

**AGENDA**  
**REGULAR MEETING OF THE HOLTVILLE CITY COUNCIL**  
**121 WEST FIFTH STREET, HOLTVILLE, CALIFORNIA**

**October 12, 2015**

**OPEN SESSION**

**6:00 PM**

**Ginger Ward, Mayor**  
**Jim Predmore, Mayor Pro Tem**  
**Mike Goodsell, Council Member**  
**David Bradshaw, Council Member**  
**Richard Layton, Council Member**

**Steve Walker, City Attorney**  
**Denise Garcia, Interim City Clerk**  
**Nick Wells, City Manager**  
**George Morris, City Treasurer**

**THIS IS A PUBLIC MEETING**

*If there is an item on the agenda on which you wish to be heard, please come forward to the microphone at the time the item is being addressed. State your name for the record. All other items can be addressed during the Public Comments portion of the agenda. The Mayor reserves the right to place a time limit on each person asking to be heard.*

**CITY COUNCIL**

**CLOSED SESSION 5:30 PM**

**CONFERENCE WITH LABOR NEGOTIATORS:**

*(Government Code Section 54957(b)(1))*

Agency Negotiator: City Manager/City Attorney  
Classified Employees

**PUBLIC EMPLOYMENT:**

*(Government Code Section 54957.6)*

City Manager Evaluation  
Evaluation Criteria

**CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:**

*(Government Code Section 54956.9(a))*

City of Holtville vs. Black Dog Farms  
City of Holtville vs. Willowbend Mobile Home Park  
Charles Simpson vs. City of Holtville

**CITY COUNCIL:** Meeting Called To Order

**PLEDGE OF ALLEGIANCE:**

**INVOCATION:**

**CITY CLERK RE:** Verification of Posting of the Agenda

**EXECUTIVE SESSION ANNOUNCEMENTS:** Steve Walker, City Attorney

**SWEARING IN OF CITY TREASURER:** Denise Garcia, Interim City Clerk

**PUBLIC COMMENTS:** This is time for the public to address the City Council **on any item not appearing on the agenda** that is within the subject matter jurisdiction of the City Council. The Mayor reserves the right to limit the speaker's time. The Mayor will recognize you and when you come to the microphone, please state your name and address for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy.

## **CONSENT AGENDA:**

*The items on the Consent Agenda are to be approved without comment. Should any Council Member or member of the public wish to discuss any item, they may request that the item be removed from the Consent Agenda and placed on the New Business Agenda.*

1. Approval of the Minutes from the Meeting of September 28, 2015.
2. Current Demands 35150 to 35212.

## **REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES AND COMMUNIQUE:**

### **UNFINISHED BUSINESS:**

None

### **NEW BUSINESS:**

3. **Discussion/Related Action** to adopt **RESOLUTION #15-31** Authorizing the City Manager to Execute an Agreement with the State Board of Equalization for Collection of Utility User Tax on Prepaid Phone Cards – Nick Wells, City Manager

### **INFORMATION ONLY:**

4. **Information Only** Regarding the Army Transcontinental Convoy Passing through Holtville on Friday, October 16, 2015 – Nick Wells, City Manager
5. City Manager Report – Nick Wells
  - a. Police Chief – Manuel DeLeon
  - b. Water/Wastewater Supervisor – Frank Comejo
  - c. Public Works Supervisor – Alex Chavez
  - d. Quarterly Planning Staff Report – Justina Arce
  - e. Quarterly Grant Report – Justina Arce
6. Items for Future Meetings:

## **ADJOURNMENT:**

I, Denise Garcia, Interim City Clerk of the City of Holtville, California, **DO HEREBY CERTIFY** that the foregoing agenda was duly posted at Holtville City Hall on October 8, 2015.

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**THE MINUTES OF THE REGULAR MEETING OF  
THE HOLTVILLE CITY COUNCIL**

**September 28, 2015**

MEETING DATE:	10-12-15
REPORTED FOR AGENDA	
CITY MANAGER	
FINANCE MANAGER	
CITY ATTORNEY	

The regular meeting of the Holtville City Council was held on Monday, September 28, 2015 at 5:30 p.m. in the Civic Center. Council Members present were Mike Goodsell, Ginger Ward, Richard Layton, David Bradshaw and Jim Predmore. Staff members present were Nick Wells, Denise Garcia and Alex Silva. City Attorney Martin Gonzalez and City Engineer Jack Holt were also present. City Attorney Steve Walker and Justina Arce were absent.

**CITY COUNCIL CLOSED SESSION MEETING CALLED TO ORDER:**

Mayor Ginger Ward called the meeting to order at 5:31 p.m.

**CITY COUNCIL & SUCCESSOR AGENCY OPEN SESSION MEETING CALLED TO ORDER:**

Mayor Ginger Ward called the meeting to order at 6:12 p.m.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Mayor Ginger Ward.

**INVOCATION:**

Pastor Richard Moore, Trinity Baptist Church

**CITY CLERK RE: VERIFICATION OF POSTING OF AGENDA:**

The Interim City Clerk verified that the amended agenda was duly posted on September 28, 2015.

**EXECUTIVE SESSION ANNOUNCEMENTS:**

None

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION/DISCIPLINE/DISMISSAL/RELEASE:**

*(Government Code Section 54957(b) 1)*

TITLE: City Clerk

No Reportable Action Taken.

**PUBLIC EMPLOYMENT:**

*(Government Code Section 54957.6)*

City Manager Evaluation

Evaluation Criteria

No Reportable Action Taken.

**CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:**

*(Government Code Section 54956.9(a))*

City of Holtville vs. Black Dog Farms

City of Holtville vs. Willowbend Mobile Home Park

No Reportable Action Taken.

**PRESENTATIONS**

Mayor Ward read the Proclamation to Support Freedom from Workplace Bullies which will be mailed to the Workplace Bullies Institute.

**PUBLIC COMMENTS:**

None

**CONSENT AGENDA:**

1. Approval of the Regular Minutes of the City Council Meeting of September 14, 2015.

Council Minutes 09/28/15

**2. Current Demands #35109To #35149.**

A motion was made by Mr. Goodsell and seconded by Mr. Layton to approve items 1 and 2 of the Consent Agenda. The motion carried in the form of a roll call vote.

AYES: Ward, Goodsell, Predmore, Layton, Bradshaw  
NOES: None  
ABSENT: None  
ABSTAIN: None

**REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES AND COMMUNIQUES:**

Denise Garcia reminded Council about the upcoming Holtville Chamber Dinner at 5:30 on Thursday, October 8, 2015 at the Swiss Club.

Alex Silva reported that there would be EOP Training for staff in the Civic Center on October 7<sup>th</sup>, Walk to School days would be held on October 6,7, and 8, and that two strike teams had been recently activated with Holtville participating in both. He also informed Council of the Fire Departments support for Breast Cancer Awareness Month by purchasing new uniform patches and hats for Fire Department staff to wear during the month of October.

Jim Predmore reported that he had an ICTC meeting to attend and a press conference on Thursday to attend with CHP where they would introduce safety changes expected to be implemented.

Ginger announced that she would be attending her first Area Agency on Aging meeting where she will be installed as a representative. Ginger informed Council that she would be talking to third graders at Finley Elementary School on Wednesday about what it is that the Mayor does for the City.

Mike Goodsell reported that he attended the Airport Land Use Committee where the relocation of certain towers was discussed.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**3. Discussion/Related Action to adopt RESOLUTION #15-29 Approving the Appropriation of Additional 2014-2015 Funds Allocated from the State of California's Citizen Option for Public Safety ("COPS") Program to Provide for Front Line Police Services – Nick Wells, City Manager**

A motion was made by Mr. Predmore and seconded by Mr. Bradshaw to adopt Resolution #15-29 approving the Appropriation of Additional 2014-2015 Funds Allocated from the State of California's Citizen Option for Public Safety ("COPS") Program to Provide for Front Line Police Services. All members present were in favor and the motion carried in the form of a roll call vote.

AYES: Ward, Goodsell, Predmore, Layton, Bradshaw  
NOES: None  
ABSENT: None  
ABSTAIN: None

**4. Discussion/Related Action to Adopt RESOLUTION #15-30 Approving the Appropriation of Funds Allocated from the State of California's Citizen Option for Public Safety ("COPS") Program for the 2015-16 Year to Provide for Front Line Police Services – Nick Wells, City Manager**

A motion was made by Mr. Goodsell and seconded by Mr. Layton to adopt Resolution #15-30 approving the Appropriation of Funds Allocated from the State of California's Citizen Option for Public Safety ("COPS") Program for the 2015-16 Year to Provide for Front Line Police Services.. All members present were in favor and the motion carried in the form of a roll call vote.

AYES: Ward, Goodsell, Predmore, Layton, Bradshaw  
NOES: None  
ABSENT: None  
ABSTAIN: None

**5. Discussion/Related Action to Adopt a Revised Job Description for the Position of City Clerk – Nick Wells, City Manager**

A motion was made by Mr. Predmore and seconded by Mr. Bradshaw to adopt a revised job description for the position of City Clerk. All members present were in favor and the motion carried in the form of a roll call vote.

AYES: Ward, Goodsell, Predmore, Layton, Bradshaw  
NOES: None  
ABSENT: None  
ABSTAIN: None

**6. Discussion/Related Action Regarding the Regulation of Frequent Yard Sales in the City – Nick Wells, City Manager**

Council gave staff direction to draft an Ordinance outlining the parameters of private yard sales and bring back to Council for review.

**7. Discussion/Related Action Regarding the Appointment of an Interim City Treasurer – Nick Wells, City Manager**

A motion was made by Mr. Predmore and seconded by Mr. Layton to appoint George Morris as the Interim City Treasurer to finish out the remaining term left vacant with the passing of Pete Mellinger. All members present were in favor and the motion carried in the form of a roll call vote.

AYES: Ward, Goodsell, Predmore, Layton, Bradshaw  
NOES: None  
ABSENT: None  
ABSTAIN: None

**INFORMATION ONLY:**

**8. City Manager Report – Nick Wells**

- a. Fire Chief – Alex Silva
- b. Water/Wastewater Supervisor – Frank Cornejo
- c. Public Works Supervisor – Alex Chavez

Written reports were provided by the following: City Manager, Water/Wastewater Supervisor, Police Chief, and Public Works Foreman.

**9. Items for Future Meetings**

None

There being no further business to come before Council, Mayor Ward adjourned the meeting at 7:14 p.m.

\_\_\_\_\_  
Virginia Ward, Mayor

\_\_\_\_\_  
Denise Garcia, Interim City Clerk

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### CITY OF HOLTVILLE Monthly Check Register

MEETING DATE:	10-12-15
APPROVED FOR AGENDA	Page: 1
CITY MANAGER	_____
FINANCE MANAGER	_____
CITY ATTORNEY	_____

Date : 10/8/2015 10:08:32 AM  
 User Name : Lee Ann

Calendar Month/Year : <ALL> <ALL>

Fund	Transaction	Due Date	Invoice Number	Description	PO Number	Amount
<b>Check Number : 35150      Check Date : 9/25/2015</b>						
<b>Vendor : 1492 SUPERIOR COURT CLERK</b>						
10	69499	9/25/2015	JURY FEES	JURY FEES (CITY OF HOLTVILLE V	ADMIN	400.00
<b>Invoice Amount : 400.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		400.00
<b>Check Number : 35151      Check Date : 9/29/2015</b>						
<b>Vendor : 8161 A1 GOLF CARS</b>						
10	69386	9/23/2015	4816	SERVICE CALL FOR GOLF CART	PW	65.00
<b>Invoice Amount : 65.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		65.00
<b>Check Number : 35152      Check Date : 9/29/2015</b>						
<b>Vendor : 2149 ACME STAFFING</b>						
10	69405	9/23/2015	18279	TEMP EMPLOYEES	ADMIN	1,378.16
12	69405	9/23/2015	18279	TEMP EMPLOYEES	PW	1,680.80
<b>Invoice Amount : 3,058.96</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		3,058.96
<b>Check Number : 35153      Check Date : 9/29/2015</b>						
<b>Vendor : 8041 AFLAC</b>						
10	69417	9/23/2015	751032	INS. PREMIUM	ADMIN	122.81
<b>Invoice Amount : 122.81</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		122.81
<b>Check Number : 35154      Check Date : 9/29/2015</b>						
<b>Vendor : 1771 AIRWAVE COMMUNICATION</b>						
10	69387	9/23/2015	429029	REPARS UNIT 3661	FD	223.20
10	69403	9/23/2015	606006	MONTHLY SERVICE CONTRACT FOR		236.00
<b>Invoice Amount : 459.20</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		459.20
<b>Check Number : 35155      Check Date : 9/29/2015</b>						
<b>Vendor : 1433 APPLIED INDUSTRIAL TECHNOLOGIES</b>						
12	69491	9/25/2015	7006050629	LUBRIPLATE	PW	360.36
<b>Invoice Amount : 360.36</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		360.36
<b>Check Number : 35156      Check Date : 9/29/2015</b>						
<b>Vendor : 1796 ARAMARK SERVICES, INC.</b>						
10	69453	9/24/2015	AUGUST 2015	UNIFORMS (PW)	PW	631.20
11	69453	9/24/2015	AUGUST 2015	UNIFORMS (PW)		464.10
12	69453	9/24/2015	AUGUST 2015	UNIFORMS (PW)		554.37
<b>Invoice Amount : 1,649.67</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		1,649.67
<b>Check Number : 35157      Check Date : 9/29/2015</b>						
<b>Vendor : 7727 ASBURY ENVIRONMENTAL SERVICES</b>						
10	69459	9/24/2015	130527533	USED OIL SERVICE CHARGE	PW	35.00
<b>Invoice Amount : 35.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		35.00
<b>Check Number : 35158      Check Date : 9/29/2015</b>						
<b>Vendor : 2378 AT&amp;T</b>						
10	69409	9/23/2015	SEPT. 2015	TELEPHONE CHARGES		759.51
11	69409	9/23/2015	SEPT. 2015	TELEPHONE CHARGES	ADMIN	104.61
12	69409	9/23/2015	SEPT. 2015	TELEPHONE CHARGES		84.43
<b>Invoice Amount : 948.55</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		948.55
<b>Check Number : 35159      Check Date : 9/29/2015</b>						
<b>Vendor : 1237 BABCOCK &amp; SONS, INC.</b>						
11	69497	9/25/2015	BH52477-2279	LAB ANALYSIS	PW	780.00
<b>Invoice Amount : 780.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		780.00
<b>Check Number : 35160      Check Date : 9/29/2015</b>						
<b>Vendor : 8119 CITY OF IMPERIAL</b>						
10	69498	9/25/2015	1755	ELECTRICAL INSPECTION 830 CHEST	BLDG.	85.00
<b>Invoice Amount : 85.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		85.00

## CITY OF HOLTVILLE

### Monthly Check Register

Date : 10/8/2015 10:08:32 AM

User Name : Lee Ann

Calendar Month/Year : &lt;ALL&gt; &lt;ALL&gt;

Fund	Transaction	Due Date	Invoice Number	Description	PO Number	Amount
<b>Check Number : 35161      Check Date : 9/29/2015</b>						
<b>Vendor : 1958 COSTCO MEMBERSHIP</b>						
10	69410	9/23/2015	111811600213	MEMBERSHIP	ADMIN	110.00
<b>Invoice Amount : 110.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>110.00</b>
<b>Check Number : 35162      Check Date : 9/29/2015</b>						
<b>Vendor : 2320 COUNTY MOTOR PARTS</b>						
10	69381	9/23/2015	195076	BATTERY; GLOVES	FD	492.30
<b>Invoice Amount : 492.30</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>492.30</b>
<b>Check Number : 35163      Check Date : 9/29/2015</b>						
<b>Vendor : 1536 FERGUSON ENTERPRISES, INC. #8423</b>						
11	69464	9/24/2015	2365061	BOXLOK		240.94
11	69465	9/24/2015	2381876	VALVE BOX	PW	278.48
11	69472	9/24/2015	2381876-1	SEWER LIDS; MARKING PAINT		188.71
<b>Invoice Amount : 708.13</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>708.13</b>
<b>Check Number : 35164      Check Date : 9/29/2015</b>						
<b>Vendor : 1471 HD SUPPLY WATERWORKS, LTD</b>						
11	69463	9/24/2015	E466640	BOXES; LITS; NUTS; GASKETS; TAPE;	PW	766.69
11	69474	9/24/2015	E518182	ANG MTR STOP;		144.27
<b>Invoice Amount : 910.96</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>910.96</b>
<b>Check Number : 35165      Check Date : 9/29/2015</b>						
<b>Vendor : 8353 HECTOR OROZCO</b>						
10	69475	9/24/2015	SEPT. 2015	CELL PHONE	ADMIN	64.79
<b>Invoice Amount : 64.79</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>64.79</b>
<b>Check Number : 35166      Check Date : 9/29/2015</b>						
<b>Vendor : 1019 HOLTVILLE TRIBUNE</b>						
13	69414	9/23/2015	8016	PUBLISH NOTICE OF TRASH RATE IN	TRASH COUNCIL	300.00
10	69415	9/23/2015	8017	PUBLISH NOTICE OF VACANCY OF C		264.00
<b>Invoice Amount : 564.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>564.00</b>
<b>Check Number : 35167      Check Date : 9/29/2015</b>						
<b>Vendor : 2147 IMPERIAL COUNTY TAX COLLECTOR</b>						
12	69418	9/23/2015	045-500-0210-00	PROPERTY TAXES (WWTP)	PW	16.40
<b>Invoice Amount : 16.40</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>16.40</b>
<b>Check Number : 35168      Check Date : 9/29/2015</b>						
<b>Vendor : 2137 IMPERIAL IRRIGATION DISTRICT (WATER)</b>						
11	69492	9/25/2015	SEPT. 2015	RAW WATER CHARGES	PW	4,882.00
<b>Invoice Amount : 4,882.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>4,882.00</b>
<b>Check Number : 35169      Check Date : 9/29/2015</b>						
<b>Vendor : 1027 IMPERIAL STORES</b>						
10	69382	9/23/2015	561130	BATTERIES; CLEANING SUPPLIES		39.94
10	69383	9/23/2015	560991	MARKERS; PENS		6.21
10	69384	9/23/2015	561035	BLEACH		3.40
10	69385	9/23/2015	561030	CLEANING SUPPLIES		25.09
10	69388	9/23/2015	560903	WATER COOLER		24.83
10	69389	9/23/2015	560870	SUPPLIES FOR STRIKE TEAM (FD)		60.37
10	69390	9/23/2015	560880	PADLOCKS		22.49
10	69391	9/23/2015	560770	SAND BAGS		100.87
10	69392	9/23/2015	560778	VEHICLE WASH AND WAX		13.66
10	69393	9/23/2015	560600	LAUNDRY SUPPLIES		18.68
10	69394	9/23/2015	560537	KEYS		7.35
10	69396	9/23/2015	59214	PADLOCKS		20.51
10	69397	9/23/2015	561049	CLEANING SUPPLIES		14.48

## CITY OF HOLTVILLE

### Monthly Check Register

Date : 10/8/2015 10:08:32 AM

User Name : Lee Ann

Calendar Month/Year : &lt;ALL&gt; &lt;ALL&gt;

Fund	Transaction	Due Date	Invoice Number	Description	PO Number	Amount
10	69398	9/23/2015	561240	BATTERIES		6.47
10	69399	9/23/2015	561233	BATTERIES		17.23
10	69400	9/23/2015	561194	TARP STRAP		6.60
10	69401	9/23/2015	561136	BULBS		4.72
11	69457	9/24/2015	561070	SAND PAPER		5.54
10	69461	9/24/2015	560694	BATTERIES		9.71
10	69462	9/24/2015	560687	LIGHT BULBS FOR LIBRARY		124.80
10	69466	9/24/2015	560791	KEYS		4.90
10	69467	9/24/2015	560706	LONG NOSE PLYER		32.18
10	69468	9/24/2015	560704	WISE GRIP PLIER		19.80
10	69469	9/24/2015	560689	DOG FOOD		79.90
10	69470	9/24/2015	560400	BROOM AND DUST BROOM		27.17
10	69471	9/24/2015	560795	LAMP BALLAST FOR LIBRARY		33.19
10	69493	9/25/2015	561212	CONCRETE MIX; C CLAMP		189.79
12	69495	9/25/2015	560978	REPAIR PARTS		68.05
12	69496	9/25/2015	560883	REPAIR PARTS; CLEANING SUPPLIES		264.96
<b>Invoice Amount</b>		: 1,252.89		<b>Discount Amount</b>	: 0.00	<b>Check Amount</b> : 1,252.89
<b>Check Number</b> : 35170		<b>Check Date</b> : 9/29/2015				
<b>Vendor</b> : 1757 IMPERIAL VALLEY ENVIRONMENTAL LAB						
12	69486	9/25/2015	7689	LAB ANALYSIS		198.00
12	69488	9/25/2015	7684	LAB ANALYSIS	PW	695.00
12	69490	9/25/2015	7676	LAB ANALYSIS		3,855.00
<b>Invoice Amount</b>		: 4,748.00		<b>Discount Amount</b>	: 0.00	<b>Check Amount</b> : 4,748.00
<b>Check Number</b> : 35171		<b>Check Date</b> : 9/29/2015				
<b>Vendor</b> : 8147 IMPERIAL VALLEY FIRE CHIEF'S ASSOC.						
10	69502	9/28/2015	S-290 TRAINING	S-290 INTERMEDIATE WILDLAND (R		135.00
<b>Invoice Amount</b>		: 135.00		<b>Discount Amount</b>	: 0.00	<b>Check Amount</b> : 135.00
<b>Check Number</b> : 35172		<b>Check Date</b> : 9/29/2015				
<b>Vendor</b> : 1382 K-C WELDING & RENTAL, INC.						
11	69455	9/24/2015	51636	WORK BOOTS (TONY ANTUNEZ)		167.39
11	69456	9/24/2015	51638	DOUBLE BALL MOUNT; HITCH PIN	PW	67.47
12	69456	9/24/2015	51638	DOUBLE BALL MOUNT; HITCH PIN		67.48
<b>Invoice Amount</b>		: 302.34		<b>Discount Amount</b>	: 0.00	<b>Check Amount</b> : 302.34
<b>Check Number</b> : 35173		<b>Check Date</b> : 9/29/2015				
<b>Vendor</b> : 8681 LUZ NAVARRO						
11	69416	9/23/2015	830 CIRCLE	REFUND OF WATER DEPOSIT	ADMIN	116.57
<b>Invoice Amount</b>		: 116.57		<b>Discount Amount</b>	: 0.00	<b>Check Amount</b> : 116.57
<b>Check Number</b> : 35174		<b>Check Date</b> : 9/29/2015				
<b>Vendor</b> : 8011 NICHOLAS WELLS						
10	69406	9/23/2015	SEPT. 2015	MILEAGE	ADMIN	112.70
<b>Invoice Amount</b>		: 112.70		<b>Discount Amount</b>	: 0.00	<b>Check Amount</b> : 112.70
<b>Check Number</b> : 35175		<b>Check Date</b> : 9/29/2015				
<b>Vendor</b> : 1450 PITNEY BOWES GLOBAL FINANCE SERVICES LLC						
10	69476	9/24/2015	2643668-SP15	POSTAGE/FOLDING EQUIPMENT		86.96
11	69476	9/24/2015	2643668-SP15	POSTAGE/FOLDING EQUIPMENT	ADMIN	86.96
12	69476	9/24/2015	2643668-SP15	POSTAGE/FOLDING EQUIPMENT		86.97
<b>Invoice Amount</b>		: 260.89		<b>Discount Amount</b>	: 0.00	<b>Check Amount</b> : 260.89
<b>Check Number</b> : 35176		<b>Check Date</b> : 9/29/2015				
<b>Vendor</b> : 1127 PREDMORE, ROBERT						
10	69473	9/24/2015	9/21/15	WORK BOOTS	PW	32.16
<b>Invoice Amount</b>		: 32.16		<b>Discount Amount</b>	: 0.00	<b>Check Amount</b> : 32.16

## CITY OF HOLTVILLE

### Monthly Check Register

Date : 10/8/2015 10:08:32 AM

User Name : Lee Ann

Calendar Month/Year : &lt;ALL&gt; &lt;ALL&gt;

