

AGENDA
SAN ELIJO JOINT POWERS AUTHORITY
MONDAY JANUARY 9, 2017 AT 9:00 AM
SAN ELIJO WATER RECLAMATION FACILITY – CONFERENCE ROOM
2695 MANCHESTER AVENUE
CARDIFF BY THE SEA, CALIFORNIA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ORAL COMMUNICATIONS (NON-ACTION ITEM)
5. PRESENTATION OF AWARDS

None
6. * **CONSENT CALENDAR**
7. * APPROVAL OF MINUTES FOR THE DECEMBER 12, 2016 MEETING
8. * APPROVAL FOR PAYMENT OF WARRANTS AND MONTHLY INVESTMENT REPORTS
9. * SAN ELIJO WATER RECLAMATION FACILITY TREATED EFFLUENT FLOWS – MONTHLY REPORT
10. * SAN ELIJO JOINT POWERS AUTHORITY RECYCLED WATER PROGRAM – MONTHLY REPORT
11. * ITEMS REMOVED FROM CONSENT CALENDAR

Items on the Consent Calendar are routine matters and there will be no discussion unless an item is removed from the Consent Calendar. Items removed by a "Request to Speak" form from the public will be handled immediately following adoption of the Consent Calendar. Items removed by a Board Member will be handled as directed by the Board.

REGULAR AGENDA

12. ELECTION OF OFFICERS AND SCHEDULE OF BOARD MEETINGS

1. Appoint the Chairperson and Vice Chairperson for the 2017 SEJPA Board of Directors;
2. Select the regular meeting place and time for 2017; and
3. Discuss and take action as appropriate.

Staff Reference: Director of Finance and Administration

13. CAPITAL PROGRAM FINANCING UPDATE

1. Discuss and take action as appropriate.

Staff Reference: General Manager

14. CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation (Gov. Code 54956.9(d)(2)) – one potential case

A closed session may be held at any time during this meeting of the San Elijo Joint Powers Authority for the purposes of discussing potential or pending litigation or other appropriate matters pursuant to the "Ralph M. Brown Act".

15. RECYCLED WATER PIPELINE RELOCATION – CALTRANS UTILITY AGREEMENT NO. 11-UT-33677

1. Authorize the General Manager to execute the Caltrans Utility Agreement; and
2. Discuss and take action as appropriate.

Staff Reference: General Manager

16. GENERAL MANAGER'S REPORT

Informational report by the General Manager on items not requiring Board action.

17. GENERAL COUNSEL'S REPORT

Informational report by the General Counsel on items not requiring Board action.

18. BOARD MEMBER COMMENTS

This item is placed on the agenda to allow individual Board Members to briefly convey information to the Board or public, or to request staff to place a matter on a future agenda and/or report back on any matter. There is no discussion or action taken on comments by Board Members.

19. ADJOURNMENT

The next regularly scheduled San Elijo Joint Powers Authority Board Meeting will be Monday, February 13, 2017 at 9:00 a.m.

NOTICE:

The San Elijo Joint Powers Authority's open and public meetings meet the protections and prohibitions contained in Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C Section 12132), and the federal rules and regulations adopted in implementation thereof. Any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting of the SEJPA Board of Directors may request such modification or accommodation from Michael T. Thornton, General Manager, (760) 753-6203 ext. 72.

The agenda package and materials related to an agenda item submitted after the packet's distribution to the Board is available for public review in the lobby of the SEJPA Administrative Office during normal business hours. Agendas and minutes are available at www.sejpa.org. The SEJPA Board meetings are held on the second Monday of the month, except August.

AFFIDAVIT OF POSTING

I, Michael T. Thornton, Secretary of the San Elijo Joint Powers Authority, hereby certify that I posted, or have caused to be posted, a copy of the foregoing agenda in the following locations:

San Elijo Water Reclamation Facility, 2695 Manchester Avenue, Cardiff, California
City of Encinitas, 505 South Vulcan Avenue, Encinitas, California
City of Solana Beach, 635 South Highway 101, Solana Beach, California

The notice was posted at least 72 hours prior to the meeting, in accordance with Government Code Section 54954.2(a).

Date: January 4, 2017



Michael T. Thornton, P.E.
Secretary / General Manager

SAN ELIJO JOINT POWERS AUTHORITY
MINUTES OF THE BOARD MEETING
HELD ON DECEMBER 12, 2016
AT THE
SAN ELIJO WATER RECLAMATION FACILITY

Catherine Blakespear, Chair

Ginger Marshall, Vice Chair

A meeting of the Board of Directors of the San Elijo Joint Powers Authority (SEJPA) was held Monday, December 12, 2016, at 9:00 a.m., at the San Elijo Water Reclamation Facility at 2695 Manchester Avenue, Cardiff by the Sea, California.

1. CALL TO ORDER

Chair Blakespear called the meeting to order at 9:02 a.m.

2. ROLL CALL

Directors Present:

Catherine Blakespear
Ginger Marshall
David Zito

Directors Absent:

Mark Muir

Others Present:

General Manager
Director of Operations
Director of Finance & Administration
Associate Engineer
Administrative Assistant/Board Clerk

Michael Thornton
Christopher Trees
Paul Kinkel
Mike Konicke
Jennifer Basco

SEJPA Counsel:

Procopio, Cory, Hargreaves & Savitch

Adriana Ochoa

City of Solana Beach:

Director of Engineering/Public Works

Mohammad "Mo" Sammak

Roesling Nakamura Terada Architects, Inc.

Joe Mansfield

San Dieguito Water District:

General Manager

Bill O'Donnell

3. PLEDGE OF ALLEGIANCE

Chair Blakespear led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

None

5. PRESENTATION OF AWARDS

None

6. CONSENT CALENDAR

Moved by Board Member Zito and seconded by Vice Chair Marshall to approve the Consent Calendar.

Agenda Item No. 7	Approval of Minutes for the November 14, 2016 meeting
Agenda Item No. 8	Approval for Payment of Warrants and Monthly Investment Report
Agenda Item No. 9	San Elijo Water Reclamation Facility Treated Effluent Flows – Monthly Report
Agenda Item No. 10	San Elijo Joint Powers Authority Recycled Water Program – Monthly Report

Motion carried with the following vote of approval:

AYES: Blakespear, Marshall, and Zito
NOES: None
ABSENT: Muir
ABSTAIN: None

11. ITEMS REMOVED FROM CONSENT CALENDAR

None

12. BUILDING IMPROVEMENT PROGRAM

General Manager Thornton presented the Building Improvement Program – Preliminary Design Report and introduced Joe Mansfield of Roesling Nakamura Terada to the Board of Directors. The report provides the basis for the final design of the building project. It documents site constraints, existing utility locations, building code and permitting requirements, and proposed regional transportation projects, all of which helps shape the final design. Furthermore, it analyzes the existing and potential future work flow and space requirements, which influence the size and configuration of the proposed buildings. Mr. Thornton stated that upon Board acceptance of the preliminary design report, the document will be provided to the architectural firms proposing on the final design and permitting phase of the project. It is anticipated that final design proposals will be received mid-January 2017, with interviews of the top rated firms occurring by the

end of the month, and contract award recommendations to the SEJPA Board in February 2017.

The General Manager stated that the preliminary design report provides an estimated building project cost of \$7.4 million. By the end of the fiscal year, the SEJPA will have collected \$785,000 in capital funding for the project. The remaining project costs are proposed to be financed either through a State Revolving Fund (SRF) loan or tax-free municipal bonds. The planned capital expenditure is incorporated into the member agencies' sewer rates and will not cause an unplanned increase. SEJPA will also seek to partner with Caltrans and other agencies to fund and build some of the proposed site improvements including the regional bike path.

Moved by Board Member Zito and seconded by Chair Blakespear to:

1. Accept and file Building Improvement Program – Preliminary Design Report.

Motion carried with the following vote of approval:

AYES: Blakespear, Marshall, and Zito
NOES: None
ABSENT: Muir
ABSTAIN: None

13. 2016 YEAR IN REVIEW – RECOGNIZING AGENCY ACHIEVEMENTS AND SUCCESSES

General Manager Thornton presented highlights of the SEJPA's accomplishments and successes for calendar year 2016. Included in the highlights were the agency's permit compliance record, safety record, public outreach events and engagements, and collaborations with other government agencies. Mr. Thornton also reviewed industry recognition awards that the SEJPA received in 2016. Finally, Mr. Thornton reviewed the capital infrastructure projects that the SEJPA commenced in 2016.

No action required. This memorandum was submitted for information only.

14. GENERAL MANAGER'S REPORT

None

15. GENERAL COUNSEL'S REPORT

Adriana Ochoa updated the Board Members on AB-626, AB-1661, and the Kern County decision regarding Measure E. AB-626, which becomes effective in January, establishes a claim resolution process applicable to any claim by a contractor in connection with a public works project. It specifies the details and procedures to be followed in the processing of such claims. It also requires the text of these provisions, or a summary, be set forth in the plans or specifications of any public work which may give rise to a claim. Under AB-1661, elected officials who receive any type of compensation from a local agency are required to receive 2 hours of training and education on sexual harassment

prevention within the first 6 months of taking office or commencing employment, and thereafter every 2 years. Finally, Tulare County Superior Court Judge Lloyd Hicks issued a 48 page tentative opinion striking down a 2006 voter initiative (Measure E) that banned the land application of biosolids to farmland in Kern County.

16. BOARD MEMBER COMMENTS

Chair Blakespear thanked Staff for their hard work this year and stated that she enjoyed serving on the SEJPA Board of Directors.

