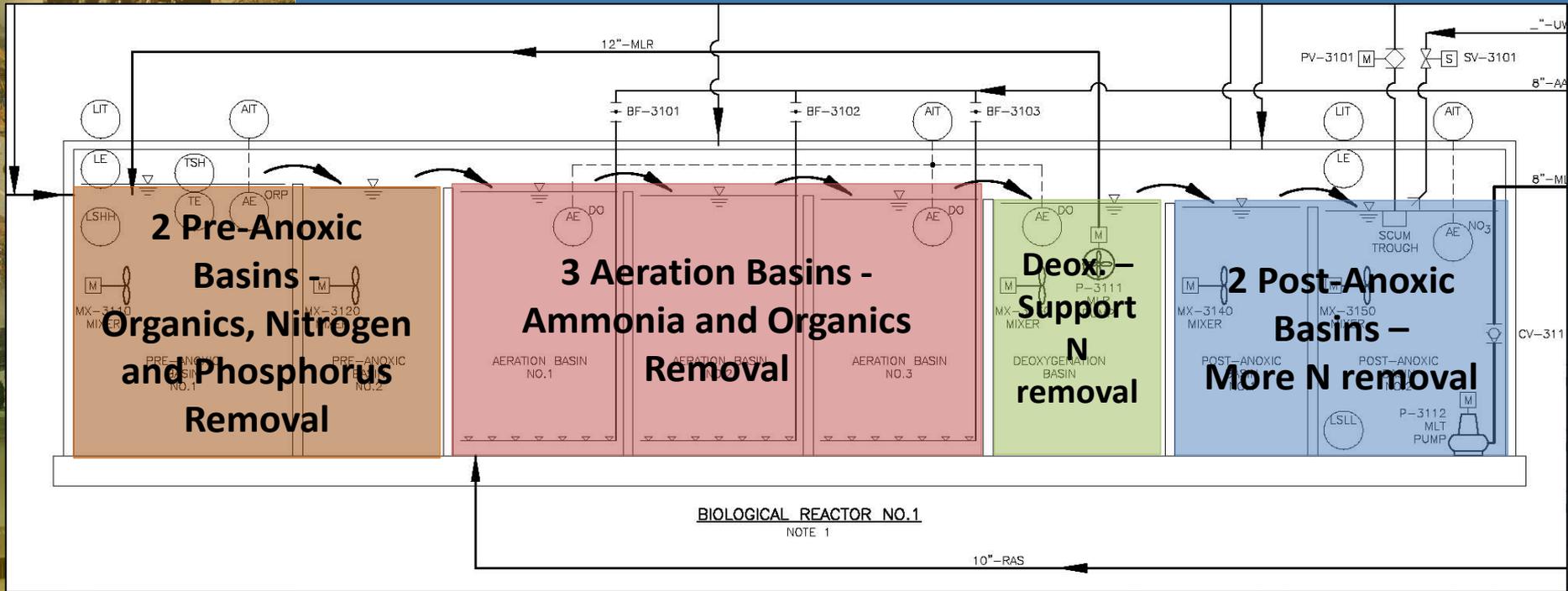
SURFING

In 1907, George Freeth, a Hawaiian, introduced surfing to Southern California. Another Hawaiian, Duke Kahanamoku, was one of the first to discover the perfectly formed waves of Malibu's Surfrider Beach.



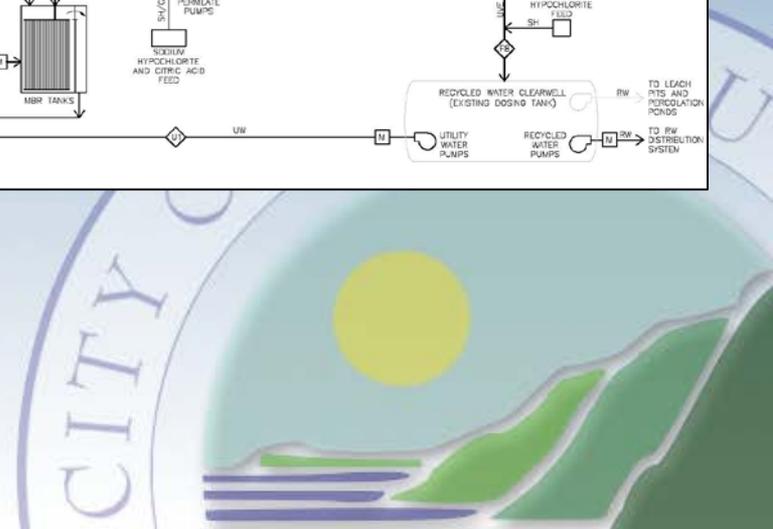
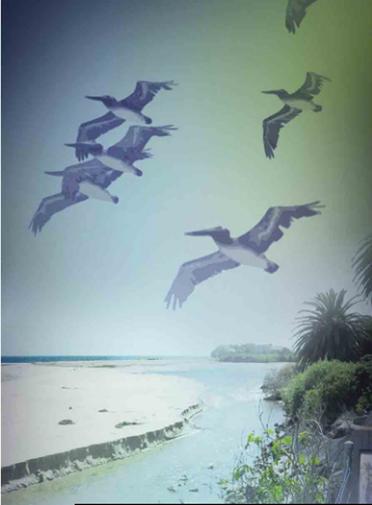
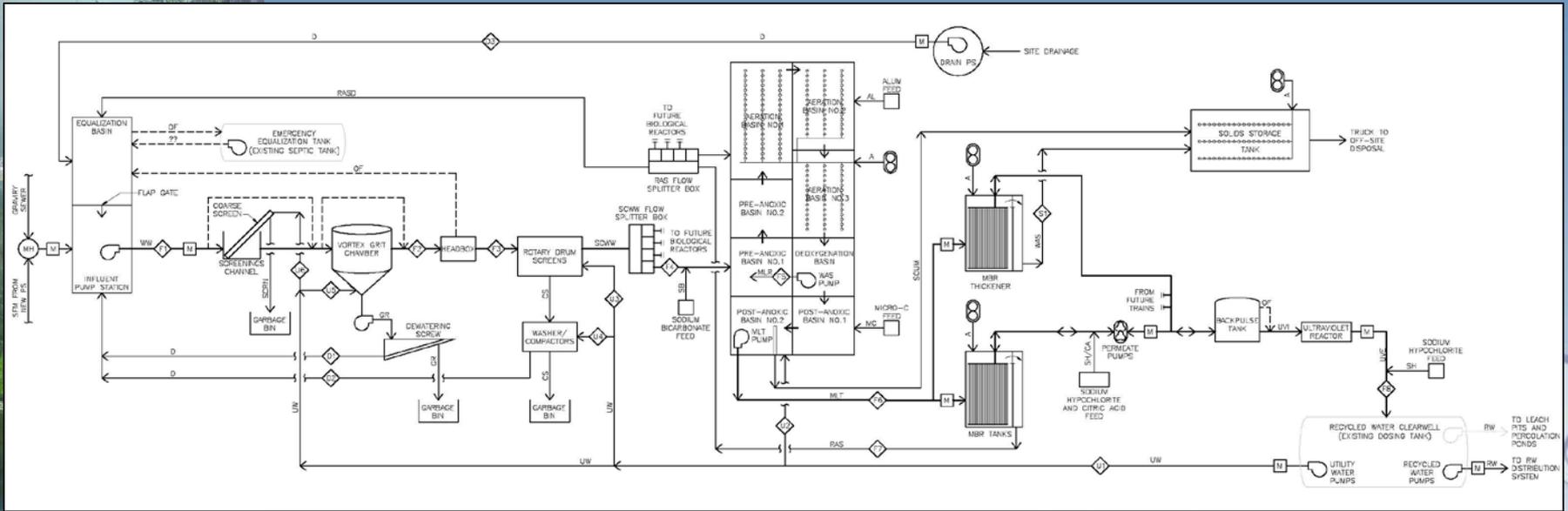