Fund	Transaction	Due Date	Invoice Number	Description	PO Number	Amount
<b>Check Number : 35177      Check Date : 9/29/2015</b>						
<b>Vendor : 1176 QUILL CORPORATION</b>						
10	69404	9/23/2015	7795867	OFFICE SUPPLIES		26.63
11	69404	9/23/2015	7795867	OFFICE SUPPLIES		26.63
12	69404	9/23/2015	7795867	OFFICE SUPPLIES		26.64
11	69408	9/23/2015	7711431	OFFICE SUPPLIES		28.07
12	69408	9/23/2015	7711431	OFFICE SUPPLIES		28.07
10	69411	9/23/2015	7621350	OFFICE SUPPLIES		4.12
11	69411	9/23/2015	7621350	OFFICE SUPPLIES		4.12
12	69411	9/23/2015	7621350	OFFICE SUPPLIES		4.13
10	69412	9/23/2015	7617217	OFFICE SUPPLIES		115.44
11	69412	9/23/2015	7617217	OFFICE SUPPLIES		115.44
12	69412	9/23/2015	7617217	OFFICE SUPPLIES		115.44
10	69413	9/23/2015	7616778	OFFICE SUPPLIES		70.70
<b>Invoice Amount : 565.43</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>565.43</b>
<b>Check Number : 35178      Check Date : 9/29/2015</b>						
<b>Vendor : 1570 RDJ SPECIALTIES, INC</b>						
10	69378	9/23/2015	87950	BOOK MARKS; PENCILS (FD)	FD	732.98
<b>Invoice Amount : 732.98</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>732.98</b>
<b>Check Number : 35179      Check Date : 9/29/2015</b>						
<b>Vendor : 1555 ROBERT S. NELSON AUTOMOTIVE</b>						
10	69380	9/23/2015	11037	REPAIRS TO VEHICLE (FD)	FD	781.90
10	69395	9/23/2015	11139	REPAIRS TO VEHICLE	PW	136.76
10	69494	9/25/2015	11163	REPAIRS TO VEHICLE PW		519.19
<b>Invoice Amount : 1,437.85</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>1,437.85</b>
<b>Check Number : 35180      Check Date : 9/29/2015</b>						
<b>Vendor : 1911 SENSUS METERING SYSTEMS</b>						
11	69407	9/23/2015	ZA16005863	AUTOREAD SUPPORT 2015-16	PW	1,686.20
<b>Invoice Amount : 1,686.20</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>1,686.20</b>
<b>Check Number : 35181      Check Date : 9/29/2015</b>						
<b>Vendor : 8138 SERVICE MASTER</b>						
10	69458	9/24/2015	31275	JANITORIAL SERVICES	PW	1,309.00
<b>Invoice Amount : 1,309.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>1,309.00</b>
<b>Check Number : 35182      Check Date : 9/29/2015</b>						
<b>Vendor : 2217 SUPERIOR READY MIX CONCRETE</b>						
10	69460	9/24/2015	732572	CONCRETE FOR 6TH AND HOLT	PW	275.28
<b>Invoice Amount : 275.28</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>275.28</b>
<b>Check Number : 35183      Check Date : 9/29/2015</b>						
<b>Vendor : 8670 THE EMBLEM AUTHORITY</b>						
10	69402	9/23/2015	19573	EMBLEMS (FD)	FD	172.00
<b>Invoice Amount : 172.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>172.00</b>
<b>Check Number : 35184      Check Date : 9/29/2015</b>						
<b>Vendor : 1049 UNDERGROUND SERVICE ALERT</b>						
10	69454	9/24/2015	820150317	DIG ALERTS	PW	36.00
<b>Invoice Amount : 36.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>36.00</b>
<b>Check Number : 35185      Check Date : 9/29/2015</b>						
<b>Vendor : 1260 USA BLUEBOOK</b>						
12	69487	9/25/2015	747291	BUFFER; MODULE; BUFFER; DEIONIZ	PW	1,102.01
11	69489	9/25/2015	741403	CONTAINMENT AREA COATING		569.12
<b>Invoice Amount : 1,671.13</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		<b>1,671.13</b>

## CITY OF HOLTVILLE

### Monthly Check Register

Date : 10/8/2015 10:08:32 AM

User Name : Lee Ann

Calendar Month/Year : &lt;ALL&gt; &lt;ALL&gt;

Fund	Transaction	Due Date	Invoice Number	Description	PO Number	Amount
<b>Check Number : 35186      Check Date : 9/29/2015</b>						
<b>Vendor : 2012 VERIZON WIRELESS</b>						
10	69379	9/23/2015	9752246358	DATA LINE FOR ENGINE		FD 38.01
<b>Invoice Amount : 38.01</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		38.01
<b>Check Number : 35187      Check Date : 10/7/2015</b>						
<b>Vendor : 2149 ACME STAFFING</b>						
10	69568	10/6/2015	18309	TEMP. EMPLOYEES	ADMIN	1,239.06
12	69568	10/6/2015	18309	TEMP. EMPLOYEES	PW	1,680.80
<b>Invoice Amount : 2,919.86</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		2,919.86
<b>Check Number : 35188      Check Date : 10/7/2015</b>						
<b>Vendor : 8041 AFLAC</b>						
10	69545	10/5/2015	948892	INSURANCE PREMIUM	ADMIN	122.81
<b>Invoice Amount : 122.81</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		122.81
<b>Check Number : 35189      Check Date : 10/7/2015</b>						
<b>Vendor : 8683 ALL VALLEY TREE SERVICE</b>						
10	69566	10/6/2015	2004	PALM TREE REMOVAL	PW	500.00
<b>Invoice Amount : 500.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		500.00
<b>Check Number : 35190      Check Date : 10/7/2015</b>						
<b>Vendor : 8016 AT&amp;T MOBILITY</b>						
10	69593	10/7/2015	5059 OCT. 2015	CELL PHONE	ADMIN	94.15
<b>Invoice Amount : 94.15</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		94.15
<b>Check Number : 35191      Check Date : 10/7/2015</b>						
<b>Vendor : 2030 BLUE SHIELD OF CALIFORNIA</b>						
10	69543	10/5/2015	NOV. 2015	HEALTH INSURANCE		3,519.46
11	69543	10/5/2015	NOV. 2015	HEALTH INSURANCE	ADMIN	2,449.16
12	69543	10/5/2015	NOV. 2015	HEALTH INSURANCE		2,132.38
<b>Invoice Amount : 8,101.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		8,101.00
<b>Check Number : 35192      Check Date : 10/7/2015</b>						
<b>Vendor : 8166 BOUNDTREE</b>						
10	69585	10/6/2015	81918920	MEDICAL SUPPLIES	FD	200.66
<b>Invoice Amount : 200.66</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		200.66
<b>Check Number : 35193      Check Date : 10/7/2015</b>						
<b>Vendor : 8684 CA-NV Section AWWA</b>						
11	69589	10/7/2015	A. CHAVEZ	BACKFLOW COURSE REGISTRATION		920.00
11	69590	10/7/2015	F. OROZCO	BACKFLOW COURSE REGISTRATION	PW	920.00
11	69591	10/7/2015	A. CHAVEZ -TEST	BACKFLOW TEST FEE		200.00
11	69592	10/7/2015	F. OROZCO TEST	BACKFLOW TEST FEE		200.00
<b>Invoice Amount : 2,240.00</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		2,240.00
<b>Check Number : 35194      Check Date : 10/7/2015</b>						
<b>Vendor : 1105 CHEVRON</b>						
10	69584	10/6/2015	SEPT. 2015	FUEL (FD)	FD	183.64
<b>Invoice Amount : 183.64</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		183.64
<b>Check Number : 35195      Check Date : 10/7/2015</b>						
<b>Vendor : 1884 ESTRADA SYSTEMS GROUP, INC.</b>						
10	69560	10/5/2015	6110	COMPUTER CONSULTING; WEBSITE;		1,275.00
11	69560	10/5/2015	6110	COMPUTER CONSULTING; WEBSITE;	ADMIN	487.50
12	69560	10/5/2015	6110	COMPUTER CONSULTING; WEBSITE;		352.50
10	69587	10/6/2015	6142	ESG WEB HOSTING SERVICE		71.88
<b>Invoice Amount : 2,186.88</b>		<b>Discount Amount : 0.00</b>		<b>Check Amount :</b>		2,186.88
<b>Check Number : 35196      Check Date : 10/7/2015</b>						
<b>Vendor : 1417 FIRE PROTECTION PUBLICATIONS</b>						

## CITY OF HOLTVILLE

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User Name : Lee Ann

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Fund	Transaction	Due Date	Invoice Number	Description	PO Number	Amount
10	69586	10/6/2015	42972	FIRE INSPECTION CODE; EMERGENCY	FD	476.30
<b>Invoice Amount</b> : 476.30		<b>Discount Amount</b> : 0.00		<b>Check Amount</b> :		476.30
<b>Check Number</b> : 35197		<b>Check Date</b> : 10/7/2015				
<b>Vendor</b> : 2399 HARTFORD						
10	69546	10/5/2015	OCT. 2015	INSURANCE PREMIUM		225.32
11	69546	10/5/2015	OCT. 2015	INSURANCE PREMIUM	ADMIN	35.96
12	69546	10/5/2015	OCT. 2015	INSURANCE PREMIUM		38.99
<b>Invoice Amount</b> : 300.27		<b>Discount Amount</b> : 0.00		<b>Check Amount</b> :		300.27
<b>Check Number</b> : 35198		<b>Check Date</b> : 10/7/2015				
<b>Vendor</b> : 2403 HIGHLINE COOLING, LLC						
10	69557	10/5/2015	OCT. 2015 RENT	OFFICE RENT PD/FD	PD/FD	2,000.00
<b>Invoice Amount</b> : 2,000.00		<b>Discount Amount</b> : 0.00		<b>Check Amount</b> :		2,000.00
<b>Check Number</b> : 35199		<b>Check Date</b> : 10/7/2015				
<b>Vendor</b> : 1015 HOLT GROUP, THE						
12	69420	9/23/2015	15-07-009	(434) WWTP EXPANSION		4,435.00
12	69421	9/23/2015	15-07-010	(435) WWTP EXPANSION		580.00
12	69422	9/23/2015	15-07-027	(434) WWTP EXPANSION (REPRODU		8,433.00
10	69423	9/23/2015	15-07-037	(047) GENERAL PLANNING SERVICE		4,972.63
10	69424	9/23/2015	15-07-038	(207) BDLG. PERMITS; SIGNS; ENCR		691.79
23	69425	9/23/2015	15-07-039	(226) ANNUAL DBE SUBMITTAL TO C		59.90
10	69426	9/23/2015	15-07-040	(208) CODE ENFORCEMENT		413.75
10	69427	9/23/2015	15-07-041	(229) CDBG LOANS		227.50
22	69428	9/23/2015	15-07-042	(271) SR 115 BRIDGE SAFETE LU DE		17.50
12	69429	9/23/2015	15-07-043	(295) SANITARY SEWER OUTFALL PIP		123.75
22	69430	9/23/2015	15-07-044	(315) ALAMO RIVER TRAIL		1,455.00
12	69431	9/23/2015	15-07-045	(323) WASTEWATER PLANT APPLICA		457.99
12	69432	9/23/2015	15-07-046	(327) SRF GRANT APPLICATION FOR		414.77
22	69433	9/23/2015	15-07-052	(383) RSTP WALNUT IMPROVEMENT P		1,768.50
22	69434	9/23/2015	15-07-047	(335) ICTC & MISC. TRANSPORTATIO		916.25
22	69435	9/23/2015	15-07-048	(343) CALTRANS/5TH STREET IMPR		17.50
12	69436	9/23/2015	15-07-049	(356) USDA OUTFALL MAIN GRANT A		52.50
22	69437	9/23/2015	15-07-050	(374) 9TH STREET EXTENSION & PE		752.50
22	69438	9/23/2015	15-07-051	(377) CEDAR AVE.		670.00
22	69439	9/23/2015	15-07-053	(394) 4TH STREET SIDEWALK PROJ		902.50
12	69440	9/23/2015	45-07-054	(408) NAD BANK GRANT CONDITION		302.50
10	69441	9/23/2015	15-07-055	(414) TENTATIVE PARACEL MAP FOR		301.66
22	69442	9/23/2015	15-07-056	(423) NORTH SIDE OF 5TH STREET		949.25
10	69443	9/23/2015	15-07-057	(428) SGC GP /SAP GRANT ADMIN.		835.00
22	69444	9/23/2015	15-07-058	(436) COMPLETE STREETS PLAN		580.29
10	69445	9/23/2015	15-07-059	(438) AUTO ZONE SITE PLAN REVIEW		855.75
22	69446	9/23/2015	15-07-060	(442) 9TH STREET IMPROVEMENTS P		926.75
10	69447	9/23/2015	15-07-061	(443) CLEAR TALK CONDITIONAL USE		230.00
10	69448	9/23/2015	15-07-062	(444) RANGEL SETBACK VARIANCE F		866.25
10	69449	9/23/2015	15-07-063	(445) OSBORNE/BORNT BOUNDARY		668.75
12	69554	10/5/2015	15-07-008-1	MISC. ENG. SERVICES		3,315.00
22	69555	10/5/2015	15-07-071	MSC. ENG. SERVICES (SR 115/GRAPE		500.00
10	69556	10/5/2015	15-07-070	MISC. ENG. SERVICES		2,105.00
<b>Invoice Amount</b> : 39,798.53		<b>Discount Amount</b> : 0.00		<b>Check Amount</b> :		39,798.53
<b>Check Number</b> : 35200		<b>Check Date</b> : 10/7/2015				
<b>Vendor</b> : 1910 HUMANA						
10	69548	10/5/2015	OCT. 2015	INSURANCE PREMIUM	ADMIN	563.00

## CITY OF HOLTVILLE

### Monthly Check Register

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Fund	Transaction	Due Date	Invoice Number	Description	PO Number	Amount
11	69548	10/5/2015	OCT. 2015	INSURANCE PREMIUM		561.58
12	69548	10/5/2015	OCT. 2015	INSURANCE PREMIUM	ADMIN	323.18
<b>Invoice Amount</b>		: 1,447.76	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 1,447.76
<b>Check Number</b>		: 35201	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 8147 IMPERIAL VALLEY FIRE CHIEF'S ASSOC.				
10	69583	10/6/2015	10-26 thru 10-2	TRAINING S-215 FIRE OPERATIONS E.	FD	135.00
<b>Invoice Amount</b>		: 135.00	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 135.00
<b>Check Number</b>		: 35202	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 8682 IRENE R. KEATING				
10	69561	10/5/2015	10/5/15	COURT REPORTING FEES (BLACK		1,000.00
10	69562	10/5/2015	9/25/15	COURT REPORTING FEES (BLACK D		750.00
<b>Invoice Amount</b>		: 1,750.00	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 1,750.00
<b>Check Number</b>		: 35203	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 8106 JAMES PREDMORE				
10	69559	10/5/2015	OCT. 2015 MTG.	SCAG MONTHLY MEETING	COUNCIL	255.30
<b>Invoice Amount</b>		: 255.30	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 255.30
<b>Check Number</b>		: 35204	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 1094 LEAGUE OF CA CITIES				
10	69552	10/5/2015	1689	LEAGUE DINNER (APRIL 2015)	COUNCIL	225.00
10	69553	10/5/2015	1698	LEAGUE DINNER (MAY 2015)		240.00
<b>Invoice Amount</b>		: 465.00	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 465.00
<b>Check Number</b>		: 35205	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 1489 PERMA				
10	69542	10/5/2015	2015-16 2ND PM	WORKERS' COMP. QUARTERLY DEPO	ADMIN	6,437.75
11	69542	10/5/2015	2015-16 2ND PM	WORKERS' COMP. QUARTERLY DEPO		5,409.25
12	69542	10/5/2015	2015-16 2ND PM	WORKERS' COMP. QUARTERLY DEPO		4,916.00
<b>Invoice Amount</b>		: 16,763.00	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 16,763.00
<b>Check Number</b>		: 35206	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 1306 SILVA, ALEX				
10	69582	10/5/2015	9/30/15	FUEL (FD) TAHOE TAKEN FOR RE	FD	20.00
<b>Invoice Amount</b>		: 20.00	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 20.00
<b>Check Number</b>		: 35207	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 8339 SIMNSA HEALTH PLAN				
10	69547	10/5/2015	50852	INSURANCE PREMIUM		137.55
11	69547	10/5/2015	50852	INSURANCE PREMIUM	ADMIN	1,391.37
12	69547	10/5/2015	50852	INSURANCE PREMIUM		420.25
<b>Invoice Amount</b>		: 1,949.17	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 1,949.17
<b>Check Number</b>		: 35208	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 8670 THE EMBLEM AUTHORITY				
10	69567	10/6/2015	19711	CITY OF HOLTVILLE SHERIFF PATCH	PD	347.50
<b>Invoice Amount</b>		: 347.50	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 347.50
<b>Check Number</b>		: 35209	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 1022 VANTAGE POINT TRANSFER - 457				
10	69551	10/5/2015	PP 15 to 19 CM	PP# 15 THRU PP# 19 CM RETIREMENT	ADMIN	303.27
<b>Invoice Amount</b>		: 303.27	<b>Discount Amount</b>		: 0.00	<b>Check Amount</b> : 303.27
<b>Check Number</b>		: 35210	<b>Check Date</b>		: 10/7/2015	
<b>Vendor</b>		: 8116 VANTAGE POINT TRANSFER AGENTS - 108793				
10	69549	10/5/2015	PP# 19	PP#19 RETIREMENT; PENSION REPAY		3,260.83
11	69549	10/5/2015	PP# 19	PP#19 RETIREMENT; PENSION REPAY	ADMIN	1,022.18
12	69549	10/5/2015	PP# 19	PP#19 RETIREMENT; PENSION REPAY		870.41
10	69550	10/5/2015	PP# 20	PP#20 RETIREMENT; PENSION REPAY		3,263.15

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Fund	Transaction	Due Date	Invoice Number	Description	PO Number	Amount
11	69550	10/5/2015	PP# 20	PP#20 RETIREMENT; PENSION REPAY		1,022.18
12	69550	10/5/2015	PP# 20	PP#20 RETIREMENT; PENSION REPAY		870.41
<b>Invoice Amount</b> :		10,309.16	<b>Discount Amount</b> :		0.00	<b>Check Amount</b> : 10,309.16

<b>Check Number</b> :		35211	<b>Check Date</b> :		10/7/2015	
<b>Vendor</b> : 2012 VERIZON WIRELESS						
10	69565	10/6/2015	OCT. 2015	CELL PHONE CHARGES	205.58	
11	69565	10/6/2015	OCT. 2015	CELL PHONE CHARGES	ADMIN 174.64	
12	69565	10/6/2015	OCT. 2015	CELL PHONE CHARGES	138.38	
<b>Invoice Amount</b> :		518.60	<b>Discount Amount</b> :		0.00	<b>Check Amount</b> : 518.60

<b>Check Number</b> :		35212	<b>Check Date</b> :		10/7/2015	
<b>Vendor</b> : 2055 VISION SERVICE PLAN						
10	69544	10/5/2015	NOV. 2015	INSURANCE PREMIUM	ADMIN 106.78	
11	69544	10/5/2015	NOV. 2015	INSURANCE PREMIUM	156.59	
12	69544	10/5/2015	NOV. 2015	INSURANCE PREMIUM	87.16	
<b>Invoice Amount</b> :		350.53	<b>Discount Amount</b> :		0.00	<b>Check Amount</b> : 350.53

<b>Total Number of Vendors</b>	:	58	:	0.00
<b>Total Number of Checks Printed</b>	:	63		
<b>Total Number of Voided Checks</b>	:	0		
<b>Largest Check Amount</b>	:	39,798.53		
<b>Total for all Checks Printed</b>	:	124,335.95		
<b>Total for Voided Checks</b>	:	0.00		
<b>Net Amount of Checks Printed</b>	:	124,335.95		

### Summary

Fund	Amount
10 GENERAL FUND	49,693.21
11 WATER	25,673.72
12 SEWER	39,153.08
13 TRASH	300.00
22 LOCAL TRANSPORTATION FUND - TDA	9,456.04
23 LOCAL TRANSPORTATION AUTHORITY	59.90

**City of Holtville**  
**REPORT TO COUNCIL**

Meeting Date	<u>10/12/15</u>
Item Number	<u>3</u>
Approvals	City Manager <u></u>
	Finance _____
	City Attorney _____
	_____

**DATE ISSUED:** October 12, 2015  
**FROM:** Nick Wells, City Manager  
**SUBJECT:** Resolution No. 15-31 *Authorizing the City Manager to Execute an Agreement with the State Board of Equalization for Collection of Utility User Tax on Prepaid Phone Cards*

**ISSUE**

Shall the City Council adopt Resolution No. 15-31 authorizing the City Manager to execute an agreement with the State Board of Equalization (BoE) to collect and remit the City's Utility User Tax on the sale of Prepaid Phone Cards in the City?

**DISCUSSION**

The City was recently contacted by the BoE, notifying us of their capability to collect UUT tax on prepaid phone cards sold in the City. A determination was recently made that BoE should and will collect those taxes if it is requested. The assumption is that the UUT (authorized in Ordinance 415) covers this issue. This action merely aids in the collection of the tax.

It is assumed that a reasonably large number of such cards are sold in the City, but no data has been provided to substantiate that position. This will, however, insure collection of the tax on this function as it is done on all other utilities in the City.

**FISCAL IMPACT**

Additional undetermined UUT will be collected and appropriated to the City of Holtville's General Revenue Fund.

**RECOMMENDATION**

Staff recommends that the resolution be adopted.

**ALTERNATIVE**

Not to adopt the Resolution and forego receipt of these funds

Respectfully Submitted,



Nicholas D. Wells

**RESOLUTION NO. 15-31**

**A RESOLUTION OF THE HOLTVILLE CITY COUNCIL AUTHORIZING THE CITY  
MANAGER TO EXECUTE AN AGREEMENT WITH THE STATE BOARD OF  
EQUALIZATION FOR IMPLEMENTATION OF THE LOCAL PREPAID MOBILE  
TELEPHONY SERVICES COLLECTION ACT**

**WHEREAS**, on October 12, 2015, the City of Holtville certifies that Ordinance No. 415 applies its local charge of Utility Use Tax to prepaid mobile telephony services; and

**WHEREAS**, the Local Prepaid Mobile Telephony Services Collection Act mandates the Board of Equalization (Board) to administer and collect the local charges for all applicable local jurisdictions (Rev. & Tax Code section 42103); and

**WHEREAS**, the Board will perform all functions incident to administration and collection of the local charges for the City of Holtville; and

**WHEREAS**, the Board requires that the City of Holtville enter into an “Agreement for State Collection and Administration of Local Charges” prior to implementation of the Local Prepaid Mobile Telephony Services Collection Act; and

**WHEREAS**, the Board requires that the City of Holtville authorize the agreement;

**NOW THEREFORE, BE IT RESOLVED:**

- 1) That the attached “Agreement for State Collection and Administration of Local Charges” is hereby approved and the Holtville City Manager is hereby authorized to execute the agreement.
- 2) That the foregoing is true, correct and adopted.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Holtville, California, this 12<sup>th</sup> day of October, 2015

\_\_\_\_\_  
Virginia Ward, Mayor

ATTEST:

I, Denise Garcia, Acting City Clerk of the City of Holtville, California, DO HEREBY CERTIFY, that the foregoing Resolution was duly passed, approved and adopted at a regular meeting of the City Council of the City of Holtville, California, on the 12<sup>th</sup> day of October, 2015.

\_\_\_\_\_  
Denise Garcia, Acting City Clerk

**AGREEMENT FOR STATE COLLECTION AND ADMINISTRATION OF  
LOCAL CHARGES**

This Agreement is for the purpose of implementing the Local Prepaid Mobile Telephony Services Collection Act (Part 21.1, commencing with Section 42100) of Division 2 of the Revenue and Taxation Code), hereinafter referred to as the Local Charge Act. The City of Holtville Insert name of local jurisdiction and the State Board of Equalization, hereinafter called the Board, do agree as follows:

**ARTICLE I  
DEFINITIONS**

Unless the context requires otherwise, wherever the following terms appear in this Agreement they shall be interpreted to mean the following:

**A. "Administrative Expenses"** means all expenses incurred by the Board in the administration and collection of the local charges, including preparation and wind down costs which are reimbursable to the Board from the revenues collected by the Board on behalf of the local jurisdiction.

**B. "Contingent Fee"** includes, but is not limited to, a fee that is based on a percentage of the tax liability reported on a return, a fee that is based on a percentage of the taxes owed, or a fee that depends on the specific tax result attained.

**C. "Direct Seller"** means a prepaid Mobile Telephony Service (MTS) provider or service supplier, as defined in section 41007, that makes a sale of prepaid mobile telephony services directly to a prepaid consumer for any purpose other than resale in the regular course of business. A direct seller includes, but is not limited to, a telephone corporation, a person that provides an interconnected Voice over Internet Protocol (VoIP) service, and a retailer as described in section 42004(b)(1).

**D. "Local Charges"** means a utility user tax imposed on the consumption of prepaid mobile telephony services, as described in section 42102, and charges for access to communication services or to local "911" emergency telephone systems imposed by a local jurisdiction, as described in section 42102.5.

**E. "Local Jurisdiction" or "local agency"** means a city, county, or city and county, which includes a charter city, county, or city and county of this State, which has adopted an ordinance imposing a local charge of the kind described in Part 21.1 of Division 2 of the Revenue and Taxation Code and has entered into a contract with the Board to perform all functions incident to the collection of the local charges.

**F. "Ordinance"** means an ordinance of a local jurisdiction imposing a local charge, including any local enactment relating to the filing of a refund or a claim arising under the ordinance, attached hereto, as amended from time to time.

**G. “Quarterly local charges”** means the total amount of local charges transmitted by the Board to a local jurisdiction for a calendar quarter, as set forth in section 42106(a)(1).

**H. “Refund”** means the amount of local charges deducted by the Board from a local jurisdiction’s quarterly local charges in order to pay that jurisdiction’s share of a local charge refund due to one taxpayer.

**I. “Section”** – all section references are to the Revenue and Taxation Code.

**J. “Seller”** means a person that sells prepaid mobile telephony service to a person in a retail transaction.

## **ARTICLE II BOARD ADMINISTRATION AND COLLECTION OF LOCAL CHARGES**

**A. Administration.** The Board and the local jurisdiction agree that the Board shall perform functions incident to the collection of the local charges from sellers that are not direct sellers.

**B. Collection.** The Board shall collect the local charges in the same manner as it collects the prepaid MTS Surcharge in the Prepaid Mobile Telephony Services Surcharge Collection Act, subject to specified limitations in the Local Charge Act for which the local jurisdiction is responsible, as set forth in Article III of this Agreement.