17. CLOSED SESSION

None

18. ADJOURNMENT

The meeting adjourned at 10:01 a.m. The next Board of Directors meeting will be held on January 9, 2017.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

SAN ELIJO JOINT POWERS AUTHORITY**PAYMENT OF WARRANTS****17-01****For the Months of November and December 2016**

Warrant #	Vendor Name	G/L Account	Warrant Description	Amount
33728	Aflac	EE Deduction Benefits	Aflac	554.76
33729	Aire Filter Products	Repair Parts Expense	Filters for electrical cabinets	206.75
33730	AT&T	Utilities - Telephone	DSL - 10/20/16 - 11/19/16	106.08
33731	Boot World, Inc.	Uniforms - Boots	Safety boots	185.00
33732	Brenntag Pacific, Inc.	Supplies - Chemicals	Sodium Hydroxide	1,591.32
33733	Chevron & Texaco Business Card	Fuel	Fuel	932.23
33734	Clear Edge Filtration	Repair Parts Expense	Wire	31.39
33735	Coast Waste Management, Inc.	Services - Grit & Screenings	Service charge - 11/13/16 - 11/30/16	103.00
33736	Void	Void	Void	Void
33737	CWEA Membership	Dues & Memberships	Laboratory analyst membership	427.00
33738	Datalink Corporation	Licenses	Meraki MX80 three year renewal	1,612.00
33739	DMV	Services - Other	Safety records - 10/01/16 - 10/31/16	2.00
33740	EDCO Waste & Recycling Service	Utilities - Trash	November	237.22
33741	Fisher Scientific	Supplies - Chemicals	Membrane cleaning chemicals	322.50
33742	Global Capacity	Utilities - Internet	January	296.03
33743	Hach Company	Repair Parts Expense	Motor, gear, and automatic sampler	282.53
33744	Harrington Industrial Plastics	Repair Parts Expense	Valve ball	404.49
33745	Housing &Community Development	Licenses	Modular registration	86.00
33746	Hilts Consulting Group, Inc.	Services - Engineering	FEB inspection	4,395.00
33747	Hoch Consulting, APC	Services - Engineering	Blower replacement project	6,022.50
33748	Home Depot Credit Services	Supplies - Shop & Field	Electrical, hardware, and shop supplies	1,023.53
33749	Jennifer Basco	Subsistence - Travel	Mileage	44.49
33750	Kemira Water Solutions, Inc.	Supplies - Chemicals	Ferric Chloride	3,877.50
33751	The Lawton Group	Services - Intern Program	Weeks worked - 11/07/16 - 11/27/16	1,711.00
33752	Marine Taxonomic Services, Ltd.	Services - Contractors	Offshore water sampling - December	384.00
33753	McMaster-Carr Supply Co.	Repair Parts Expense	Absorbent pads, bulbs, plumbing parts, outlet	83.08
33754	MGM Plastics, Inc.	Repair Parts Expense	Clear acrylic - Odor scrubbers	486.00
33755	Midas Shop	Vehicle Maintenance	Oil change	64.06
33756	Olivenhain Municipal Water District	Rent	Pipeline - November	4,972.50
33757	OneSource Distributors, Inc.	Repair Parts Expense	Electrical parts	268.61
33758	Public Employees - Retirement	Retirement Plan - PERS	Retirement - 11/19/16 - 12/02/16	11,649.06
33759	Preferred Benefit Insurance	Dental/Vision	Vision	301.50
33760	The Pun Group LLP	Services - Accounting	Audit - Final billing	3,000.00
33761	ReadyRefresh	Supplies - Lab	Laboratory supplies	359.29
33762	Rising Tide Partners	Services - Professional	Communication support	375.00
33763	Rockwell Solutions	Repair Parts Expense	Gaskets	111.86
33764	Santa Fe Irrigation District	Utilities - Water	Recycled water	1,232.33
33765	San Dieguito Water District	Utilities - Water	Recycled water	1,374.81
33766	San Dieguito Water District	Utilities - Water	Recycled water	10,257.33
33767	Southcoast Heating & A/C	Services - Maintenance	Air compressor ducting insulation	974.00
33768	Spieß Construction Co., Inc.	Services - Contractors	Turbo blower project	56,016.61
33769	State Water Resources Control	Dues & Memberships	Operator III membership	300.00
33770	SWRCB	Fees - Permits	Annual permit	14,929.00
33771	SWRCB	Fees - Permits	Annual permit	21,204.00
33772	Technology Integration Group	Services - Maintenance	Xerox staple cartridge	98.28
33773	Trussell Technologies, Inc.	Services - Engineering	Process engineering and evaluation	420.00
33774	Unifirst Corporation	Services - Uniforms	Uniform service	315.16
33775	UPS	Postage/Shipping	Shipping	26.44
33776	UPS Freight	Postage/Shipping	Parts	225.28
33777	Valley Chain & Gear, Inc.	Repair Parts Expense	Bushing sheaves, bushing, and v-belts	292.76
33778	Vantagepoint Transfer Agents	EE Deduction Benefits	ICMA - 457	6,516.18
33779	Vantagepoint Transfer Agents	ICMA Retirement	ICMA - 401a	2,917.06
33780	VWR International, Inc.	Supplies - Lab	Laboratory supplies	682.08
33781	WageWorks	Payroll Processing Fees	Admin and compliance fee - October	134.00
33782	Water Environment Federation	Dues & Memberships	Membership	75.00
33783	Western Hose & Gasket	Repair Parts Expense	Hose and shank	626.79
33784	WEX Bank	Fuel	Fuel	82.59

SAN ELIJO JOINT POWERS AUTHORITY**PAYMENT OF WARRANTS****17-01****For the Months of November and December 2016**

Warrant #	Vendor Name	G/L Account	Warrant Description	Amount
33785	WorkPartners Occupational	Services - Medical	New employee service	205.00
33786	Complete Office	Supplies - Office	Office supplies	197.29
33787	Abila	Licenses	Maintenance and support	988.00
33788	Ag Tech, LLC	Services - Biosolids Hauling	Biosolids hauling - November	12,176.35
33789	Airgas USA, LLC	Repair Parts Expense	Liquid oxygen	53.00
33790	Alfa Laval Ashbrook Simon-Hart	Repair Parts Expense	Gear rack tension	2,223.69
33791	AT&T	Utilities - Telephone	Phone service - 11/13/16 - 12/12/16	371.47
33792	AT&T	Utilities - Telephone	Alarm service - December	408.22
33793	Atlas Pumping Service Inc.	Services - Grease & Scum	Grease and scum pumping	2,129.55
33794	BankCard Center	Supplies - Shop & Field	Membership, parts, tools, and supplies	1,781.72
33795	Bay City Electric Works	Services - Maintenance	Preventative maintenance on generator	8,404.15
33796	Scott Best	Seminars/Education	Educational courses	438.00
33797	B.J.'s Rental Store	Equipment Rental/Lease	Electric boom lift	700.00
33798	Brenntag Pacific, Inc.	Supplies - Chemicals	Citric acid	1,992.27
33799	Brithinee Electric	Repair Parts Expense	Belt press hydraulic motor	778.44
33800	Corodata	Rent	Record storage - November	79.50
33801	CWEA Membership	Dues & Memberships	Staff memberships	779.00
33802	DMV	Services - Other	Safety records - 11/01/16 - 11/30/16	2.00
33803	Dudek & Associates	Services - Professional	SWAP project inspection	2,400.00
33804	Encina Wastewater Authority	Service - EWA Support	Resource sharing - HR and safety	2,043.65
33805	City of Encinitas	Service - IT Support	Admin network - December	2,625.00
33806	Environmental Water Solutions	Repair Parts Expense	Pump	6,303.60
33807	Forte of San Diego	Services - Janitorial	January	1,000.00
33808	Harbor Freight Tools	Supplies - Shop & Field	Screwdriver set and nylon gloves	105.74
33809	Kimley-Horn & Associates, Inc.	Services - Engineering	Design of recycled water pipeline relocation	8,222.65
33810	The Lawton Group	Services - Intern Program	Weeks worked 11/21/16 - 12/18/16	2,813.00
33811	McMaster-Carr Supply Co.	Repair Parts Expense	Plumbing parts	758.47
33812	MetLife - Group Benefits	Dental/Vision	Dental - January	1,525.58
33813	MFG Water Treatment Products	Capital Outlay	Troughs for tank primary effluent	8,608.68
33814	Olin Corp - Chlor Alkali	Supplies - Chemicals	Sodium Hypochlorite	2,590.50
33815	Pacific Green Landscape	Services - Landscape	December	2,975.00
33816	P.E.R.S.	Medical Insurance - Pers	Health - January	19,894.32
33817	Public Employees - Retirement	Retirement Plan - PERS	Retirement - 12/03/16 - 12/16/16	11,479.23
33818	Procopio Cory Hargreaves	Services - Legal	General; Labor and Employment	8,350.50
33819	RSF Security Systems	Services - Maintenance	On-site alarm service	78.00
33820	Rusty Wallis, Inc.	Services - Maintenance	Water softener and carbon exchange	777.50
33821	Safety-Kleen Corp.	Services - Maintenance	Service parts washer	300.43
33822	Santa Fe Irrigation District	SFID Distribution Pipeline	Pipeline loan payment - November	805.50
33823	San Diego Gas & Electric	Utilities - Gas & Electric	Gas and electric - 11/03/16 - 12/05/16	46,212.64
33824	Smart & Final	Supplies - Office	Kitchen supplies	104.07
33825	Stoney-Miller Consultants, Inc.	Services - Engineering	Geotechnical investigation for building	12,860.00
33826	Sun Life Financial	Life Insurance/Disability	Life and disability insurance - January	1,516.31
33827	Sunbelt Rentals	Equipment Rental/Lease	Diesel generator	2,356.32
33828	Terminix Processing Center	Prepaid - Other	Pest control	2,991.48
33829	Test America	Services - Laboratory	Water sample testing	737.00
33830	Technology Integration Group	Services - Maintenance	Copier	110.15
33831	Unifirst Corporation	Services - Uniforms	Uniform service	150.60
33832	UPS	Postage/Shipping	Shipping fee	1.59
33833	Vantagepoint Transfer Agents	EE Deduction Benefits	ICMA - 457	6,265.31
33834	Vantagepoint Transfer Agents	ICMA Retirement	ICMA - 401a	2,864.01
33835	Verizon Wireless	Utilities - Telephone	11/11/16 - 12/10/16	247.05
33836	Verizon Wireless	Utilities - Telephone	Cell phone service - 11/08/16 - 12/07/16	659.07
33837	VWR International, Inc.	Supplies - Lab	Culture tubes, glass filters, PCS tester	523.64
33838	WageWorks	Payroll Processing Fees	Admin and compliance fees - November	134.00
	San Elijo Payroll Account	Payroll	Payroll - 12/09/16	64,023.82
	San Elijo Payroll Account	Payroll	Payroll - 12/23/16	63,476.49
				<u>\$ 487,807.53</u>

SAN ELIJO JOINT POWERS AUTHORITY

PAYMENT OF WARRANTS SUMMARY

**For the Months of November and December 2016
As of December 31 , 2016**

PAYMENT OF WARRANTS \$ 487,807.53
Reference Number 17-01

I hereby certify that the demands listed and covered by warrants are correct and just to the best of my knowledge, and that the money is available in the proper funds to pay these demands. The cash flows of the SEJPA, including the Member Agency commitment in their operating budgets to support the operations of the SEJPA, are expected to be adequate to meet the SEJPA's obligations over the next six months. I also certify that the SEJPA's investment portfolio complies with the SEJPA's investment policy.