Biological Process - Reactors



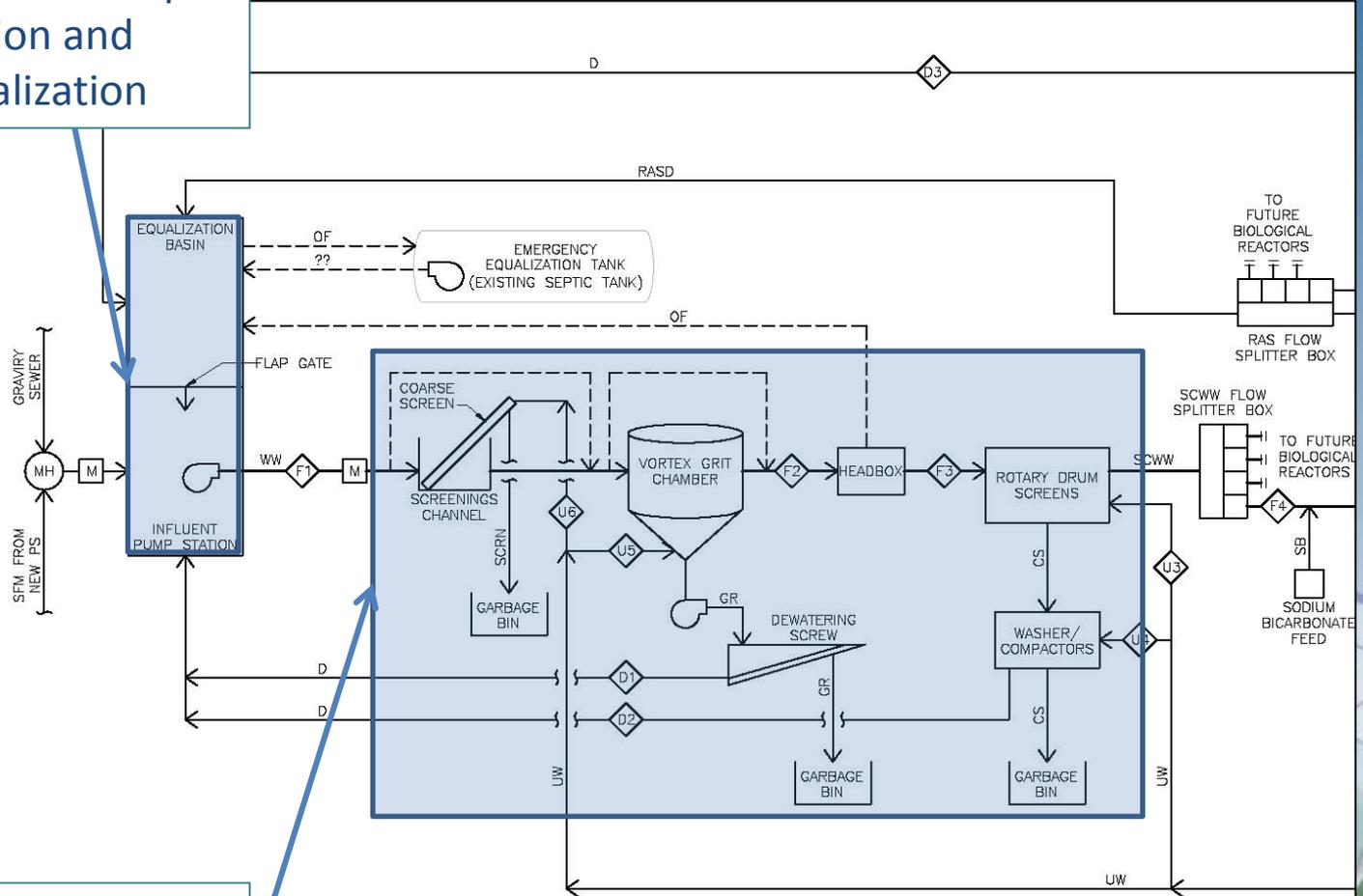
- Multi-basin arrangement to meet low nutrient requirements.
- Alum addition removes Phosphorus

Facilities to Treat WW



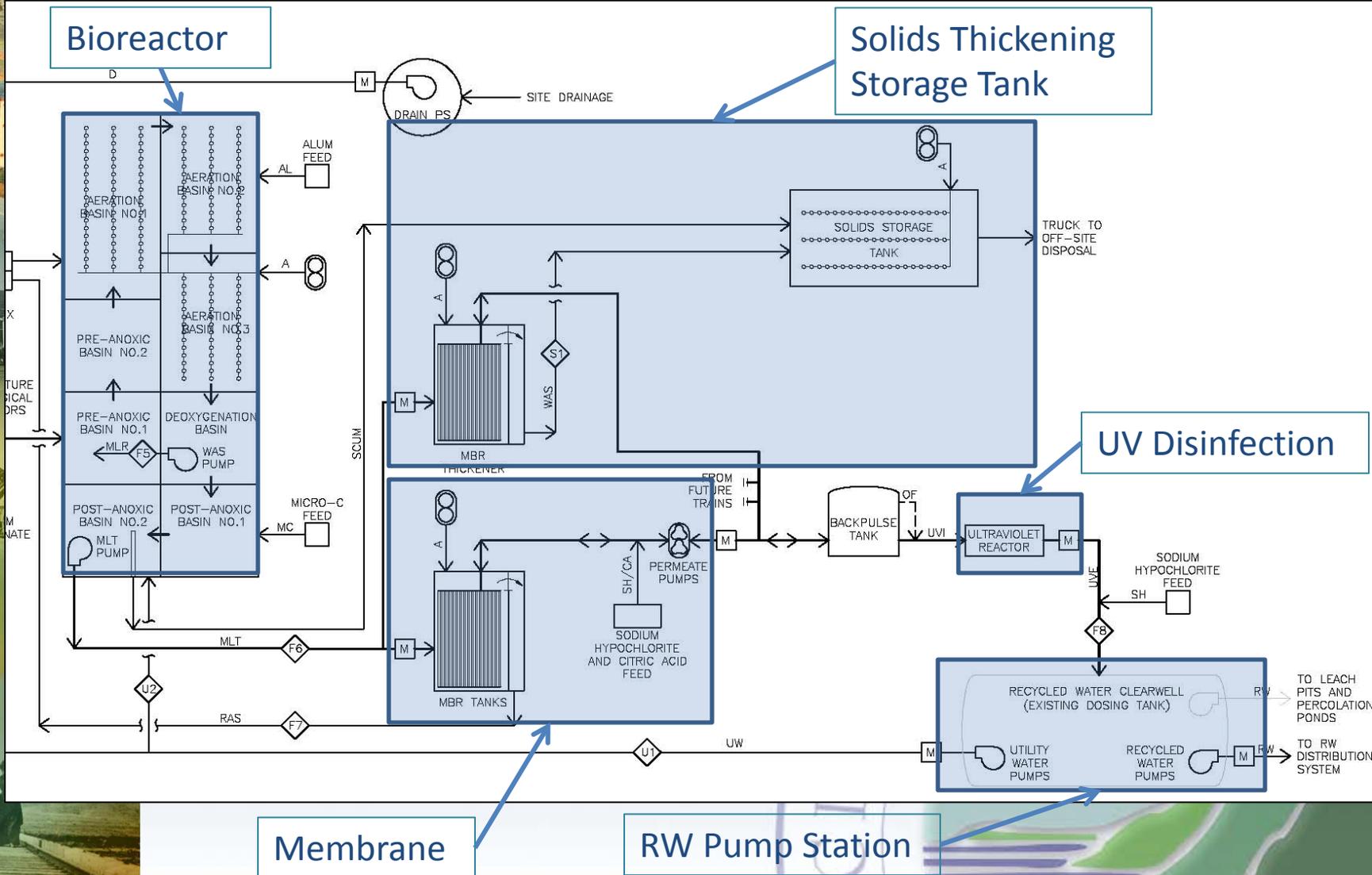
Facilities to Treat Wastewater

Influent Pump Station and Equalization

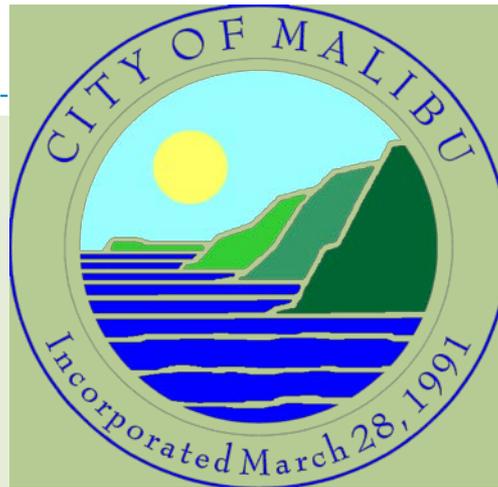


Headworks – Screens and Grit Removal

Facilities to Treat WW



Malibu Civic Center Stakeholders Meeting



**July 25, 2013
Malibu City Hall
8:30 a.m.**

Meeting Agenda



- Regional Water Quality Control Board
- Community Facilities District (CFD)
- Assessment District (AD)
- Wastewater Facility Design
- Questions/Comments
- Next Meeting August 29, 2013
- Adjourn

Regional Water Quality Control Board



- **April 17, 2013:** met with Dr. Eric Wu of the RWQCB (Groundwater and Permitting Unit) ✓

- Discussed:

- ❖ Project milestones ✓
- ❖ EIR ✓
- ❖ CDP requirements ✓
- ❖ Monitoring well and locations ✓
- ❖ Test injection ✓
- ❖ Pump testing of aquifer ✓
- ❖ US EPA requirements ✓
- ❖ Department of Public Health review ✓
- ❖ Permits ✓

Regional Water Quality Control Board



- Submitted all information for permit application to allow injection testing of the Civic Center Aquifer with potable water.
 - ❖ Board has assured that permit will be ready for scheduled aquifer testing in June. ✓
 - ❖ **June 20, 2013:** RWQCB issued City injection testing permit. ✓

- **June 19, 2013:** staff again met with Dr. Eric Wu of the RWQCB (Groundwater and Permitting Unit) ✓

- Discussed: ✓
 - ❖ ATS Permit.
 - ❖ Status of the city's regulatory obligations (CDP, CEQA, EIR).
 - ❖ WDR Permit limits and requirements.
 - ❖ Water balance and expanded recycle water use.