**C. Audits.** The Board’s audit duties shall be limited to verification that the seller that is not a direct seller complied with the Local Charge Act.

**D. Other applicable laws.** The Board and the local jurisdiction agree that all provisions of law applicable to the administration and operation of the Local Charge Act, Prepaid Mobile Telephony Services Surcharge Collection Act, and the Fee Collection Procedures Law (FCPL) shall be applicable to the collection of local charges. References in the FCPL to feepayer include a person required to pay the local charge, including the seller. All future amendments to applicable laws are automatically incorporated into this Agreement.

**E. Deposit of Local Charges.** All local charges collected by the Board shall be deposited in the Local Charges for Prepaid Mobile Telephony Services Fund in the State Treasury to be held in trust for the local taxing jurisdiction. Local charges shall consist of all taxes, charges, interest, penalties, and other amounts collected and paid to the Board, less payments for refunds and reimbursement to the Board for expenses incurred in the administration and collection of the local charges, including preparation and wind-down costs.

**F. Allocation of Expenses.** The Board shall allocate the total combined annual expenses incurred for administration and collection pursuant to the Prepaid Mobile Telephony Services Surcharge Collection Act and the Local Charge Act on a pro rata basis according to revenues collected for: (1) the emergency telephone users surcharge portion of the prepaid MTS surcharge, (2) the Public Utilities Commission surcharges

portion of the prepaid MTS surcharge, and (3) local charges. The Board shall charge a local jurisdiction its pro rata share of the Board's cost of collection and administration.

**G. Transmittal of money.** All local charges collected by the Board shall be transmitted to the local jurisdiction once in each calendar quarter. Transmittals may be made by mail or by deposit to the account of the local jurisdiction in a bank designated by that jurisdiction. The Board shall furnish a statement quarterly indicating the amounts paid and withheld for expenses of the Board.

**H. Rules.** The Board shall prescribe and adopt such rules and regulations as in its judgment are necessary or desirable for the administration and collection of local charges and the distribution of the local charges collected.

**I. Security.** The Board agrees that any security which it hereafter requires to be furnished under the FCPL section 55022 will be upon such terms that it also will be available for the payment of the claims of the local jurisdiction for local taxes owing to it as its interest appears. The Board shall not be required to change the terms of any security now held by it, and the local jurisdiction shall not participate in any security now held by the Board.

**J. Records of the Board.**

1. Information obtained by the local jurisdiction from the examination of the Board's records shall be used by the local jurisdiction only for purposes related to the collection of the prepaid mobile telephony services surcharge and local charges by the Board pursuant to this Agreement.

2. When requested by resolution of the legislative body of a local jurisdiction, the Board shall permit any duly authorized officer or employee or other person designated by that resolution to examine any information for its own jurisdiction that is reasonably available to the Board regarding the proper collection and remittance of a local charge of the local jurisdiction by a seller, including a direct seller, subject to the confidentiality requirements of sections 7284.6, 7284.7 and 19542. (sections 42110(b), 42103(e)).

3. The resolution of the local jurisdiction shall certify that any person designated by the resolution, other than an officer and an employee, meets all of the following conditions:

- a. Has an existing contract with the local jurisdiction that authorizes the person to examine the prepaid MTS surcharge and local charge records.
- b. Is required by that contract with the local jurisdiction to disclose information contained in or derived from, those records only to an officer or employee of the local jurisdiction authorized by the resolution to examine the information.
- c. Is prohibited by that contract from performing consulting services for a seller during the term of that contract.
- d. Is prohibited by that contract from retaining information contained in, or derived from, those prepaid MTS surcharge and local charge records, after that contract has expired.

4. Any third party contract between the local jurisdiction and an entity or person authorized by the local jurisdiction to request information from the Board shall be subject to the following limitations:

a. Any third party shall, to the same extent as the Board, be subject to Section 55381, relating to unlawful disclosures.

b. A third party contract shall not provide, in whole or in part, in any manner a contingent fee arrangement as payment for services rendered.

5. Information obtained by examination of Board records shall be used only for purposes related to the collection of the prepaid MTS surcharge and local charges by the board pursuant to the contract, or for purposes related to other governmental functions of the local jurisdiction set forth in the resolution.

6. If the Board believes that any information obtained from the Board's records related to the collection of the prepaid MTS surcharge and local charges has been disclosed to any person not authorized or designated by the resolution of the local jurisdiction, or has been used for purposes not permitted by section 42110(b), the board may impose conditions on access to its local charge records that the board considers reasonable, in order to protect the confidentiality of those records. (section 42110 (c).)

7. The costs incurred by the Board in complying with a request for information shall be deducted by the Board from those revenues collected by the Board on behalf of the local jurisdiction making the request, as authorized by section 42110(b)(1).

**ARTICLE III  
LOCAL JURISDICTION  
ADMINISTRATION AND RESPONSIBILITIES**

**A. The local jurisdictions shall be solely responsible for all of the following:**

1. Defending any claim regarding the validity of the ordinance in its application to prepaid mobile telephony service. The claim shall be processed in accordance with the provisions of the local ordinance that allows the claim to be filed.

2. Interpreting any provision of the ordinance, except to the extent specifically superseded by section 42105 of the Local Charge Act. The claim shall be processed in accordance with the provisions of the local enactment that allows the claim to be filed.

3. Responding to specified consumer claims for refund involving: (1) rebutting the presumed location of the retail transaction; (2) a consumer claim of exemption from the local charge under the ordinance; or (3) any action or claim challenging the validity of a local tax ordinance, in whole or part. The claim shall be processed in accordance with the provisions of the local enactment that allows the claim to be filed.

4. Refunding the taxes in the event a local jurisdiction or local government is ordered to refund the tax under the local ordinance.

5. Reallocating local charges as a result of correcting errors relating to the location of the point of sale of a seller or the known address of a consumer, for up to two past quarters from the date of knowledge.

6. Collecting local charges on prepaid mobile telephony service and access to communication services or access to local 911 emergency telephone systems imposed on direct sellers.

7. Enforcement, including audits, of the collection and remittance of local charges by direct sellers pursuant to the ordinance.

8. The local jurisdiction shall be the sole necessary party defendant on whose behalf the local charge is collected in any action seeking to enjoin collection of a local charge by a seller, in any action seeking declaratory relief concerning a local charge, in any action seeking a refund of a local charge, or in any action seeking to otherwise invalidate a local charge. There shall be no recovery from the State for the imposition of any unconstitutional or otherwise invalid local charge that is collected under the Local Act.

9. Entering into an agreement with the Board to perform the functions incident to the collection of the local charges imposed on sellers that are not direct sellers.

10. Submitting an executed Certification to the Board, certifying that:

(a) the local jurisdiction's ordinance applies the local charge to prepaid mobile telephony services;

(b) the amount of the rate charged for access to local 911 emergency telephone systems or access to communications services complies with the requirements of section 42102.5; and/or applies the tiered rate for the utility user tax, as identified in section 42102.

(c) The local jurisdiction shall further certify that it agrees to indemnify and to hold harmless the Board, its officers, agents, and employees for any and all liability for damages that may result from the Board's collection pursuant to this Agreement.

11. Submitting signed documents to the Board to include agreement(s), certification, copy of ordinance(s), and resolution(s).

12. Providing payment to the Board of the local jurisdiction's pro rata share of the Board's cost of collection and administration as established pursuant to subdivision (e) of section 42020.

**ARTICLE IV  
LOCAL CHARGES**

**A. Local Charges – Timeliness – This part shall remain in effect until proposed California Code of Regulations, title 18, section 2460 is adopted by the Board and approved by the Office of Administrative Law.**

**1. Ordinances in effect as of September 1, 2015.**

On or after January 1, 2016, a local charge imposed by a local jurisdiction on prepaid mobile telephony services shall be collected from the prepaid consumer by a seller at the same time and in the same manner as the prepaid MTS surcharge is collected under Part 21 (commencing with section 42001) provided that, on or before September 1, 2015, the local jurisdiction enters into a contract with the Board pursuant to section 42101.5. Thereafter, all subsequently enacted local charges, increases to local charges, or other changes thereto, shall become operative pursuant to paragraphs (2), (3), and (4).

2. New charges. When a local jurisdiction adopts a new local charge after September 1, 2015, the local jurisdiction shall enter into a contract with the Board, pursuant to section 42101.5, on or before December 1<sup>st</sup>, with collection of the local charge to commence April 1<sup>st</sup> of the next calendar year.

3. Increases in local charges. When a local jurisdiction increases an existing local charge after September 1, 2015, the local jurisdiction shall provide the Board written notice of the increase, on or before December 1<sup>st</sup>, with collection of the local charge to commence April 1<sup>st</sup> of the next calendar year.

4. Inaccurate rate posted on the Board’s website. When a local jurisdiction notifies the Board in writing that the rate posted on the Board’s Internet Web site (posted rate) for a local charge imposed by that local jurisdiction is inaccurate, including scenarios where the local charge was reduced or eliminated, the recalculated rate applicable to the local jurisdiction shall become operative on the first day of the calendar quarter commencing more than 60 days from the date the Board receives the local jurisdiction’s written notification that the posted rate is inaccurate.

**A. Local Charges – Timeliness – This part shall take effect and supersede the above “Local Charges – Timeliness section when California Code of Regulations, title 18, section 2460 is adopted by the Board and approved by the Office of Administrative Law.**

**1. Ordinances in effect as of September 1, 2015.** On or after January 1, 2016, a local charge imposed by a local jurisdiction on prepaid mobile telephony services shall be collected from the prepaid consumer by a seller at the same time and in the same manner as the prepaid MTS surcharge is collected under Part 21 (commencing with section 42001) provided that, on or before September 1, 2015, the local jurisdiction enters into a contract with the Board pursuant to section 42101.5.

In the event a local jurisdiction does not enter into a contract with the Board by September 1, 2015, the local jurisdiction may enter into a contract with the Board, pursuant to section 42101.5, on or before December 1<sup>st</sup>, with collection of the local charge to commence April 1<sup>st</sup> of the next calendar year. Thereafter, all subsequently

enacted local charges, increases to local charges, or other changes thereto, shall become operative pursuant to paragraphs (2), (3), (4) and (5) of this subdivision.

**2. New charges.** When a local jurisdiction adopts a new local charge after September 1, 2015, the local jurisdiction shall enter into a contract with the Board, pursuant to section 42101.5, on or before December 1<sup>st</sup>, with collection of the local charge to commence April 1<sup>st</sup> of the next calendar year.

**3. Increases in local charges.** When a local jurisdiction increases an existing local charge after September 1, 2015, the local jurisdiction shall provide the Board written notice of the increase, on or before December 1<sup>st</sup>, with collection of the local charge to commence April 1<sup>st</sup> of the next calendar year.

**4. Advance written notification.** When a local charge is about to expire or decrease in rate, the local jurisdiction imposing the local charge shall notify the Board in writing of the upcoming change, not less than 110 days prior to the date the local charge is scheduled to expire or decrease. The change shall become operative on the first day of the calendar quarter commencing after the specified date of expiration or decrease in rate.

If advance written notice is provided less than 110 days prior to the specified date of expiration or decrease in rate, the change shall become operative on the first day of the calendar quarter commencing more than 60 days after the specified date of expiration or decrease.

**5. Inaccurate Rate Posted on the Board's Web site.** When a local jurisdiction notifies the Board in writing that the rate posted on the Board's Internet Web site (posted rate) for a local charge imposed by that local jurisdiction is inaccurate, including scenarios where the local charge was reduced or eliminated and the local jurisdiction failed to provide advance written notice pursuant to paragraph 4 of this subdivision, the recalculated rate applicable to the local jurisdiction shall become operative on the first day of the calendar quarter commencing more than 60 days from the date the Board receives the local jurisdiction's written notification that the posted rate is inaccurate. The local jurisdiction shall promptly notify the Board in writing of any such discrepancies with the posted rate that are known or discovered by the local jurisdiction.

## **ARTICLE V COMPENSATION**

The local jurisdiction agrees to pay the Board its pro rata share of the Board's cost of collection and administration of the local charges, as established pursuant to section 42020, subdivision (e). Such amounts shall be deducted from the local charges collected by the Board for the local jurisdiction.

## **ARTICLE VI MISCELLANEOUS PROVISIONS**

**A. Communications.** Communications and notices may be sent by first-class United States Mail. A notification is complete when deposited in the mail. Communications and notices to be sent to the Board shall be addressed to:

State Board of Equalization  
P.O. Box 942879 MIC: 27  
Sacramento, California 94279-0001

Attention: Supervisor,  
Local Revenue Allocation Unit

Communications and notices to be sent to the local jurisdiction shall be addressed to:

Nicholas Wells, City Manager  
City of Holtville  
121 W Fifth Street  
Holtville, California 92250

**B. Term.** The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on the first day of the calendar quarter next succeeding the date of such approval, but in no case before the operative date of the local jurisdiction's ordinance, nor on a day other than the first day of a calendar quarter. This Agreement shall be renewed automatically from year to year until January 1, 2020, when the Local Charge Act is repealed, unless a statute enacted prior to that date extends that date. In such event, this Agreement will continue to renew automatically from year to year to the date authorized by statute.

**STATE BOARD OF EQUALIZATION**

By \_\_\_\_\_  
Administrator,  
Return Analysis and Allocation Section

LOCAL  
JURISDICTION City of Holtville

By \_\_\_\_\_  
*(Signature on this line)*

\_\_\_\_\_  
Nicholas D. Wells  
*(Type name here)*

\_\_\_\_\_  
City Manager  
*(Type title here)*

# City of Holtville

## REPORT TO COUNCIL

**DATE ISSUED:** September 28, 2015  
**FROM:** Nick Wells, City Manager  
**SUBJECT:** City Manager Update

Meeting Date	<u>10/12/15</u>
Item Number	<u>5</u>
City Manager	
Finance	_____
City Attorney	_____

**INFORMATION ONLY – NO ACTION REQUIRED AT THIS TIME**

### WATER ENTERPRISE

**Tank Rehab** – Corrosion has developed inside the 2.4 million gallon water storage tank that was completed in 2010. Staff obtained multiple bids for repairs and ongoing maintenance, as well as potential solutions to our TTHM issue and potential funding sources. A general estimate was given to rehab the tank at \$225k-275k for the resurfacing and \$350k-400k for the aeration (TTHM solution) portion. The City was recently made aware of the potential for funding from BECC for the tank coating and an application has been submitted for that portion of the necessary repairs. As a condition of the recent renewal of the City's Water Treatment permit, we are now required to submit a Tank Maintenance Program, which will impact this issue. A meeting of City staff was held earlier this month to develop a strategy.

**System Controls** – Frank Cornejo obtained an updated estimate from TESCO of about \$450k to replace the aged system. Frank had hoped that this project might be put off and the controls might “limp along” for another 18 months while we attack other water issues and staff was able to investigate alternatives and potential funding sources. *A recent failure in these controls caused a water break, which has brought this issue back to the “top of the stack” in problems to address.*

**Floating Solar** – A contract was signed with Infratech Industries for the installation of a floating solar array on the City Water Ponds for the purpose of producing power for the Water Treatment facility. The fourth iteration of the plans were recently submitted to the Building Department and forwarded to the City Engineer for review. *A conference was held last week at the offices of their consultant, DD&E, involving the project's electrical engineer, the City Engineer, several IID staffers and City Manager to address questions regarding the electrical drawings. It is believed that the remaining issues have been clarified and a new plan submission is imminent.*

### SEWER ENTERPRISE

**WWTP Project** – The \$15 million project to rehab the City's Wastewater Treatment Plant, financed through the State Clean Water Revolving Fund along with BECC and the EPA through NADBank, has finally begun construction. The construction trailer has been placed and extensive earthwork has begun.

### TRANSPORTATION PROJECTS

**Fifth Street & Grape Avenue Pedestrian Roadway Improvement Project** – This project essentially adds or improves curb, gutter and sidewalk on the north side of Fifth Street at Grape Avenue, using CMAQ funding coming through ICTC. Development Design & Engineering, Inc. was selected as the RE/CM and Pyramid Construction as the construction contractor. The pre-construction conference was held

a few weeks ago and the Caltrans permits have finally been procured. *Work is expected to begin in the next few weeks after Caltrans submittal reviews.*

**Ninth Street Pear Canal Undergrounding to Olive Avenue Project** – Over the past several years the Pear Canal dirt ditch along the north side of Ninth Street has all but been eliminated. The last project section from Cedar to Palm left only a small length of a couple hundred feet to Olive Avenue. Beyond that point, the canal is concrete lined. An application to ICTC for both RSTP and CMAQ funding for this project in response to the recent Caltrans Call for Projects has been submitted.

**Sixth Street Pavement Improvements** – In response to informal discussions with City Council, resurfacing and pavement improvements have been proposed on Sixth Street from Holt Avenue to Melon Avenue if funding becomes available. An application to ICTC for RSTP funding for this project in response to the recent Caltrans Call for Projects has been submitted.

**Walnut Avenue South Improvements Project** – Proposed improvements consist of installation of AC pavement overlay along the length of Walnut Avenue from Fourth to First Street. It was also proposed to widen Walnut Avenue from the current 35' width to 50' in width, its designed capacity, to align with the newly improved Walnut Avenue Street section north of Fourth Street. The ICTC scoring process resulted in the project being awarded 82% of the funds requested through RSTP in the total amount of \$498,000.

Environmental documents and a Federal ID Packet were submitted to Caltrans in April, 2015, with a finance number assigned that month. Administration staff is in the process of clearing right-of-way issues and has contacted all utility agencies. It is anticipated that a Caltrans ROW Certification will be obtained no later than next month and procurement can begin.

**Complete Streets Project** – A team of consultants visited Holtville several months ago to work on this project funded by an Environmental Justice Grant through the Department of Transportation. The purpose of the project is to review and recommend improvement to all forms of mobility in the City. A variety of workshops and community input led to several interesting preliminary recommendations, so we are awaiting their final report. They have been discussing the possibility of getting Caltrans to allow for amenities to help slow traffic as it enters town from the east on 115. They feel as if they have gotten some traction with Caltrans on a level over the District 11 management, which they were anxious to include in a report to the City that they now expect to finalize soon. *An update was provided last week and a draft report should be in hand by next week.*

## PUBLIC WORKS

### PARKS

**Pete Mellinger Alamo River Trail** - The fourth phase of this project, which included trail improvements and bridge installations between the Holtville Skate Park and Earl Walker Park, is basically complete. The City Council recently voted to rename this project the "Pete Mellinger Alamo River Trail." A revision to the planned trail head sign was prepared and will be produced, which will complete this phase of the project.

The City received notice through the State Parks Department that additional funding had become available for, among other things, pedestrian trails. The Holt Group submitted an application and *although there was not enough additional funding awarded to fund the amenities that were cut from the last phase of the project, the City was awarded a sizeable sum to offset some past project overruns (i.e. the bridge installation).*

**BMX Park** - City staff began a few months ago to lay out a basic BMX track in the dirt pit adjacent to the new Skate Park. At this point, it will be a pretty simple "bare bones" facility, but it is hoped that grant funds

can be found to develop it in coming years. Work has been temporarily halted until the weather is a bit more hospitable and proper signage is procured to avoid any liability issues.

## ADMINISTRATION

**BUILDING PERMITS** - The City has issued **96** building permits during 2015.

**Holtville Estates** - Eight homes have been sold and occupied. They have begun work on the third phase of 7 additional homes. There is enough interest already - with 3 homes currently under contract in Phases III and 3 lots on hold in Phase IV - that they currently plan to stay in construction through the completion of the subdivision.

**Holtville Luxury Apartments** – A project has been in the works for some time at the corner of Ninth and Melon, just outside the City limits. I recently met once again with John Hawk, who represents the landowners, about the project. As the Service Area Plan has now been adopted, work will once again begin with the City and LAFCO to propose annexation and development.

**Auto Zone** – *Construction was completed and the store opened last week. Repeated attempts to arrange a ribbon cutting ceremony have not been acted upon by the AutoZone staff.*

During the construction of the new water line, the contractor dug into an area with some pretty heavily contaminated soil. Since it is in the alley, mitigation would fall on the City. Fortunately, the regulatory agency people did not get too excited and mitigation has been limited to removal and disposal at a landfill. We have tried to reach a contact to schedule a ribbon cutting, but have thus far been unsuccessful.

## FINANCE

Hector Orozco is now preparing for the 2014-15 audit. The auditors from Moss, Levy & Hartzheim are scheduled to be onsite to begin in November. *He is also currently working with a separate firm hired by ICTC on the LTA Fund audit.*

## OTHER

**Sustainable Communities General Plan Grant** - A contractor to administer the grant was approved by Council in May. We worked with them to find qualified consultants through an RFP for proposals and a preferred firm was selected by the committee. A contract was approved with Michael Baker International and a conference call for was held a few weeks ago to kick off activities.

**Army Transcontinental Convoy** – *The Convoy will be passing through Holtville on Friday, 10/16. Unfortunately, they are unable to stop, as they have a luncheon planned in Yuma, then a dinner in El Centro. They have encouraged us to get folks out to wave and El Centro has invited us to participate in the dinner that evening.*

**Black Dog Trestle Fire Matter** – *As everyone is well aware, the lawsuit trial over the fire started by Black Dog that damaged the old railroad trestle recently concluded. Although the \$665,588 was less than we sought, it is considerably more than as offered to settle. We will soon begin the process of “Bridging” the funding gap that remains to get the structure repaired.*

**MEETINGS & EVENTS RECENTLY ATTENDED:**

- 09/28/15 Management Staff Meeting City Hall
- 09/28/15 Black Dog Matter re: *Witness Testimony* County Courthouse
- 10/01/15 RDA SA Oversight Board Meeting City Hall
- 10/02/15 Staff Luncheon City Hall
- 10/06/15 Meet with IID & Infratech re: *Pond Solar Project* DD&E Office (EC)
- 10/06/15 Meeting w/ Tom DuBose re: *Status of Various Projects* DD&E Office (EC)
- 10/07/15 Walk to School Event *Samaha Park to Finley Elementary*
- 10/07/15 Emergency Operations Training City Hall
- 10/07/15 Meeting with HERO Program Representative City Hall
- 10/07/15 WWTP Construction Progress Meeting Job Site Trailer
- 10/08/15 LAFCO Meeting re: *Final Acceptance of OFM Connections* EC City Hall
- 10/08/15 Holtville Chamber 24 Carrot Dinner IV Swiss Club
- 10/09/15 Veteran's Day Parade Committee City Hall
- 10/09/15 Meet with SRF & THG re: *Water Project Funding* Holt Group Office

**UPCOMING EVENTS:**

- 10/12/15 Management Staff Meeting City Hall
- 10/14/15 ICTC Management Committee Meeting Holtville City Hall
- 10/14/15 CCMA Meeting Holtville City Hall
- 10/14/15 FFA Opening/Closing Ceremonies Contest Holtville High School
- 10/15/15 Holtville Farmers Market Holt Park
- 10/16/15 Veteran's Day Parade Committee City Hall
- 10/16/15 Army Transcontinental Convoy Holtville/El Centro
- 10/19/15 Holtville Planning Commission Meeting City Hall
- 10/20/15 LTA Fund Audit City Hall
- 10/22/15 IVECA Board Meeting EC ED Offices
- 10/22/15 IC League of Cities Dinner (Tentative) City of Calexico
- 10/23/15 Veteran's Day Parade Committee City Hall
- 10/26/15 Holtville City Council Meeting City Hall
- 11/11/15 2nd Annual Veteran's Day Parade Fifth Street/Holt Park
- TBD Briefing on ACO / Emergency Comm Survey IC Admin Offices

If you have any questions about any of the information presented, please feel free to contact me directly.

Respectfully submitted,



Nicholas D. Wells  
(760) 356-4574

5a

MEETING DATE:	10-12-15
APPROVED FOR AGENDA	
CITY MANAGER	_____
FINANCE MANAGER	_____
CITY ATTORNEY	_____

## City of Holtville

### Report to Council

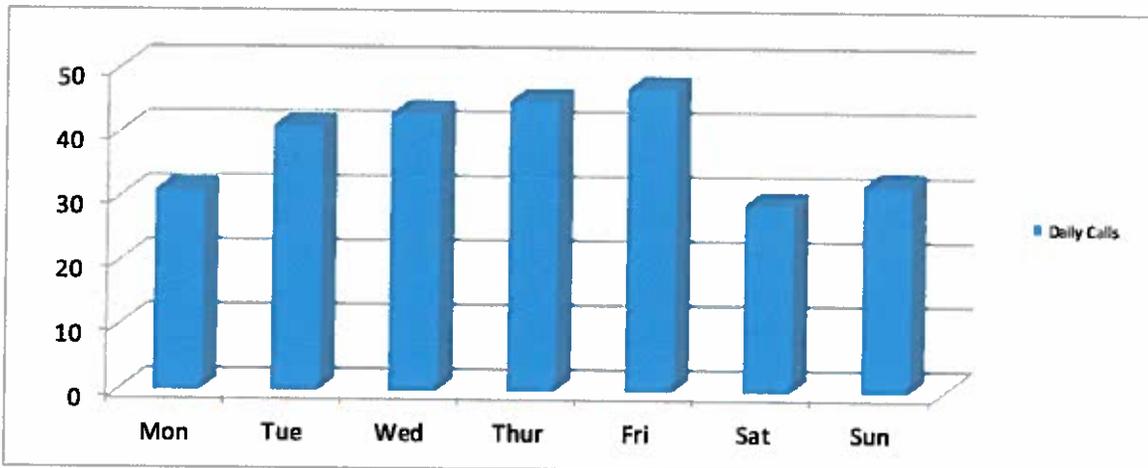
**Date Issued:** October 6, 2015  
**From:** Sergeant Manuel De Leon, Chief of Police  
**Subject:** Holtville Sheriff's Monthly Report – September 2015

**THIS IS INFORMATION PROVIDED TO THE CITY COUNCIL. NO ACTION IS REQUIRED OF THE CITY COUNCIL.**

The following is a summary of statistics for the Holtville Sheriff's Deputies for the month of September 2015.