Paul F. Kinkel
Director of Finance & Administration

STATEMENT OF FUNDS AVAILABLE FOR PAYMENT OF WARRANTS
AND INVESTMENT INFORMATION
As of December 31 , 2016

FUNDS ON DEPOSIT WITH	AMOUNT
LOCAL AGENCY INVESTMENT FUND	
<i>(NOVEMBER 2016 YIELD 0.678%)</i>	
RESTRICTED SRF RESERVE	\$ 630,000.00
UNRESTRICTED DEPOSITS	\$ 6,222,652.82
CALIFORNIA BANK AND TRUST	
<i>(NOVEMBER 2016 YIELD 0.01%)</i>	
REGULAR CHECKING	\$ 225,262.12
PAYROLL CHECKING	\$ 5,000.00
TOTAL RESOURCES	\$ 7,082,914.94

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

January 9, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: SAN ELIJO WATER RECLAMATION FACILITY TREATED EFFLUENT FLOWS –
MONTHLY REPORT

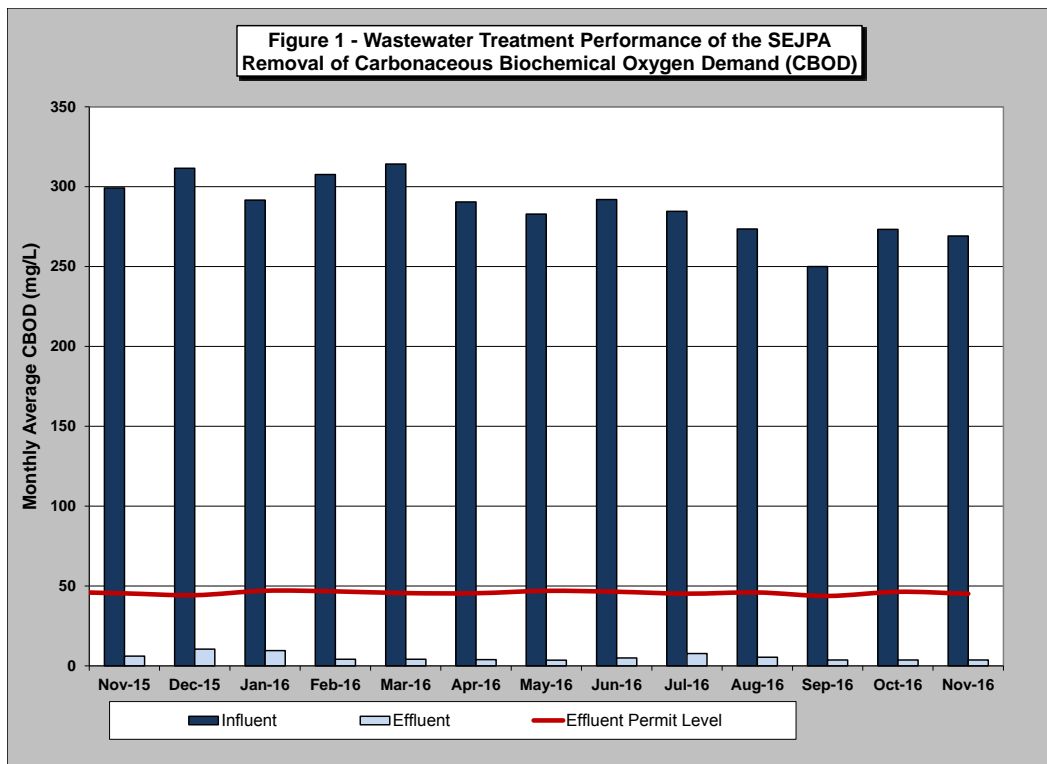
RECOMMENDATION

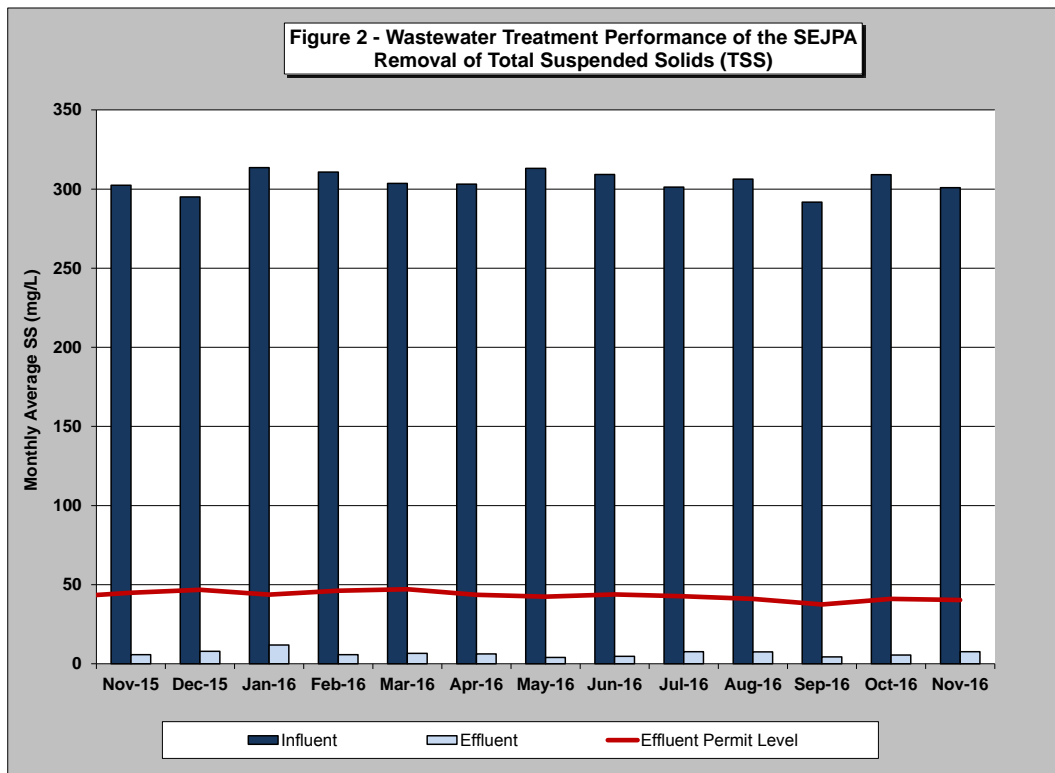
No action required. This memorandum is submitted for information only.

DISCUSSION

Monthly Treatment Plant Performance and Evaluation

Wastewater treatment for the San Elijo Joint Powers Authority (SEJPA) met all NPDES ocean effluent limitation requirements for the month of November 2016. The primary indicators of treatment performance include the removal of Carbonaceous Biochemical Oxygen Demand (CBOD) and Total Suspended Solids (TSS). The SEJPA is required to remove a minimum of 85 percent of the CBOD and TSS from the wastewater. For the month of November, treatment levels for CBOD and TSS were 98.6 and 97.4 percent removal, respectively, (as shown in Figure 1 and Figure 2).





Member Agency Flows

Presented below are the influent and effluent flows for the month of November. Average daily influent flows were recorded for each Member Agency. Total effluent flow was calculated for the San Elijo Water Reclamation Facility.

	November	
	<u>Influent (mgd)</u>	<u>Effluent (mgd)*</u>
Cardiff Sanitary Division	1.323	0.730
City of Solana Beach	0.932	0.514
Rancho Santa Fe SID	0.113	0.062
Total San Elijo WRF Flow	2.368	1.306

* Effluent is calculated by subtracting the recycled water production from the influent wastewater.

Table 1 (next page) presents the historical average, maximum, and unit influent and effluent flow rates per month for each of the Member Agencies during the past 5 years. It also presents the number of connected Equivalent Dwelling Units (EDUs) for each of the Member Agencies during this same time period.