Regional Water Quality Control Board



- ❖ Injection of Recycled Water Program Description.
- ❖ Malibu Valley Groundwater Basin
- ❖ Malibu Creek Nutrient TMDL.
- ❖ Local Agency Management Plan.

On June 25, 2013 staff sent to the RWQCB the second quarter project progress report.

Regional Water Quality Control Board



- **July 17, 2013:** staff met with Dr. Eric Wu and Dr. Don Tsai of the RWQCB (Groundwater and Permitting Unit)
- Discussed:
 - ❖ Status of the city's regulatory obligations (CDP, CEQA, EIR).
 - ❖ WDR Permit limits and requirements.
 - ❖ Water balance and expanded recycle water use.
 - ❖ Recycled water reuse
 - ❖ California Department of Public Health Requirements
 - Reverse Osmosis
 - ❖ TMDLs

Community Facilities District (CFD)



- Bond sale closed in February 2013 ✓
- City received funds in February 2013 ✓
- **No other updates**

Assessment District (AD)



- RFP is currently out to obtain an Assessment Engineering Consultant
- RFP is due August 1, 2013
- Should have Assessment Engineer onboard in August 2013



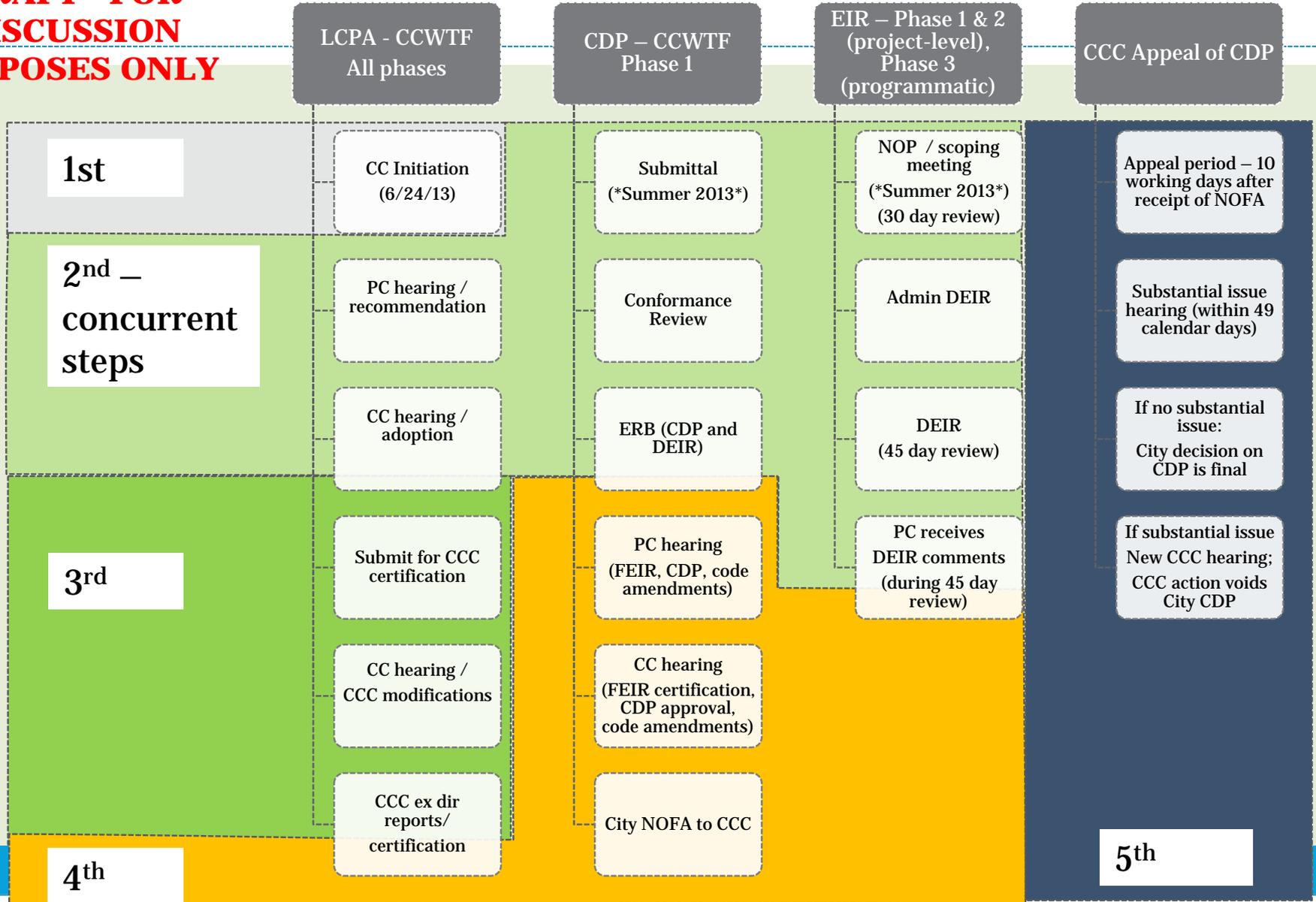
Wastewater Facility Design



- Groundwater Injection Study
 - ❖ Phase 1 – cursory modeling and scoping ✓
 - ❖ Phase 2 – preliminary feasibility assessment ✓
 - ❖ Phase 3 – monitoring & injection well construction, testing, analysis, modeling, & injection well pre-design
- Environmental Impact Report (EIR)
- Final Design/Construction Document

Wastewater Facility Design-Planning Entitlements

DRAFT - FOR DISCUSSION PURPOSES ONLY



Project Schedule



Phase 3 Field Program

- Pre-field Work **(March – May 2013)**
 - ❖ Solicit and execute consultant and contractor agreements ✓
 - ❖ Select monitoring well locations and secure access ✓
 - ❖ Obtain drilling permits ✓
 - ❖ Obtain RWQCB testing permit ✓
- Monitoring well construction, development and testing **(April – August 2013)**
 - ❖ Install wells (April 22 to May 20) ✓
 - ❖ Develop wells (May) ✓
 - ❖ Test wells **(Began July 1 RWQCB permit obtained)** Ongoing
 - ❖ Analyze collected data
 - ❖ Prepare well reports

Project Schedule



Monitoring Wells

- Super Care Drugs - 2 wells installed ✓
- Civic Center Way - 1 well installed ✓
- Animal Hospital - 1 well installed ✓
- Malibu Road - 2 wells installed ✓
- Malibu Colony - 2 wells installed ✓
- State Park land - 1 well installed ✓

Project Schedule



Monitoring Wells

- Super Care Drugs (23661 PCH) - 2 wells installed



Project Schedule



Monitoring Wells

- Civic Center Way - 1 well installed



Project Schedule



Monitoring Wells

- Animal Hospital (23431 PCH) - 1 well installed



Project Schedule



Monitoring Wells

- Malibu Road - 2 wells being installed



Project Schedule



Phase 3 Field Program

▪ Well Injection Testing

- ❖ MW 01 (permit obtained)
- ❖ MW 02 (permit obtained)
- ❖ MW 03 (permit obtained)

(June – August 2013)

July 1 began

August 1 commence

September 1 commence

❖ Initial results are positive

▪ Modeling Work

- ❖ Updating model
- ❖ Recalibration
- ❖ Run scenarios
- ❖ Perform sensitivity analysis
- ❖ Prepare model report

JULY (September - December 2013)

▪ Begin injection well design

(December 2013)

Phase III Field Program (Malibu Colony)



Location of new wells



Project Schedule



Environmental Impact Report (EIR)

- ❖ **Prepare and circulate NOP** (March – August 2013)
 - Initiated biological, geological and cultural survey of treatment plant site
 - Revised project description for use in EIR and Coastal development permit
 - Discussed coordination between EIR and Coastal Development permit
 - Analyze wastewater flow projections
- ❖ **Prepare and circulate Draft EIR** (March 2013– January 2014)
- ❖ **Prepare Final EIR** (January – April 2014)

Project Schedule



Final design and construction documents (April – June 2014)

- ❖ Completed on-shore and near-shore geophysics survey to estimate location of freshwater/seawater interface. Interface was found to be offshore, confirming that the lower aquifer flows to the ocean and is not blocked by a geologic feature. ✓
- ❖ Technical review with independent treatment process experts to confirm treatment process, configuration, sizing, and planned operations. ✓ **(Ongoing Work)**
- ❖ Perform a wetlands delineation report for Winter Canyon Wastewater Treatment Site. **(Ongoing Work)**

