

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339, Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

www.sslocsd.org

AGENDA

BOARD OF DIRECTORS MEETING

City of Arroyo Grande, City Council Chambers

215 East Branch Street

Arroyo Grande, California 93420

Wednesday, September 4, 2013 at 6:00 P.M.

Board Members

Matthew Guerrero, Chair

Tony Ferrara, Vice Chair

Debbie Peterson, Director

Agencies

Oceano Community Services District

City of Arroyo Grande

City of Grover Beach

Alternate Board Members

Mary Lucey, Director

Jim Guthrie, Director

Glenn Marshall, Director

Oceano Community Services District

City of Arroyo Grande

City of Grover Beach

1. CALL TO ORDER AND ROLL CALL

2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

This public comment period is an invitation to members of the community to present comments, thoughts or suggestions on matters not scheduled on this agenda. Comments should be limited to those matters which are within the jurisdiction of the District. The Brown Act restricts the Board from taking formal action on matters not published on the agenda. In response to your comments, the Chair or presiding Board Member may:

- Direct Staff to assist or coordinate with you.
- It may be the desire of the Board to place your issue or matter on a future Board meeting agenda.

Please adhere to the following procedures when addressing the Board:

- Comments should be limited to three (3) minutes or less.
- Your comments should be directed to the Board as a whole and not directed to individual Board members.
- Slanderous, profane or personal remarks against any Board Member, Staff or member of the audience shall not be permitted.

Any writing or document pertaining to an open-session item on this agenda which is distributed to a majority of the Board after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the offices of the Oceano CSD, a member agency located at 1655 Front Street, Oceano, California. Consistent with the Americans with Disabilities Act (ADA) and California Government Code §54954.2, requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires modification or accommodation in order to participate at the above referenced public meeting by contacting the General Manager or Bookkeeper/Secretary at (805) 481-6903.

3. CONSENT AGENDA

The following routine items listed below are scheduled for consideration as a group. Each item is recommended for approval unless noted. Any member of the public who wishes to comment on any Consent Agenda item may do so at this time. Any Board Member may request that any item be withdrawn from the Consent Agenda to permit discussion or to change the recommended course of action. The Board may approve the remainder of the Consent Agenda on one motion.

3A. Review and Approval of the Minutes of the August 21, 2013 meeting

3B. Review and Approval of Warrants

4. PLANT SUPERINTENDENT'S REPORT

5. BOARD ACTION ON INDIVIDUAL ITEMS:

A. ADOPTION OF RESOLUTION NO. 2014-313

Staff recommends the Board elect to become subject to the Uniform Public Construction Cost Accounting Act by adopting Resolution No. 2014-313 and direct staff to take appropriate actions in order to comply with the legal requirements.

B. INTRODUCTION OF ORDINANCE NO. 2014-1

Staff recommends the Board introduce Ordinance No. 2014-1.

6. MISCELLANEOUS ITEMS

A. Miscellaneous Oral Communications

B. Miscellaneous Written Communications

7. PUBLIC COMMENT ON CLOSED SESSION

8. CLOSED SESSION

(1) Conference with Legal Counsel pursuant to Government Code Section 54956.9; 1 case

a. Brown Act "Cure and Correct" Demand (Potential Litigation)

9. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

10. ADJOURNMENT

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

City of Arroyo Grande, City Council Chambers
215 East Branch Street
Arroyo Grande, California 93420

Minutes of the Meeting of Wednesday, August 21, 2013
6:00 P.M.

1. CALL TO ORDER AND ROLL CALL

Present: Chair Matthew Guerrero, Oceano Community Services District; Vice Chair Tony Ferrara, City of Arroyo Grande; Director Debbie Peterson, City of Grover Beach.

District Staff in Attendance: Paul Karp, Interim District Manager; Mike Seitz, District Counsel; John Clemons, Plant Superintendent; Matthew Haber, Bookkeeper/Secretary.

2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Director Guerrero asked for public comment.

Ms. Julie Tacker spoke about the Cure and Correct, which she and Mr. Kevin Rice had filed, against an action taken in closed session regarding a forensic audit at the July 17, 2013 meeting. Ms. Tacker said that a simple solution would be to agendize the item in open session.

There being no more comments, Director Guerrero closed the public comment period.