TABLE 1 - SAN ELIJO WATER RECLAMATION FACILITY MONTHLY REPORT - FLOWS AND EDUS

MONTH	AVERAGE DAILY INFLUENT FLOW RATE (MGD)				AVERAGE DAILY EFFLUENT FLOW RATE (MGD)				CONNECTED EDUS				AVERAGE UNIT INFLUENT FLOW RATE (GAL/EDU/DAY)				
	CSD	RSF	CSD	SB	TOTAL PLANT	CSD	RSF	CSD	SB	TOTAL PLANT	CSD EDUS	RSF CSD EDUS	SB EDUS	TOTAL EDUS	CSD	RSF	SB
Oct-11	1.260	0.142	1.303	2.705	0.730	0.082	0.755	1.567	8,260	486	7,728	16,474	153	292	169	164	
Nov-11	1.338	0.167	1.307	2.812	1.099	0.137	1.074	2.310	8,261	486	7,728	16,475	162	344	169	171	
Dec-11	1.299	0.164	1.305	2.768	1.103	0.139	1.108	2.350	8,264	487	7,728	16,479	157	337	169	168	
Jan-12	1.291	0.145	1.303	2.739	1.032	0.116	1.042	2.190	8,266	488	7,728	16,482	160	232	169	166	
Feb-12	1.259	0.137	1.283	2.679	1.006	0.109	1.025	2.140	8,268	488	7,728	16,484	152	281	166	163	
Mar-12	1.313	0.153	1.255	2.721	0.968	0.113	0.925	2.006	8,269	488	7,728	16,485	159	314	162	165	
Apr-12	1.348	0.145	1.209	2.702	0.906	0.097	0.813	1.816	8,278	488	7,728	16,494	163	297	156	164	
May-12	1.333	0.150	1.211	2.694	0.577	0.065	0.525	1.167	8,280	488	7,728	16,496	161	308	157	163	
Jun-12	1.365	0.143	1.237	2.745	0.547	0.057	0.496	1.100	8,284	489	7,728	16,501	165	293	160	166	
Jul-12	1.372	0.126	1.296	2.794	0.457	0.042	0.431	0.930	8,289	489	7,728	16,506	166	258	168	169	
Aug-12	1.383	0.128	1.291	2.802	0.473	0.044	0.441	0.958	8,290	490	7,728	16,508	167	261	167	170	
Sep-12	1.349	0.142	1.220	2.711	0.544	0.058	0.492	1.094	8,291	490	7,728	16,509	163	290	158	164	
Oct-12	1.327	0.123	1.203	2.653	0.678	0.063	0.615	1.356	8,294	490	7,728	16,512	160	251	156	161	
Nov-12	1.343	0.128	1.181	2.652	0.862	0.082	0.758	1.702	8,299	490	7,728	16,517	162	261	153	161	
Dec-12	1.383	0.141	1.197	2.721	1.261	0.129	1.091	2.481	8,300	490	7,728	16,518	167	288	155	165	
Jan-13	1.357	0.145	1.215	2.717	1.155	0.124	1.034	2.313	8,300	490	7,728	16,518	163	296	157	164	
Feb-13	1.349	0.138	1.201	2.688	1.048	0.108	0.933	2.089	8,301	490	7,728	16,519	163	282	155	163	
Mar-13	1.402	0.154	1.235	2.791	0.905	0.100	0.797	1.802	8,302	493	7,728	16,521	169	314	160	169	
Apr-13	1.297	0.124	1.237	2.658	0.531	0.051	0.506	1.088	8,304	493	7,728	16,523	156	253	160	161	
May-13	1.339	0.126	1.185	2.650	0.376	0.036	0.333	0.745	8,304	493	7,728	16,525	161	256	153	160	
Jun-13	1.341	0.126	1.190	2.657	0.269	0.025	0.239	0.533	8,307	493	7,728	16,528	161	256	154	161	
Jul-13	1.366	0.144	1.269	2.779	0.482	0.050	0.448	0.980	8,309	493	7,728	16,530	164	292	164	168	
Aug-13	1.342	0.168	1.258	2.768	0.380	0.048	0.356	0.784	8,311	494	7,728	16,533	161	340	163	167	
Sep-13	1.343	0.117	1.193	2.653	0.403	0.036	0.358	0.797	8,311	494	7,728	16,533	162	237	154	160	
Oct-13	1.319	0.132	1.184	2.635	0.629	0.063	0.565	1.257	8,314	494	7,728	16,536	159	267	153	159	
Nov-13	1.348	0.133	1.194	2.675	0.932	0.092	0.826	1.850	8,315	494	7,728	16,537	162	270	155	162	
Dec-13	1.341	0.134	1.191	2.666	1.030	0.103	0.915	2.048	8,316	494	7,728	16,538	161	272	154	161	
Jan-14	1.322	0.135	1.194	2.651	0.851	0.087	0.768	1.706	8,318	495	7,728	16,541	159	273	155	160	
Feb-14	1.314	0.127	1.172	2.613	0.954	0.093	0.851	1.898	8,323	495	7,728	16,546	158	257	152	158	
Mar-14	1.339	0.134	1.185	2.658	0.858	0.086	0.760	1.704	8,324	496	7,728	16,548	161	270	153	161	
Apr-14	1.326	0.128	1.128	2.582	0.449	0.043	0.382	0.874	8,328	498	7,728	16,554	159	257	146	156	
May-14	1.353	0.124	1.127	2.604	0.159	0.015	0.132	0.306	8,333	498	7,728	16,559	162	249	146	157	
Jun-14	1.341	0.126	1.188	2.655	0.207	0.020	0.183	0.410	8,333	498	7,728	16,559	161	253	154	160	
Jul-14	1.271	0.130	1.307	2.708	0.232	0.024	0.239	0.495	8,338	499	7,728	16,565	152	261	169	163	
Aug-14	1.228	0.130	1.298	2.656	0.227	0.024	0.239	0.490	8,345	500	7,728	16,573	147	260	168	160	
Sep-14	1.215	0.113	1.232	2.560	0.211	0.019	0.214	0.444	8,351	500	7,728	16,579	145	226	159	154	
Oct-14	1.204	0.114	1.198	2.516	0.394	0.038	0.392	0.824	8,353	500	7,728	16,581	144	228	155	152	
Nov-14	1.237	0.118	1.198	2.553	0.667	0.063	0.646	1.376	8,354	502	7,728	16,584	148	235	155	154	
Dec-14	1.323	0.147	1.229	2.699	1.163	0.129	1.081	2.373	8,355	502	7,728	16,585	158	293	159	163	
Jan-15	1.253	0.130	1.232	2.615	0.984	0.102	0.967	2.053	8,359	503	7,977	16,838	150	259	154	155	
Feb-15	1.229	0.132	1.228	2.589	0.757	0.081	0.757	1.595	8,361	504	7,977	16,841	147	262	154	154	
Mar-15	1.269	0.135	1.231	2.635	0.583	0.062	0.566	1.211	8,365	504	7,977	16,846	152	268	154	156	
Apr-15	1.183	0.124	1.196	2.503	0.350	0.036	0.354	0.740	8,366	504	7,977	16,847	141	246	150	149	
May-15	1.209	0.117	1.149	2.475	0.545	0.053	0.518	1.116	8,367	505	7,977	16,848	144	232	144	147	
Jun-15	1.287	0.113	1.052	2.452	0.362	0.032	0.296	0.690	8,369	506	7,977	16,852	154	224	132	146	
Jul-15	1.282	0.110	1.176	2.568	0.392	0.034	0.359	0.785	8,370	510	8,003	16,883	153	216	147	152	
Aug-15	1.264	0.095	1.087	2.446	0.315	0.023	0.271	0.609	8,371	510	8,003	16,884	151	186	136	145	
Sep-15	1.256	0.105	1.001	2.362	0.457	0.038	0.364	0.859	8,372	511	8,003	16,885	150	206	125	140	
Oct-15	1.243	0.106	1.002	2.351	0.681	0.058	0.549	1.288	8,373	511	8,003	16,886	148	208	125	139	
Nov-15	1.250	0.100	0.994	2.344	0.792	0.063	0.630	1.485	8,376	511	8,003	16,889	149	196	124	139	
Dec-15	1.266	0.107	1.016	2.389	0.971	0.082	0.780	1.833	8,377	511	8,003	16,891	151	210	127	141	
Jan-16	1.342	0.131	1.037	2.510	1.189	0.116	0.918	2.223	8,380	511	8,003	16,894	160	257	130	149	
Feb-16	1.245	0.112	1.008	2.365	0.780	0.070	0.631	1.481	8,383	512	8,003	16,897	149	219	126	140	
Mar-16	1.267	0.116	1.023	2.406	0.763	0.070	0.616	1.449	8,388	512	8,003	16,903	151	227	128	142	
Apr-16	1.240	0.102	0.990	2.332	0.675	0.055	0.539	1.269	8,389	512	8,003	16,904	148	199	124	138	
May-16	1.238	0.117	1.002	2.357	0.505	0.048	0.409	0.962	8,389	512	8,003	16,904	148	229	125	139	
Jun-16	1.205	0.111	1.055	2.371	0.362	0.033	0.317	0.712	8,390	514	8,003	16,907	144	216	132	140	
Jul-16	1.336	0.105	1.008	2.449	0.586	0.046	0.442	1.074	8,392	514	8,020	16,926	159	204	126	145	
Aug-16	1.317	0.107	1.007	2.431	0.647	0.053	0.495	1.195	8,393	516	8,020	16,929	157	207	126	144	
Sep-16	1.311	0.110	0.975	2.396	0.601	0.050	0.447	1.098	8,394	516	8,020	16,930	156	213	122	142	
Oct-16	1.289	0.108	0.962	2.359	0.521	0.043	0.389	0.953	8,397	517	8,020	16,933	154	209	120	139	
Nov-16	1.323	0.113	0.932	2.368	0.730	0.062	0.514	1.306	8,403	517	8,020	16,940	157	219	116	140	