Project Schedule



❖ **Treatment Plant Design (Ongoing Work)**

- Process configuration
- Site plan utilization
- Analyze existing electrical system in area
- Electrical & Instrumentation design for process equipment
- Trenchless pipeline construction to reduce disruption/costs

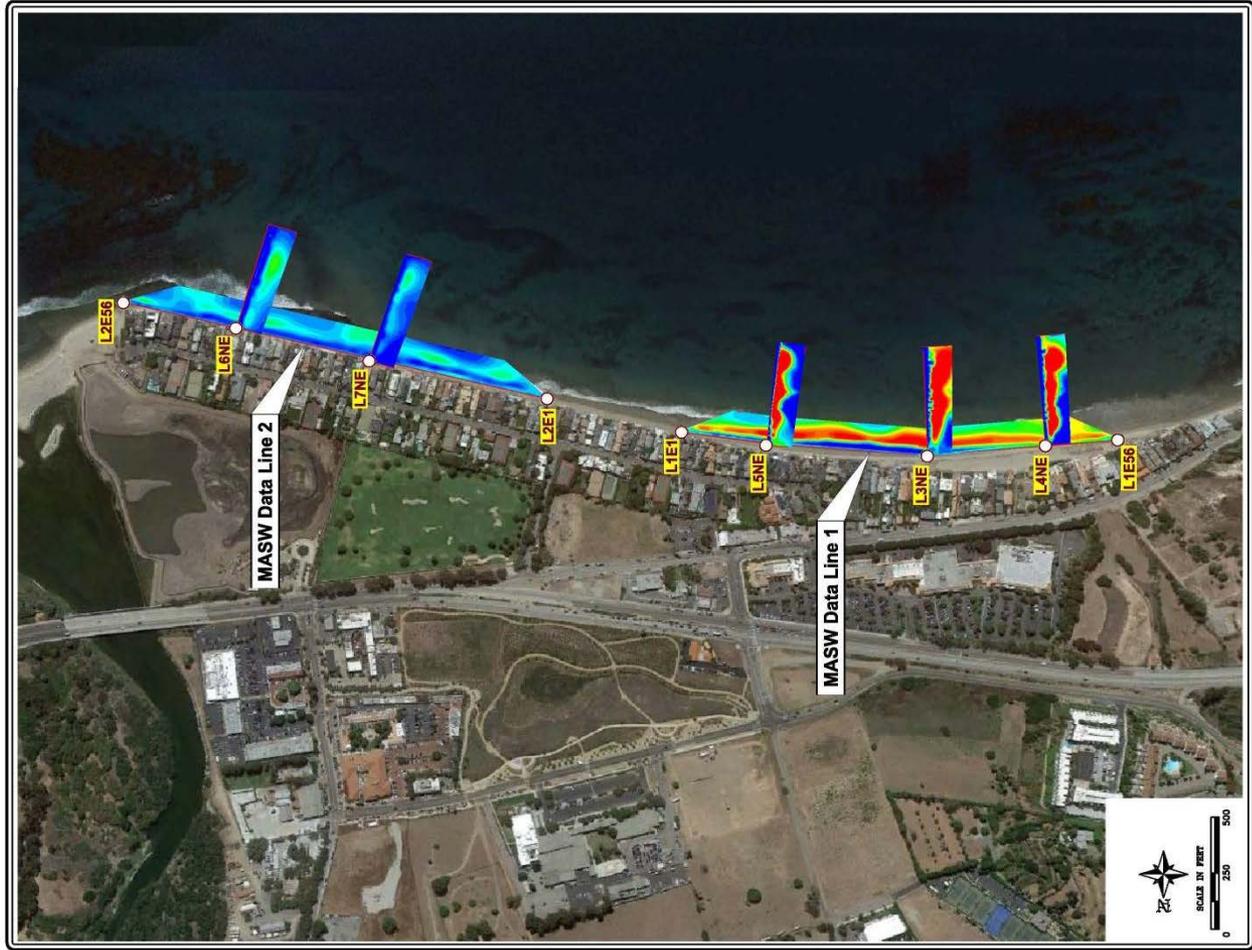
❖ **Collection System Design (Ongoing Work)**

- Pump station locations
- Pump station sizing
- Pipe alignments
- Pipe sizing
- Pipe crossing conflicts (Civic Center Way box culvert)
- User Tie-in locations

Injection Well Testing



Shoreline Geophysical Survey



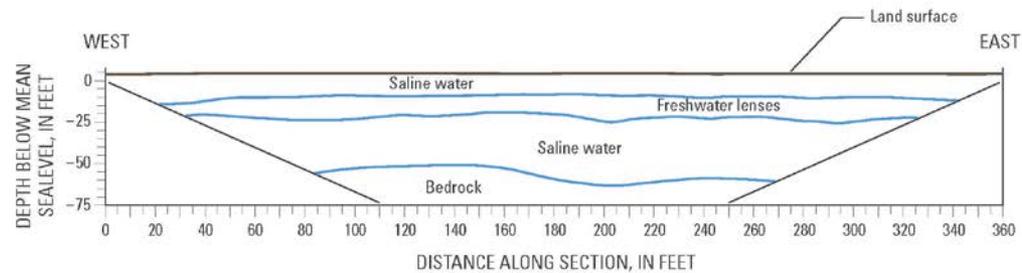
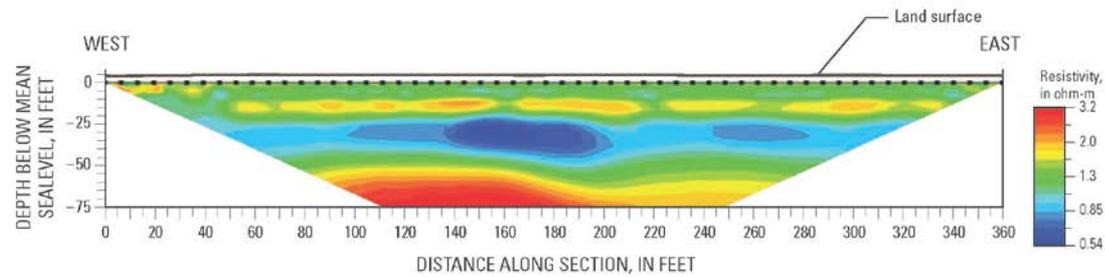
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PROJECT NAME: MALIBU
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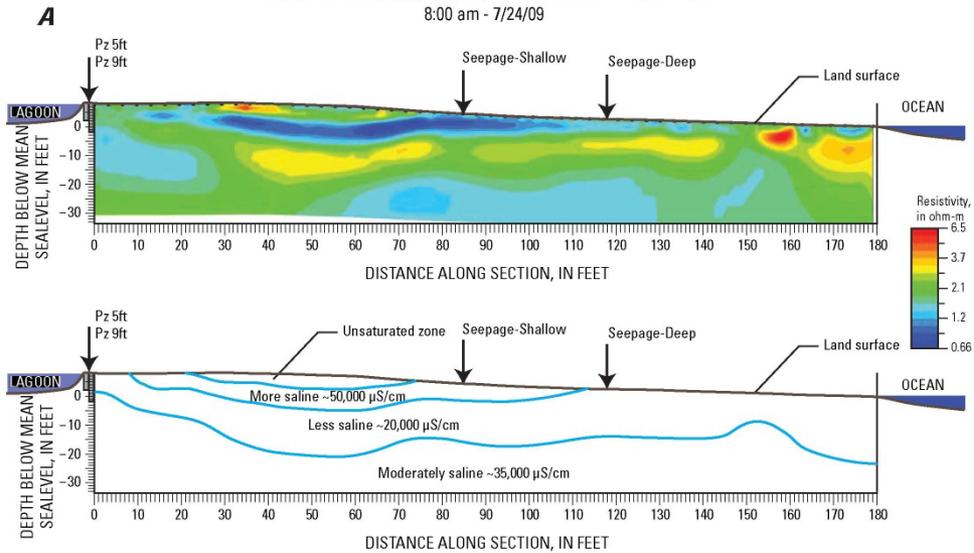
GeoPro
ENTRIX

FIGURE 9. CORRELATION OF RESISTIVITY DATA.