#### Calls For Service:

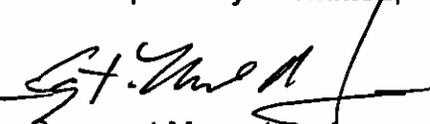
- **238** total incident reports, which were entered into Spillman Computer Database by the Imperial County Sheriff's Dispatch Center. These calls consisted of requests for Sheriff's services.
- The highest volume of calls for service occurred on **Friday** with **47 calls**. The highest volume of calls occurred from **3:00 p.m. to 4:00 p.m.**



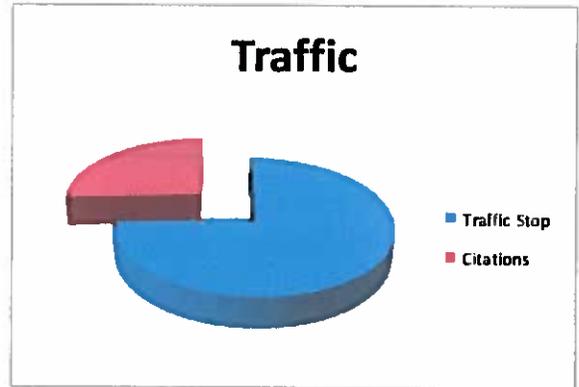
The following is a brief summary of incidents and events that the Holtville Police Department has been involved in during the month of September 2015.

- On September 3, 2015, Sr. Deputy Figueroa attended perishable skills training in Riverside, CA.
- On September 4, 2015, Deputies began identifying vehicles which have been parked for over 72 hours. The majority of the vehicles were removed without further action. We will continue to identify vehicles in violation of this Holtville Municipal Code.
- On September 8, 2015, The skate park sign listing the rules was taken down during the previous night. It was given to A. Chavez in the morning and he later had it replaced with a new pole.
- On September 10, 2015, Deputies contacted with a male subject who uses methamphetamines. The subject was arrested three times within a three week period.
- On September 11, 2015, Deputies represented the City of Holtville in a "Tip a Hero" event at Chili's In El Centro. All donations went to St. Jude's Hospital.
- On September 11, 2015, Deputies participated in a "Patriot Day" ceremony at Finley School.
- On September 19, 2015, Deputy Ayala arrested a male subject who committed a burglary on the 700 block of Pine Street last month.
- On September 21, 2015, Sr. Deputy Lindberg arrested a male subject after he walked away from Turning Point after being court ordered. The subject was arrested for violation of probation.
- During the month of September, there were several arrests made for domestic violence. A handgun was removed during one of the arrests.
- During the first two weeks of September, Deputy Ayala was on vacation.
- Sr. Deputy Lindberg had a Deputy Sheriff trainee for the first two weeks of September.

Respectfully submitted,

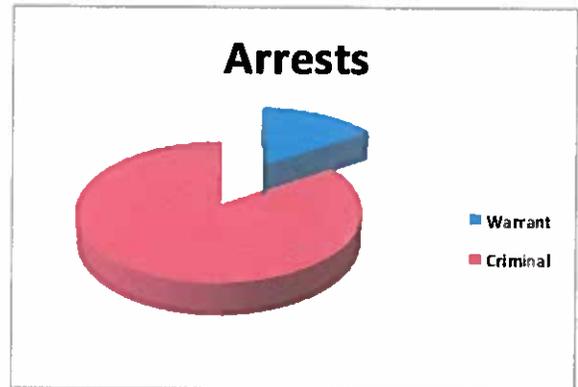
  
Sergeant Manuel De Leon

<i>Traffic</i>	<i>Total</i>
Traffic Stops	72
Citations Issued	25
Traffic Collisions	4
DUI's	0



<i>Crimes</i>	<i>Total</i>
Burglary	3
911 Calls - Hangups	5
Vandalism	2
Disturbing the Peace	16
Narcotic Offenses	2

<i>Arrests</i>	<i>Total</i>
Warrants	2
Criminal	11
<b>Total</b>	<b>13</b>



<i>Miscellaneous</i>	<i>Total</i>
Animal Problem	3
Alarm Calls	11
Deputy Request	8

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City of Holtville

REPORT TO CITY COUNCIL

MEETING DATE:	<u>10-12-15</u>
APPROVED FOR AGENDA	
CITY MANAGER	_____
FINANCE MANAGER	_____
CITY ATTORNEY	_____

**DATE ISSUED:** October 6th, 2015

**FROM:** Frank Cornejo  
Water/Wastewater Operations Supervisor

**SUBJECT:** Water / Wastewater Plant Operations & Maintenance Summary

***THIS IS INFORMATION PROVIDED TO THE CITY COUNCIL. NO ACTION IS REQUIRED OF THE CITY COUNCIL.***

The purpose of this report is to inform council of all operations, maintenance, and construction activities completed at the City's water-wastewater treatment facilities during the period between 09/23/15 to 10/06/15.

Also attached to this report are photos of the current wastewater treatment plant improvements construction work, as well as an updated spreadsheet detailing both the 2015 year-to-date violations related to NPDES Permit (*ammonia*) noncompliance for our wastewater facility.

**Water Treatment Plant:**

- Staff completed assembly/installation of portable 5000 gallon chemical tank containment for Sodium Permanganate application.
- Staff took all routine samples, completed all regulatory reports, and maintained operational records as required.

**Waste Water Treatment Plant:**

- WWTP/PW staff installed new waste disposal manhole port at plant headworks to bypass existing box for construction purposes.
- Staff completed annual sampling/testing for effluent toxicity (bioassay), 126 Priority Pollutants, and Biolsolids (sludge).

**Waste Water Treatment Construction:**

- **Pacific Hydro work crews completed installation of dewatering wells and initiated dewatering/sediment removal operations along south-end of wwtp site. *(see attached photo)***
- **Pacific Hydro work began earthmoving operations at south side of plant and installation of filter fabric material. *(see attached photo)***
- **Pacific Hydro work continued aeration and clarifier basin excavation operations. *(see attached photo)***

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Frank Cornejo', with a stylized flourish at the end.

Frank Cornejo.  
Water/Wastewater Operations Supervisor  
City of Holtville



**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
**STATE WATER RESOURCES CONTROL BOARD**

California Integrated Water Quality System Project (CIWQS)

**Mandatory Minimum Penalty Report**

SEARCH CRITERIA: [\[REFINE SEARCH\]](#) [\[NEW SEARCH\]](#) [\[GLOSSARY\]](#)  
 Region (7), County (Imperial) Occurred between 1/1/2015 and 12/31/2015

Region	Agency	Facility	WDID	MMP Exempt Violations	Serious Reporting Violations	Serious Effluent Violations	Chronic Violations	Vio w/ MMP Enf	Vio Fully Resolved (Paid and Historical)	Vio w/o MMP Enf	Total MMP Vios
7	Calexico City	<a href="#">Calexico City WWTP</a>	7A130101011	0	0	0	1	0	0	1	1
7	Calipatria City	<a href="#">Calipatria City WWTP</a>	7A130102041	0	0	1	1	0	0	2	2
7	Holtville City	<a href="#">Holtville City WWTP</a>	7A130105011	0	0	0	29	0	0	29	29
7	Imperial City	<a href="#">Imperial City WWTP</a>	7A130106011	0	0	0	1	0	0	1	1
7	Imperial ID	<a href="#">Imperial ID El Centro GS</a>	7A130128003	0	0	0	6	0	0	6	6
7	Imperial ID	<a href="#">Imperial ID Grass Carp Hatchery</a>	7A130128015	0	0	0	13	0	0	13	13
7	Ormand, Peter M	<a href="#">Peter M Ormand Date Gardens MHP</a>	7A131057011	0	6	0	0	5	0	1	6
7	Ralph Beatty	<a href="#">Country Life MHPRV Asset Partners LP WWT</a>	7A131001011	0	0	0	1	0	0	1	1
7	Seeley Cnty WD	<a href="#">Seeley CWD WWTP</a>	7A130111013	0	0	0	7	0	0	7	7
<b>TOTAL (PAGE)</b>				0	6	1	59	5	0	61	66
<b>TOTAL (REPORT)</b>				0	6	1	59	5	0	61	66

**Violation:** An instance of non-compliance

**Serious Reporting Violation:** Defined by California Water Code section 13385.1 as a failure to file a discharge monitoring report pursuant to Section 13383 for each period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations.

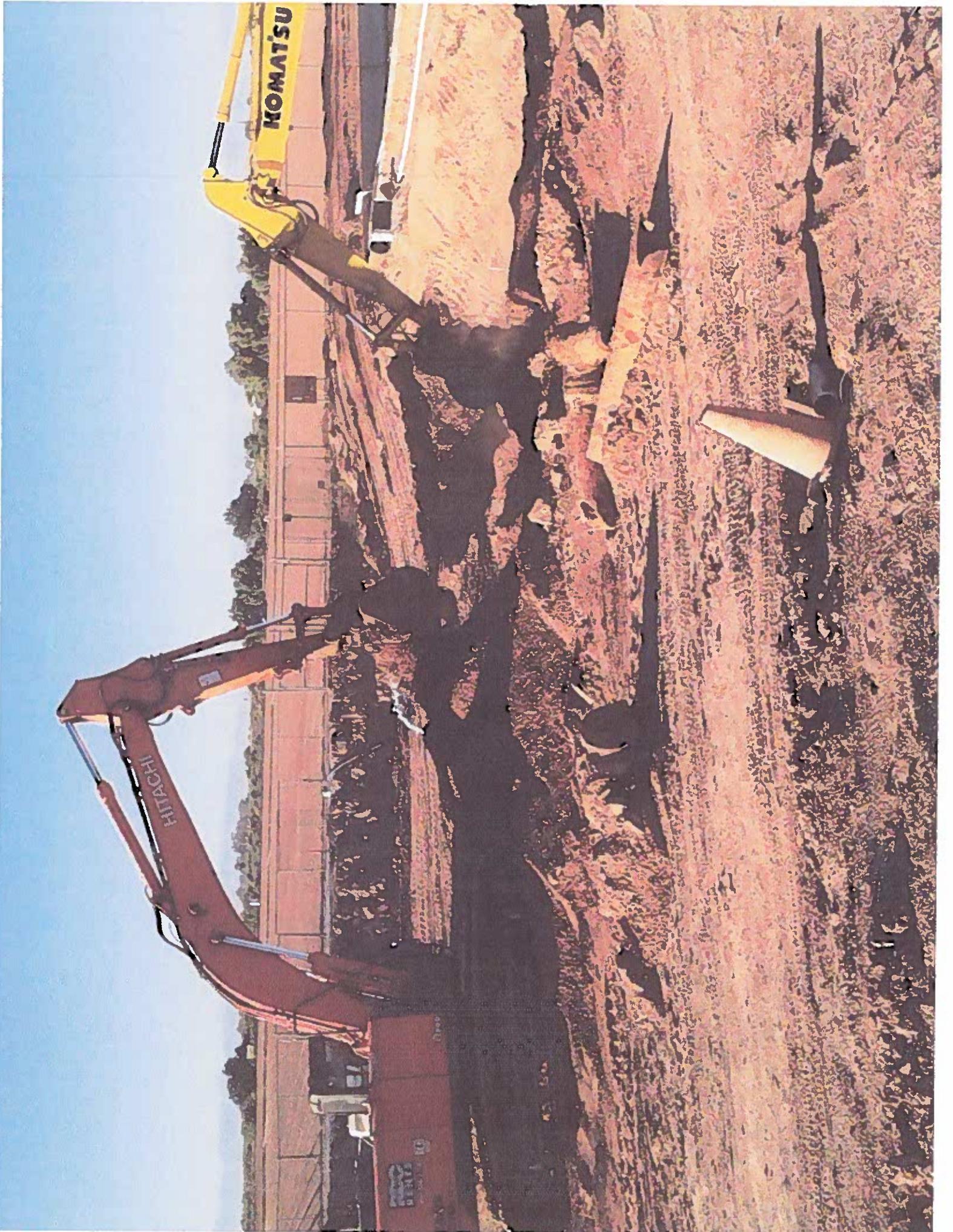
**Serious Effluent Violation:** Serious violation as defined by California Water Code section 13385(h). Waste discharge exceeds the effluent limitation for a Group I pollutant by 40% or more (CAT1), or a Group II pollutant by 20% or more (CATs).

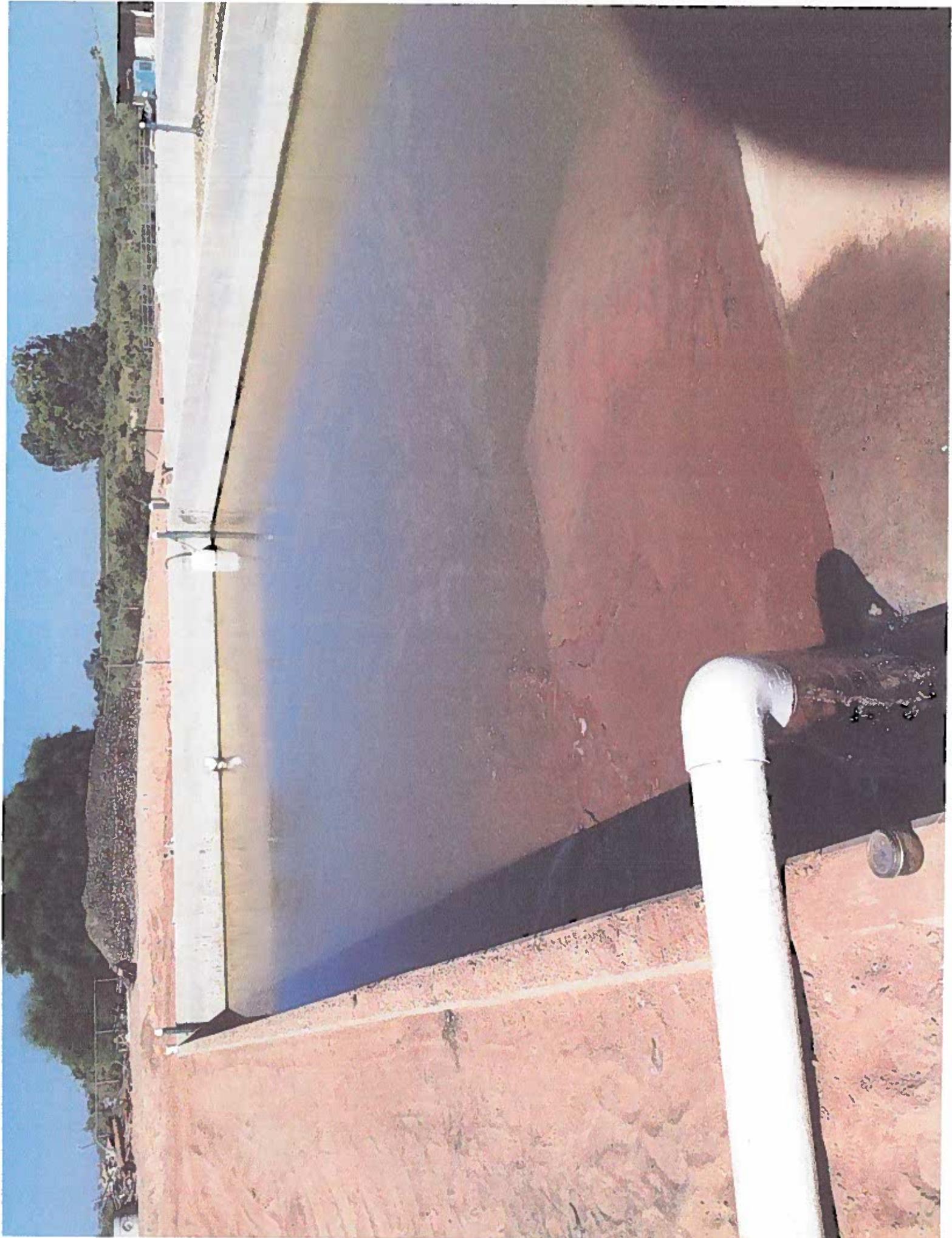
**Chronic Violation:** Chronic violation as defined by California Water Code section 13385(i). To be counted as a chronic violation, there must be 3 preceding

violations within a 180 day period. The fourth non-serious violation that occurs within the 180 day period is an MMP violation.









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**City of Holtville  
REPORT TO COUNCIL**

MEETING DATE:	<u>10-12-15</u>
APPROVED FOR AGENDA	
CITY MANAGER	_____
FINANCE MANAGER	_____
CITY ATTORNEY	_____

**DATE ISSUED**      October 7th , 2015  
**FROM:**              Public Works Foreman  
**SUBJECT:**          Bi Monthly Report.

**THIS IS INFORMATION PROVIDED TO THE CITY COUNCIL. NO ACTION IS REQUIRED OF THE CITY COUNCIL.**

The purpose of this report is to inform Council of Public Works activities since the last council meeting. Public Works has been actively working on or completed the following:

- Cleared sewer plugs at different locations in town.
- Repaired water service line leaks.
- Worked with the Sheriff's Department to clean up graffiti at park and around town.
- Patch potholes in different locations in town.
- Ran main sewer lines in different locations in town.
- Caught 5 dogs and 2cat.
- Poured 16' of sidewalk on the 700 Blk. of 8th St.
- Repaired 6" waterbreak on the 800 Blk of Brentwood.
- Repaired waterbreak at County Yard on Underwood Rd.
- Removed leaning palm tree on the 500 Blk of Cedar.

Respectfully Submitted,



Alejandro Chavez  
Public Works Foreman  
City of Holtville



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# planning staff report

2015 Quarterly Report No. 3 / 10-12-15

MEETING DATE	_____
APPROVED FOR AGENDA	_____
CITY MANAGER	_____
FINANCE MANAGER	_____
CITY ATTORNEY	_____

**To:** Holtville City Council  
 Holtville Planning Commission  
 Nicholas Wells, City Manager

**From:** Justina G. Arce, City Planner

**Date:** October 8, 2015

**Projects: Private Planning Permits (in order of submittal)**

1. Daniels Tentative Parcel Map
2. Melon LLC Annexation GP Amendment & Pre-zone
3. Bornt Lot Line Adjustment & Lot Merger
4. Auto Zone Sign and Site Plan Review
5. Clear Talk Tower CUP
6. Rangel Variance From Set-Backs
7. Humble Farmer Brewery Site Plan and Design Review
8. Les Kemp Variance From D-A Zone Parking Standards
9. *Osborne Jurisdictional Boundary Change & Pre-Zone*
10. *Higgins Annexation & Pre-Zone*

**City Planning Projects**

11. Wetlands Trail Easement Acquisition from IID

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This Planning Staff Report covers the period from *July 1, 2015, through September 30, 2015*, unless otherwise specified. The purpose of the following communication is to provide a summary report to the City of Holtville of the planning work currently being performed by The Holt Group in regards to planning and development projects in the City, and more specifically the projects referenced above and further detailed below.

**PRIVATE DEVELOPER PLANNING APPLICATIONS**

1. **Daniels Tentative Parcel Map** - Ross Daniels submitted a Uniform Application to the City to process a Parcel Split (Minor Tentative Parcel Map) and paid review fees on September 19, 2013. A Tentative Map with Legal Descriptions was submitted to the City for review, as prepared by Nicklaus Engineering. A letter was sent to the project Engineer on October 1, 2013 informing them that the submittal was being rejected as it did not comply with the requirements in the submittal checklist.

A revised Tentative Parcel Map was resubmitted on January 14, 2014 and redlines were subsequently provided on January 22, 2014 as several of the original comments had not been addressed. A third submittal of the annexation map was provided by Nicklaus Engineering on February 25, 2014 and, after minor modifications, it was accepted by the City on February 26, 2014.

The City proceeded with notifying potentially impacted utility and public agencies, including several City departments, regarding the proposed Parcel Split on March 4, 2014. The City

received comments from three (3) agencies and their comments were incorporated into a Report of Investigation and Conditions of Approval prepared by City Staff for consideration by the Planning Commission. The Planning Commission held a public hearing on March 17, 2014 to consider Parcel Split, but then tabled the item until April.

On April 21<sup>st</sup> the Planning Commission approved PC Resolution 14-15, approving the Tentative Parcel Map 14-01 and recommending conditions of approval to the City Council. The recommended Conditions of Approval included recommendations on off-site improvements consisting of curb gutter and sidewalk, and half width street improvements along the project frontage with Cedar Avenue. The City Council met on May 12<sup>th</sup> to consider adopting the Conditions of Approval recommend by the Planning Commission. The Applicant voiced his disagreement with conditions requiring the off-site improvements. City Council agreed to table the item for the next meeting in order for the City Attorney to prepare alternatives. In a letter sent to the City Council on May 22, 2014, the applicant requested the City Council waive the off-site improvement requirements per Municipal Code Section 16.09.030 citing "extraordinary" circumstances. City Council approved the exception and modified the Conditions of Approval to remove off-site requirements on May 26 via Resolution 14-15. A letter was sent to the Applicant with instructions on Final Map requirements on June 18<sup>th</sup>. The applicant had not submitted the final documentation as of June 30, 2014.

A Final Map was submitted on August 25, 2014 by Nicklaus Engineering, however the Final Map as presented did not comply with the Subdivision Map Act requirements. Additionally, a licensed surveyor had not signed the plans. A letter providing direction was sent to Andy Klakulak of Nicklaus Engineering on August 28, 2014. The City was informed that the project's original California licensed surveyor had passed away during the summer. Another agent in the firm would be obtaining his California license before the end of the year and a resubmission would be done at that time.

As of December 31, 2014, the City had not received an updated plan. The anticipated surveyor did not receive his license. Alternative options were being considered by the applicant. As of March 31, 2015, the City had still not received an updated plan.

New plans were received on May 22, 2015 but were inadequate. The Surveyor was notified on June 8, 2015 and base maps were provided for his use. Follow up was also made with Ross Daniels with options on how to proceed. Revised plans were not resubmitted as of the end of June 2015.

*A Final Parcel Map was received from Nicklaus Engineering on July 29, 2015, but was determined to be inadequate. A letter containing the findings of the map review was mailed to Helmuth Hack of Nicklaus Engineering on August 17, 2015. The Holt Group, Inc was notified that Helmuth Hack was no longer employed at Nicklaus Engineering, however, Mr. Daniels would be following up with him to complete the work. A revised map had not been received as of September 30, 2015.*

- 2. Melon LLC Annexation, General Plan Amendment & Zone Change-** A formal application for the proposed Annexation, General Plan Amendment and Zone Change were received on September 4, 2014 from Jeff Lyons, agent representative for Melon LLC. The initial review determined that the application was unacceptable and incomplete including some of the following reasons: 1) the application did not have a specific project identified and no site plan was prepared which is an Annexation requirement from both LAFCo and the City, 2) none of the required studies were submitted for environmental assessment such as hydrology and traffic, and 3) corresponding application fees were not submitted. A letter communicating our findings was sent to Mr. Jeff Lyons on September 8, 2014 and with cc's to Mr. John Hawk, property owner. Subsequently the City was copied on a letter from LAFCo to John Hawk, rejecting their Annexation application due to lack of a project and

insufficient information for project assessment for CEQA compliance. As of September 30, 2014, a resubmission had not been received. The City was notified by Mr. Lyons that the project has no developer partner and their intent was to annex without a project and that they were unaware of a development requirement. As of December 31, 2014, a resubmission had not been received. As of March 31, 2015, a resubmission had not been received, however, Mr. Hawk did attend the March 16 Planning Commission meeting and discussed in general under public comments as a new multifamily proposal. As of the end of June 2015, a project had not been submitted to planning staff for review.

*On September 4, 2015, Mr. Sager and Mr. Hawk met with the City Planner and City Engineer to discuss concept plans. It was determined that the plans were missing pertinent information such as all of the utility connections, off-site improvements, and stormwater facilities. It was noted that they did not have a developing partner yet. The City Planner provided direction on the information needed, and the issues that must be addressed. She noted the importance of having a development partner as a development agreement and eventual bond would be required for the off-site facilities. They were also informed that the new reduction in impact fees would be in effect for three years and their project could realize a savings of over \$100,000 if permitted within that timeframe. Mr. Sager and Mr. Hawk noted that they understood what needed to be done and left no submission with staff.*

3. **Bornot Lot Line Adjustment & Lot Merger-** On September 8, 2014, 2014, Jeff Lyon on behalf of Alan and Mary Bornot submitted an application for a Lot Line Adjustment affecting parcel(s) 045-330-073 and 045-340-025 owned by Alan L. and Mary L. Bornot and parcel(s) 045-330-07 and 045-340-029 owned by Donald K. and Donna J. Osborne. The purpose of the lot-line adjustment was to transfer property from Mr. Don Osborne to the Bornot farming operation. The application was deemed inadequate for processing because: 1) the lot line adjustment map was missing required information, such as existing structures and their location, utilities, dimensions, adjacent access roads and driveways, easements, rights-of-way, and correct size text on map, 2) grant deeds for all properties were not included, and 3) legal descriptions and Plat were not shown on a separate 8.5" x 11" size sheet, and thus a letter providing directive on the matter was mailed to Mr. Jeff Lyons on September 15, 2014 with copies to Alan Bornot. As of September 30, 2014 a resubmission had not been received.

