



AGENCY:	City Council/MID
MEETING DATE:	July 27, 2015
DEPARTMENT:	Public Works
PRESENTED BY:	T. Varga/J. Smith

AGENDA ITEM SUMMARY

TITLE:

RECEIVE REPORT AND CONSIDER WAIVING THE FIRST READING AND INTRODUCING, BY TITLE ONLY, ORDINANCE 911-2015 REPEALING AND REPLACING CHAPTERS 14.08 THROUGH 14.40 OF TITLE 14 (WATER AND SEWER) OF THE FORT BRAGG MUNICIPAL CODE

ISSUE:

The Fort Bragg Municipal Improvement District (District) is working to implement a source control program as required by the District's National Pollutant Discharge Elimination System (NPDES) permit. In order to establish the necessary legal authorities to monitor and enforce source control standards, restrict discharges of toxic materials to the collection system, and inspect facilities connected to the system, changes need to be made to Fort Bragg Municipal Code Title 14 (Water and Sewers).

RECOMMENDED ACTION:

Waive the first reading and introduce, by title only, Ordinance 911-2015 repealing and replacing Chapters 14.08 through 14.40 of Title 14 (Water and Sewer) of the Fort Bragg Municipal Code.

ALTERNATIVE ACTION(S):

1. Make minor amendments to the Ordinance prior to waiving the first reading and introducing, by title only, Ordinance 911-2015.
2. Direct staff to make further edits to the Ordinance and return at a future meeting for introduction.

ANALYSIS:

The District contracted with Freshwater Environmental Services to update the Sewer Use Ordinance and Enforcement Response Plan and provide NPDES compliance support to satisfy specific requirements of the Source Control Provisions required under the District's NPDES permit. Changes to Title 14 will also address industrial and commercial dischargers who release high strength waste and/or stored chemicals into the collection system. These discharges can be a threat to the operation of the wastewater facility, the public, employees, and to the beneficial reuse of the waterways.

The objectives of the Title 14 are:

1. To prevent the introduction of pollutants into the Wastewater Treatment Facility (WWTF) that will interfere with the operation of the WWTF, or which may pass through the WWTF inadequately treated, into receiving waters or otherwise be incompatible with the WWTF;
2. To ensure that the quality of the WWTF bio-solids is maintained at a level which allows use and disposal in compliance with applicable statutes and regulations;
3. To protect WWTF personnel who may be affected by wastewater and bio-solids in the course of their employment and to protect the general public;

4. To improve the opportunity to recycle and reclaim wastewater and bio-solids from the WWTF; and
5. To enable the District to comply pro-actively with its NPDES permit conditions, bio-solids use and disposal requirements, and any other federal or state laws to which the WWTF is subject.

Staff has been working with Freshwater Environmental Services on developing a Source Control Program and other amendments to Title 14 since May 2012 and a draft of the changes was presented to the Public Works and Facilities Committee on November 21, 2013. The Committee requested that a list of Frequently Asked Questions be prepared for presentation to the Council along with the proposed ordinance (see Attachment 3) to clearly identify the substantive effects of the ordinance amendments on residential property owners and commercial and industrial users.

This item was scheduled for discussion and introduction at the City Council's March 24, 2014 meeting but was pulled and referred back to the Public Works & Facilities Committee for further discussion. The Committee reviewed a second draft of changes at their meeting of April 17, 2014. Recommendations were made to look at completing lateral inspections after sewer main lines were improved instead of on transfer of property. There were also questions raised concerning exfiltration testing of laterals. A TV inspection option was added as an additional inspection method for testing. Following that meeting additional changes were made and presented to the Committee on July 17, 2014.

This item was presented to the City Council on September 8, 2014; following discussion by the City Council the item was referred back to staff for further edits to the Ordinance. Staff met with Councilmember Hammerstrom to discuss his concerns and made further edits as directed at the September 8th meeting.

Subsequently, the following changes were made:

1. The City will be completing the testing of private lateral sewers when mainline improvements are completed at no cost to the customer.
2. Condominiums and apartments will be included in the list of those who will be tested.
3. A financing program will be established for those who need assistance with repair costs.
4. Repairs will be required to be completed 180 days after notification.
5. City Council will be notified prior to any business being charged with criminal charges.

The edits above as well as several clean-up items were reviewed at the April 23, 2015 meeting of the Public Works & Facilities Committee. The Committee reviewed and recommended adoption of the Ordinance without further changes.

FISCAL IMPACT:

The City's current Fats, Oils and Grease program requires significant administrative costs to operate and track a complicated permit process with changes in fees based on compliance history. The proposed amendments are based on a system of Best Management Practices that are well defined. Periodic inspections will focus on public education and making sure that grease collection devices are being properly cleaned. Effective implementation is expected to result in a reduction in the District's administrative costs.

The new code sections will protect the District's wastewater collection system by prohibiting the use of additives or enzymes in grease collection devices. In the past, the use of additives has resulted in a heavy organic loading at the WWTF that increases treatment costs and potential violations of the discharge limits. The new provisions will reduce these costs for the WWTF.

The pretreatment program for industrial discharges will be cost-neutral since the program can recover administrative costs for specific industrial discharges through required permits.

IMPLEMENTATION/TIMEFRAMES:

If introduced this evening, the Ordinance will be brought back for City/District adoption on August 10, 2015. The Ordinance will then become effective on September 9, 2015.

ATTACHMENTS:

1. Proposed Ordinance 911-2015
2. Minutes from the Public Works & Facilities Committee and City Council
3. Frequently Asked Questions

NOTIFICATION:

1. Orrin Plocher, Freshwater Environmental
2. John Smith, Operations Manager

City Clerk's Office Use Only

Agency Action ☐ Approved ☐ Denied ☐ Approved as Amended

Resolution No.: _____ Ordinance No.: _____

Moved by: _____ Seconded by: _____

Vote: _____

☐ Deferred/Continued to meeting of: _____

☐ Referred to: _____