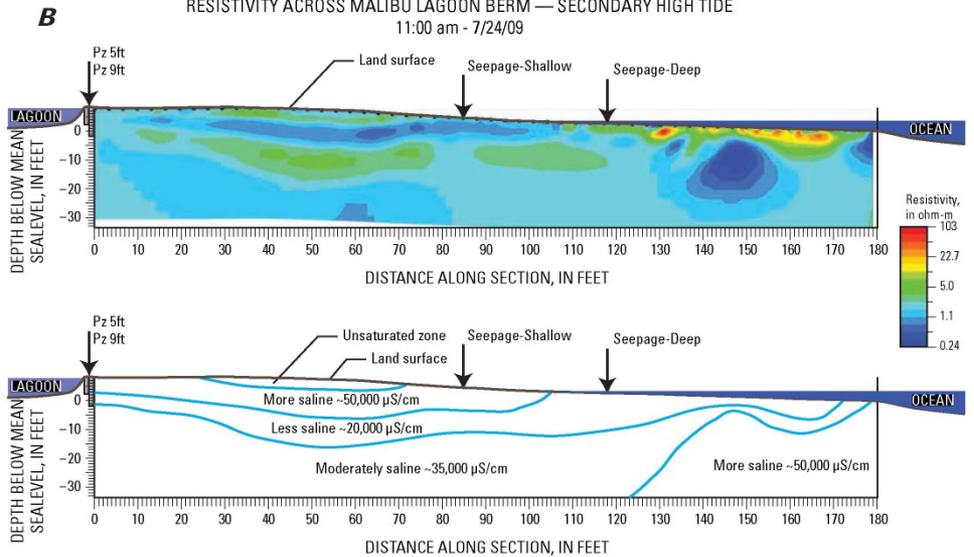
Shoreline Geophysical Survey



RESISTIVITY ACROSS MALIBU LAGOON BERM — LOW TIDE
8:00 am - 7/24/09



RESISTIVITY ACROSS MALIBU LAGOON BERM — SECONDARY HIGH TIDE
11:00 am - 7/24/09





Questions / Comments



Next meeting August 29, 2013



Thank you

Malibu Civic Center Stakeholders Meeting



**August 29, 2013
Malibu City Hall
8:30 a.m.**

Meeting Agenda



- Regional Water Quality Control Board
- Community Facilities District (CFD)
- Outreach Meetings/Presentations
- Assessment District (AD)
- Wastewater Facility Design
- Questions/Comments
- Next Meeting September 26, 2013
- Adjourn

Regional Water Quality Control Board



- **April 17, 2013:** met with Dr. Eric Wu of the RWQCB (Groundwater and Permitting Unit) ✓

- Discussed:

- ❖ Project milestones ✓
- ❖ EIR ✓
- ❖ CDP requirements ✓
- ❖ Monitoring well and locations ✓
- ❖ Test injection ✓
- ❖ Pump testing of aquifer ✓
- ❖ US EPA requirements ✓
- ❖ Department of Public Health review ✓
- ❖ Permits ✓

Regional Water Quality Control Board



- Submitted all information for permit application to allow injection testing of the Civic Center Aquifer with potable water.
 - ❖ Board has assured that permit will be ready for scheduled aquifer testing in June. ✓
 - ❖ **June 20, 2013:** RWQCB issued City injection testing permit. ✓

- **June 19, 2013:** staff met with Dr. Eric Wu of the RWQCB (Groundwater and Permitting Unit) ✓
- Discussed: ✓
 - ❖ ATS Permit.
 - ❖ Status of the city's regulatory obligations (CDP, CEQA, EIR).
 - ❖ WDR Permit limits and requirements.
 - ❖ Water balance and expanded recycle water use.

Regional Water Quality Control Board



- ❖ Injection of Recycled Water Program Description.
- ❖ Malibu Valley Groundwater Basin
- ❖ Malibu Creek Nutrient TMDL.
- ❖ Local Agency Management Plan.

June 25, 2013: staff sent to the RWQCB the second quarter project progress report.



Regional Water Quality Control Board



- **July 17, 2013:** staff met with Dr. Eric Wu and Dr. Don Tsai ✓
of the RWQCB (Groundwater and Permitting Unit)
- Discussed: ✓
 - ❖ Status of the city's regulatory obligations (CDP, CEQA, EIR).
 - ❖ WDR Permit limits and requirements.
 - ❖ Water balance and expanded recycle water use.
 - ❖ Recycled water reuse
 - ❖ California Department of Public Health Requirements
 - Reverse Osmosis
 - ❖ TMDLs

Regional Water Quality Control Board



- **August 28, 2013:** staff met with Dr. Eric Wu and Dr. Don Tsai of the RWQCB (Groundwater and Permitting Unit) ✓
- Discussed: ✓
 - ❖ Status of Injection Program.
 - ❖ Status of the city's regulatory obligations (CDP, CEQA, EIR).
 - ❖ WDR Permit limits and requirements.
 - ❖ Recycled water use.

Outreach Meetings/Presentations



- **August 6, 2013: Project Technical Advisory Committee (TAC) at City Hall. ✓**
- **August 17, 2013: Project Presentation to Malibu Knolls HOA. ✓**
- **August 21, 2013: Discussions with Pepperdine University Officials regarding possible future recycled water use and opportunities. ✓**
- **August 22, 2013: Project Presentation to Wastewater Advisory Committee. ✓**
- **September 12, 2013: City Manager will present a project update to the RWQCB.**

Community Facilities District (CFD)



- Bond sale closed in February 2013 ✓
- City received funds in February 2013 ✓
- **No other updates**

Assessment District (AD)



- **June 24, 2013**, an RFP was sent out to obtain an Assessment Engineering Consultant for the project. ✓
- **August 1, 2013**, two proposals were received. ✓
- Staff reviewed proposals and determined that David Taussig & Associates, Inc. was the most qualified consultant to perform the work. ✓
- **Sept. 9th 2013**, City Council meeting, staff will recommend David Taussig & Assoc., Inc. as the Assessment Engineering Consultant for the formation of the Assessment District for the project.

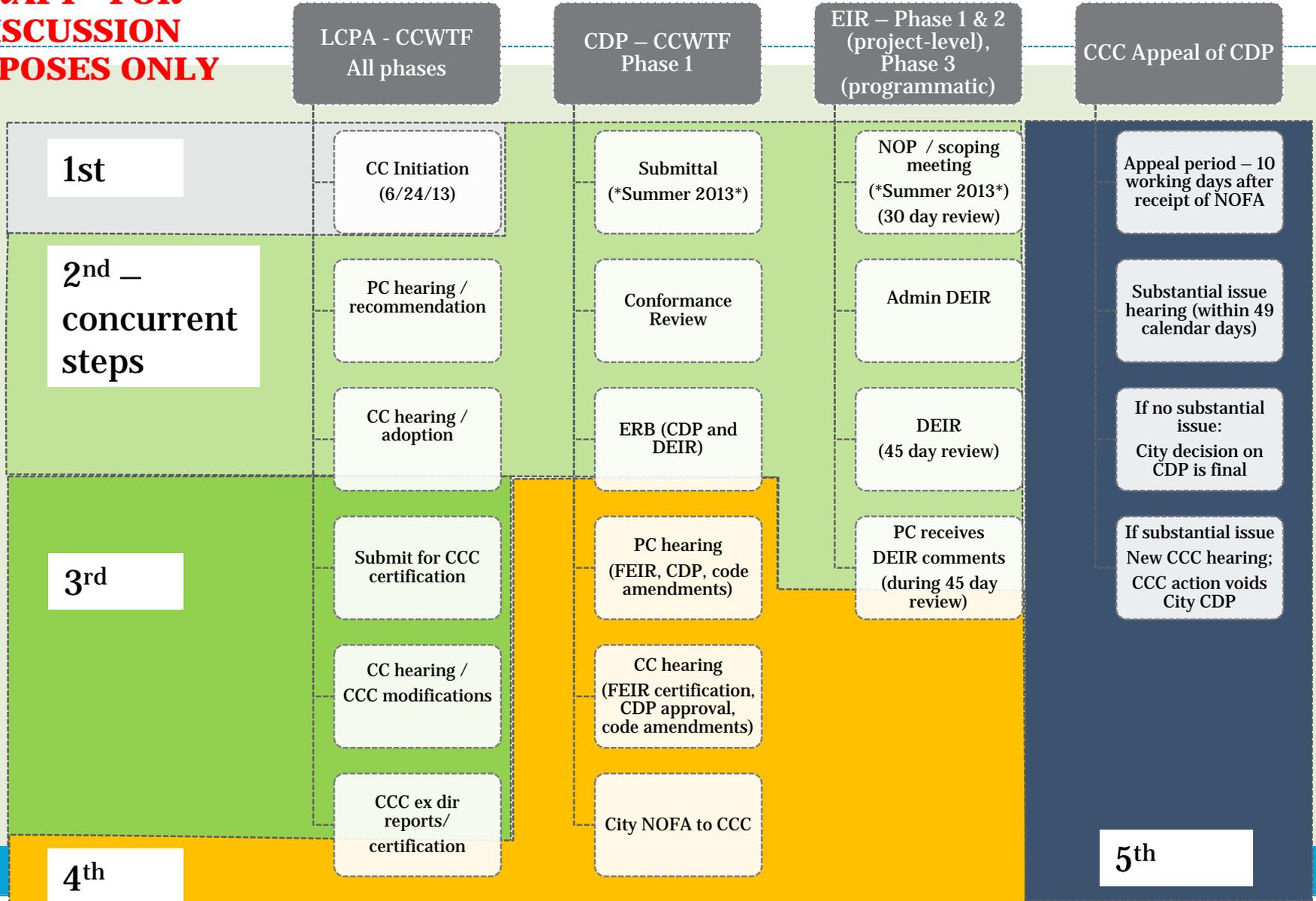
Wastewater Facility Design



- Groundwater Injection Study
 - ❖ Phase 1 – cursory modeling and scoping ✓
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Wastewater Facility Design-Planning Entitlements