CSD: Cardiff Sanitary Division

RSF CSD: Ranch Santa Fe Community Service District

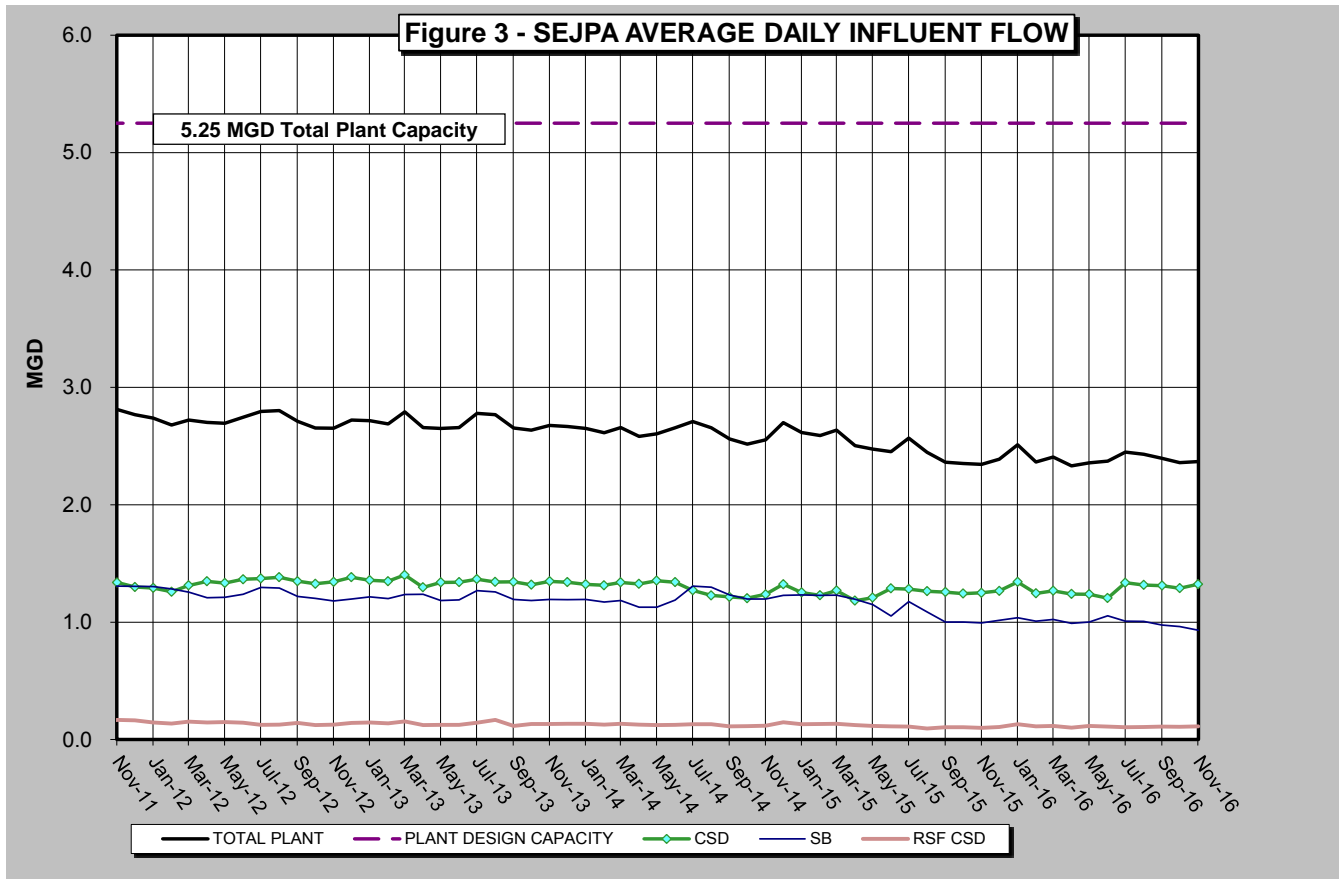
SB: Solana Beach

EDU: Equivalent Dwelling Unit

ASSUMPTIONS: SB Connected EDUs includes 300 EDUs for the City of San Diego

EDU Numbers Revised by Dudek for March and April 2013

Figure 3 (below) presents the 5-year historical average daily flows per month for each Member Agency. This is to provide a historical overview of the average treated flow by each agency. Also shown in Figure 3 is the total wastewater treatment capacity of the plant, 5.25 mgd, of which each Member Agency has the right to 2.5 mgd, and Rancho Santa Fe Community Service District leases 0.25 mgd.



City of Escondido Flows

The average and peak flow rate from the City of Escondido Hale Avenue Resource Recovery Facility, which discharges through the San Elijo Ocean Outfall, is reported below. The following average flow rate and peak flow rate is reported by the City of Escondido for the month of November 2016.

	Flow (mgd)
Escondido (Average flow rate)	9.25
Escondido (Peak flow rate)	18.7

Connected Equivalent Dwelling Units

The City of Solana Beach updated the connected EDUs number that is reported to the SEJPA in July 2016. The City of Encinitas and Rancho Santa Fe CSD report their connected EDUs every month. The number of EDUs connected for each of the Member Agencies is as follows:

	Connected (EDU)
Cardiff Sanitary Division	8,403
Rancho Santa Fe SID	517
City of Solana Beach	7,683
San Diego (to Solana Beach)	337
Total EDUs to System	16,940

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

January 9, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: SAN ELIJO RECYCLED WATER PROGRAM – MONTHLY REPORT

RECOMMENDATION

No action required. This memorandum is submitted for information only.

DISCUSSION

Recycled Water Production

For the month of November 2016, recycled water demand was 91.73 acre-feet (AF), which was met using 91.73 AF of recycled water and 0.00 AF of supplementation with potable water. The distribution system was designed to use potable water during peak demand days.

Figure 1 (attached) provides monthly supply demands for recycled water since September 2000. Figure 2 (attached) provides a graphical view of annual recycled water demand spanning sixteen fiscal years. Figure 3 (attached) shows the monthly recycled water demand for each October since the program began operating.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