Mr. Lyons resubmitted a modified packet on October 31, 2014, however, legal descriptions and plat maps were not submitted as noted above because field work had not been completed. Subsequently, Mr. Lyons submitted the legal descriptions and plat maps on November 12, 2014. A first review was completed and issues were noted. Of specific concern was that a lot merger was being concurrently proposed with a multi-jurisdictional parcel owned by Don Osborne. The Lot Line Adjustment between the recently annexed Bornot Property (County Merger 0016) and Osborne Parcel 045-330-071, within the City Limits, would be pretty straight forward and current submission would only require slight modification of the boundaries of the "remaining" Osborne City Parcel 045-330-071 so that it conforms to City adopted standards for minimum lot-width requirements. The merger between the remaining Osborne City Parcel 045-330-071 and Osborne County Parcel 045-240-029 has these same issues as the Bornot's original request and would also require for Osborne County Parcel 045-340-029 to be annexed before any lot merger with Osborne City Parcel 045-330-071 can take place. Planning Staff followed up with Imperial County and LAFCo who continue to be in agreement with the City's position. Field work had still not been done as of December 31, 2014. As of March 31, 2015, no additional submittals were made to the City. A letter would go out in April regarding lack of activity and interest in continuing lot line adjustment.

The letter did not go out as a meeting with Management and planning staff was instead scheduled and held on May 27, 2015. Attendees included Alan Bornot, AJ Bornot, and Mary Bornot. Discussion ensued regarding property boundaries and challenges. Mr. Alan Bornot indicated that they would attempt a meeting with Mr. Don Osborne regarding the Maple

Avenue issues as the Bornts were unaware it belonged to the parcel they are purchasing from Don Osborne.

On June 18, 2015, Jeff Lyons forwarded to Nick Wells and Jurg Heuberger of LAFCo some de-annexation proposals that involved an additional parcel also owned by Don Osborne. Mr. Lyons followed up on July 1<sup>st</sup> regarding a response and included City Planning in the email. Subsequently, Mr. Lyons was forwarded a checklist of procedures along with the corresponding application, fee, and deposit requirements. He was advised that applications through LAFCo and Imperial County would need to be processed concurrently and that copies needed to be submitted to the City as well. *As of September 30, 2015 no formal applications had been submitted.*

4. **Auto Zone Sign, Design and Site Plan Review**- Real Estate agents contacted the City Manager early in the summer of 2014 regarding the proposed location of an Auto-Zone store at the southwest corner of 5<sup>th</sup> street and Walnut. Although some conceptual drawings had been submitted, no official applications had been received. Auto-Zone did request in September the confirmation of sign standards and a letter was forwarded to the attention of Mr. Isaac Uitenbroeck of Jones Sign regarding sign standards and restriction. On September 23, Terra Mar Engineering contacted the City requesting information on entitlement process and development standards, all of which were forwarded that same week. As of September 30, 2014 no additional inquiries had been made.

An application and fee for a Site Plan Review was submitted to City Hall on Friday, November 7, 2014. An application for Design Review was also part of the packet. The Project Review Committee met on November 10, 2014 to review the project and make recommendations to the Planning Commission. A Public Hearing was duly noticed in the Holtville Tribune. On December 15, 2014, the City of Holtville Planning Commission reviewed the Sign, Design, and Site Plans and issued on conditions of approval. One of the conditions was to incorporate a more traditional design to the building instead of the modern block style.

On December 19, 2014 Terra Marr submitted revised floor plans and elevations to incorporate design recommendations made in the Design Review. Planning Staff reviewed the modifications, as authorized by the Planning Commission. On December 22, a letter was sent to TerraMar Engineering communicating additional modifications to the elevations attached with a redlined version of the elevations showing these modifications.

On January 8, 2015, a letter was sent to TerraMar regarding the required payment of Development Impact Fees, which was determined to total \$62,058.88. The letter gave instructions on completing the City Fee Payment Certification form prior to building permit issuance. On January 28, 2015, a letter was sent to Ms. Arce from Caltrans regarding access on SR-115. The letter explained that Caltrans was no longer opposed to the use of the driveway for this project, and that any work performed within the Caltrans right-of-way would require review and approval by Caltrans and an Encroachment permit.

On February 2, 2015, TerraMar Engineer submitted a final submittal of design elevations, Project Specifications, Geotechnical Investigation Report and Structural Calculations. On February 3, 2015, a response letter was sent to TerraMar Engineering that determined that the design elevations submitted by TerraMar on February 2, 2015 were generally consistent with recommendations provided to them and that the City formally approved the design.

On February 19, 2015, a letter was sent to the I.C. Planning Department, I.C. Assessor's Office, I.C. Building Department, City of Holtville Fire Department, Holtville Police Department, Holtville Public Works, City of Holtville, IID Power, IID Water, AT&T, Time Warner Cable, Southern California Gas Company, and the Holtville Postmaster regarding the address re-assignment for APN 045-293-001. The letter explained that the aforementioned APN was a vacant property that is seeking a building permit for a new commercial operation

and will be reassigned an address from 453 Walnut Avenue, Holtville, CA to 390 East 5<sup>th</sup> Street, Holtville, CA.

On February 20, 2015, TerraMar Engineering submitted a complete civil and building packet to the City of Holtville which included the following: Grading Plans, Building Plans, Geotech Report, Drainage Report, Title Report, Cost Estimates, Building Plans, and Building Plan Calculations. On March 4, 2015, Plan Check #1 was completed and a letter was sent to TerraMar Engineering explaining the plan check findings, the conditions of approval still pending, and included redlined plans.

On April 14, 2015, TerraMar Engineering submitted a revised set of plans to the City of Holtville. On April 21, 2015, a Final Plan Check was completed and a letter was sent to TerraMar Engineering explaining the plan check findings, conditions of approval still pending, and included redlined plans.

On April 27, 2015, TerraMar Engineering submitted a Roadway Dedication packet, which included a first draft of the legal description and plat map. A review of this packet was completed and a letter was sent to TerraMar Engineering on May 11, 2015, explaining the review findings and including a redlined legal description and plat map. The final dedication documents were received on May 19, 2015 and were found acceptable. The Grant of Easement was drafted by Staff in late June and forwarded to AutoZone Parts, Inc on June 30<sup>th</sup> for execution.

*The AutoZone requested a final inspection for September 21, 2015 at which time it was determined that removal of a streetlight, landscaping and alley barricade remained to be completed, inclusive of contaminated soil that needed to be hauled off-site. A letter regarding the same was issued on September 23, 2015 AutoZone requested a certificate of occupancy so they could open for business and contractor requested additional time to complete work. The City Manager authorized a temporary use permit to allow them to be open for business with a thirty (30) day allowance to complete the pending work.*

5. **Clear Talk Tower Conditional Use Permit** - The City received an incomplete application packet from Victor Gillespie on June 22, 2015 for the installation of a Telecommunication Tower at Samaha Park. A letter was drafted by the City Planner with guidance on general requirements and applicable fees and further forwarded a copy of the applicable Municipal Code Sections to the applicant (Ordinance 442). The City's letter went out on June 23, 2015. No additional submissions had been received as of June 30, 2015.

*The potential lease agreement was presented to City Council on August 24, 2015 for review prior to the applicant making any substantial investment on the required submittals. City Council was generally agreeable with the proposal. As of September 30, 2015, no additional submissions had been made.*

6. **Rangel Variance on Set-Back Requirements**- The subject property, 860 Fig Avenue, has a history of non-conforming construction. The City and property owner first became aware of the issues in 2012 when then property owner Javier Fregoso wanted a permit to reconstruct a carport after a storm resulted in a tree causing major damage to the existing structure. It was determined at that time that the carport encroached onto the private property of the abutting parcel and was not permitted for reconstruction. The property was subsequently sold to Ruben Rangel, apparently without proper disclosure of the existing conditions.

Mr. Rangel was advised of the existing conditions by the City Planning Department on June 4, 2015, after the City reviewed their building permit application and site plan for the reconstruction of a garage and patio. In order to resolve the compliance issues, the applicant proposed to instead reconstruct a carport strictly within the property boundaries, but in order to meet acceptable width requirements, the side set-back would be encroached upon by four feet and a Variance was formally applied for on June 26, 2015.

*A Public Hearing was noticed on July 8, 2015 for the required public hearing. The Planning Commission approved the variance via PC Resolution 15-03 at the July 20, 2015, meeting. This item will be removed from further reporting.*

- 7. Humble Farmer Brewery Site Plan and Design Review-** *Humble Farmer Brewery proposed modifications and new land use to be located at 438 Walnut Avenue (south of Del Sol Market). On July 2, 2015, Mr. Dan Williams, Applicant for Humble Farmer Brewery, submitted a site plan review application that was deemed complete. The proposed site was within the Downtown B Zone and subject to the Downtown Code. A Design Review Application was forwarded to Mr. Williams on July 7, 2015, as required by the Downtown Code, for the proposed improvements at the existing building that would necessitate a parking exemption. The improvements were intended to accommodate a brewery pub proposed to be open to the public. Mr. Williams submitted a completed Design Review Application on July 9, 2015, and submitted a plan (in color) of the proposed building façade on July 13, 2015. A hearing of the Planning Commission regarding the Design Review and Parking Exemption was held on July 20, 2015; the parking exemption was approved via PC Resolution 15-02. This item will be removed from further reporting.*
- 8. Les Kemp Variance from Downtown-A Zone Parking Standards-** *On March 3, 2015, Mr. Les Kemp, the Applicant, submitted a Building Permit Application for the repair, remodel, and expansion of a mixed-use residential unit and office use building located at 134 West Fifth Street, within the Downtown-A Zone. The project proposed to accommodate a single-family residential unit and office space for ACHPD Mechanical, Inc., owned by the Applicant. All projects located within the Downtown-A Zone are subject to Design Review. It was determined that the Site Plans as submitted did not provide adequate parking facilities to meet the demand as calculated, via the adopted parking standards for the Downtown-A Zone in Section 17.41.090 of the Holtville Municipal Code.*  
  
*The Applicant submitted an application for Design Review, and an application for Variance from the parking standards on July 31, 2015. A hearing of the Planning Commission regarding the Design Review and Variance was held on July 20, 2015. The Design Review was approved via PC Resolution 15-04, and the Variance from the parking standards was approved via PC Resolution 15-05. This item will be removed from further reporting.*
- 9. Osborne Jurisdictional Changes & Pre-Zone -** *On July 27, 2015, the City of Holtville received communication from GS Lyon Consultants on behalf of Donald Osborne regarding the partial de-annexation of a portion of APN 045-330-071 and pre-zone and annexation of a portion of APN 045-340-029, both owned by Mr. Osborne. The subject area for de-annexation is approximately 0.97 acres in size and the subject area for annexation is approximately 0.33 acres in size. The jurisdictional boundary adjustment is being requested so that a subsequent legal parcel boundary adjustment between an abutting property owned by Alan and Mary Bornt and the aforementioned Osborne properties can be accommodated. A future lot line adjustment will allow Alan and Mary Bornt to obtain a legal title on property currently purchased/leased from Mr. Osborne. LAFCo recommended that City Council provide preliminary support of the proposed jurisdictional changes. On August 24, 2015, the Holtville City Council passed Resolution CC 15-21, in support of the partial de-annexation of 045-330-071, and the pre-zone and partial annexation of APN 045-340-029. As of September 30, 2015, a formal application has not been received by the proponents.*
- 10. Higgins Annexation & Pre-Zone -** *Earnest and Teresa Higgins, the Applicants, have expressed an interest in purchasing APN 045-390-051 (the Northwest Corner of 9th Street*

*and Cedar Avenue), for the purpose of constructing a single family home and connecting to services. This parcel is located just outside the City of Holtville boundary; however, because the property lies within 500 feet of municipal, potable water and sewer services, the parcel would be required to connect to City services. LAFCo regulations require that parcels lying outside City boundaries that connect to City services must be annexed prior to connection if they are abutting the City Limits. On September 28, 2015, the Applicants submitted a completed LAFCo Annexation Application and required payment for annexation fees to the City. The application was incomplete as it did not include any of the required maps or legal descriptions. As of September 30, 2015, the Applicants were in the process of completing an application for Pre-Zone.*

## CITY PLANNING PROJECTS

- 11. Wetlands Trail Easement Acquisition from IID** - The City has actively been working on securing a pathway, the approximate distance of .52 miles from the Alamo River Recreational trail to Zenos Road in order to connect to the Holtville Wetlands. City Staff met with IID officials who were willing to gift the required easements as long as the City provides the legal descriptions and plat maps. A portion of the Habitat Conservation Fund grant received in 2012 was to be used to create a conceptual pathway from the current trail to the wetlands based on existing topography. The concept is complete and the City Manager authorized the preparation of the legal description and plat maps to be presented to the IID. A Preliminary Title Report was ordered and obtained on August 1, 2013 and the survey Staff has been working on preparing the easements. It is anticipated that the easements will be drafted for review by The Holt Group Staff during the third quarter.

The legal descriptions and plat maps were completed by survey staff on December 4, 2013. On December 6, 2013, Staff submitted an enclosure letter to Randy Gray of IID Real Estate, providing the legal descriptions and plat map for a 20-foot wide easement. Randy Gray was contacted on December 27, 2013 to obtain a project status update. Mr. Gray informed that he had circulated the easement documentation and that thus far, other departments had accepted the legal documentation, as prepared.

The IID reviewed the Legal Description and Plat Map and found them acceptable on March 10, 2014. The same day, IID Staff notified the City that they would prefer the City enter into a Site Access Agreement and Encroachment Permit rather than the proposed Grant of Easement. Planning staff forwarded on April 1, 2014 the draft Site Access Agreement to the City Attorney for his review and comment.

The draft Site Access Agreement was presented to City Council on April 28th where the Agreement was approved. The agreement was then executed with the proper City signatures and delivered to the IID on May 12, 2014 for their review and execution. As of June 30, 2014, the Agreement still being reviewed internally and will be released once any revisions have been processed by the IID. The final Site Access Agreement was received on April 14, 2014 by The Holt Group and the original was forwarded to the City Manager on April 17, 2014. The next steps for this project are to complete the environmental and be shovel ready at the next opportunity for grant funding. No additional updates were available as of June 30, 2015.

*No additional updates were available as of September 30, 2015.*

Should you have any questions and/or concerns regarding the information in this report, please feel free to contact Justina G. Arce at (760) 337-3883 or City Manager Nicholas Wells at (760) 356-4574.



# quarterly grant report

**July-September 2015 Report**

MEETING DATE: 10-12-15

APPROVED FOR AGENDA

CITY MANAGER \_\_\_\_\_

FINANCE MANAGER \_\_\_\_\_

CITY ATTORNEY \_\_\_\_\_

**To:** Nicholas Wells, City Manager  
 Holtville City Council  
 Holtville Planning Commission

**From:** Carlos Flores, Planner/Grant Administration

**Date:** October 8, 2015

**Projects: City Grant Applications/Projects**

1. Alamo River Recreational Trails – Department of Parks & Recreation
2. BECC Application for Outfall Main & Residential Project (PDAP/BEIF)
3. BECC Application for Wastewater Treatment Plant (PDAP/BEIF) FY 10/11
4. CWSRF Application for Wastewater Treatment Plant
5. HCF Program Grant Application for Alamo River Conservation Project
6. USDA Grant Application for Outfall Main and Residential Collection Project
7. 4<sup>th</sup> Street Cedar to Walnut- Curb Gutter & Sidewalk-CMAQ Grant Application
8. 9th Street & Ditch Underground (Cedar to Palm)-RSTP Grant Application
9. Walnut Avenue South to 2<sup>nd</sup> Street Improvements- RSTP Grant Application
10. Cedar Sidewalk between 4<sup>th</sup> Street and 5<sup>th</sup> Street
11. SR 115/5<sup>th</sup> Street STIP Program Phase II Project (north side)
12. *RSTP/CMAQ Call for Projects 2015*
13. *BECC Application for Potable Water Tank TRS Installation*

The purpose of the following memo is to provide a summary report to the City of Holtville of the planning work currently being performed by The Holt Group in regards to the City's grant applications and grant administration projects, and more specifically the projects referenced above and detailed below. *Updates are in bold italics and for the time period of July 1, 2015 thru September 30, 2015, unless otherwise noted.* Further note that in order to save space, some immaterial history has been omitted, but is logged in prior reports should anyone wish to review at a future date.

1. **Alamo River Recreational Trails-Department of Parks and Recreation (\$489,169.30)**  
 In August 2008 City Manager, Laura Fischer directed THG to prepare the resubmission of an application, which was prepared on September 2008. The application was strengthened due to an IID easement that was secured and the completed survey work. A full Staff Report and a copy of the application were submitted to City Council at the September 14, 2009 meeting. On June 16, 2010, the City received a formal letter from the Department of Parks and Recreation, stating that the project had been awarded \$430,468 and that the City needed to comply with NEPA, National Historic Preservation Act of 1966, and the State or local Transportation Improvement Plan. The Regional Transportation Plan listing and Preliminary Environmental Study were completed on January 3, 2011. A contract with the State was executed on July 25, 2011 by City Manager, Alex Meyerhoff and the City procured for design, bidding and construction services.

The resolution for selection of a consultant was presented to City Council in November 2011 by City Manager Alex Meyerhoff and action was delayed since matching funds were originally from RDA Fund. Since this was an adopted Regional Transportation Plan (RTP) project, City Council opted to use LTA funds and continue to move forward with the project. On January 17, 2012, the City received a reimbursement check from the State for \$296,000. On January 23, 2012, City Council awarded the contract for design and engineering services to Mia Lehrer + Associates for \$134,325 and a Notice to Proceed was issued on March 21, 2012 to the consultant.

Mia Lehrer held a public meeting on May 7, 2012 and also presented design concepts to two High School Classes. The consultant communicated its challenge of site amenities not being found at the cost budgeted. THG provided Mia Lehrer with a number of facility specifications in order to keep the design within budget. Mr. Jeff Hutchins, project manager suggested elimination of a restroom facility, however, the City communicated that no amenities should be eliminated as the State would need to authorize a change in the scope of work. The State agency communicated that scope changes would be feasible but that a formal request needed to be submitted to DPR as amenities were a scoring factor.

The proposed design was presented to the PRC on August 8, 2012 and subsequently to the PC on August 20, 2012. Selected amenities were forwarded to Mia Lehrer. Also, the Third Progress Status Report was prepared and submitted to the DPR on September 10, 2012. The 60% design plans were submitted on November 2, 2012 and staff requested that Mia Lehrer make additional revisions to the trail pathway, landscaping and civil grading as well as alternative restroom options. The 90% design plans were submitted on December 6, pending only the final geotechnical report. Authorization to advertise the bid for the construction of the Project was approved by City Council on December 10<sup>th</sup>. The final plan check was completed and comments on minor edits were issued to Mia Lehrer on March 5, 2013.

A progress grant report was submitted to the State on April 17, 2013. Jeff Hutchins held a pre-bid meeting on June 18<sup>th</sup>. The bid opening date had been extended to July 16<sup>th</sup> via addendum #3. The City received a total of two bids: Pyramid Construction (\$1,021,279) and Hazard Construction (\$853,128). Some of the improvements engineered by Mia Lehrer resulted in significant cost overruns. At the direction of the City Manager, THG reviewed the construction bid items and prepared a memo to City Management dated September 4<sup>th</sup> on potential items that could be removed from the project scope to lower project costs and subsequently submitted a request to the DPR on August 15<sup>th</sup> for a reduced project scope of work. A response was received from the State on August 16, 2013 requesting a letter describing the scope of work change, a revised Application, Cost Estimate, and Site Plan. On December 27, 2013, the letter describing the scope of work change, a revised Application, Cost Estimate, and Site Plan were submitted to the State.

On February 3, 2014, the City received a letter from the State approving the change in scope of work. The project was re-bid by Mia Lehrer, per change in scope, and a bid opening was held on March 28, 2014. Three bids were received from Granite Construction (\$678,999), Hazard Construction (\$568,148), and Pyramid Construction (\$508,483). City management was in the process of negotiating with the availability of Class II base for trail pavement, location of fill export, and possibility of fill import. Other elements such as rope railing, signage and bollards could be installed by the City at a future date in order to bring down project costs.

Cost reductions of \$66,900 were successfully negotiated by THG with Pyramid Construction in June 2014 for the following items:

- Reduction of soil exporting costs per unit (\$29,580 in savings)
- Removal of installation of all three trash receptacles (\$4,800 in savings)-purchased under separate grant.

- Removal of installation of all rail track post & rope guide (\$17,520 in savings)
- Removal of installation of Alamo River Trail Sign (\$5,000 in savings)
- Removal of installation of bollards (\$10,000 in savings) to be installed at a future date by City staff.

City Council awarded the construction contract to Pyramid Construction on June 9, 2014. The kick-off meeting was held on June 27<sup>th</sup> and subsequently THG issued a memorandum to Mia Lehrer on July 2<sup>nd</sup> to communicate and recap construction management requirements expected of Mia Lehrer for the construction phase of the project. It was determined by Mia Lehrer and the City Manager to only issue a Notice to Procure (pending acceptable contract documents) for the bridge equipment and that a Notice to Proceed on Construction would take place in September.

Pyramid submitted a payment request in the amount of \$59,850.00 for the pre-fabricated bridges, which was paid by the City on July 11, 2014. The Holt Group, in turn, submitted Reimbursement #4 to the State for the material purchased on July 1<sup>st</sup>, 2014 and the City was reimbursed on December 9<sup>th</sup>, 2014. A Notice to Proceed was issued by Mia Lehrer to the contractor on November 18<sup>th</sup> 2014 after some clarifications on design between Mia Lehrer and the Bridge manufacturer were resolved.

The project was subsequently and temporarily halted until a Labor Compliance Officer was brought on board and construction management inspection scope of work was agreed to. A Labor Compliance contract was approved by City Council on December 8<sup>th</sup>, 2014. David Dale of Dynamic Engineering was also brought in to perform daily inspection/construction management services at a cost not to exceed \$12,000 since Mia Lehrer was unable to complete the daily inspections as required. This amount would be deducted from their contract. Construction began on December 15<sup>th</sup>, 2014.

Construction Management Service invoices were also paid in January averaging \$17,000 to Mia Lehrer and North Gardens Management. Pyramid Construction was also paid \$175,249.80 on January 20<sup>th</sup>, 2015. The Holt Group, in turn, submitted Reimbursement #5 on January 27, 2015 to the State for the incurred costs, in the total amount of \$192,181.00.

In January 23, 2015, City Council approved Construction Change Order #1 in the amount of \$52,070.20, for a change in scope that would require piling to be constructed using the "Wet Shaft" method of placement.

On February 25, 2015, Semi Annual Reports were submitted to the Office of Grants and Local Services. On March 25, 2015, The Holt Group submitted Reimbursement #6 to the State for additional construction management costs in the total amount of \$20,702.00. This Reimbursement included two Labor Compliance payment requests in the amount of \$1,530 and \$578, two North Gardens Management construction management payment requests in the amount of \$3,400 and \$3,740, and a Pyramid Construction construction services payment request in the amount of \$11,454.18.

On May 12, 2015, The Holt Group submitted Reimbursement #7 to the State for Construction costs from Pyramid Construction in the total amount of \$131,480. Two payment requests remained to be paid. The final walkthrough by Mia Lehrer was completed in May 19, 2015, however a Notice of Completion had not been filed as of June 30, 2015 due to pending guard rails schedule to be installed between July 20 and July 24. A Close-Out packet would be submitted as soon as the Notice of Completion is filed.

***On July 10, 2015, the City was notified by the California Department of Parks and Recreation that additional RTP grant funds were available for projects that had encountered cost overruns. Since the Alamo River project had cost overruns as well as Construction bid items that had to be removed to fit the budget, the project was eligible to apply for additional funding. On July 14, 2015, a packet requesting additional funds***

*was submitted to the Department of Parks and Recreation. The packet included a letter from the City Manager explaining the need for additional funds, a revised RTP application, a revised Cost Estimate form, and a revised schedule of events.*

*The City received a letter on September 17, 2015, informing them that the Office of Grants and Local Services (OGALS) recommended approval of a portion of the requested additional funds in the amount of \$255,353 to the Federal Highway Administration (FHWA). FHWA approved the additional funds for this project on July 30, 2015, bringing the total new grant amount to \$685,821. OGALS notified the City that an amended grant contract would be delivered soon.*

2. **BECC/NADBank Wastewater Collection System Application for Outfall Main (& Residential Collection System) (Anticipated Project Cost \$4,895,000.00, however, as of December 31, 2013 Final Cost was \$7,337,500)** – THG, Inc was given directive to prepare capital improvement applications through BECC by City Manager, Laura Fischer. The project was for the replacement of the existing Outfall Main between Olive Avenue and the Holtville Wastewater Plant as described in the existing 2006 study prepared by THG which included related costs for environmental compliance and ROW acquisition. The application was forwarded to the BECC Office on October 13, 2008. City Management was notified on November 3, 2008, that the City had met all the eligibility criteria for this project and that it would move on to the next phase. In late November of 2008, BECC Staff requested additional information regarding billing efficiency and collection ratios. BECC Project Engineers drove through the Project Site of the Outfall Main on January 21, 2009 and were provided with back-up information. On June 4, 2009, the City Manager, Laura Fischer, was notified by BECC that the project was selected for EPA's US-Mexico Border Planning and Development Assistance Program for planning and technical assistance. Construction amounting up to \$2,786,557 for the project had not been secured yet, but BEIF funds could possibly become available upon completion of the certification process.