DRAFT - FOR DISCUSSION PURPOSES ONLY



Project Schedule



Phase 3 Field Program

- Pre-field Work **(March – May 2013)**
 - ❖ Solicit and execute consultant and contractor agreements ✓
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 - ❖ Develop wells (May) ✓
 - ❖ Test wells **(Began July 1 RWQCB permit obtained) Ongoing**
 - ❖ Analyze collected data **(preliminary data looks favorable)**
 - ❖ Prepare well reports

Project Schedule



Monitoring Wells (installed 9 new wells)

- Super Care Drugs - 2 wells installed ✓
- Civic Center Way - 1 well installed ✓
- Animal Hospital - 1 well installed ✓
- Malibu Road - 2 wells installed ✓
- Malibu Colony - 2 wells installed ✓
- State Park land - 1 well installed ✓

Project Schedule



Monitoring Wells

- Super Care Drugs (23661 PCH) - 2 wells installed



Project Schedule



Monitoring Wells

- Civic Center Way - 1 well installed



Project Schedule



Monitoring Wells

- Animal Hospital (23431 PCH) - 1 well installed



Project Schedule



Monitoring Wells

- Malibu Road - 2 wells being installed



Project Schedule



Phase 3 Field Program

▪ Well Injection Testing

- ❖ MW 01 (permit obtained)
- ❖ MW 02 (permit obtained)
- ❖ MW 03 (permit obtained)

(June – August 2013)

July 1 began 

August 1 began 

September 1 commence

❖ Initial results are positive

▪ Modeling Work

- ❖ Updating model
- ❖ Recalibration
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- ❖ Prepare model report

JULY (September - December 2013)

▪ Begin injection well design

(December 2013)

Phase III Field Program (Malibu Colony)



Project Schedule



Environmental Impact Report (EIR)

- ❖ **Prepare and circulate NOP** (Anticipate in Sept. 2013)
 - Initiated biological, geological and cultural survey of treatment plant site
 - Revised project description for use in EIR and Coastal development permit
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Final design and construction documents (April – June 2014)

- ❖ Completed on-shore and near-shore geophysics survey to estimate location of freshwater/seawater interface. Interface was found to be offshore, confirming that the lower aquifer flows to the ocean and is not blocked by a geologic feature. ✓
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Project Schedule



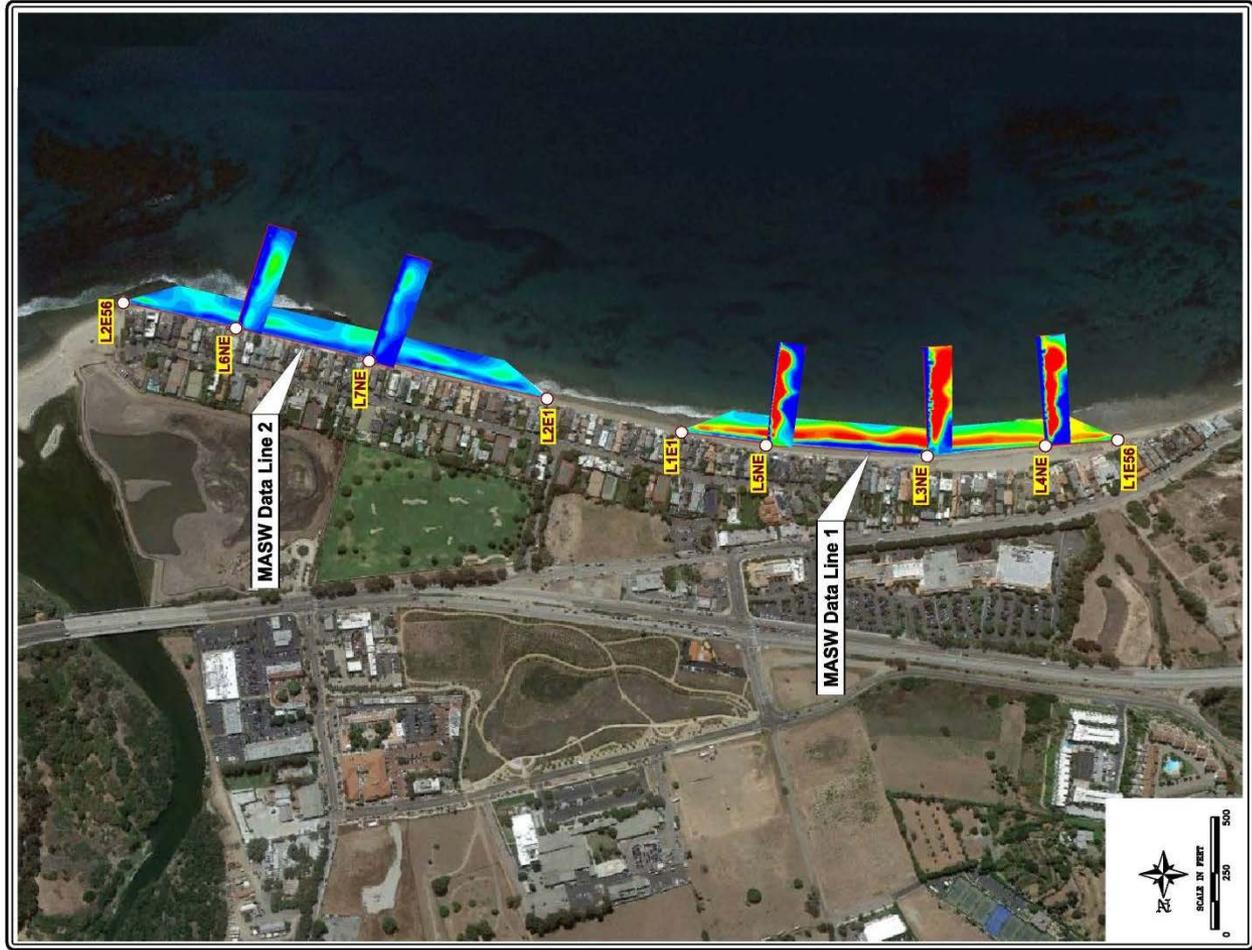
- ❖ **Treatment Plant Design (Ongoing Work – 45%)**
 - Process configuration
 - Site plan utilization
 - Analyze existing electrical system in area
 - Electrical & Instrumentation design for process equipment
 - Trenchless pipeline construction to reduce disruption/costs

- ❖ **Collection System Design (Ongoing Work – 45%)**
 - Pump station locations
 - Pump station sizing
 - Pipe alignments
 - Pipe sizing
 - Pipe crossing conflicts (Civic Center Way box culvert)
 - User Tie-in locations