Figure 1 - MONTHLY RECYCLED WATER DEMAND

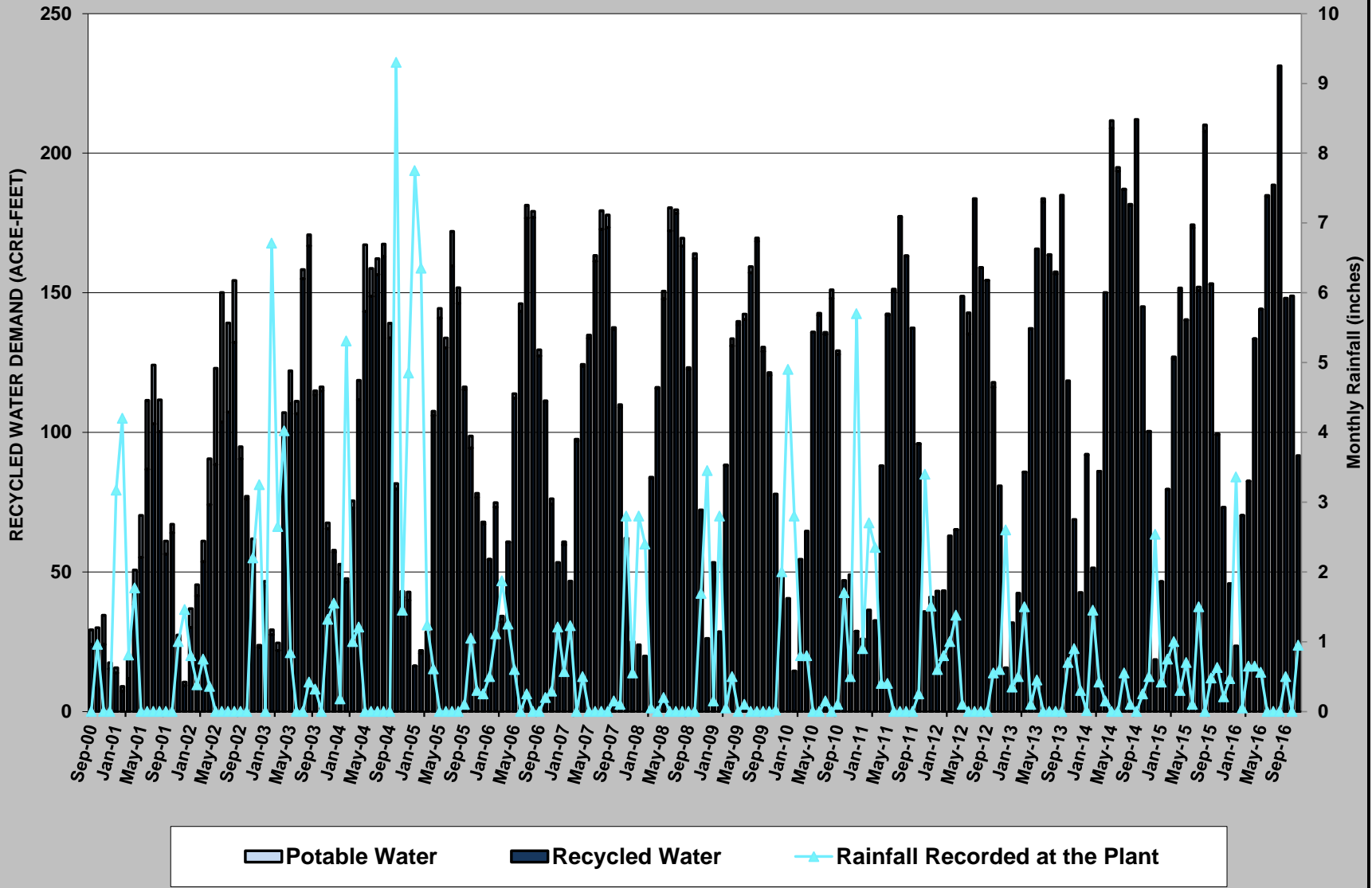


Figure 2 - RECYCLED WATER DEMAND by FISCAL YEAR

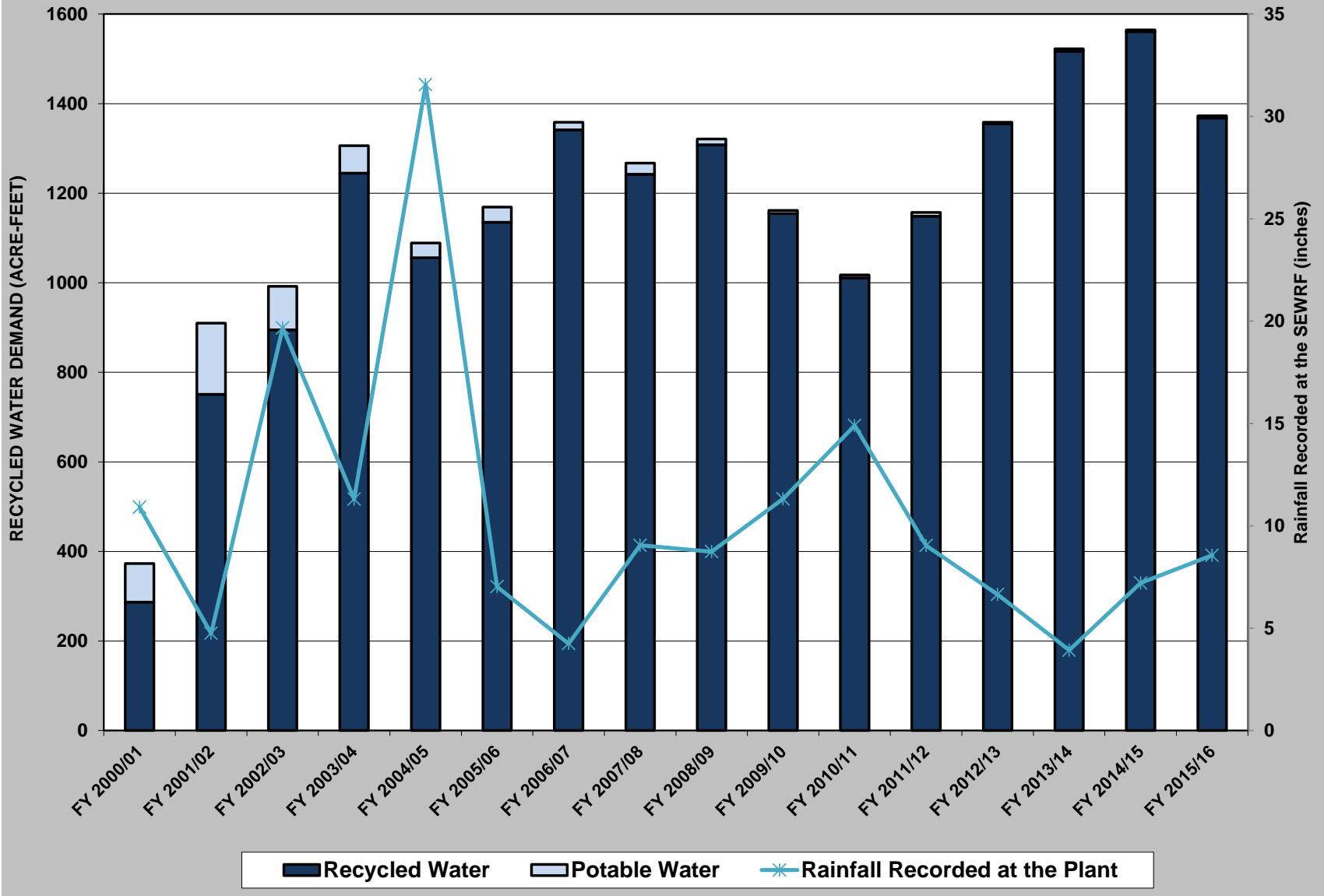
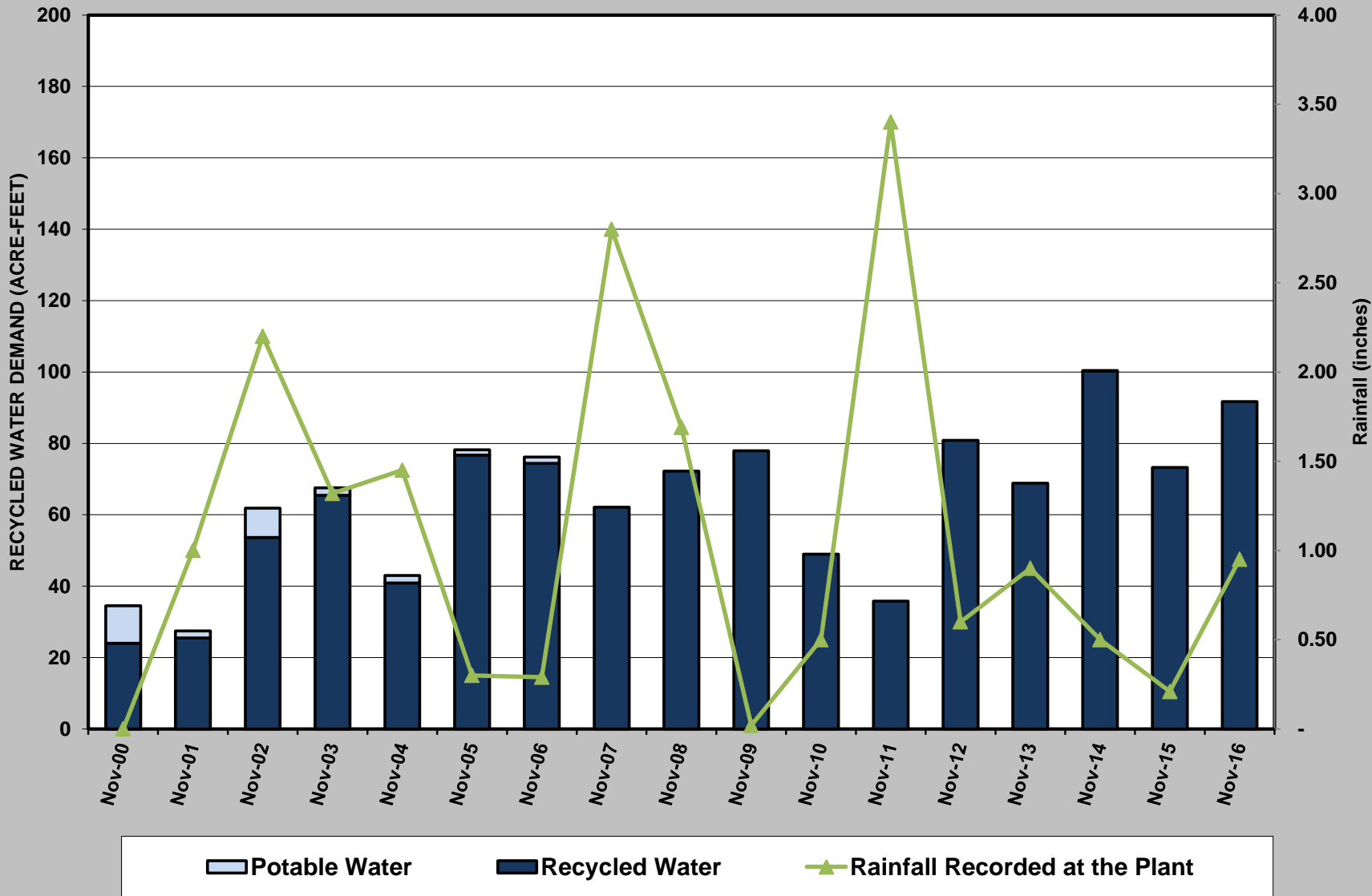


Figure 3 - NOVEMBER RECYCLED WATER DEMAND



SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

January 9, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: Director of Finance and Administration

SUBJECT: ELECTION OF OFFICERS AND SCHEDULE OF BOARD MEETINGS

RECOMMENDATION

It is recommended that the Board of Directors:

1. Appoint the Chairperson and Vice Chairperson for the 2017 SEJPA Board of Directors;
2. Select the regular meeting place and time for 2017; and
3. Discuss and take action as appropriate.

DISCUSSION

In accordance with Article 3 of the San Elijo Joint Powers Authority (SEJPA) Restatement of Agreement between the Cardiff Sanitation District and the Solana Beach Sanitation District establishing the SEJPA, the SEJPA Board is required to appoint a chairperson and vice chairperson and establish the time and place for its regular meeting by the second meeting of each calendar year. Historically, these appointments occur in January with an annual term. The SEJPA's regular meeting schedule has been generally set as 9:00 a.m. on the second Monday of each month, with no meeting in August. It is proposed that we follow this schedule for 2017. The regular meetings have been held at the San Elijo Water Reclamation Facility, located at 2695 Manchester Avenue, Cardiff-by-the-Sea, CA 92007. The proposed scheduled meetings for 2017 is attached.

It is therefore recommended that the Board of Directors:

1. Appoint the Chairperson and Vice Chairperson for the 2017 SEJPA Board of Directors;
2. Select the regular meeting place and time for 2017; and
3. Discuss and take action as appropriate.

Respectfully submitted,



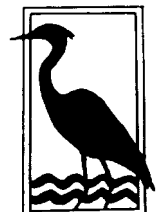
Paul F. Kinkel
Director of Finance and Administration

Attachment: Proposed 2017 Board Meeting Dates

BOARD OF DIRECTORS
San Elijo Joint Powers Authority

PROPOSED
2017 BOARD MEETING DATES

January 9
February 13
March 13
April 10
May 8
June 12
July 10
August – No Meeting
September 11
October 9
November 13
December 11



SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

January 9, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: CAPITAL PROGRAM FINANCING UPDATE

RECOMMENDATION

It is recommended that the Board of Directors:

1. Discuss and take action as appropriate.

BACKGROUND

In 2015, the San Elijo Joint Powers Authority (SEJPA) completed a detailed facility inspection and evaluation (conducted by Carollo Engineers). The result of this effort was the 2015 Facility Plan for the San Elijo Water Reclamation Facility. This document was accepted and filed by the SEJPA Board at the April 2015 Board meeting, and provides the basis for planning and budgeting for future capital projects.

The 2015 Facility Plan recommended 17 capital projects, totaling \$37.9 million (2014 dollars). Staff reviewed the project priority list and selected 11 of these wastewater projects (totaling \$22.4 million) to be completed first, over a four-year period. In addition, staff identified approximately \$4.8 million in recycled water projects to be completed during this same period. Below in Table 1 are the wastewater projects.

TABLE 1 – WASTEWATER PROJECTS	CAPITAL COST (\$ millions)
Land Outfall Evaluations	\$4.2
Buildings & Seismic Upgrades	7.4
Preliminary Treatment Upgrades	2.9
Site Improvements & Security	1.0
SCADA	1.1
Electrical Upgrades	0.7
Solar	0.4
Aeration Upgrades & Return Flow Upgrades	0.9
Dewatering Upgrades	1.7
DAF Upgrades & Co-Thickening	0.4
Digester Improvements	1.7
TOTAL ESTIMATED PROJECT COST	\$22.4

In July 2015, the Board authorized the General Manager to request proposals from underwriters to pursue municipal bond financing of approximately \$22.4 million for wastewater projects and \$4.8 million for recycled water projects. Staff also investigated financing through the California State Revolving Fund (SRF), which provides loans at interest rates that are often lower than the municipal bond market. However, SRF loans require more documentation and generally take longer for approval. Staff has been pursuing two separate SRF loans (wastewater and recycled water) since September 2015. Recently, SRF staff informed the SEJPA that it does not have adequate funds for all of the applications received and that the program is over-prescribed. As a result, SRF staff informed the SEJPA that the recycled water loan has the greatest probability for funding.

SEJPA staff is continuing its pursuit of the SRF recycled water loan, and is now seeking municipal bond financing for wastewater related projects.

DISCUSSION

In its pursuit for municipal bond financing for wastewater projects, the SEJPA is in discussion with Brandis Tallman LLC for underwriting services. Brandis Tallman is a full service investment banking firm that provides bond underwriting and placement agent services to public agencies. They have previously provided professional financial services to the SEJPA (\$11 million bond refunding and \$2 million recycled water loan) and to the City of Solana Beach (\$1.4 million bond refunding, \$480,000 utility, and \$570,000 sewer). Previous work performed by Brandis Tallman for the SEJPA was of good quality and exceeded financial expectations. The underwriting fee is being negotiated, and is expected to be consistent with prior bond transactions.

The bond financing will require additional professional services, financial document preparation, and resolution approvals by the Member Agencies' City Councils and the SEJPA's Board of Directors. The planned schedule is as follows:

January-February 2017

Document preparation that includes Board Resolutions authorizing the debt, a debt policy to comply with the new 2017 California Debt and Investment Advisory Commission (CDIAC) Local Debt Policy Requirements (SB1029), debt management policy, and a Preliminary Official Statement (POS) which provides information concerning the sale of the bonds including why the bonds are being issued, a description of the SEJPA, security for the bonds, and other relevant investor information. These documents will be distributed by bond disclosure counsel to the Member Agencies' Staff for comments.

March 2017

A second draft of the documents will be distributed based on the comments received. A credit package will be prepared for a rating call with Standard and Poor to substantiate or upgrade SEJPA's credit rating which is currently AA.

April 2017

Present final documents to the Member Agencies' City Councils for approval. Have a credit rating call with Standard and Poor; receive bond rating and request bond insurance quotes.