3. CONSENT AGENDA

Director Guerrero asked for public comment. Ms. Tacker spoke about how it is unclear about what the Wallace Group was hired to do. She said that she would like the work with the Wallace Group to cease as the District is in good hands.

Director Peterson asked if there were any outstanding Wallace Group invoices. Interim General Manager Karp replied that there is still work to be done by the Wallace Group on the cogen issue and reimbursable projects related to Fats, Oil and Grease (FOG) monitoring which is a continuation of the previous agreement. Mr. Karp then mentioned that there had been a suggestion that the District look into doing this in a different way. He said that Plant Superintendent Clemons is looking into whether the District can take this on.

Director Guerrero spoke about what had happened at the OCSD a couple of months ago regarding a backup due to a plugged line which led to the contacting the Wallace Group about the inspections. He said that Wallace Group did have contract to do that work. Director Ferrara added that, during the transition to new management, there was a discussion of the three ways of doing this work. Mr. Karp said that the assessment of the District's capabilities regarding pretreatment will be presented at the next interagency meeting.

Counsel Seitz said that the Wallace Group had the institutional knowledge about the cogen system and that they will serve as witnesses during the case.

Action: Director Ferrara moved to approve Consent Agenda Items 3A – 3C as presented. Director Peterson seconded, and the motion was carried unanimously.

4. PLANT SUPERINTENDENT'S REPORT

Plant Superintendent Clemons presented the Plant Superintendent's Report which shows that the summer Plant numbers are the lowest they have been in thirteen years and are in compliance with regulatory limits.

Mr. Clemons recognized and acknowledged the Staff at the Plant for taking on more responsibilities which is reflected in the very good numbers being seen.

Director Peterson asked about getting the positive news out to the public especially in light of the good numbers. Mr. Karp said that having an open house at the Plant is in the works and that the newsletter is a priority.

Director Ferrara asked about the use of the methane to heat the boiler in light of the cogen litigation. Counsel Seitz said that the District can use the methane without it affecting the District's legal position.

Action: The Board received and filed the Plant Superintendent's report.

5. BOARD ACTION ON INDIVIDUAL ITEMS

A. DECLARATION OF SURPLUS EQUIPMENT

Interim District Manager Karp presented the staff recommendation that the Board declare the 1997 Ford Ranger as surplus and direct Staff to appropriately dispose of this asset.

Director Guerrero asked for public comment. Seeing none, Director Guerrero closed the public comment period.

Action: Director Peterson moved to approve Staff's recommendation. Director Ferrara seconded, and the motion was carried 3-0.

B. 4th QUARTER BUDGET REVIEW

Interim District Manager Karp presented the staff report on the budget review at the end of the Fiscal Year 2012-13.

Counsel Seitz spoke about how the ACL exaggerated the legal fees in this fiscal year due to the timing of the invoices.

Director Guerrero asked for public comment. Seeing none, Director Guerrero closed the public comment period.

Action: The Board received and filed the staff report.

**C. SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
(SDRMA) BOARD OF DIRECTORS ELECTION**

Interim District Manager Karp presented the staff recommendation that the Board review the qualifications of Mr. Muril Clift of the Cambria Community Services District and choose to vote for Mr. Clift's reelection to the SDRMA Board of Directors by adopting Resolution No. 2014-312.

Director Ferrara said that the District should be proactive in working with the representative and letting the SDRMA Board know what some of the Districts issues are.

Action: Director Ferrara moved that the Board adopt Resolution No. 2014-312 A RESOLUTION FOR THE ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS, and he included in that motion a consensus vote for Muril Clift. Director Peterson seconded, and on the following roll call vote, to wit:

AYES: Director Ferrara, Director Peterson, Director Guerrero

NOES: None

ABSENT: None;

the foregoing resolution was passed and adopted this 21st day of August 2013.

6. MISCELLANEOUS ITEMS

A. Miscellaneous Oral Communications

Director Peterson spoke about the Brown Act complaint which had been filed. She suggested that it would be a pretty easy fix. If the Board chose to rehear it, then it could head off any problems. She suggested looking at an operations audit where the auditor would thoroughly examine the efficiency, effectiveness and economy of District operations. Director Peterson said that this is a request to agendize a discussion of an audit.