RFP coordination was handled by BECC and City Management and the scope of work was drafted by BECC. On November 10, 2009, BECC conducted a kick off meeting at City Hall with the selected consultant to discuss the project scope and timeline. The PER was 30% complete and was submitted to BECC for review on December 18, 2009. On December 29, 2009, the Environmental Initial Consultation Letter was sent out to Project Stakeholders. The environmental consultation period ended January 18, 2010. On April 19, 2010, the 90% PER was completed by THG Engineering Staff and submitted to the City, BECC and Utility providers for review and comment. The project team met with IID, Southern California Gas Company, IC Planning, IC Public Works, and IC Environmental Health on May 5, 2010, to review potential ROW and utility conflict issues. On May 28, 2010, THG Engineers submitted the 100% complete PER to BECC. The project's PER was reviewed and approved by BECC on June 14, 2010.

The Environmental Information Document (EID) under NEPA and the Initial Study under CEQA was completed in draft and was submitted on May 5, 2010 for City EEC Review and BECC/EPA review. In addition, a Biological Study was deemed necessary and was requested from Marie Barrette and was completed on June 14, 2010. The MND Certification was drafted and approved for recommendation by the PC on July 19, 2010. On July 26, 2010, the City Council reviewed and approved the Certification of the MND and a Notice of Determination was filed at the County Recorder's office.

City Management proposed the use of short term bonds to finance the project. The information was presented to City Council on March 14, 2011. City Council approved the financial plan and asked Management to move forward with pursuing short term bonds. On March 22<sup>nd</sup>, City Manager Laura Fischer prepared a letter to Mr. Mora regarding project status. The City Engineer completed the Scope of Work and received City Council approval on April 25<sup>th</sup>. The RFP was advertised on May 10<sup>th</sup> and the bid

opened on May 27<sup>th</sup>. The proposal was awarded to Albert A. Webb and Associates on June 13, 2011, during the City Council meeting. The award was approved via resolution 11-14 in the amount of \$381,800.

On September 13, 2011, a meeting was conducted with Webb & Associates, Hale Engineering, THG, and BECC to review the 30% design work in progress. Webb & Associates communicated that they had completed the surveying and mapping for the sewer pipeline and that utility research was 95% complete. Webb & Associates also communicated that they under budgeted their costs and submitted a proposal on August 3<sup>rd</sup> to the City and BECC for review for a total of \$99,288.00 for additional title reports, easement, right-of-way, legal descriptions, plats, and record of survey. In addition, additional fees were submitted for land appraisal and property negotiation fees for an estimated \$154,000.00. Accelerated Land Services also provided a cost estimate of \$67,000.00 for property negotiations, completing land appraisals, and other required items to obtain right of ways and easements. The City Engineer believed Accelerated Land Services costs to be more reasonable and presented the additional costs to Council for review at the October 10<sup>th</sup> meeting, and were approved by Council.

The Public Participation Presentation for the project was prepared by THG and a meeting was held on October 28, 2011 with the Local Steering Committee to review the First Public Meeting and to schedule the same. On November 4<sup>th</sup>, the City posted the First Public Meeting Notice and published it in the Holtville Tribune for November 21<sup>st</sup>. A Second Public Meeting Notice was also posted on December 28, 2011 and published in the Holtville Tribune for February 6, 2012 to discuss project environmental findings and project status. Copies of the Second Public Meeting Notice were sent to all residents abutting the Wastewater Outfall Main and Residential Lines. A meeting was held on January 31, 2012 with the Local Steering Committee to review Second Public Meeting Presentation, progress and status of the Outfall Project 60% design. The Second Public Meeting was held on February 6, 2012 and comments were received from three (3) residents. A response on comments were issued to the residents in February 2012.

Three (3) easements were secured for the residential alley between Cedar and Pine Avenue and one (1) right-of-way for the residential alley between Orange and Fern Avenue. One (1) easement had also been secured for the outfall main pipeline as of April 12, 2012. As of June 29<sup>th</sup>, 2012, the City had secured all nine (9) alleyway easements and one (1) easement for the outfall main pipeline. The 90% plans were completed on September 12<sup>th</sup>. At that time an updated EOOPC dated August 15, 2012 was prepared which identified a \$1,661,400 gap. A follow up meeting was held in which BECC, EPA, NADBank and USDA reviewed the revised EOOPC. It was communicated by NADBank that the gap would be covered through BEIF if funding was secured through USDA. Council took action on September 18, 2012 to secure the agency commitments.

The 100% plans were completed and submitted to BECC on December 14<sup>th</sup>. Teleconference meetings were conducted with BECC to discuss the Outfall Main Project Construction Management Procurement and Certification Schedule. The updated EOOPC along with other requested documents were also submitted to BECC on December 17<sup>th</sup>.

A meeting was held at THG office with Roberto Molina from BECC and Mr. Alex Meyerhoff (via phone) on February 21, 2013 to discuss the Outfall Main Project Construction Management Procurement and Certification Schedule. It was discussed at the meeting that items that remained pending were associated with Financial Data from the City Finance Manager and if audited financials were submitted by the end of March, then the project would be placed on the NADBank Board certification by May 9, 2013.

During January thru March 2013 review period, THG also submitted three (3) Reimbursement Requests to BECC for design with the final one submitted on March 7, 2013. A First and Second Project Status Report were also submitted by March 7, 2013. A Technical Assistance Agreement (modification 2) was also issued on March 26, 2013 to

the City allowing an extension request to April 5, 2013, since the previous agreement had expired on February 15<sup>th</sup>.

The audited Financial Statements for FY 11/12 were submitted to NADBank by the City on April 25, 2013 and NADBank was able to meet their May 9<sup>th</sup> Board Certification meeting. The Final Public Meeting was also held on April 29<sup>th</sup>. THG also completed the Final Public Participation Report and submitted it to BECC on May 8<sup>th</sup>. The City Mayor executed a Financing Agreement in the amount of \$1,359,887 on June 12<sup>th</sup>. This amount did not fulfill the identified gap of \$1.6 million, further identified in City Council Resolution 12-56 forwarded to EPA. Apparently there was an oversight by NADBank under which they assumed USDA funds were covering all construction costs (and refinance) when in actuality the USDA funds were reimbursing the City for other soft costs. EPA had requested a verification of soft costs from USDA before they could consider increasing the grant funding through BEIF. THG had been coordinating these submittals to USDA with the assistance of Ms. LeeAnn Chimits.

Procurement Phase: THG/City Engineer had been disqualified by NADBank as eligible for the provision of Construction Management Services associated with this project. The City Engineer had, however, been provided with directive by the City Manager to perform all bidding and construction manager procurement duties on behalf of the City. Construction procurement documents that had been prepared and submitted by Webb in December were reviewed and revised by NADBank, USDA, and subsequently by THG on behalf of the City. Publication was authorized by NADBank on July 3<sup>rd</sup> and the RFP was published on July 9<sup>th</sup>.

As of October 1, 2013, there were a total of twelve procurement meetings held with the City, THG, NADBank, EPA, BECC, and USDA to discuss progress of construction procurement documents and procurement of a construction manager. Final costs had been determined based on bids received. The City submitted a request to NADBank to amend sub-agreement as the executed Financing Agreement in the amount of \$1,359,887 did not fulfill the full identified gap. EPA approved a final Deal Sheet for \$2,139,093 on September 30, 2013 to fulfill this gap.

Construction Management Procurement – An Expression of Interest (EOI) was advertised by the City Engineer on July 26, 2013. Responses to the EOI were received on August 5, 2013 from a total of eight firms from which a short list was established. Full proposals were requested from five firms. The City received a total of two proposals by the August 30<sup>th</sup> deadline. Evaluations were completed on September 9, 2013. The lowest proposal was from Dynamic Consulting Engineers for \$536,717 and subsequently negotiated down to \$497,147. City Council took action on September 23<sup>rd</sup> for Award of Construction Management Contract with the condition that a contract not be executed by the City and Contractor until funding was secured for the remaining gap. NADBank rejected the resolution and requested that City Council hold a second meeting to review and adopt a revised resolution awarding the contract after a Deal Sheet was in place in order to remove the contingency language. Council awarded the contract via a modified resolution.

Construction Contractor Procurement –The Request for Proposals for Construction Services were advertised on July 9<sup>th</sup> and July 16<sup>th</sup>. A non-mandatory pre-bid for interested contractors took place on July 25, 2013 and the construction bid opening took place on August 16, 2013 and a total of 5 bids were received. Evaluations were completed in August. The lowest responsive bid was from The Van Dyke Corporation at \$4,941,950 which was awarded by City Council at the October 14<sup>th</sup> regular meeting.

THG had also prepared Monthly Progress Reports for October, November and December as required by the Construction Assistance Grant Agreement BEIF No. CA-3030 (Annex 1). A quarterly Wastewater Connections Report was also submitted on October 31<sup>st</sup> per Annex 3.

Dynamic Consulting Engineers (Construction Manager) had a contract date of October 9, 2013 and The Van Dyke Corporation of November 19, 2013. A No Objection to Contract for The Van Dyke Corporation was requested by the City on November 20<sup>th</sup> but not approved by NADB until December 10<sup>th</sup> due to the insurance suitability being questioned by NADB. A Notice to Proceed was issued to Van Dyke on December 10, 2013.

THG had prepared Monthly Progress Reports for January, February, and March inclusive of Annex 1 (Project Progress Report), Annex 2 Funding Sources and Annex 3.1 (quarterly Wastewater Connections Report). Construction was in process with an eighty-five percent (85%) completion status for the Residential Collection project and twenty percent (20%) complete for the Outfall Main project as of March 31<sup>st</sup>. There had been a total of three change orders for this reporting period amounting to \$65,667 and covered by contingency set-aside. During this period, staff also processed sewer connection agreements for seven (7) property owners and obtained LAFCo authorization for the same. The new connections should have been fully connected in early April.

Monthly Progress Reports for April, May, and June were prepared. Construction was one hundred percent (100%) complete for the Residential Collection project and fifty-eight percent (58%) complete for the Outfall Main project as of June 30<sup>th</sup>. There were a total of five change orders for April to June reporting period amounting to \$40,768 and covered by contingency set-aside. There were also two new water connections for properties outside the City Limits that were not anticipated and that did not receive formal authorization from City Council. It was anticipated that these new water connections along with several other sewer connections that were identified as not having a service agreement in place would be brought before City Council at the end of July or early August.

Monthly Progress Reports for July and August were prepared and submitted to NADBank. There have been a total of two change orders during the July through September reporting period amounting to -\$75,435.47 and returning to the contingency set aside. Construction of the Outfall was 86.2% complete as of the end of September. Connection of private sewer laterals had not yet begun for this phase of the project. During this report period, the extension of a new 8" diameter pipeline, from Melon Avenue to serve the residents along Alamo Road, was discussed and conceptually approved by the funding agencies to be covered by contingency monies. Mr. Jack Holt began preparing the specifications in September for the proposed extension. An engineer's opinion of probable cost had not yet been prepared as of the end of September.

Monthly Reports for September, October, and November were submitted to NADBank. There were two approved change order during this report period totaling \$34,015.99 with an extension of time on one through January 2, 2015 for the contractor and a subsequent change order for an extension of time through March 3<sup>rd</sup>, 2015.

Monthly Reports for December, January, and February were submitted to NADBank. Construction was 100% complete for the Outfall Main project as of March 3<sup>rd</sup> 2015. Dynamic communicated that there were still some change orders that needed to be administratively processed before the project could be fully closed out. The Final Close-Out packet from the Construction Management team is still pending to NADBank as of March 31<sup>st</sup> as Dynamic continues to work on "as built" drawings.

NADBank Monthly Reports were completed for April, May and June. A Notice of Completion was filed on June 8, 2015. However, as of June 30, 2015, Dynamic continued to work on clearing all County permits for laterals and final retentions had not been paid by any of the funding agencies. Close-Out documentation would be provided to City Management by Dynamic as soon as the City Council takes action to accept the project as constructed. Planning Staff completed the respective resolution and Council will be considering project acceptance at the July 13, 2015 meeting.

*The project was accepted as complete by the City at the July 13, 2015 City Council meeting. The project was closed out by NADBank and by USDA in early August, and all funds have been drawn. This item will be removed from further reporting.*

3. **BECC/NADBank Wastewater Treatment Plant Application FY 10/11 (Anticipated Project Costs \$5,616,000.00, however as of December 31, 2013 costs were \$11,885,956)** – THG was given directive to prepare capital improvement applications through BECC. City Council authorized the City Manager as the approving official for the required submittals on October 11, 2010. The project was for the rehabilitation of the existing plant and included related costs for environmental compliance and processing of State Revolving Fund Application. The WWTP Improvement Project application was forwarded to the BECC EPA Office on October 27, 2010 and copies were provided to the City Manager on October 28, 2010. By mid January 2011, BECC conducted field review visits to the project sites. The project was pre-selected and was in process for FY 11/12 BEIF-PDAP Prioritization.

Grant funding for 50% of the design was officially awarded through BECC via a letter dated May 11, 2012 under EPA Region 9's US-Mexico Border PDAP. A meeting was held with BECC on June 14, 2012 to discuss BECC Certification requirements and WWTP PER Review. The Design would focus on the preferred alternative identified under the PER and more specifically described as the Biolac<sup>®</sup> Wave Oxidation (Integral Clarifier) System alternative. The City received a comments report dated June 22, 2012 from BECC communicating that the PER had been reviewed and that PER modifications were being requested. The requested changes were six (6) as follows: 1) Capacity consideration for septage holding tank of 25,000 gallons seems an over built, the City should reconsider the adequate volume needed; 2) Addition of proper laboratory and offices building inclusion to the improvements; 3) Clearer understating of the type of industrial discharges to the WWTP, quantities and characteristics; 4) Plan on tracking the tanker trucks irregularly dumping wastewater to the WWTP; 5) A biosolids-handling plan has to be described more in detail. The plan should include the sludge thickening process to be utilized, along with sludge windrowing, drying, storage and landfill application; and 6) Emergency backup generator should be considered. The comments report communicated that a response was required from the City to communicate if recommendations were accepted in order to authorize BECC to move forward with RFP Scope of Work development.

The letter also stated that BECC would be providing 50% of design costs up to \$500,000. The PER modifications would be covered by the awarded PDAP funding, the City would simply need to provide documentation of the Lee & Ro RFP Process. Once the PER was updated, the RFP process for the design phase would be initiated. A letter on funding status dated June 18, 2012 was also submitted to the RWQCB to provide an update on the funding milestone deadline of June 27, 2012.

Two teleconference meetings were conducted November through December 2012 with BECC to discuss the Certification Schedule, RFP for design services and concern over the pending SHPO Clearance. On December 10, 2012, City Council approved THG to proceed with the preparation of the RFP for design services for the WWTP, without the SHPO Clearance, in order to not further delay compliance of the Board Order. The final, advertised WWTP design RFP documents were submitted to BECC on December 13<sup>th</sup>. The project advertised on December 20<sup>th</sup> and EPA Notified the City of Environmental Clearance on January 4, 2013. A meeting was held at THG office with BECC and Mr. Alex Meyerhoff (via phone) on February 21<sup>st</sup> to discuss pending action items to initiate the WWTP Project. These included submission of procurement data and contracts.

Lee and Ro, Inc. and Albert A. Webb Associates, Inc. forwarded proposals for the design of the Holtville WWTP on February 14<sup>th</sup>. A Selection Committee assembled by City Management met on February 19<sup>th</sup> to review the consulting engineering proposals and

recommend a design consultant on a qualification based selection. At the February 25<sup>th</sup> Council Meeting, the City Council accepted the recommendation of the Selection Committee, which was to award the contract to Lee & Ro in the amount of \$697,256. A kick-off meeting was held on March 19, 2013 by Lee & Ro with IID, EPA, BECC, Landmark and THG to discuss the project design and schedule.

THG Drafted a Public Participation Plan, which was reviewed and approved by City Council. The First Public Presentation was also reviewed and authorized by the Local Steering Committee on June 28, 2013. The Local Steering Committee also reviewed the 30% design plans and scheduled the first public meeting for July 15<sup>th</sup>. The City and THG also held a meeting with NADBank on June 11<sup>th</sup> to discuss the projects design status. Lee & Ro had completed 30% of the design plans in June and the City Engineer reviewed the plans and issued comments. A meeting was held with Lee & Ro on July 24<sup>th</sup> to review the 90% design plans. The Local Steering Committee also met on August 6<sup>th</sup> to review the 90% design plans and scheduled the final public meeting. The final design plans were completed in August and submitted to BECC for review. A total of three reimbursement requests were also submitted by the City for design costs.

The August EOOPC was \$8,866,000 which was \$1,775,910 over the SRF construction commitment. There was a total project costs gap of \$3,371,790. A meeting was held with NADBank in September to discuss the financial gap and it was communicated that assistance could be provided through the BEIF Program. NADBank requested that the City submit twenty-nine documents for an analysis. The first submittal to BECC was made on September 18<sup>th</sup> with only the Building Permit pending.

The Building Permit was submitted to BECC on October 23<sup>rd</sup>. A Second Public Meeting was also held on October 14<sup>th</sup>. The EOOPC was since then updated by both Lee & Ro and then adjusted by NADBank. Subsequently, BECC communicated that the City would need to hold a third public meeting to reflect the revised project costs and a financial assistance amount of \$3,559,910 under the BEIF Grant Program. The Final Public Meeting was held on November 25<sup>th</sup> by the City Council.

A total of two reimbursement requests and two progress reports were submitted to BECC between October and December with the most current submitted on December 6<sup>th</sup>. The draft Project Certification Document was published on December 15, 2013 which initiated the 30 public notification process before a formal proposal could be advertised.

The project was certified by BECC on February 25, 2014, however the City had not received the Construction Assistance Grant Agreement from NADBank as it was pending issues associated with Buy American Clause and Disadvantaged Business Enterprise Goals which are required by the primary lender the CWSRF but rejected by NADBank. The issue was being resolved by EPA who was the origin of funding for both programs to some extent. Lee & Ro was in the process of completing the specifications with the required language.

**Construction Management Services:** An Expression of Interest (EOI) for Construction Management was advertised by the City Engineer on February 27, 2014. The responses to the EOI were received on March 13, 2014 from a total of three firms from which a short list was established. Two of the responding firms were disqualified. Full proposals from the remaining firm (Dudek and Associates) was received on April 16, 2014 but exceeded the available budget of \$887,500 by \$1,028,300. The bid was rejected and NADBank procured qualified firms a second time. The City was authorized to request one bid from HDR. The City requested a bid from HDR which came in at \$1,073,000. It was anticipated that the contingency would cover the \$185,500 gap. Selection of Construction Management Services were brought before City Council once the Sub-Grant Agreement for the project was approved by NADBank which was pending resolution regarding Disadvantaged Business Enterprise and American Iron & Steel Language requirements. EPA was working with NADBank to clear American Iron &

Steel and DBE Language. The Construction Manager, HDR, was selected during this report period and a contract for services was executed on July 30, 2014.

**Construction Services:** It was anticipated that the Request for Proposals for Construction would be advertised by May however, this was delayed due to the Construction Manager not yet being selected. The Advertisement for Bids for Construction Services was estimated to be advertised in August 2014. The construction bid opening date and evaluations were to be completed in September for potential recommendation to City Council by October 2014. This schedule has been significantly delayed as of the end of September. HDR had to be allowed time to review the construction bid documents, and comments were received from HDR on September 30, 2014. It is anticipated that the advertisement for bid for construction services would be published in October for potential recommendation to City Council in November 2014 or early December.

HDR completed their review and comment by November 25, 2014. The Bid Documents, however, were not approved by NADBank in October of 2014 and instead significant restructuring and itemization was requested on by NADBank which were out of the norm of all engineering firms involved (Lee&Ro, HDR, and THG). Discussions ensued between EPA and NADBank and the City on whether HDR was fulfilling their contract. HDR made some modifications and appealed on others and submitted the report to NADBank on December 15<sup>th</sup>, 2014. NADBank responded on December 19<sup>th</sup>, 2014 with some modest additional changes which were completed by Lee & Ro.

Monthly progress reports were completed for January, February and March 2015. On February 9, 2015, the City of Holtville City Council authorized a Construction bid advertisement and the bid advertisement went up on February 24, 2015. The City Engineer issued a couple of addendums and as a result, the bid opening was delayed through April 14, 2015. It was anticipated that an award recommendation would come to Council by the end of April.

NADBank Monthly Progress Reports were completed for April, May, and June 2015. NADBank completed their bid evaluation review on June 16, 2015 and the Sub-Grant Agreement was received on June 22, 2015 in the amount of \$6,889,870. City Council may now consider award of contract for construction services. Action was scheduled for the July 13, 2015 Council Meeting.

*NADBank Monthly Progress Reports were completed for July, August, and September 2015. The City awarded the Construction contract to Pacific Hydrotech for Construction Services at the July 13, 2015 City Council meeting. A Notice to Proceed was issued on July 29, 2015. Change Order #1 and #2 were in progress during September. Change Order #1 addresses DBE changes and has zero costs and no extension of time. Change Order #2 is associated with potable water systems.*

4. **Wastewater Treatment Plant CWSRF Financial Assistance Application to the State Water Resources Control Board (\$6,000,000.00 however as of December 31, 2013 costs were \$11,885,956)** – On December 13, 2010, City Council approved resolution 10-53, allowing THG and City Staff to prepare an Application for the WWTP Project. The project's scope of work included vital rehabilitation work that addressed the City's NPDES Permit. On January 10, 2011, a reimbursement resolution was also taken to the Holtville City Council for their consideration. Although the City was not on the State Priority List, the State encouraged the City to submit an application. Per Ms. Chase, if the City completed the application prior to the opening of the project priority list, SWRCB would possibly consider an amendment to include the City's project.

THG worked with the Finance Manager to obtain pending financial documents and City audits. Additional items that would be needed included the Rate Study by Raftelis and the Preliminary Engineering Report by Lee & Ro and were still pending as of July 2011.

On December 8, 2011, an application packet was finalized and sent to the State for funding consideration. THG also requested a Bond Counsel Legal Opinion letter from RW&G on December 21<sup>st</sup> regarding the City's ability to incur additional debt.

A staff report dated March 22, 2012 was presented to Council on preliminary underwriting for the application. The City submitted all required information to the State with the exception of the bond counsel letter, and 10/11 Fiscal Year Audit, Sewer Cash Reserves and Uses and Operation Budget and Cash Flow Projections which were pending by the Finance Manager. Preliminary findings by the State indicated that the City was eligible for Principle Forgiveness, but limited based on their economic data and MHI. In March, the State communicated that there were still funds in Category 1, for severely disadvantaged communities and that the City qualify if it raised rates by at least \$1.77 per month. Directive had been provided by Council to move forward with a minimum \$1.77 rate increase.

The City's financial budget was not available until June 1, 2012, which was not early enough for the State to complete its underwriting within their 11/12 fiscal year, and as such the Small Communities Capitalization Grant (SCCG) funds available to CWSRF were exhausted. It was communicated on June 6<sup>th</sup> by the underwriter that the availability of principal forgiveness for the 12/13 fiscal year under the SCCG would be determined after State 12/13 budget adoption. On July 5, 2012 the City submitted all financial documents pending from the City audit and final budget to CWSRF. Additionally, the USDA Loan Commitments were also forwarded to CWSRF on September 25<sup>th</sup> after the City Council took action to accept the USDA/BECC/BEIF financing packet for the Outfall Packet, thus relieving the sewer fund of some existing debt. CWSRF requested that the City provide the rate increase amounts needed to cover the City's debt (USDA and proposed CWSRF) equal to 1.20 times the total annual debt service and operation and maintenance costs, after considering any required reserves. The City Finance Manager was tasked with completing this information so it could be presented to City Council and provided to CWSRF.

The City Manager completed the Sewer Rate financial review in December and the Proposition 218 Sewer Rate Notice was posted and issued to all property owners and service users. A copy of the notice and proposed rates were submitted to CWSRF on December 31, 2012 and published in the Holtville Tribune on January 4<sup>th</sup>.

On February 11, 2013, City Council reviewed a revised EOOPC prepared by Lee & Ro that incorporated changes to scope of work due to BECC's laboratory building recommendations, Imperial County's CUP recommendations, and omissions from original PER that resulted in a project cost increase. THG informed SRF about the revised scope and EOOPC for a total project cost of \$8,222,546. It was communicated by Ms. Chase that assistance could be provided through SRF for the additional costs and on February 25<sup>th</sup> Council approved an updated Dedicated Sources Resolution and subsequently, a final Facility Plan Approval that incorporated all costs, schedule, and terms issued by CWSRF was also approved on March 18<sup>th</sup>. Please note however, that SRF required conditions to be met by June 2013 and due to the delay in the audited financials, it was no longer feasible for the City to meet all these conditions within that deadline.

The audited Financial Statements for FY 11/12 were submitted to NADBank by the City on April 25, 2013 and NADBank was able to meet their May 9<sup>th</sup> Board Certification meeting. An extension was requested from SRF on April 24<sup>th</sup> as it was evident that the June deadline would not be met. SRF approved the extension in May, granting the City 120 days to execute the SRF agreement and meet the conditions which included USDA paying off the 2003 and 2011 outstanding bonds (by October 28, 2013) before the SRF Loan could board. A First Supplemental Trust Agreement for the 2003 Bonds and First Amendment to Installment Sale Agreement for the 2011 Bonds resolutions were passed

by Council on August 26, 2013. The Resolutions enabled the SRF loans to board prior to the USDA Loans and while the 2003 and 2011 Bonds remain on the books.

