

DEPARTMENT: Public Works

BY: Allen Toschi
PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Authorize the use of \$271,000 remaining appropriations in the Don Pedro Wastewater Treatment Plant Fund (540) for corrective and incidental work relating to the original construction and to authorize the Budget Action to transfer all of the remaining funds of approximately \$111,000 to the Don Pedro C.S.D. Capital Utility Fund (532).

Currently there is a surplus in the amount of \$382,013 remaining in the fund. According to Exhibit "A" of the Engineer's Report ⁽⁴⁾ these funds should be used for maintenance of the improvements". (See Attachments) According to the Resolution of Intention ⁽³⁾ to form the District (Res 05-757) these funds may be used for "all other incidental work that is necessary to accomplish the improvements.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Don Pedro Wastewater Treatment Plant was a construction project approved by the Board of Supervisors that started in 2006 and was financed through the sale of bonds, a grant/loan from the USDA and a loan from the General Fund. On April 28, 2009 the Board finalized the financing for the project and subsequently in 2009 all obligations to the USDA and the General Fund were repaid.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The alternative for financing the recommended work would be through the Districts Utility Capital Fund. The consequences of the negative action would cause continuation of burning up lift station pumps, ineffective use of spray field sprinklers, no backup for spills and no vegetation for aesthetic concealment of the treatment plant.

Financial Impact? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partially Funded		
Amount in Budget: \$ 382,013		List Attachments, number pages consecutively
Additional Funding Needed: \$ -0-		1. Exhibit "A"
Source:		2. Budget Action Form
Internal Transfer _____		3. Res. No. 05-757
Unanticipated Revenue _____ 4/5's vote		4. Exhibit "A" of the Engineer's Report
Transfer Between Funds <input checked="" type="checkbox"/> 4/5's vote		
Contingency _____ 4/5's vote		
() General <input checked="" type="checkbox"/> Other		

CLERK'S USE ONLY:

Res. No.: 10-545 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 Minute Order Attached No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

The foregoing instrument is a correct copy of the original on file in this office.
 Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California
 By: _____
 Deputy

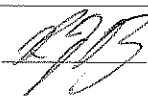
CAO: 

EXHIBIT "A"

Lake Don Pedro Wastewater Treatment Facility
Project No. 91-05
List of Immediate Needs Work

1. Replace severely worn pumps at the various (8) contributory pump stations	\$131,000
2. Grade and rock driveways to four of the contributory pump stations to provide reasonable and legal access for the fuel delivery to the generators and access for crane equipment for R & R pumps and motors	\$ 30,000
3. Provide all weather access and creek crossing to contributory pump station No. 3 for crane access	\$ 12,000
4. Provide "high water" alarms at eight (8) tailwater pumps	\$ 16,000
5. Complete and program the SCADA system	\$ 10,000
6. Inspect and restore tailwater pump sumps, wiring, controls, protection against cattle and miscellaneous site restoration (by County staff and (CDC crews)	\$ 9,000
7. Restore landscaping and drip irrigation to "as originally designed" condition	\$ <u>15,000</u>
Subtotal	\$223,000
8. Gate and fencing for golf course maintenance shop access road	\$ 1,000
9. 20,000 gallon septic and leachate metering tank	\$ 20,000
10. Completion of the 2002 inflow and infiltration study's recommended repairs	\$ 12,000
11. Install bar screen and repair "lifting screw"	\$ <u>15,000</u>
Subtotal	\$ 48,000
Total needs	\$ 271,000

(d) An estimate of the cost of the Improvements and of the cost of lands, rights-of-way, easements, and incidental expenses in connection with the Improvements, including any cost of issuing and registering bonds.

(e) A diagram showing, as they existed at the time of the passage of this Resolution, all of the following:

- (1) The exterior boundaries of the Assessment District.
- (2) The boundaries of any zones within the Assessment District.
- (3) The lines and dimensions of each parcel of land within the Assessment District.

Each subdivision shall be given a separate number upon the diagram. The diagram may refer to the County assessor's maps for a detailed description of the lines and dimensions of any parcels, in which case those maps shall govern for all details concerning the lines and dimensions of the parcels.

(f) A proposed assessment of the total amount of the cost and expenses of the proposed Improvements upon the several subdivisions of land in the Assessment District in proportion to the estimated benefits to be received by each subdivision, respectively, from the Improvements. The assessment shall refer to the subdivisions by their respective numbers as assigned pursuant to subdivision (e).

(g) A proposed maximum annual assessment upon each of the several subdivisions of land in the Assessment District to pay cost incurred by the County and not otherwise reimbursed resulting from the administration and collection of assessments or from administration or registration of any associated bonds and reserve or other related funds.

When any portion or percentage of the costs and expenses of the Improvements is to be paid from sources other than assessments, the amount of such portion or percentage shall first be deducted from the total estimated cost and expenses of the Improvements, and the assessment shall include only the remainder of the estimated cost and expenses.