Counsel Seitz said that it is up to the Chair to determine whether this is a continuation of a previous item which had already been considered or a new item. If considered a continuation, then it would take a majority vote to place that item back on the agenda. Director Peterson said that she is suggesting a practical solution which would also allow her the opportunity to speak on something which she had requested to be agendized. She suggested that it not be called forensic audit but is proposing an operational audit.

Director Guerrero recommended that Director Peterson meet with staff to see if they could hone the issue. Interim General Manager Karp said that staff could possibly put together an add-on to the District's financial consultant who could render some professional expertise.

B. Miscellaneous Written Communications

7. PUBLIC COMMENT ON CLOSED SESSION

Ms. Tacker asked for clarification on the use of the word "retention" and whether a new RFP and scopes of work would be defined in closed session.

8. CLOSED SESSION

- (1) Pursuant to Government Code Section 549567: Discussion of appointment or employment of public employee – Retention of District Engineer

9. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

Director Guerrero reported that the Board had met in closed session and approved a contract with Mr. Jim Garing of Garing, Taylor and Associates.

10. ADJOURNMENT

There being no further business to come before the Board, Director Guerrero adjourned the meeting at approximately 7:17 p.m.

THESE MINUTES ARE DRAFT AND NOT OFFICIAL UNTIL APPROVED BY THE BOARD OF DIRECTORS AT A SUBSEQUENT MEETING.

3B - 09-04-2013 Warrant Register

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT WARRANT REGISTER - REVISED 09/04/2013 FY 2013/14

ISSUED TO	PURCHASE/SERVICE	INV. # / SERVICE PERIOD	WARRANT NO.	ACCT	ACCT BRKDN	TOTAL
AMI PIPE AND SUPPLY	GAS DETECTOR CALIBRATION GAS	157099	090413-7915	8056	570.96	819.79
	SUPPLIES FOR CENTRATE LINE	157669		20/8065	248.83	
ANDRITZ SEPARATION	CENTRIFUGE MAINTENANCE	8480038880	16	20/8065	6,915.68	6,915.68
ARAMARK UNIFORMS	EMPLOYEE UNIFORMS	8104989 8121794	17	7025	621.78	621.78
B&B STEEL & SUPPLY	STAINLESS STEEL	424496	18	8060	87.61	87.61
BRENNTAG PACIFIC, INC	PLANT CHEMICALS	335738	19	8050	5,862.95	5,862.95
CARQUEST	BATTERY AND OIL SEAL	7314-647725 7314-649433	20	8030	176.40	176.40
CARR'S BOOTS & WESTERN WEAR	EMPLOYEE WORK BOOTS	83854	21	7025	147.17	147.17
CENTRAL COAST WATER TRTMNT	LAB WATER	14816 15127	22	8040	241.50	241.50
CHARTER	INTERNET SERVICE	SEPTEMBER	23	7011	59.99	59.99
CWEA	MEMBERSHIP	JONES	24	7050	148.00	288.00
	MEMBERSHIP RENEWAL	MUI			140.00	
D'ANGELO'S	PAINT	S234452	25	8060	231.55	231.55
DEBBIE PETERSON	BOARD SERVICE	AUGUST	26	7075	200.00	200.00
ENVIRONMENTAL RESOURCE ASSOCIATES	LAB TESTING	697405	27	8040	1,468.92	1,468.92
FARGEN SURVEYS, INC.	AS-BUILT DRAWINGS	5018	28	7077	1,497.59	1,497.59
FARM SUPPLY COMPANY	MISC SUPPLIES	9540 23911	29	8060	73.87	73.87
FEDEX	SHIPPING	2-371-28542	30	8045	29.65	29.65
FGL ENVIRONMENTAL	CHEMICAL ANALYSIS	382990A 382972A 382856A	31	7078	420.00	420.00
		382882A 383048A				
GORDON SAND	SAND	622696-IN 622697-IN 622692-CM	32	8060	603.77	603.77
HACH	LAB SUPPLIES	8452088	33	8040	466.21	466.21
HARRINGTON INDUSTRIAL PLASTICS	PRIMER FOR PVC PIPE - CENTRATE LINE	1379800	34	20/8065	143.83	143.83
I.I. SUPPLY	MISC SUPPLIES	20453 20601	35	8060	217.37	217.37
INDUSTRIAL MEDICAL GROUP	PULMONARY FUNCTION TESTING	7058 7059	36	8056	120.00	120.00
JB DEWAR INC	VEHICLE FUEL	36736	37	8020	97.56	97.56
JWC ENVIRONMENTAL	AUGER ROTOR	53219	38	19/8061	6,596.61	6,596.61
KEMIRA	FERRIC CHLORIDE	9017349189	39	8050	7,591.92	7,591.92
MATTHEW GUERRERO	BOARD SERVICE	AUGUST	40	7075	200.00	200.00
OFFICE DEPOT	OFFICE SUPPLIES	AUGUST	41	8045	592.77	592.77
PERS	EMPLOYEE RETIREMENT (PRIOR YEAR)	100000013257453 100000014101699	42	6060	3,075.11	3,075.11
PG&E	ELECTRICITY SERVICE	07/14/2013 - 08/12/2013	43	7091	17,140.86	17,140.86
POLYDYNE INC.	CLARIFLOC	824931	44	8050	6,754.23	6,754.23
PRAXAIR	MISC SUPPLIES	46969116 46949580	45	8060	101.43	101.43
STATE FUND COMPENSATION	WORKERS' COMP	SEPTEMBER	46	6080	6,079.17	6,079.17
TEKTEGRITY	MANAGED IT SERVICE	27947-113	47	7015	326.55	326.55
TOM'S MOBILE REPAIR SERVICE	CART REPAIR	1655	48	8030	892.50	892.50
TONY FERRARA	BOARD SERVICE	AUGUST	49	7075	200.00	200.00
USABBLUEBOOK	LAB SUPPLIES	132793	50	8040	336.41	1,117.95
	SAFETY SUPPLIES	100567 110612 110694 110722		8056	659.33	
	MISC SUPPLIES	7/23/2013 STATEMENT		8060	122.21	
VWR	LAB SUPPLIES	8054942141 8054939278 8054939278	51	8040	228.32	228.32
		8054910764 8055030173 8055027973				
WATER ENVIRONMENT FEDERATION	MEMBERSHIP RENEWAL	RODRIGUEZ	52	7050	228.00	228.00
WOESTE EQUIPMENT SERVICE	HYDRAULIC JACK REPAIR	424	53	8030	181.26	181.26
WW GRAINGER	SAFETY SUPPLIES	9226823467	54	8056	60.34	60.34
SUB TOTAL					72,158.21	72,158.21
PAYROLL	PPE 08/23/2013				23,430.57	23,430.57
GRAND TOTAL					95,588.78	95,588.78