An amended Facility Plan Approval (FPA) was approved by City Council on October 28<sup>th</sup> and the executed document was submitted to the State on October 31<sup>st</sup>. A formal agreement was still pending to be issued by the State due to the agreement being reviewed by the State's legal department and an extension to April 29, 2014 had been granted by the State for the execution of the agreement. The agreement was executed by the City and submitted to the State on February 5, 2014. The First Disbursement Request was also submitted to the State on April 3<sup>rd</sup> for reimbursement of 50% of design costs in the amount of \$340,786. Please refer to the BECC Wastewater Treatment Plant Project section above for construction management and construction status.

The First Disbursement Request was reimbursed on April 30, 2014 for 50% of design costs. The First Quarterly Progress Report was submitted to the State on May 2<sup>nd</sup>. Please refer to the BECC Wastewater Treatment Plant Project section above for construction management and construction status.

As noted in prior section 4 of this staff report, the Construction Manager, HDR, was selected during the July to September report period and the contract for services was executed on July 30, 2014. HDR had to be allowed time to review the construction bid documents, and comments were received from HDR on September 30, 2014. It is anticipated that the advertisement for bid for construction services will be published in October for potential recommendation to City Council in November 2014 or early December. Reimbursement #2 for final design costs and bidding services will be processed once the construction bids come in and a final cost determines whether any contract modifications with SRF would be necessary. The quarterly progress report was submitted to Ms. Bridget Chase on November 3, 2014. If and when changes to the satisfaction of NADBank are prepared, the final edits will need to be forwarded to the CWSRF.

Quarterly Progress report #4 was submitted to Ms. Bridget Chase on January 22, 2015. As previously noted, NADBank approved of the bid documents submitted by HDR, in February and on February 9, 2015, the City Council authorized a Construction bid advertisement with a bid opening scheduled for April 14, 2015.

Quarterly Progress Report #5 was submitted to Ms. Bridge Chase on May 11, 2015. Addendum's 3, 4, 5, pushed the bid opening date to April 21, 2015. On April 21, at 2:00 P.M., the bid opened and four (4) bids were submitted: RSH Construction (\$11,271,809), Pacific Hydrotech Corporation (\$11,733,600), Steve P. Rados, Inc. (\$14,625,000), and Stanek Constructors, Inc. (\$14,713,000). NADBank completed their bid evaluation review on June 16, 2015 and the Sub-Grant Agreement was received on June 22, 2015 to cover the financing Gap. Planning Staff prepared a Final Budget Approval and Approval of Award request and submitted the packet to the CWSRF on June 25, 2015.

*The City awarded the Construction contract to Pacific Hydrotech for Construction Services at the July 13, 2015 City Council meeting. A Notice to Proceed was issued on July 29, 2015. Quarterly Progress Report #6 was submitted to Ms. Bridge Chase in August 2015. Change Order #1 and #2 are in progress as noted under Item #4. The Amendment #1 was received by the State on September 11. On September 16, 2015, the City Manager approved Amendment No. 1 to the Finance Agreement and e-mailed and mailed the State Water Resources Control Board. The amendment shifted funds to soft costs from Construction. City Staff is preparing to submit Reimbursement #2 in October.*

- 5. Alamo River Habitat Conservation Project - Department of Parks and Recreation Habitat Conservation Fund Program Grant Application (\$193,700.00)**- On September 26, 2011, City Council approved resolution 11-32, allowing City Staff to

prepare an Application for the Department of Parks and Recreation Habitat Conservation Fund Program for improvements to the Alamo River area surrounding the SR 115 overpass. The State had a call for projects under the Habitat Conservation Fund Program for Trails with a statewide budget of \$2,000,000 per year and would award grants on a competitive basis for projects that protected, restored, enhanced wildlife habitat, and acquired or developed trails which would bring urban residents into Park and/or wildlife areas. The proposed project would incorporate landscaping and buffers to protect wildlife from human intrusion, and to protect trail users.

THG Staff prepared the application and all required attachments in coordination with City Staff. The application was submitted to the State on September 29, 2011. A letter dated October 14, 2011 was received by the City acknowledging that the State had received an application from the City and that no further action was needed at that time. A letter dated February 1, 2012 was received from the State indicating that there were three items needing clarification: 1) The non-construction (or pre-construction) costs in the Cost Estimate/Grant Scope Form exceed 25% of the grant and match amounts, 2) The CEQA Certification Form required the Authorized Representative's signature, and 3) the Topographic Map appeared to be complete except that the project elements as described in the grant scope should also be included. On February 15, 2012, a response with information requested on all three items was submitted to the State and cleared.

A site visit was held between the City Planner, a project engineer, and the Department of Parks and Recreation Staff on May 18, 2012 to view the project site. Habitat vegetation data and concepts on proposed links to Class I Bike Lane and Alamo River Recreational Trail were presented at the visit. A coyote was viewed at the trail and Mr. Pete Millinger happened to be on the site that day feeding raccoons. Overall, the visit went well and it was communicated by the State representative that a determination on funding would be anticipated July 2012.

The City received a grant award notice dated September 18, 2012 indicating that the City was awarded \$193,700 in grant funds for the project and also notified regarding a mandatory HCF Grant Administration Workshop on September 19<sup>th</sup> in Costa Mesa California. The City Finance Manager and THG Grant Manager attended the workshop. It was communicated at the workshop that the project could not be initiated without the execution of a State contract.

Project design commenced in October 2012 and plans were 95% complete. The City received a letter dated November 6, 2012 that included the fully executed Grant Contract and also requested that a deed restriction be recorded on the title to the subject property. Project Design was 100% complete. On March 6, 2013, City Council was presented with options to meet the State's requirements on land control. One option was for the property to be transferred from the Successor Agency to the Holtville Redevelopment Agency to the City of Holtville and the second option was for a Land Tenure Agreement to be put in place between the Successor Agency and the City of Holtville. City Council provided directive to the legal department to move forward with the transfer of the property. A reimbursement would not be submitted until land tenure issues were addressed.

The project was advertised for bid in April 17<sup>th</sup> & April 24<sup>th</sup> and bids opened on May 21<sup>st</sup>. The bids came in too high with the lowest bidder coming in at \$239,977. A letter was issued to bidders rejecting the bids received and the project scope was modified to reduce some of the areas that exceeded budget. It was communicated by the City Attorney that he was working with the City Finance Manager on completing a report to the Department of Finance for approval of the transfer of the subject property from the Successor Agency to the City of Holtville.

Follow up was made with the City Attorney in September on the status of the transfer of the property and it was communicated that he was in the process of working with the City Manager on a list of properties to be transferred from the Redevelopment Successor

Agency to the City of Holtville for submittal to the Finance Board. The project was re-advertised for bid and a total of two bids were received from Hazard Construction (\$149,607) and Pyramid Construction (\$133,944). The City awarded the construction contract at the October 14<sup>th</sup> City Council meeting to Pyramid Construction.

Follow up was made with the City Attorney during the fourth quarter and it was communicated that the transfer of the property to the City of Holtville was still in process. City Management communicated that on November 22<sup>nd</sup> the City submitted a Property Management Plan to the Department of Finance communicating the disposition of the properties currently owned by RDA and how those properties would be handled by the City, including the Alamo River property.

A Notice of Completion was filed on December 19, 2013. THG worked on the close-out documents and reimbursement request, however, the reimbursement request was unable to be processed by the State until the transfer of the property to the City of Holtville was complete and a deed restriction is recorded.

After tallying all project invoices incurred to date, it was determined that there was a small amount of grant funds still available. A concrete drinking fountain and three trash receptacles were purchased by the City. THG submitted the First Reimbursement request on March 10<sup>th</sup>. It was communicated by the State that reimbursement requests could not be processed until the transfer of the property to the City of Holtville was complete and a deed restriction was recorded. City Management continued to handle this with assistance from the City Attorney.

The final invoice and close-out packet was submitted to the State in July. Please note that the final invoice was not be reimbursed until the transfer of the property to the City of Holtville was complete and a deed restriction was recorded. The transfer was still pending as of June 30<sup>th</sup>. City Management continues to handle this with assistance from the City Attorney. The City paid the final July invoice in September, thus allowing submission for final reimbursement to the State along with the Close-Out Packet. A Close-Out packet was officially submitted to the State on September 30, 2014.

A total of \$193,000 was pending reimbursement from the State as of December 30<sup>th</sup>. The City cannot be reimbursed until the transfer of the property from RDA to the City of Holtville is complete and a deed restriction is recorded. The transfer was still pending as of September 30<sup>th</sup>. City Management will continue to handle this with assistance from the City Attorney. A reminder email was sent to City Management/City Attorney on December 22<sup>nd</sup>, 2014 and staff forwarded a status update to the State in early January.

On February 25, 2015, a HCF Status Report was submitted to the Office of Grants and Local Services reporting that 100% of the project was completed as of September 2014, with total grant funds in the amount of \$193,700.00, and that the project was within budget and scope. The deed transfer was still pending. City Manager Wells indicated in January that the Department of Finance was reviewing the City submittals. As of June 30, 2015, there were no updates to be made.

*As of September 30, 2015, there were no updates on grant progress, however, at the request of the City Manager, The Holt Group prepared Redevelopment Agency Land Profiles for submission to the Department of Finance in support of the land transfer.*

6. **USDA Outfall Main Pipeline & Residential Collection System Project –Rural Development Waste Disposal Grant Program (Anticipated Project Cost \$4,895,000.00, however, as of December 31, 2013 Final Cost was \$7,337,500)-** The City had actively been seeking grant funding for the Wastewater Outfall Main Pipeline and Residential Collection System project. A Pre-Application for the Wastewater Outfall Main Pipeline and Residential Collection System project was mailed to the United States Department of Agriculture Rural Development local office on October 7, 2011 per City Management directive. The submission entailed the preparation of the application form

and sixteen required attachments. BECC communicated to the City that in order to move forward with the project, the City needed to search for viable financing sources and obtain matching funds for the project. Please refer to the BECC Wastewater Collection System Application for Outfall Main and Residential Collection System Section above for more information on grant funding issued through BECC for this project.

On October 12, 2011, the USDA Area Specialist requested Health and Safety Violation letters issued to the City and the three most recent City Financial Audits. The Violation letters were provided to USDA and it was communicated that the Financial Audits would be submitted as soon as they were available from the auditors. The City's FY 2008/09 and 2009/10 Financial Audits were later submitted to Mr. Daniel Cordona, Area Specialist, on December 5<sup>th</sup>. THG submitted a Sources and Uses Table to Mr. Cordona on December 20<sup>th</sup> per his request for review on possible refinance options for the City. The City Manager also forwarded the unaudited financial statement for 10/11. The City submitted the Short Lived Asset Schedule to USDA on February 27, 2012.

A site visit was scheduled by Mike Starinsky, USDA State Engineer and Pete Yribarra, Community Programs Specialist in early March. Subsequently, USDA issued a letter on March 19, 2012 inviting the City to submit a formal application for \$6,128,000 (\$4.5 million loan + \$1,628,000 grant). The application needed to be submitted by April 13, 2012. On March 26, 2012, City Council provided directive for the noticing, posting, and publishing of a public hearing to be held before City Council on April 9, 2012 to discuss and consider the submission of the USDA application. The Public Hearing was held on April 9<sup>th</sup> and directive was provided to move forward with the full application.

On April 13, 2012, the complete grant application was submitted to USDA. USDA issued an Obligation Commitment and Letter of Conditions to the City on April 26<sup>th</sup>, obligating \$4.5 million in loan funds and \$1,628,000 in grant funds. At the end of June, THG gathered all documentation to satisfy conditions, should the City wish to move forward with these terms. There are eighteen (18) loan conditions, which conditions include City Certification, Reserve Accounts, Insurance, Security Requirements, Permits, Emergency Response Plan, and similar documentation.

An updated EOOPC dated August 15, 2012 was prepared, which identified a \$1,661,400 gap. A follow up meeting was held in which BECC, EPA, NADBank, and USDA reviewed the revised EOOPC. It was communicated by NADBank that the gap may be covered through the BEIF Program if funding was secured through USDA. City Council reviewed USDA loan conditions on September 18, 2012 and approved funding through USDA and BEIF.

THG worked with City Management on gathering loan conditions for submission to USDA. A memo dated November 26<sup>th</sup> was issued to the City Finance Manager with pending loan conditions to be fulfilled by the Finance Department. On December 14<sup>th</sup> a binder with loan conditions completed by THG was submitted to USDA. The loan conditions submitted were the following: Insurance & Bonding Requirements, 5.b and 5.c; Civil Rights & Equal Opportunity, 6.a-d; Written Agreements for Professional Services, 7.b; Land & Rights-of-Way, 8.a-b; Permits, 9.a; Environmental 10.a; Engineering & Construction Documents, 11.a and 11.c; Operating Budget, 15.a-b. Per follow up with USDA on January 9<sup>th</sup> all the outstanding loan conditions were pending from the City's Finance Department.

Subsequent to the letter dated February 15<sup>th</sup> to USDA, NADBank and BECC communicated a conflict in project schedules between the anticipated NADBank Certification process and USDA's loan closing schedule. An extension request letter was submitted to USDA in April 2013, which was more consistent with the NADBank certification process, under the assumption that audited financials would be submitted by March 30, 2013. USDA also communicated that there were other outstanding loan conditions pending from the City's Finance Department including bond documentation.

USDA approved an extension to October 25, 2013 via an Amendment to Letter of Conditions, dated April 24<sup>th</sup>. City Management had also been working with RW&G on completing the USDA bond documents. THG also submitted a reimbursement request and soft cost invoices to USDA in order to determine the full gap in financing to submit to NADBank. The only items holding the USDA funding was completion of bond documents, procurement through NADBank process, and financials from City Management including Certification of Users, Documentation of Property Insurance & Fidelity Bond, copy of Bond Counsel Services Agreement, and Updated Operating Budget at Time of Loan Closing. Copies of other soft cost contracts also needed to be submitted including Construction Management Service Contract and Contractor Contract Agreement which were currently under procurement.

Under the directive of RW&G, City Council formed a new joint powers authority. "Holtville Parking Authority" was formed due to uncertainty regarding the status of the Public Financing Authority once the Successor Agency ceases to exist. This was in consideration of the fact that the existing Holtville Public Financing Authority was formed pursuant to an agreement between the City and the former RDA. Being that the USDA bonds would have a term of 40 years, which was a long span, it was recommended the formation of a new joint powers authority, to avoid the uncertainty. The draft USDA bond documents were submitted to USDA in September by RW&G for review. The USDA bond documents were scheduled for adoption at the October 14<sup>th</sup> Council meeting, however was postponed due to USDA being on shutdown and not being able to review the documents. Please refer to item No. 2 in this report for the procurement status of this project.

The USDA Bond documents were reviewed by USDA in December and adopted by City Council on December 9<sup>th</sup>. All conditions were submitted to USDA with the exception of the final bond and close-out documents, which were expected to be submitted by RW&G by the third week of January 2014. The USDA loan officially closed on December 10<sup>th</sup> and a disbursement in the amount of \$2,123,547 (for soft costs, bond refinance & construction completed) was made to the City on December 12<sup>th</sup>.

The final bond and close-out documents were submitted to USDA by RW&G in January 2014. Three disbursements were made to the City during this quarter in January (\$123,362 for soft costs & construction costs), February (\$366,936 for construction costs) and March (\$182,197 for construction costs). Construction was in progress with eighty-five percent (85%) complete for the Residential Collection project and twenty percent (20%) complete for the Outfall Main project as of March 31<sup>st</sup>. There were a total of three change orders for this reporting period amounting to \$65,667 of which USDA covers 70% as of March 31, 2014.

Three disbursements were made to the City during this quarter in April (\$234,593 for construction costs), May (\$253,392 for construction costs) and June (\$246,169 for construction costs). Construction was in progress with one hundred percent (100%) completion for the Residential Collection project and fifty-eight percent (58%) completion for the Outfall Main project as of June 30<sup>th</sup>. There were a total of five change orders for this reporting period amounting to \$40,768 of which USDA covers 70%. There were a total of eight (8) change orders to date.

There were three disbursements made to the City during this quarter in July (\$252,402.31 for construction costs), August (\$248,648.45 for construction costs) and September (\$249,109.33 for construction costs). Construction is currently in progress with one hundred percent (100%) completion for the Residential Collection project and 86.2% completion for the Outfall Main project as of September 30<sup>th</sup>. There have been a total of two change orders for this reporting period amounting to -\$75,435.47.

There were three disbursements made to the City during in October (\$271,588.11 for construction costs), November (\$263,245.40 for construction costs) and December

(\$153,226.47 for construction costs). Construction was in progress with one hundred percent (100%) completion for the Residential Collection project and 95% completion for the Outfall Main project as of December 30<sup>th</sup>.

There was one disbursement made to the City during this quarter in January (\$260,885.11 for construction costs). Construction was one hundred percent (100%) complete for the Residential Collection project and 100% complete for the Outfall Main project as of March 31<sup>st</sup>. Final payments and reimbursements were still pending for and Dynamic Engineering was working on final "as built" plans to complete project close-out.

A Notice of Completion was filed on June 8, 2015. However, as of June 30, 2015, Dynamic continued to work on clearing all County permits for laterals and final retentions had not been paid by any of the funding agencies. Close-Out documentation will be provided to City Management by Dynamic as soon as the City Council takes action to accept the constructed project as required by USDA. Planning Staff has completed the respective resolution and Council will be considering project acceptance at the July 13, 2015 meeting.

*The project was accepted by the City at the July 13, 2015 City Council meeting. The project was closed out by NADBank and by USDA in early August with all reimbursements received. This item will be removed from further reporting.*

**7. 4<sup>th</sup> Street Curb/Gutter/Sidewalk (Cedar to Walnut) – CMAQ Grant (\$844,000.00) –**

As of January 3, 2012 this project had not been previously contemplated or designed and was being considered under the application process for CMAQ funding available for fiscal year 2011-2012. ICTC overlooked funding availability and projects had to be ready to be obligated in the fiscal year. The required application was submitted on January 5, 2012. Most of the south side of Fourth Street from Cedar Avenue to Walnut Avenue had no existing sidewalk. Shoulder was composed of dirt or native material adversely contributing to air quality standards during the peak season of the packing sheds.

It was recommended to not submit the CMAQ application for funding available for fiscal year 2011-2012 due to the estimated project costs and the few funding available for the following fiscal year. ICTC announced a CMAQ call for projects on February 27, 2012 for fiscal years 2012-2013 to 2015-2016 with applications due no later than April 13, 2012. It was reasoned that the Fourth Street Sidewalks project had a better opportunity of receiving funding if an application was submitted for this round of CMAQ. It was determined that the project had to be divided into two phases to increase the opportunities of getting funding with a total estimated cost of \$844,000.00. Holtville City Council approved on April 9, 2012 the submittal of the application for the Fourth Street Sidewalks project. A minimum local match of 11.47% estimated in the amount of \$96,000.00 combined was required.

The complete CMAQ Application (10 hard copies) and emission calculations were submitted on April 13, 2012. On April 30, 2012, the City was informed that \$755,000 had been secured for the fourth street project. The funds were not programmed as June 30, 2012. Design funds would be available on FY 12-13 and construction funds were anticipated to be available on FY 13-14.

THG gathered all pertinent information to authorize the design phase. Communication was received on October 15, 2012 from Caltrans stating that the City was in non-conformance with OMB Circular A-133 Single Audit Requirements as the FY 10/11 Single Audit was still pending. As a result, Caltrans suspended new federal authorizations for the City of Holtville until the single audit reporting was met.

The FY 10/11 Single Audit was completed and submitted to Caltrans on November 15<sup>th</sup> for compliance with OMB Circular. THG completed the Request for Authorization for Preliminary Engineering and submitted the packet to Caltrans on November 28<sup>th</sup>. Emission reductions calculations were submitted to Caltrans on January 11<sup>th</sup>. The State

Controller's Office was not forwarded the 2010/11 Single Audit Report until January 21<sup>st</sup>, which had posed some delay. Caltrans had communicated that they would need clearance from the State Controller's Office in order to proceed with the project. Caltrans received clearance from the State Controller's Office and proceeded with the project.

It was communicated by ICTC on February 28, 2013 that due to a reduction in CMAQ funds for the 12/13 FY, the City of Holtville's funds for Preliminary Engineering would be reduced from \$56,000 to \$49,000. The City submitted a revised Exhibit 3-O Finance Letter on March 19<sup>th</sup> per Caltrans request with revised CMAQ amount. THG drafted a memo to City Management to ensure that the LTA Budget reflects these changes.

The City received a Supplemental Agreement for the Preliminary Engineering (PE) Phase of the project on May 2013. The agreement was executed and submitted to Caltrans on May 17<sup>th</sup>. It was noted that the agreement reflected the original allocation amount of \$56,000. The design was in progress and scheduled to be completed by August 2013. In the interim, a Request for Allocation of Right-of-Way Phase was needed to cover expenses associated with any utility relocation costs.

THG also identified a big discrepancy in programming of funds. The City originally requested Preliminary Engineering (PE), Right-of-Way (ROW), and Construction (CON) allocations from ICTC, but unfortunately ROW was not programmed. THG contacted ICTC in June to communicate the discrepancy and it was noted as their oversight. It was requested by ICTC that the City complete another Project Sheet for the Federal Transportation Improvement Plan (FTIP) modification. The Project Sheet intended to correct the programming omissions, and funds reduction in August, under Amendment No. 13-12.

It was subsequently communicated by ICTC staff on July 30<sup>th</sup> that a funding phase would not be added under an Administrative Modification. Thus, the 4th Street Project Programming was processed under Formal Amendment 13-13 on September 3, 2013. At the September 26<sup>th</sup> ICTC monthly meeting it was communicated that ICTC received revised CMAQ Apportionments for FY 13/14 and a reduction of \$47,000 would be applied to the project under Administrative Amendment 13-13. The City opted to reduce the project scope within the reduced budget. The Design Phase was in progress. A preliminary environmental study was completed by THG and submitted to Caltrans on June 14, 2013. Caltrans subsequently determined that a Phase I Environmental would be required. The City Manager contracted Rincon to perform these services at the cost of \$3,500.00. Rincon completed an Initial Site Assessment on November 14, 2013 that was submitted to Caltrans on November 22<sup>nd</sup> for review. The Initial Site Assessment was approved by Caltrans and a Categorical Exclusion was issued on December 4<sup>th</sup> by Caltrans.

Fourth Street is also a Class I Bike Path and as such, the sidewalk design was taken into account a future bike line. The City Manager requested keeping the same design as Grape Avenue for a shared sidewalk/bike-lane. The Design was in progress, however, there were numerous utility issues that could be affected by the Design of the ROW inclusive of future Class 1 bike-lane. The PRC met briefly to discuss the options on January 2, 2014, however, further directive was provided to staff for an aerial view of ROW and proposed improvements to be brought back to the PRC. The requested exhibit was completed by THG and delivered to the City on January 7, 2014.

It was anticipated that a Request for Authorization for Right-of-Way packet would be submitted to Caltrans on January 2014 and that all ROW issues would be cleared with utility companies by early February so that the final construction packet could be submitted to Caltrans by the March 1, 2014 deadline. Design plans were completed in March. THG submitted the Right-of-Way Certification packet to Caltrans on February 21, 2014 and right-of-way certification approval was received on March 13, 2014. The

Request-for-Authorization for Construction packet was submitted to Caltrans on March 13, 2014. The City received the E-76 authorization from Caltrans on May 6.<sup>th</sup>

The second reimbursement request was submitted to Caltrans on April 10<sup>th</sup> and reimbursed May 6<sup>th</sup> for design services. Council authorized the City Engineer to advertise the bid for construction services on May 27<sup>th</sup>. Bids were due to the City on July 22<sup>nd</sup> and Council awarded the construction contract on July 28.<sup>th</sup> City management is currently in the process of procuring for construction management and Quality Assurance Program and Testing services. The City will need to have in place CM and QAP services prior to award of construction contract.

Bids were received and finalized for QAP Services, Construction Management Services and Construction Services and taken to City Council on August 13, 2014 for action. The selected firms were MTGL for QAP Services, The Holt Group for Construction Management Services, and Hazard Construction Company for Construction Services. Additionally, reimbursement #3 was submitted to Caltrans on September 15, 2014 in the amount of \$14,700.14 for the final design costs.

Reimbursement #3 was received by the City on October 8, 2014. A construction contract was not entered until November. The Award Packet was submitted to Caltrans on November 20, 2014 and a Notice to Proceed was officially issued to Hazard Construction on November 25<sup>th</sup>, 2014. Some traffic control took place in December, but the project did not officially begin construction until after the holidays.

On March 10, 2015, Construction Contract Change Order #1 was approved for Pyramid construction to authorize completion of the segment between Orange Avenue and Walnut Avenue (the initial amount was \$17,807.00, with 42 calendar days also being added as part of the change order). As quantities were expended for that last segment, additional costs would be incurred. On March 25, 2015, Reimbursement Request #4 was submitted to Caltrans in the amount of \$219,025.12. This Reimbursement Request included Pyramid Construction Payment Requests #1 (\$93,600.65), #2 (\$9,405.00), and #3 (\$137,379.50) for Construction services, and construction engineering services.