Injection Well Testing



Shoreline Geophysical Survey



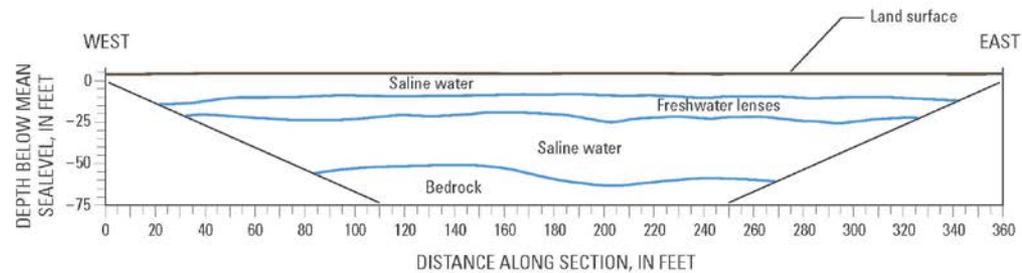
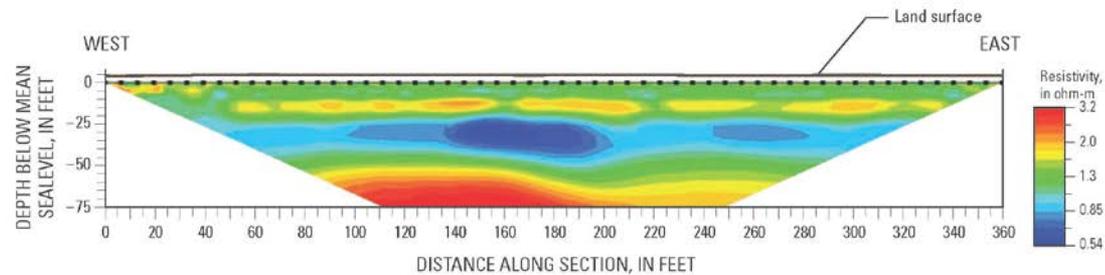
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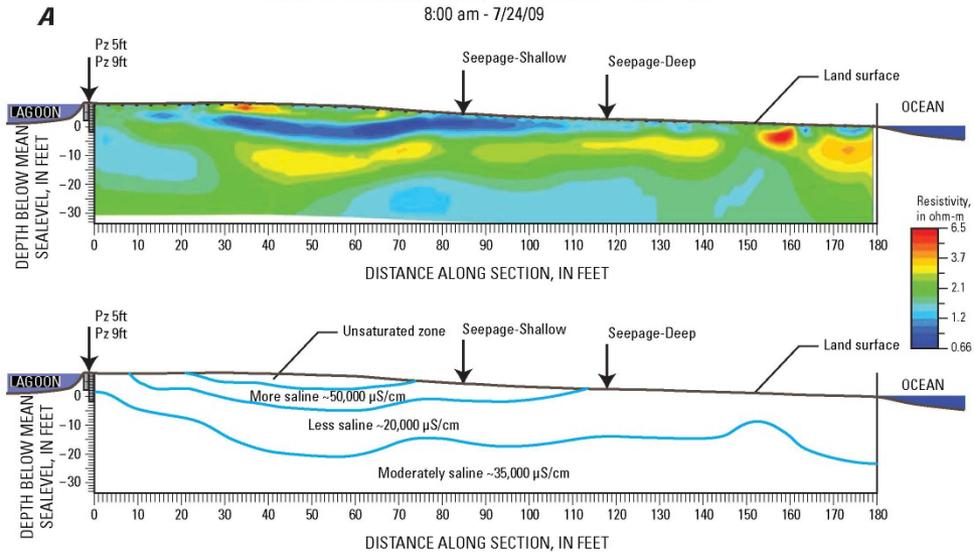
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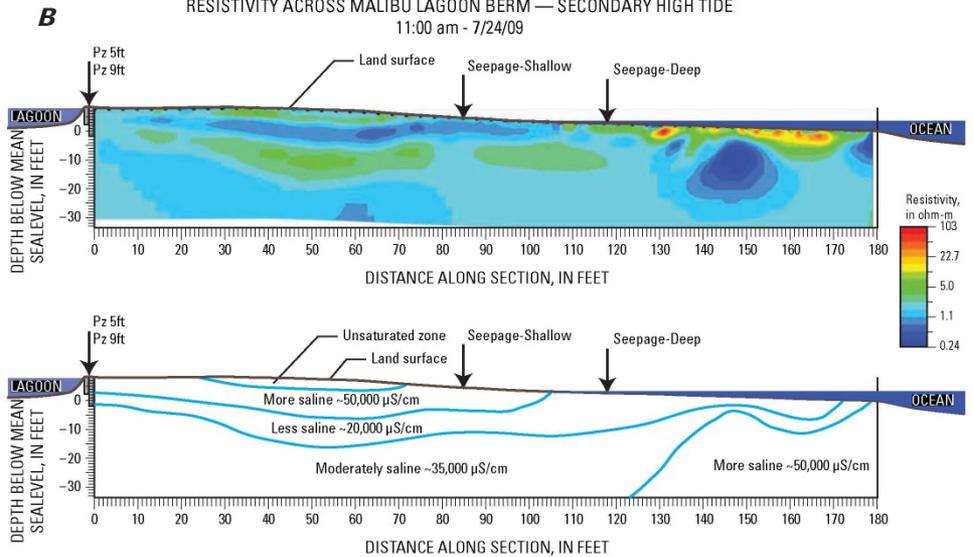
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RESISTIVITY ACROSS MALIBU LAGOON BERM — LOW TIDE
8:00 am - 7/24/09



RESISTIVITY ACROSS MALIBU LAGOON BERM — SECONDARY HIGH TIDE
11:00 am - 7/24/09





Questions / Comments



Next meeting September 26, 2013



Thank you

Malibu Civic Center Stakeholders Meeting

September 26, 2013
Malibu City Hall
8:30 a.m.

CHUMASH

Humaliwo, "surf sounds loudly," was a Chumash Indian village on the high ground at the foot of Malibu Canyon where the creek ran into the ocean.





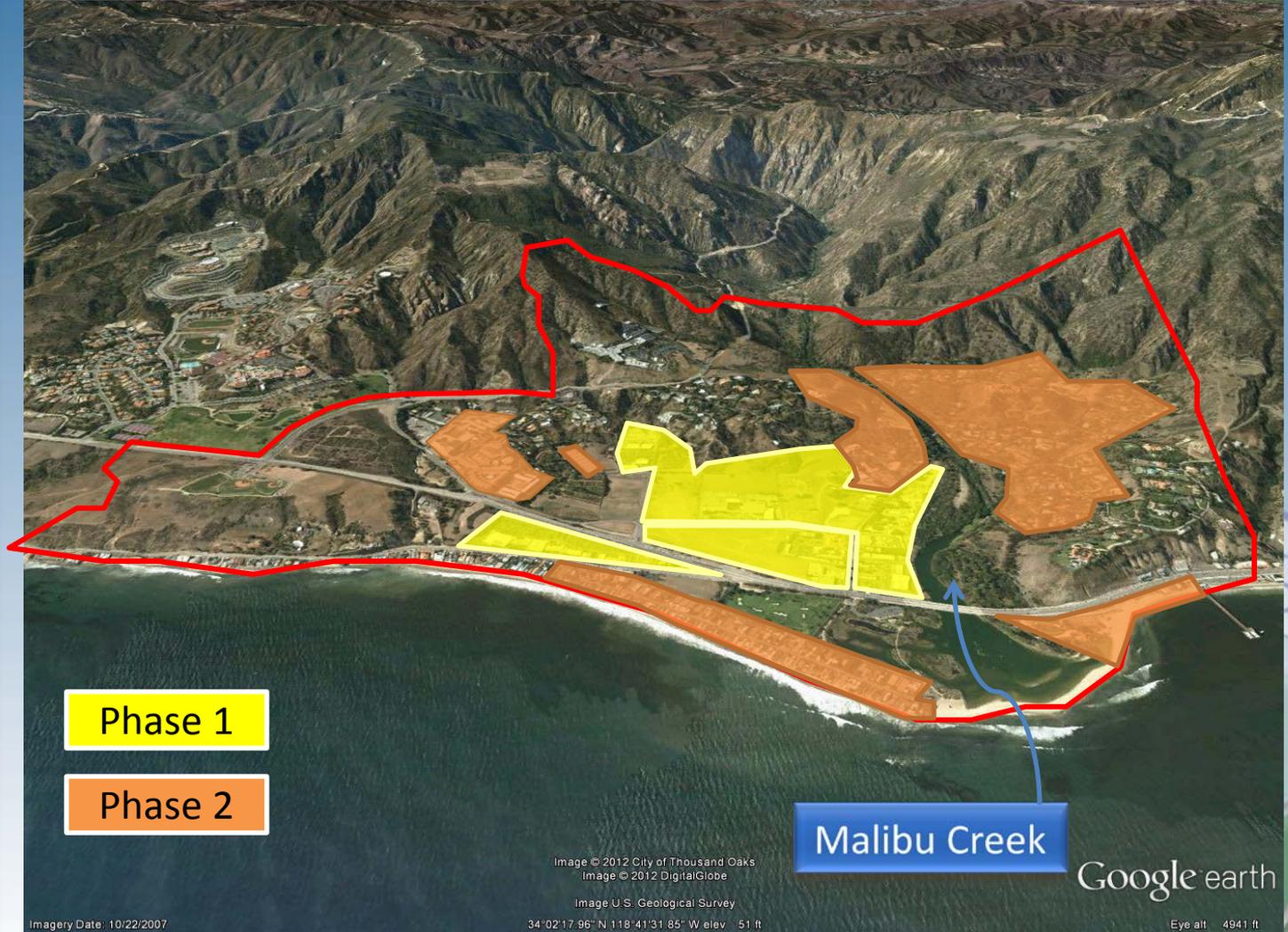
Progress Report Civic Center Wastewater Treatment Facility Design



Prohibition Area

CHUMASH

Humaliwo, "surf sounds loudly," was a Chumash Indian village on the high ground at the foot of Malibu Canyon where the creek ran into the ocean.