We hereby certify that the demands numbered serially from 090413-7915 to 090413-7954 together with the supporting evidence have been examined, and that they comply with the requirements of the SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT. The demands are hereby approved by motion of the SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT, together with warrants authorizing and ordering the issuance of checks numbered identically with the particular demands and warrants.

BOARD OF DIRECTORS:

DATE: _____

Chair

Board Member

Board Member

Secretary



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Staff Report

To: Board of Directors
From: John L. Clemons, Plant Superintendent
Via: Paul J. Karp, Interim District Manager
Date: September 4, 2013
Subject: Plant Superintendent's Report

Chart 1 – Plant Data

July 2013	FLOW MGD	Peak MGD	INF BOD mg/L	EFF BOD mg/L	INF TSS mg/L	EFF TSS mg/L	Fecal Coli	Cl2 lbs/day	
Average	2.56	4.1	325	19.1	466	30.0	<73	335	
High	2.81	5.1	441	30.2	1080	39.0	1100	885	
Limit	5.0			40		40	2000		
August 2013									
Average	2.55	3.9	*398	*30.3	*387	*28	13	254	
High	2.76	4.9	*586	*50.8	*410	*31	170	876	

* Thru August 16, 2013

Plant data for August 2013 is as follows:

Average daily flow was 2.55 MGD. Plant maximum design flow capacity is 5.0 MGD

Average effluent biochemical oxygen demand was 30.3 mg/L

Average effluent totals suspended solids was 28 mg/L

Permit limits for monthly BOD and TSS averages is 40 mg/l for each.

BOD average removal efficiency was 92.4%.

TSS average removal efficiency was 92.4%.

Plant process values are still below the norms for this time of year. The effluent BOD average for the month of August over the last five years is 31.4. The effluent TSS average for the month of August over the last five years is 32. The average influent BOD for the month of August has been 367 over the past five years. When the plant was designed the loading was expected to be approximately 250 mg/l of BOD.