On April 13, 2015, Caltrans communicated that Reimbursement Request #4 would not be reimbursed pending Construction Management documentation of proper procurement from management. On April 27, 2015, Reimbursement Request #4A(Progress) was submitted to Caltrans in the amount of \$212,812.97, which only included Construction services. On May 28, 2015, Reimbursement Request #5 was submitted to Caltrans in the amount of \$124,009.76. On June 12, 2015, Caltrans contacted The Holt Group to inform them that Caltrans had made a filing error and had no filed documentation of submitted Reimbursement Request #4A(Progress). To correct this, Reimbursement Request #4A and #5 were combined and would be processed as Reimbursement Request #4A(Progress) in the combined amount of \$336,822.73.

The project was completed on May 11, 2015 and a Notice of Completion was filed on June 1, 2015. A reimbursement for the final retention costs would be processed in July, however, staff will be unable to draw \$80,627 in engineering and QAP costs until the procurement issues are cleared by management.

***On June 24, 2015, Reimbursement Request #5 in the amount of \$137,996.96, which only included Construction costs, was submitted to Caltrans. Reimbursement from the State was received by the City on July 29, 2015, in the same amount of \$137,996.96.***

***On September 2, 2015 FHWA and Caltrans held a Compliance Assessment Program review. Present at the review were representatives from FHWA, Caltrans, the City Manager, and The Holt Group staff. The review went over the process and documentation for procurement, bidding, and construction. The City was found compliant after the review and only required the submittal of a Certification and Subcontract document from the Construction Contractor for post-review follow up.***

*The project is in the close-out phase. The final Construction invoice resulted in the total Construction costs exceeding the federal funds allocated for Construction. City Staff was preparing a Cost Adjustment to shift unused Right of Way funds to Construction. It is anticipated that a Cost Adjustment, Close Out Packet, and Final Invoice will all be submitted in October.*

8. **9<sup>th</sup> Street Underground & Street Improvement (Cedar to Palm) – RSTP Grant (\$453,000.00)** – As of January 3, 2012 this project was a fully designed project under ARRA II that remained unfunded. Funding was available under RSTP for fiscal year 2012-2013. The required application was to be submitted no later than February 24, 2012. It was proposed to widen and rehabilitate the north side of 9<sup>th</sup> street between Cedar Avenue and Palm Avenue and underground the Pear Lateral, an earth-lined, open channel to include curb, gutter, and sidewalks. It was also proposed to improve the road from the current 22 feet width to its designed width of 60 feet. Total project costs were estimated to be \$453,000.00.

An RSTP application was submitted on February 24, 2012 requesting \$453,000.00 in funding identifying the 9<sup>th</sup> Street Project as first priority. ICTC announced that projects would be selected for funding by a scoring process. Each agency that had applications submitted had a representative to form part of the quorum that scored the project applications. Holtville's City Manager attended the scoring process on April 12, 2012. The 9<sup>th</sup> Street Underground and Street Improvements project had an excellent score and was awarded the full \$453,000 requested to be programmed in two fiscal years, 12-13 and 13-14.

THG gathered all pertinent information to authorize the right-of-way phase. The City Planner worked on completing the Preliminary Environmental Study for 9th Street Cedar to Palm. The Initial Consultation and Claim letters were mailed to utility agencies on October 15, 2012 for review and comment on the project.

Communication was received on October 15, 2012 from Caltrans stating that the City was in non-conformance with OMB Circular A-133 Single Audit Requirements as the FY 10/11 Single Audit had been pending. As a result, Caltrans suspended new federal authorizations for the City of Holtville until the single audit reporting requirements were met. The City's auditor informed THG that they anticipated the FY 10/11 Single Audit to be finalized by October 2012. The FY 10/11 Single was completed and submitted to Caltrans on November 15<sup>th</sup> for compliance with OMB Circular.

A meeting was held on November 11<sup>th</sup> with the IID-Power Department to discuss improvements to the Pear Ninth Street Ditch Canal. THG also contacted and obtained Claim Letters from six utility companies and to complete the Right-of-Way Certification packet for submittal to Caltrans. The Preliminary Environmental Study was also submitted to Caltrans on December 14, 2012. It was communicated that the review period would last 30 days. In the interim, property owners were being notified of the upcoming scheduled improvements.

This project had a Request for Authorization deadline of April 1, 2013. When the environmental division requested additional studies on March 13, 2013, the City Manager placed the project on hold until further LTA information became available. The City Manager authorized the preparation of the pending \$2,500 Air Quality Analysis on April 1, 2013, but Urban Crossroads could not perform the traffic study to determine operational impacts until after the Easter break to obtain an accurate traffic count. As of April 16, 2013, the information was not available.

Staff submitted the environmental documentation requested, including environmental information document and requested studies on April 25, 2013. On the same day Caltrans Staff informed that they would be contacting City Staff for a meeting regarding the environmental status of the proposed project. A meeting was held on May 20, 2013,

which included the City Manager, at which time Caltrans Staff stated that an environmental information document was not necessary. City Staff noted previous email communication sent by Caltrans regarding said requests and it became evident that the Lead Environmentalist was not familiar with his staff requests and the City's submissions. At the meeting, City Staff agreed to send additional documentation requested by Caltrans as follows: Visual Impact Assessment, Historic Property Survey Report for residences abutting the project site and a Historic Resources Evaluation Report for the canal area (IID Lateral). The Visual Impact Assessment was prepared and sent to Caltrans on June 4, 2013 by THG and was subsequently reviewed by a Landscape Architect and approved by Caltrans on June 13, 2013. As it relates to the Historic Property Survey Report and Historic Resources Evaluation Report, the study had to be prepared by a licensed archeologist, and thus THG contacted various qualified archaeological firms and the Chambers Group was able to complete the work at a cost of \$8,000. The City Manager executed the contract with Chambers Group on June 13, 2013. The Chambers Group drafted both the Historic Property Survey Report and Historic Resources Evaluation Report on June 26, 2013 and the report was forwarded to Caltrans Staff on the same day. The documents were under review by Caltrans' Archaeologist.

Environmental issues had delayed the scheduled obligation of this project and resulted in the potential loss of funds. As of August 29<sup>th</sup>, the obligation deadline, Caltrans had not completed their review which was further pending concurrence of findings from the State Historic Preservation Officer. THG provided City Management with a memo dated September 6<sup>th</sup> on project delay issues and a letter was submitted to Mark Baza of ICTC on the same day to request a programming shift of the right-of-way funds from 12/13 FY to 13/14. Both the right-of-way allocation and construction allocation was expended in the 13/14 FY. ICTC communicated that they would do their best to secure ROW funds for the City for the 13/14 FY and make this project a priority given the City's due diligence to clear environmental and comply with all requests and Caltrans continued support of the project. The City received Categorical Exclusion for the project on September 25<sup>th</sup> and as soon as the funds were reprogrammed the right-of-way authorization packet was re-submitted.

It was determined by Caltrans, on November 6<sup>th</sup>, that the RFA for ROW packet would not need to be re-submitted. Caltrans issued the E-76 for ROW on October 30<sup>th</sup> authorizing the expenditure of right-of-way funds. Agreements and deposit amounts were pending from IID Water and IID Power in order to move forward with the right-of-way improvements phase of the project. The City issued deposit checks to IID Power on February 6<sup>th</sup> and IID Water on February 10<sup>th</sup> in order to move forward with the right-of-way phase of the project. Prior to moving forward into the street construction phase, the City needed to obtain right-of-way certification. There were some issues with IID Water Department not wanting to submit a utility agreement but issues were cleared and a utility agreement was received on April 1<sup>st</sup>. All right-of-way issues were cleared and a right-of-way certification approval was issued by Caltrans on April 4<sup>th</sup>. The request-for-authorization to move forward with construction was also submitted to Caltrans on April 4<sup>th</sup> and was still under review. The first reimbursement request was submitted to Caltrans in March and reimbursed on April 22<sup>nd</sup> for right-of-way services. The E-76 authorization for construction was approved by Caltrans on May 6<sup>th</sup>.

City Council authorized the City Engineer to advertise the bid for construction services on May 12<sup>th</sup>. The construction services were advertised for bid on May 16, 2014. The project bid opening occurred on June 17, 2014 at 2 P.M. and bids were received from Pyramid Construction and Aggregates (\$275,929), Hazard Construction Company (\$289,589) and Masters Construction (\$296,616). The lowest bid came in at \$275,929 from Pyramid Construction. The City Manager procured services for construction management and Quality Assurance Program and Testing services. Construction, construction management, and QAP services were awarded by Council in late July.

Bids were received and finalized for QAP Services, Construction Management Services and Construction Services and taken to City Council on July 14, 2014 for action. The selected firms were Sierra Material Testing and Inspection for QAP Services, The Holt Group for Construction Management Services, and Pyramid Construction & Aggregates for Construction Services. Construction began in September, first by IID for the undergrounding of the lateral and by the end of the month by Pyramid Construction & Aggregates to initiate construction of street improvements. Additionally, reimbursement #2 was submitted to Caltrans on September 30, 2014 in the amount of \$31,209.55 for the first construction invoice. The project is anticipated to be completed by the end of October.

The undergrounding of the Pear Ninth Street Canal was completed on October 17, and Reimbursement #2 was received by the City on October 28, 2014. The IID pipe leaked after the initial installation of by the IID during the construction period which caused some delays. There was also a compaction issue that was presented to the City one day before the water needed to be conveyed through the pipeline.

Pyramid began street work at the project site on October 20, 2014. Change Order Number 1 was approved by the City of Holtville on November 4, 2014. Change Order 1 approved the installation of a new 4 foot diameter manhole within Ninth Street to be aligned with an 8 inch diameter branch pipeline. The associated work resulted in an additional \$9350 in cost. Change Order #2 was presented to Council on November 10, 2014 to improve the 10.5 foot wide deteriorated pavement strip along the south side of Ninth Street and the northwest intersection of Cedar and Ninth Street.

Reimbursement #3, in the amount of \$82,587 was prepared and submitted to Caltrans on November 11, 2014. Reimbursement #4, in the amount of \$132,810 was prepared and submitted to Caltrans on December 11, 2014. As of the end of the year, reimbursement #3 had already been received by the City.

Change Order #3 was approved by the City of Holtville on December 17, 2014. Change Order #3 approved providing temporary traffic control sign and devices for an extended period. The associated work resulted in an additional \$2,023.00. Change Order #4 was approved by the City of Holtville on December 17, 2014 and approved the balancing of overruns and underruns on certain Construction items. The associated work resulted in an additional \$12,631. These changes resulted in a final project cost of \$596,690 or \$41,379 over the original budget. Staff worked on getting additional grant funding in the amount of \$39,381. The cost adjustment request was completed before the end of the year and authorized by Caltrans on January 6<sup>th</sup>.

Reimbursement #4, in the amount of \$132,809.64, was received by the City on January 13, 2015. Change Order #5 was also approved by the City of Holtville in January 2015. Change Order #5 approved 64 additional days to the contract due to delays by IID, pipeline leaks, and final location of the planting of trees. The associated work did not result in any additional costs to the contract. All close out documentation was being obtained and it was anticipated that a close out packet would be submitted to Caltrans in early April. The Final Payment (#5) would be submitted at that time.

A close out packet was submitted to Caltrans on April 6, 2015, which included Reimbursement Request #5 for \$73,696.39, which included Construction and Construction Engineering invoices. On April 30, 2015, Caltrans communicated that Reimbursement Request #5 would not be reimbursed pending Construction Management documentation of proper procurement from management. On May 6, 2015, Reimbursement Request #5A(Progress) was submitted to Caltrans in the amount of \$26,173.93, which only included Construction services. On June 5, 2015, two packets with documentation of proper procurement for Sierra Material and The Holt Group were submitted to Caltrans. As of June 30, 2015, no determinations had been made on the

submittals. The remaining \$53,679.50 in construction engineering costs were still pending to be authorized as eligible or not.

*On September 8, 2015, Anh-Vu Pham of Caltrans notified The Holt Group that they had reviewed the procurement documents prepared by City Management and that the remaining construction engineering costs were eligible for reimbursement. Reimbursement #6/FINAL in the amount of \$47,522.46 was submitted to Caltrans on September 16, 2015. Caltrans then communicated that a re-submission of some of the close out packet documents would need to be re-dated and that has also been completed satisfactorily.*

9. **Walnut Avenue South Improvements – RSTP Grant (591,000.00)** – As of January 3, 2012 this project was a fully designed project under ARRA II that remained unfunded. Funding was available under RSTP for fiscal year 2012-2013. The required application had to be submitted no later than February 24, 2012. This roadway section consisted of a 3 foot wide A.C. pavement section. The length of this street section was 2,750 feet: from Fourth Street to First Street. The street segment was in poor condition and exhibited areas of street failure due to the heavy truck traffic. Proposed improvements from Fourth to First Street line consisted of cold planing (grinding) the existing A.C. pavement 2 inches in depth with the existing cracks to be crack sealed. A stress absorbing membrane interlayer (SAMI) would be placed over the existing A.C. pavement after cold planing and crack sealing were completed to impede reflective cracking through the new A.C. pavement overlay. After SAMI is placed, a new 4 inch A.C. pavement overlay would be installed along the length of Walnut Avenue. It was also proposed to widen Walnut Avenue from the current 35 feet width to 50 feet in width, its designed capacity, to align with the newly improved Walnut Avenue Street section which was located north of Fourth Street. Curb, Gutter and Sidewalk along the Westside would also be needed but not currently into the design and may be an additional \$5,000 to design to grade. Also, a new 2-inch by 6-inch treated board was installed along the pavement edge of all other areas for support. Total project costs was estimated to be \$591,000.00 and an additional \$10,000 - \$15,000 for the additional sidewalk if preferred.

An RSTP application was submitted on February 24, 2012 requesting \$591,000.00 in funding identifying the Walnut Avenue Project as second priority. ICTC announced that projects would be selected for funding by a scoring process. Each agency that had applications submitted had a representative to form part of the quorum that would be scoring the project applications. Holtville's City Manager attended the scoring process on April 12, 2012. The Walnut Avenue South Improvements project scored high enough and was awarded 82% of the funds requested in the total amount of \$498,000 to be programmed in the 15-16 fiscal year. It was requested by City Management to decrease the scope of work for the Walnut Avenue Improvements project to be within budget of the amount.

THG staff was in communication with ICTC regarding the programming of the received RSTP funds. It was communicated that the funds would be submitted for programming to SCAG around August 2012. Since funds were to be programmed for FY 15-16, no immediate actions associated with this project were anticipated.

Environmental documents and a Federal ID Packet were prepared and submitted to Caltrans on April 10, 2015 with a finance number assigned on April 23, 2015. Administration staff was in the process of clearing right-of-way issues and has contacted all utility agencies. It is anticipated that a Caltrans ROW Certification would be obtained no later than August 2015.

*A ROW Certification packet was completed and submitted to Caltrans on July 30, 2015. The packet included documentation on all utilities in the project area from the City of Holtville, AT&T, Time Warner Cable, SoCal Gas, IID Power, and IID Water.*

*The packet included information on utilities that would be relocated, including: 11 power poles by IID Power (at no cost to the City), and a City owned water valve which would be included as a construction bid item. IID Water initially claimed that the project would require an IID Water encroachment permit due to the project encroaching on the Pear City Ditch Canal. However, after more detailed research into the matter, it was determined the project would not encroach on IID Water facilities. Once this was cleared and a new utility claim letter was submitted by IID Water, a Right of Way certification was issued by Caltrans on September 17, 2015.*

*The Holt Group is in the process of updating drawings in order to submit a Request for Authorization to Proceed with Construction packet to Caltrans. The project is anticipated to go out to bid by November for construction services. An approval to advertise will be presented to City Council in late October or early November. The City Manager will need to procure construction engineering services during the same timeframe.*

- 10. Cedar Sidewalk between 4<sup>th</sup> Street and 5<sup>th</sup> Street CMAQ Grant (\$135,000.00)**-The City Manager submitted a CMAQ project application on April 13, 2012 to replace three vehicles currently used by the Public Works and Fire Department with new CNG fuel operated vehicles. On April 30<sup>th</sup>, the City was informed that \$120,000 had been granted for the CNG vehicles, however, as a result of the Federal Highway Administration notification issued on May 1<sup>st</sup> regarding new policies on purchases of alternative fuel vehicles, the City would be unable to benefit from an adequate reimbursement. The City decided to transfer \$120,000.00 in CMAQ funds for the 15/16 FY to the Cedar Avenue Sidewalks Improvement Project via Resolution 12-46 on July 9<sup>th</sup>. Cedar Avenue lacked sidewalks and was considered as one of the more logical alternatives. The east side of Cedar Avenue was proposed to be improved with curb, gutter, and sidewalk between 4<sup>th</sup> Street and 5<sup>th</sup> Street. There was no activity to report during the third quarter due to funds being programmed until FY 15/16. No activity will be reported until FY 15/16.

*Administrative Staff completed Environmental documents. On August 6<sup>th</sup>, a PES Certification Packet was submitted to Caltrans, which included the Preliminary Environmental Study and CEQA Notice of Exemption. Certification by Caltrans was received on September 15 and staff has moved forward to the Right-of-Way Certification Phase. On September 2, 2015, Initial Consultation letters with Utility Claim Forms were delivered to AT&T, IID Water and Power, City of Holtville Public Works, Time Warner Cable, and Southern California Gas Company. The Right of Way certification packet is in progress and should be submitted to Caltrans for review by the end of October 2015.*

- 11. SR 115/5<sup>th</sup> Street STIP Program Phase II Project - North side (~~\$157,320~~ \$314,626)**-It was communicated in February by ICTC and Caltrans that new STIP funds had become available that could be used to complete the north side of the SR 115/5<sup>th</sup> Street project. Directive was provided by City management to pursue these STIP funds for a phase II project. ICTC provided directive for the submittal of Project Programming Request and an Allocation Request packet through Caltrans. The Allocation Request packet was submitted to Caltrans on March 24<sup>th</sup>.

Subsequent to the Allocation Request, City staff updated and satisfied the standard certification packets as follows: 1) Preliminary Environmental Study for Environmental Clearance and Categorical Exclusion determination; 2) a Right-of-way certification packet; and 3) an Authorization for Construction packet. A Preliminary Environmental Study (PES) was updated and re-submitted to Caltrans on March 27<sup>th</sup>. On March 28<sup>th</sup>, THG submitted Exhibit 13-A Short Form ROW Certification to Caltrans with required utility exhibits. THG was also in the process of completing the Request for Authorization for Construction packet and anticipated submitting the packet in May,

upon receipt of a Categorical Exclusion and ROW Certification which were submission requirements. Environmental clearance and ROW certification were pending as of March 31<sup>st</sup>. The City received Environmental clearance on April 16<sup>th</sup> and ROW certification on April 17<sup>th</sup>. Environmental documents were also submitted directly to CTC on May 27<sup>th</sup> per Caltrans directive.

It was communicated in June by ICTC that STIP funds would not be available for the project at a local level and the project did not make it to the CTC agenda. Subsequently, ICTC communicated that there were unused CMAQ funds that would be allocated to the project for the 13/14 FY. ICTC issued a concurrence letter to Caltrans in July communicating allocation of project funds. An updated RFA for Construction packet was submitted in July reflecting new funding source. Per ICTC, the allocation by CTC was scheduled to occur in July under an administrative modification.

The City was approached by Mr. Luis Medina of Caltrans to request twice the funding based on the amount of funds that had been returned to the region from other projects that had lost their obligations. The Holt Group Submitted a revised allocation packet on July 18, 2014 with the intent of adding scope modifications at a later date, including the installation of the bus shelter as planned and designed by the City. The funds were successfully allocated and a total of \$314,625 in grant funding was issued to the City per the E-76 which authorized the City to proceed with construction. Staff's intentions are to modify the project scope to include the bus shelter with the additional funds allocated. This will entail a revalidation of the environmental documents and a recertification of the right-of-way documents. The Holt Group has already initiated these actions and clearance is anticipated by the end of October so that the bids can include the added scope of work. We anticipate bringing this project back to City Council for action no later than November.

Environmental clearance and re-validation was still pending as of the end of December. The existing location of an AT&T utility pole caused additional review by Caltrans Environmental. On December 4, 2014, Sandi Marks of AT&T submitted a Claim Form which claimed that two AT&T cable poles in the project scope required relocation with 100% of the costs charged to the City. However, it was communicated to AT&T in an e-mail on December 18, 2014 that the City has senior rights over the street and that utility relocation should be an AT&T responsibility. This required a resubmittal of the AT&T Claim Form which was approved on January 6<sup>th</sup>. These changes should enable staff to obtain ROW clearance in January.

On February 5, 2015, Chris Cortez of Time Warner Cable submitted a Claim Form which claimed that Overhead lines in the project scope required relocation, with Time Warner Cable covering 100% of the relocation costs. On February 12, 2015, Joel Perez of the Imperial Irrigation District submitted a Claim Form which claimed that IID had Overhead Power lines in the project scope which would not require relocation. With all necessary claim forms submitted, The Holt Group completed the Right-of-Way Re-Certification packet and submitted to Caltrans on February 10<sup>th</sup>, 2015. On February 17<sup>th</sup>, 2015, Bruce Berlau, the Local Program Coordinator from Caltrans approved the right of way certification.

The project was advertised for construction services on February 25, 2015, with a bid opening of March 31<sup>st</sup>, 2015. The bid results were Pyramid Construction submitting a bid of \$228,733.25 and Granite Construction submitting a bid of \$329,309.00. Consequently, City Management issued an RFP for construction management services on March 18, 2015 and proposals are anticipated in April.

Due to unforeseen delays, the lapse of time between E-76 issuance and an initial reimbursement draw was over a six month period and placed the project at risk of de-obligation. Strategically it was determined to submit a reimbursement for the bid advertisement which is unusually and typically not authorized due to size of

reimbursement, however a special concession was made by Caltrans. On March 16, 2015, Reimbursement Request #1 was submitted to Caltrans in the amount of \$1,863.68. Reimbursement Request #1 included a February 24, 2015 IV Press Advertising Invoice for construction services.

Reimbursement #1, in the amount of \$1,863.68, was received by the City on April 16, 2015. The City issued a Request for Proposal for Construction Management services on April 17, 2015 with proposals due on May 18, 2015. Two bids for Construction Management services were received on May 18, by Dynamic Consulting Engineering (\$57,165) and Development Design and Engineering (\$41,890). Due to only two (2) bids being received, which falls short of the required three (3), and the lack of adequate publication (web-site or newspaper), it was determined that the process did not meet the minimum requirements established by Caltrans and the City Manager has gone out to bid again.

*Proposals for Construction Management services were re-submitted to the City on June 15, 2015. Four (4) firms submitted a proposal: Development Design & Engineering (\$47,335), Athalye Consulting Engineering (\$50,819.84), Dynamic Consulting Engineers (\$55,770), and Hill International (\$73,867.50), with Development Design & Engineering being the low bidder. On July 27, 2015, the City awarded the Construction contract to Pyramid Construction for Construction services in the amount of \$228,733.25 and the Construction Management contract to Development Design & Engineering for Construction Management services in the amount for \$47,335. The Pyramid Construction contract included QAP services to be performed by Kleinfelder and the Development Design & Engineering contract included QAP services to be performed by Sierra Materials Testing and Inspection. CM services exceed allowable percentage by 5.69%, and thus a special exemption was required.*

*An Award Packet was submitted to Caltrans on October 1<sup>st</sup>, 2015. Reimbursement Request #2, for advertisement costs in the amount of \$2,700.16, was submitted to Caltrans on October 1<sup>st</sup>, 2015,,as well, since the project was at risk of de-obligation due to lapse of time between reimbursement requests.*

12. **Call for Projects 2015 – Two (2) Applications for RSTP and One (1) for CMAQ-** *The Regional Surface Transportation Program (RSTP) and Congestion Mitigation and Air Quality Improvement Program 2015 Call for Projects was opened on August 1<sup>st</sup>, 2015. After a review of which streets in Holtville were in need of improvements and would have a strong score in the application, it was determined by City Council, at the September 14, 2015 City Council meeting, to submit two applications for the RSTP program and one for CMAQ along with a corresponding match commitment. The RSTP Project Application with priority #1 was for 9<sup>th</sup> Street Phase III Pavement Improvements and Utility Underground from Palm to Olive Avenue in the amount of \$488,500. The RSTP Project Application with priority #2 was for 6<sup>th</sup> Street Pavement Improvements between Holt and Melon Avenue in the amount of \$603,450. The CMAQ Application submitted was for 9<sup>th</sup> Street Sidewalk Installation from Palm to Olive Avenues in the amount of \$144,000. All three (3) applications were submitted on September 23, 2015. The applications will be scored in October.*
13. **BECC Application for Potable Water Tank TRS Installation** – *The City of Holtville has been experiencing Trihalomethane (THM) violations in the Water Treatment Plant since 2013. The Holt Group Inc., submitted a Preliminary Grant Charter to the Border Environment Cooperation Commission (BECC) for potential funding consideration under the Community Assistance Program (CAP) which grants funds up to \$500,000 for shovel ready projects that would address health and safety issues. The application was submitted on September 18, 2015 to determine project eligibility. It*

***appears that the project may be eligible, except that jurisdictions that have unspent BEIF Funds are generally prohibited from CAP participation until funds are exhausted. The City of Holtville still has fourteen (14) months of construction for the WWTP Project which would periodically draw down BEIF funds. Nonetheless, we have requested an exemption on the matter. The project proposes the installation of a Trihalomethane Removal System (TRS) which would create a 45% reduction in TTHM.***

Should you have any questions and/or concerns regarding the information in this report, please feel free to contact me at (760) 337-3883.