11. Use of Surplus. If any excess is realized from the assessment, it shall be used, in such amounts as this Board may determine, in accordance with the provisions of the Act, for one or more of the following purposes:

(a) Transfer to the general fund of this County, provided that the amount of any such transfer may not exceed the lesser of \$1,000 or 5% of the total amount expended from the improvement fund to be established by the County in connection with the assessment;

(b) As a credit upon the assessment and any supplemental assessment or for the redemption of bonds, or both; or

(c) For the maintenance of the Improvements.

12. Contact Person. Dana S. Hertfelder, the County Director of Public Works, is hereby designated as the person to answer inquiries regarding any protest proceedings to be

\$4,500,000
LIMITED OBLIGATION IMPROVEMENT BOND
COUNTY OF MARIPOSA
ASSESSMENT DISTRICT NO. 05-1
(WASTEWATER FACILITIES PROJECT FOR LAKE DON PEDRO COUNTY SERVICE AREA 1-M,
SEWER ZONE NO. 1)
SERIES 2006-A

CERTIFICATE REGARDING USE OF PROCEEDS

The undersigned hereby certifies that the undersigned is the Treasurer/Tax Collector of the County of Mariposa (the "County") a county duly organized and existing under and by virtue of the laws of the State of California, and as such is authorized to execute this certificate on behalf of the County, and is knowledgeable with respect to the matters set forth herein and certifies that:

(i) the County on August 1, 2006, by its Resolution No. 06-369 (the "Resolution") authorized the issuance of the Bond;

(ii) on behalf of the County, there has been received this date from the United States Department of Agriculture, Rural Utilities Services, the above amount which represents a portion of the purchase price for the captioned, single fully-registered bond, dated the date of this certificate (the "Bond");

(iii) of the first advance of \$51,000.00, \$51,000.00 of the proceeds of the Bond will be deposited in the Improvement Fund and will be used to finance certain land and improvements (the "Project"), as more particularly described in Part I of Exhibit A hereto attached and by this reference herein incorporated;

(iv) Part II of Exhibit A hereto attached describes (A) each use to be made by any person of the Project, other than use by the County and other non-federal governmental units and other than use by members of the public generally, and (B) payments (if any) directly or indirectly in respect of such use which are to be made after the date hereof;

(v) no portion of the proceeds of the Bond will be, used directly or indirectly to make or finance a loan to any person (other than a State or local governmental unit) or to acquire property except as referenced herein;

(vi) except as otherwise referenced herein, the County expects to use the Project for the purposes referenced herein or for other governmental purposes of the County for the entire term of the Bond;

(vii) the above statements are made on the basis of the facts, estimates and circumstances in existence on the date hereof and that the undersigned has exercised due diligence to assure that all material facts, estimates and circumstances relating to the above statements were made available to the undersigned and reviewed by the undersigned; and

(viii) to the best knowledge of the undersigned, the above statements are reasonable and there are no other facts, estimates or circumstances, other than those set forth herein, that would materially affect the statements made herein.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Resolution.

Dated: October 12, 2006

COUNTY OF MARIPOSA

By: Marjorie J. Wass
Marjorie Wass,
Treasurer/Tax Collector

EXHIBIT A

I. Description of Project

Bond proceeds will be used for the construction and acquisition of the public sewer system and related improvements, including the acquisition of all lands, easements, rights-of-way, licenses, franchises, and permits in accordance with plans and specifications to be approved by the County. The Project is generally described as follows:

1. Construction of new wastewater treatment and disposal system improvements to replace existing facilities that are operating under Special Order No. 97-01 adopted January 24, 1997, by the Central Valley Regional Water Quality Control Board, requiring full compliance to correct deficiencies of effluent biochemical oxygen demand ("BOD") and coliform, as well as overflow from the existing effluent disposal pond. The new wastewater facilities are generally described as the construction of an extended aeration process wastewater treatment plant ("WWTP"), including a treated wastewater recycling system with land application to pastureland, where said new improvements are more particularly described as construction of the following:
 - A. Upgraded influent pump stations and new force main to pump sewage westward from the Sewer Zone 1 residential area to the new WWTP site;
 - B. New headworks facilities with magnetic flow meter and new automated fine screen and washer/compactor for removal of debris prior to aeration and bypass bar rack;
 - C. New extended aeration secondary treatment unit with aeration basin and integral clarifier, said aeration to be accomplished by fine bubble diffusion, with said treatment unit to include waste activated sludge removal equipment;
 - D. New chlorine contact chamber, complete with hypochlorite storage tank, hypochlorite feed system and controls;
 - E. New effluent storage pond, irrigation pump station and spray irrigation system to apply disinfected secondary effluent to pasture lands owned by County Sewer Zone 1 at agronomic rates;
 - F. New sludge drying beds to dry the waste activated sludge to 50% dry solids prior to landfill disposal;
 - G. New emergency generator equipment and controls to provide stand-by power to the influent pumps and the WWTP.
2. All other incidental work that is necessary and/or convenient to accomplish the above Improvements, including the reimbursement of all or a portion of the costs of works already installed, to the extent permitted by applicable law.