May 2017

Submit the final documents to the SEJPA Board for approval provided the Member Agencies' City Councils have approved. Follow up due diligence call regarding the POS, select bond insurer based on bids and finalize the POS for distribution to investors.

May-June 2017

Price and sell the bonds; close the transaction.

FINANCIAL IMPACT

There is no financial impact associated with the information in this staff report.

The SEJPA is pursuing a bond financing strategy that is consistent with the member agencies' current sewer rate schedule and that will not cause unplanned rate increases. The General Manager will update the Board as financial information is available.

RECOMMENDATION

It is recommended that the Board of Directors:

1. Discuss and take action as appropriate.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

January 9, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: RECYCLED WATER PIPELINE RELOCATION – CALTRANS UTILITY
AGREEMENT NO. 11-UT-33677

RECOMMENDATION

It is recommended that the Board of Directors:

1. Authorize the General Manager to execute Caltrans Utility Agreement; and
2. Discuss and take action as appropriate.

BACKGROUND

The San Elijo Joint Powers Authority (SEJPA) owns and operates a recycled water utility that provides recycled water to the San Dieguito Water District, Olivenhain Municipal Water District, Santa Fe Irrigation District, and City of Del Mar. The system includes three offsite storage reservoirs and approximately 19 miles of distribution pipelines ranging from 4-inch to 24-inch in diameter and is an essential component of SEJPA's infrastructure. (SEJPA can only discharge treated wastewater through the recycled water or ocean outfall systems). Some of the recycled water pipelines are located within the Caltrans right-of-way, and are now in conflict with proposed transportation improvements associated with the North Coast Corridor (NCC) Program.

The NCC Program is a 40-year, multi-phase project designed to provide transportation, environmental, and coastal access improvements. Construction of the first phase broke ground in December 2016 and is anticipated to continue through 2021. This phase is estimated to cost approximately \$700 million and will include construction of rail, freeway, and bike path improvements, as well as San Elijo lagoon restoration.

DISCUSSION

SEJPA has been working collaboratively with Caltrans to identify and resolve utility conflicts with the NCC program. During this process, two sections of SEJPA recycled water pipelines have been identified for relocation. Figure 1 illustrates the general area of the two utility conflicts. The

proposed relocation will remain in the vicinity of the existing pipeline, which will help minimize the relocation cost.

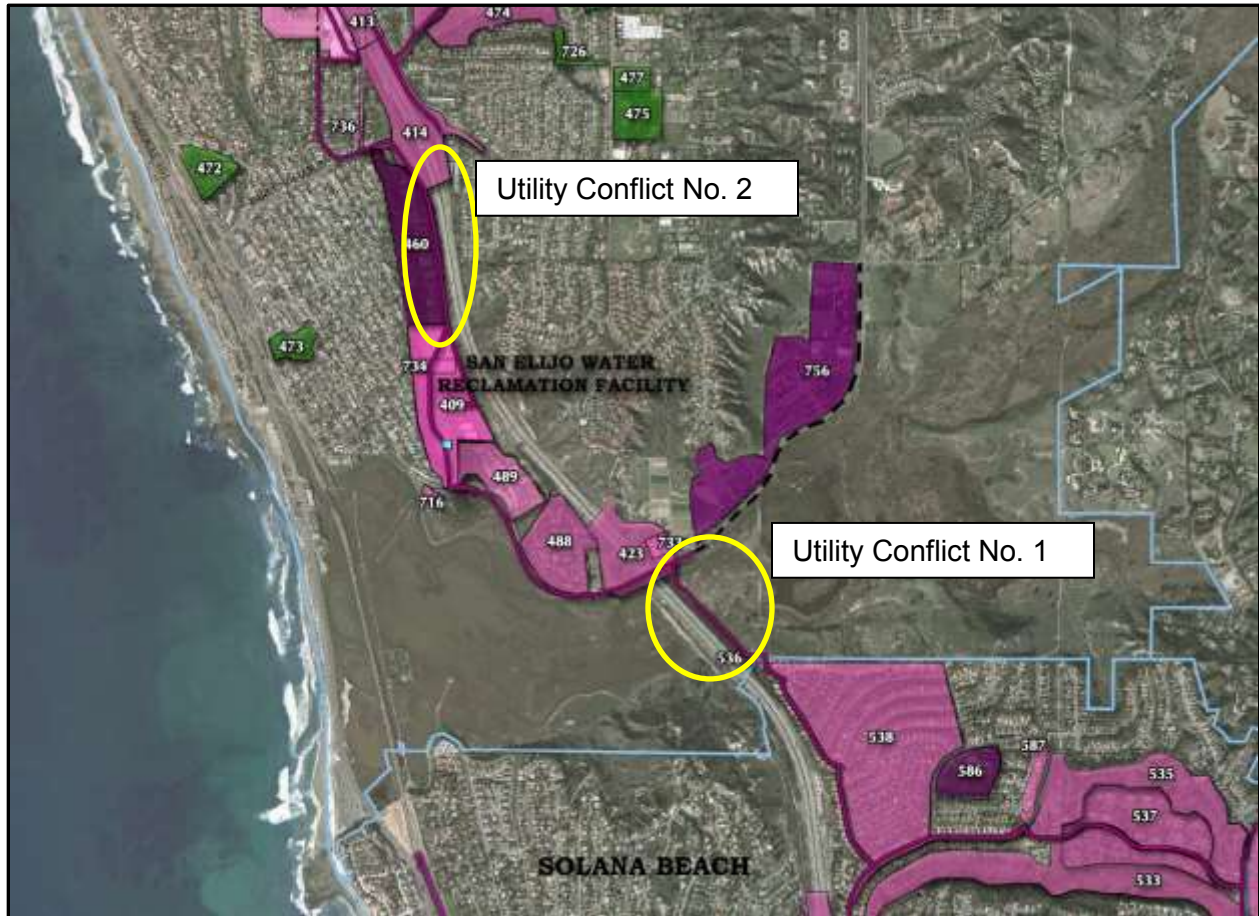


Figure 1 – SEJPA Recycled Water Distribution System

The design of the first segment (Utility Conflict No.1), which is approximately 1,010 linear feet of 12-inch diameter pipe, has been completed. The estimated cost for relocating the pipeline is \$850,973, which Caltrans can perform on the SEJPA’s behalf as part of the NCC project work. Both SEJPA and Caltrans agree that relocating the pipelines as part of the NCC project will provide advantages to both parties, including administration streamlining, permitting, construction scheduling, and economy of scale in pricing.

The attached Utility Agreement provides a legal agreement between Caltrans and SEJPA for the completion of the relocation work associated with Utility Conflict No. 1. Caltrans and SEJPA are of different opinions regarding which party is responsible for the relocation costs. As such, the agreement clarifies that liability for cost of the work is under dispute. Ultimately, this cost responsibility determination may require a court decision.

The second segment of pipeline in conflict (Utility Conflict No. 2) is currently in design. Upon completion of design, Caltrans and SEJPA will prepare a second Utility Agreement, which will be presented at a future Board meeting for approval consideration.

FINANCIAL IMPACT

The prospective financial impact to SEJPA for relocating approximately 1,010 linear feet of 12 inch diameter recycled water pipeline is \$850,973. The actual final relocation cost may be different than the estimated cost, based on actual time and material required for the construction. Caltrans will construct the utility relocation, and will seek reimbursement from the SEJPA. As noted above, the SEJPA has taken the position that the expense for relocating the recycled water pipeline is the responsibility of Caltrans, pursuant to Section 703 of the Streets and Highway Code. SEJPA has the option to agree with Caltrans and provide reimbursement upon project completion, or seek dispute resolution through negotiations with Caltrans, or a court action.

It is, therefore, recommended that the Board of Directors:

1. Authorize the General Manager to execute Caltrans Utility Agreement; and
2. Discuss and take action as appropriate.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

Attachment 1: Utility Agreement

ATTACHMENT 1

UTILITY AGREEMENT

RW 13-5 (REV 9/2014)

DISTRICT 11	COUNTY SD	ROUTE 5	POST MILE 37.5-39.60	PROJECT ID 1100020362	EA 2T1721
FEDERAL AID NUMBER STPLN 6211(130)			OWNER'S FILE NUMBER <u>TBD</u>		
FEDERAL PARTICIPATION/FEDERALLY ELIGIBLE/NEPA DOCUMENT On the Project <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No On the Utilities <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					

Owner Payee Data No. _____ or Form STD 204 is attached

UTILITY AGREEMENT NO. 11-UT-33677

DATE _____

The State of California, acting by and through the Department of Transportation, hereinafter called "STATE," proposes to in the cities of Solana Beach and Encinitas from Lomas Santa Fe Drive to Birmingham Drive to construct HOV lanes, replace San Elijo Bridge, construct retaining and soundwalls.

and

NAME: SAN ELIJO JOINT POWERS AUTHORITY
ADDRESS: 2695 MANCHESTER AVENUE PO BOX 1077
CARDIFF BY THE SEA, CALIFORNIA 92007-7077

hereinafter called "OWNER," owns and maintains

One 12 inch recycled waterline that goes through the San Elijo Lagoon north to south and just west of Interstate 5 from Manchester Avenue to the State of California Fish and Wildlife property to the south.

within the limits of STATE's project which requires:

Relocation of the 12 inch recycled water line to accommodate the STATE's project.

It is hereby mutually agreed that:

I. WORK TO BE DONE

In accordance with Notice to Owner No. 33677 dated December 30, 2016 STATE shall relocate 1010 feet of OWNER's recycled water pipe as shown on STATE's contract plans for the improvement of State Route 5, EA 2T1724 which by this reference are made a part hereof. OWNER hereby acknowledges review of STATE's plans for work and agrees to the construction in the manner proposed. Deviations from the plan described above initiated by either the STATE or the OWNER, shall be agreed upon by both parties hereto under a Revised Notice to Owner. Such Revised Notices to Owner, approved by the STATE and agreed to/acknowledged by the OWNER, will constitute an approved revision of the plan described above and are hereby made a part hereof. No work under said deviation shall commence prior to written execution by the OWNER of the Revised Notice to Owner. Changes in the scope of the work will require an amendment to this Agreement in addition to the Revised Notice to Owner. OWNER shall have the right to inspect the work during construction. Upon completion of the work by STATE, OWNER agrees to accept ownership and maintenance of the constructed facilities and relinquishes to STATE ownership of the replaced facilities.