Phase 1

Phase 2

Malibu Creek

Google earth

Imagery Date: 10/22/2007

Image © 2012, City of Thousand Oaks
Image © 2012 DigitalGlobe

Image U.S. Geological Survey

34°02'17.96" N 118°41'31.85" W elev 51 ft

Eye alt 4941 ft

MBR Plant Layout

Headworks

Operations Bldg

Recycled Water
Storage

Recycled Water
Pump Station

- Offshore and onshore Geophysical Surveys Completed
- 3 Injection & 9 Monitoring wells installed
- 18 week injection testing program
- Monitoring wells providing favorable data

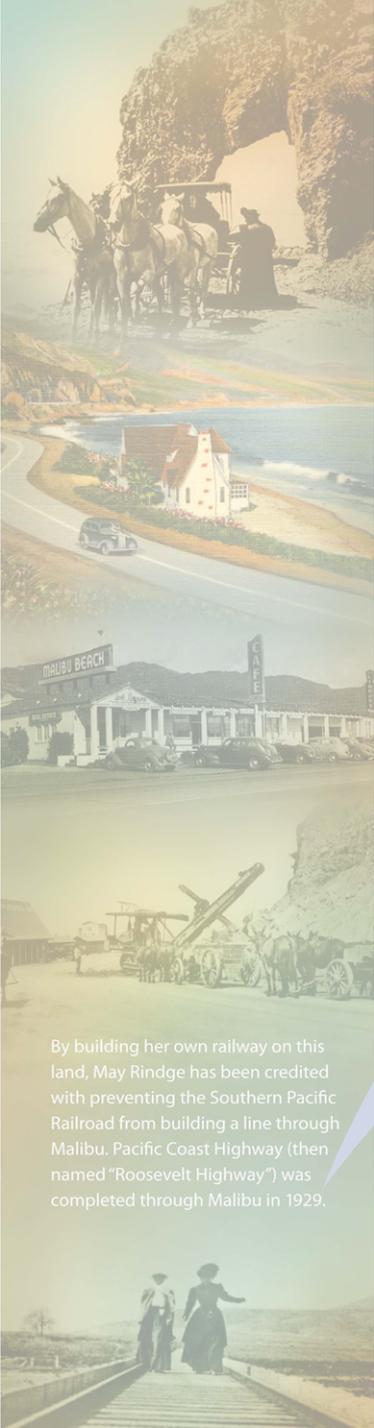
Phase 1: MOU Milestones

● **Sep 2011:**
Public Outreach
Completed and ongoing

● **Dec 2011:**
Recycle water study
Completed

● **June 2012:**
Groundwater Injection Study
Completed

● **March 2013:**
EIR
Anticipated 1/14



By building her own railway on this land, May Rindge has been credited with preventing the Southern Pacific Railroad from building a line through Malibu. Pacific Coast Highway (then named "Roosevelt Highway") was completed through Malibu in 1929.



Phase 1: MOU Milestones

9 months behind schedule

June 2013:
Design for
WWTF

Sep 2013:
Assessment
Dist.

Oct 2013:
Bid Package

March 2014:
Begin
Construction

Nov 2015:
Complete
Construction

COASTAL
ROUTE

Frederick Rindge's widow, May, fought against coast roads and railroads crossing Malibu Range. She battled all the way to the State and U.S. Supreme Court.



Why Behind Schedule?

- Funding

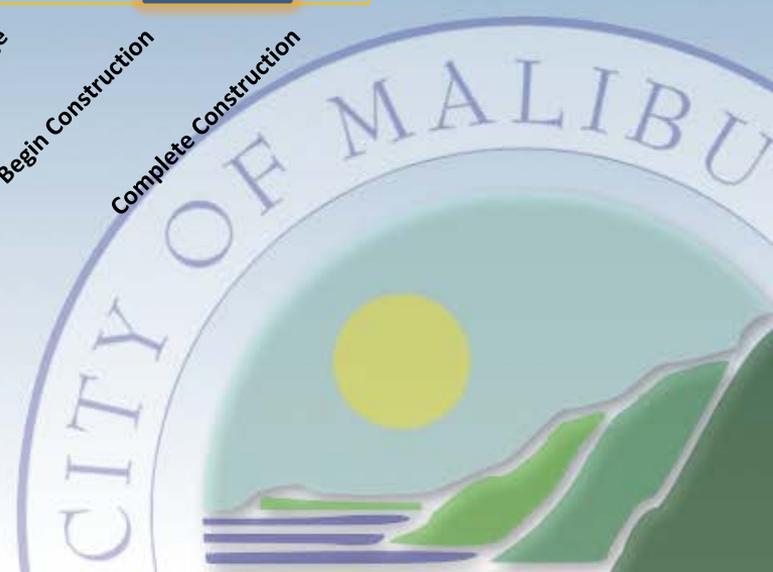
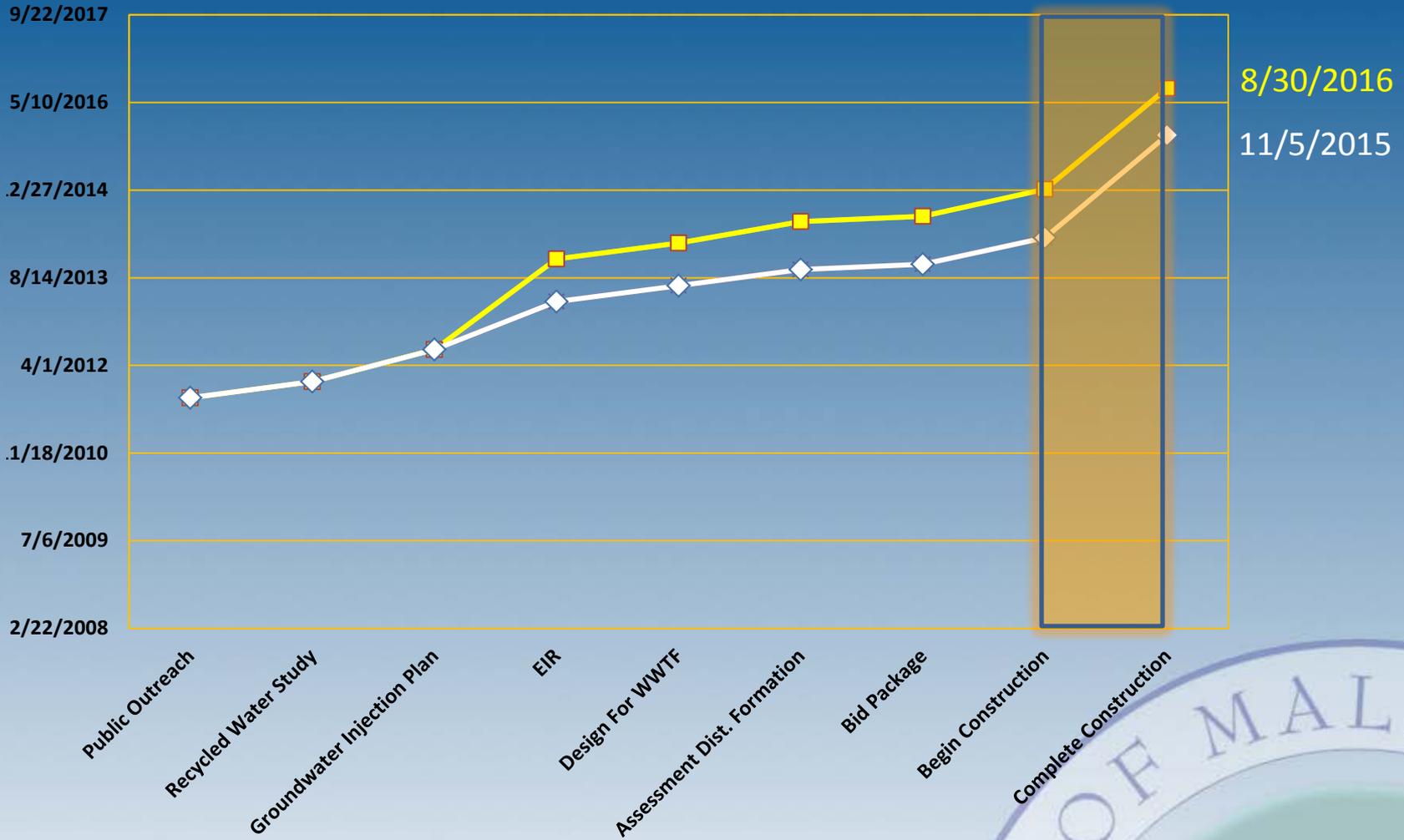
- Design, EIR, Studies, Assessment District Formation, Permitting
 - Over \$5 million

- Community Facilities District (CFD)

- Coordination of 15 properties (8 property owners)
- 2/3 Vote required
- Approved in Jan 2013



Timeline for WWTF



Cooperation

- RWQCB Staff
- Coastal Staff
- Ca Department of Public Health
- NGO's
- Stakeholders (residential and commercial property owners/chamber/realtors/etc)
- Technical Advisory Committee Experts
- Pepperdine and LVMWD
- County Water and WW District



Questions/Comments



Next meeting October 31, 2013



Thank you