II. LIABILITY OF WORK

Ordered work described as SEJPA relocation plans on Caltrans Utility Sheets from U-15 to U-19, dated May 23, 2016, is in dispute under Section 703 of the Streets & Highway Code. That in signing this Utility Agreement, neither STATE nor OWNER shall diminish their position nor waive any of their rights nor does either party accept liability for the disputed work. STATE and OWNER reserve the right to have liability resolved by future negotiations or by an action in court of competent jurisdiction.

III. PERFORMANCE OF WORK

OWNER shall have access to all phases of the relocation work to be performed by STATE, as described in Section I above, for the purpose of inspection to ensure that the work is in accordance with the specifications contained in the Highway Construction Contract; however, all questions regarding the work being performed will be directed to STATE's Resident Engineer for their evaluation and final disposition.

Use of out-of-state personnel, (or personnel requiring lodging and meal per diem expenses) will not be allowed without prior written authorization by State's representative. Requests for such authorization must be contained in OWNER's estimate of actual and necessary relocation costs. Accounting Form FA 1301 is to be completed and submitted for all non-State personnel travel per diem. OWNER shall include an explanation why local employee or contract labor is not considered adequate for the relocation work proposed. Per Diem expenses shall not exceed the per diem expense amounts allowed under the State's Department of Personnel Administration travel expense guidelines.

IV. PAYMENT FOR WORK

The STATE shall pay its share of the actual and necessary cost, if any, of the herein described work within 45 days after final liability determination and after receipt of OWNER's itemized bill signed by a responsible official of OWNER's organization and prepared on OWNER's letterhead, compiled on the basis of the actual and necessary cost and expense. The OWNER shall maintain records of the actual costs incurred and charged or allocated to the project in accordance with recognized accounting principles.

It is understood and agreed that the STATE will not pay for any betterment or increase in capacity of OWNER's facilities in the new location and that OWNER, after final liability determination, shall give credit to the STATE for the accrued depreciation of the replaced facilities and for the salvage value of any material or parts salvaged and retained or sold by OWNER.

After the final liability determination, and if it is determined that the STATE pays a portion or all of the actual and necessary costs, not more frequently than once a month, but at least quarterly, OWNER will prepare and submit itemized progress bills for costs incurred not to exceed OWNER's recorded costs as of the billing date less estimated credits applicable to completed work. Payment of progress bills not to exceed the amount of this Agreement may be made under the terms of this Agreement. Payment of progress bills which exceed the amount of this Agreement may be made after receipt and approval by STATE of documentation supporting the cost increase and after an Amendment to this Agreement has been executed by the parties to this Agreement.

After the final liability determination, and if it is determined that the STATE pays a portion or all of the actual and necessary costs, the OWNER shall submit a final bill to the STATE within 360 days after the completion of the work described in Section I above. If the STATE has not received a final bill within 360 days after notification of completion of Owner's work described in Section I of this Agreement, and STATE has delivered to OWNER fully executed Director's Deeds, Consents to Common Use or Joint Use Agreements, if required for OWNER's facilities, STATE will provide written notification to OWNER of its intent to close its file within 30 days and OWNER hereby acknowledges, to the extent allowed by law, that all remaining costs will be deemed to have been abandoned. If the STATE processes a final bill for payment more than 360 days after notification of completion of OWNER's work, payment of the late bill may be subject to allocation and/or approval by the California Transportation Commission.

After the final liability determination, and if it is determined that the STATE pays a portion or all of the actual and necessary costs, the final billing shall be in the form of an itemized statement of the total costs charged to the project, less the credits provided for in this Agreement, and less any amounts covered by progress billings. However, the STATE shall not pay final bills which exceed the estimated cost of this Agreement without documentation of the reason for the increase of said cost from the OWNER and approval of documentation by STATE. Except, if the final bill exceeds the OWNER's estimated costs solely as the result of a revised Notice to Owner as provided for in Section I, a copy of said revised Notice to Owner shall suffice as documentation. In either case, payment of the amount over the estimated cost of this Agreement may be subject to allocation and/or approval by the California Transportation Commission.

In any event if the final bill exceeds 125% of the estimated cost of this Agreement, an Amended Agreement shall be executed by the parties to this Agreement prior to the payment of the OWNER's final bill. Any and all increases in costs that are the direct result of deviations from the work described in Section I of this Agreement, shall have the prior concurrence of STATE.

Detailed records from which the billing is compiled shall be retained by the OWNER for a period of three years from the date of the final payment and will be available for audit by State and/or Federal auditors. In performing work under this Agreement, owner agrees to comply with the Uniform System of Accounts for Public Utilities found at 18 CFR Part 101, 201, et al., and, to the extent they are applicable to owner doing work on the project that is the subject of this agreement, the contract cost principles and procedures as set forth in 48 CFR, Chapter 1, Part 31, et seq., 23 CFR, Chapter 1, Part 645, and 2 CFR Part 200 et al. to the extent they are applicable. If a subsequent STATE and/or

UTILITY AGREEMENT NO.
33677

Federal audit determines payments to be unallowable, owner agrees to reimburse agency upon receipt of agency billing. If owner is subject to repayment due to failure by State to comply with applicable laws, regulations, and ordinances then State will ensure that owner is compensated for actual cost in performing work under this agreement.

V. GENERAL CONDITIONS

After final liability determination and it is determined that the OWNER is responsible for all costs accrued by OWNER as a result of STATE's request of **December 15, 2013** to review, study and/or prepare relocation plans and estimates for the project associated with this Agreement may be billed pursuant to the terms and conditions of this Agreement.

If STATE's project which precipitated this Agreement is canceled or modified so as to eliminate the necessity of work by OWNER, STATE will notify OWNER in writing and STATE reserves the right to terminate this Agreement by Amendment. The Amendment shall provide mutually acceptable terms and conditions for terminating the Agreement.

All obligations of STATE under the terms of this Agreement are subject to the passage of the annual Budget Act by the State Legislature and the allocation of those funds by the California Transportation Commission.

STATE shall submit a Notice of Completion to the OWNER within 30 days of the completion and acceptance by the STATE of the work described herein.

The STATE estimated amount of this relocation work described in Section I is **\$855,973.00**.

It is understood that said highway is a Federal aid highway and accordingly, 23 CFR, Chapter 1, Part 645 is hereby incorporated into this Agreement. The STATE'S Contractor shall abide to Section 5-1.47 in the 2015 Standard Specification section regarding "Guarantee" and Section 5-1.38 regarding "Maintenance and Protection Relief" for a minimum of one (1) year after completion and acceptance of OWNER'S waterline.

OWNER understands and acknowledges that this project is subject to the requirements of the Buy America law (23 U.S.C., Section 313) and applicable regulations, including 23 CFR 635.410 and FHWA guidance. OWNER hereby certifies that in the performance of this Agreement, for products where Buy America requirements apply, it shall use only such products for which it has received a certification from its supplier, or provider of construction services that procures the product certifying Buy America compliance. This does not include products for which waivers have been granted under 23 CFR 635.410 or other applicable provisions or excluded material cited in the Department's guidelines for the implementation of Buy America requirements for utility relocations issued on December 3, 2013."

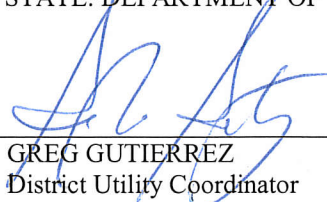
In addition, the provisions of 23 CFR 635.410, Buy America, are also incorporated into this agreement. The Buy America requirements are further specified in Moving Ahead for Progress in the 21st Century (MAP-21), section 1518; 23 CFR 635.410 requires that all manufacturing processes have occurred in the United States for steel and iron products (including the application of coatings) installed on a project receiving funding from the FHWA.

Provided STATE's contractor performs all or part of the work hereunder, the parties acknowledge and agree that STATE's contractor shall be solely responsible for satisfying any and all requirements relative to the Buy America Rule concerning the materials thus provided (including, but not limited to, ensuring and certifying that said materials comply with the requirements of the Buy America Rule)."

IN WITNESS WHEREOF, the above parties have executed this Agreement the day and year above written.

STATE: DEPARTMENT OF TRANSPORTATION

OWNER: SAN ELIJO JOINT POWERS AUTHORITY

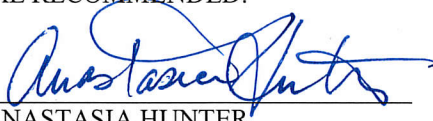
By 
Name GREG GUTIERREZ
Title District Utility Coordinator
Right of Way

12/30/16
Date

By _____
Name MICHAEL T. THORNTON
Title General Manager
Date _____

UTILITY AGREEMENT NO. 33677

APPROVAL RECOMMENDED:

By  12/30/2016
Name ANASTASIA HUNTER Date
Title Utility Coordinator
Right of Way

By _____
Name Date
Title

THIS AGREEMENT SHALL NOT BE EXECUTED BY THE STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION UNTIL FUNDS ARE CERTIFIED.
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UTILITY AGREEMENT NO. 33677

DO NOT WRITE BELOW - FOR ACCOUNTING PURPOSES ONLY

PLANNING AND MANAGEMENT TO COMPLETE UNSHADED FIELDS:

UTILITY COMPLETES:

T CODE	DOCUMENT NUMBER	SUF FIX	DIST	UNIT	CHG DIST	PROJECT ID	PHASE	SPECIAL DESIGNATION	FFY	FA	OBJ CODE	DOLLAR AMOUNT
	UA033677					1100020362	4					\$5,000.00
	UA033677					1100020362	9					\$850,973.00

PROJECT ID FUNDING VERIFIED:	
Sign:>	
Print> CARMENCITA COMER R/W Planning and Management	Date

REVIEW/REQUEST FUNDING:	
Sign>	
Print> ANASTASIA HUNTER Utility Coordinator	Date

THE ESTIMATED COST TO OWNER FOR ITS SHARE OF THE ABOVE DESCRIBED WORK IS \$855,973.00

CERTIFICATION OF FUNDS				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure shown here.				
Planning and Management				Date
ITEM	CHAP	STAT	FY	AMOUNT

FUND TYPE	PROJECT ID	AMOUNT
Design Funds		\$
Construction Funds	2T1724	\$850,973.00
RW Funds	2T1729	\$5,000.00

Vendor/Customer:	VC
Address ID:	

Distribution: 2 originals to R/W Accounting
1 original to Utility Owner
1 original to Utility File