On August 16th the plant experienced an influent BOD of 586 mg/l. Our effluent BOD was 50.8. The BOD removal rate was 91.3 %. Plant staff is investigating the extraordinary loading which occurred at that time. We are still well within our NPDES discharge limits for effluent monthly average BOD.

As part of our Replacement and Improvement plan plant staff completed installation of a flow meter for the FFR recirculation pump. Staff sand blasted and painted piping associated with recirc pump. Staff also installed piping from the centrifuge to the sludge drying beds. The purpose of this piping is to route centrifuge centrate (high ammonia concentration) to the sludge drying bed for dilution and aeration prior to adding it to plant influent.

As a preventive maintenance measure plant staff continued to process scheduled work orders.

For corrective maintenance plant staff has reinstalled the repaired pump at the secondary clarifier. Staff is in the process of repairing vacuum relief valves on the digesters. Staff has ordered parts to replace the emergency gas flow cut off mechanism at the flare. Staff is planning to redirect the centrifuge "cake" conveyor to deliver dewatered sludge directly to the sludge bed. This will eliminate any issues with having to line the land on the east side of the centrifuge building due to dewatered sludge discharge.

Staff attended a safety meeting on general treatment plant safety procedures.

Plant staff has completed a Sewer System Maintenance Plan Audit as required by the RWQCB in our Waste Discharge Requirement Permit. We are required to conduct a SSMP self audit a minimum of every two years. The last audit was filed on September 21, 2011.

On August 21st, the plant had a visit from a representative of the California Environmental Laboratory Accreditation Program to interview Lab personnel and assess our application for expansion of laboratory testing. The Rep was satisfied with our current testing methods. He left us with a short list of modifications that we need to make to gain ELAP approval. Most of the list involved the renewing of written SOPs. Staff has already addressed most of the requirements and is awaiting a written assessment from ELAP.

Staff has begun a tool inventory of plant tools. Thus far we have completed a list of all plant electrical tools.

Staff has removed all plant records from storage under the FFR to shelves inside the sea train. Boxes received from the Wallace group are also stored in the sea train. The records have been labeled, catalogued and stored in designated (marked) locations.

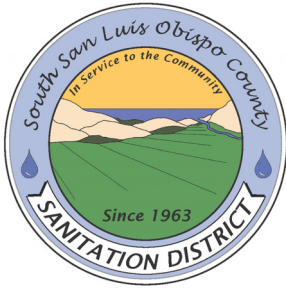
Plant staff is continuing to improve the soundness of the plant process infrastructure through implementation of the Replacement and Improvement schedule.

Staff has met with Kevin Seifert to begin the initial phase of the SCADA upgrade.









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Staff Report

To: Board of Directors
From: Paul J. Karp, Interim District Manager
Date: September 4, 2013

Subject: Uniform Public Construction Cost Accounting Act; Limits for Force Account

Recommendation:

It is the Staff recommendation that the Directors adopt the attached resolution electing to become subject to accounting procedures established by the Uniform Public Construction Cost Accounting Act (UPCCA) for District projects performed under force account (using its own internal resources including, but not limited to, labor, equipment, materials and supplies).

Funding:

No expenditure is necessary to implement these procedures.

Discussion:

Prior to passage of Assembly Bill No. 1666, existing law did not provide a uniform cost accounting standard for construction projects built in house. With adoption of the attached resolution, the Board will elect on behalf of the District, to become subject to the public construction cost accounting procedures set out in the current version of the Public Contract Code Section 22000 et seq. The District is currently limited in the amount it can expend on work performed by in-house staffing on each project to \$5,000. The District and other public agencies are able to increase this allocation by performing UPCCA procedures. Uniform cost accounting procedures have been adopted by many of the Cities and other public agencies in California. According to our Bookkeeper, the added work to perform these practices is negligible as most of the procedures are currently followed anyway. Our Bookkeeper will be able to respond to questions on this subject should any of the Board Members wish to contact him with specific comments or concerns. Please feel free to contact Matt Haber between the date of your receipt of this communication and the meeting, or at the Board Meeting itself on September 4.

After adopting the resolution implementing the Uniform Cost Accounting procedures, the District will be able to authorize its staff to perform force account work with expenditures up to \$45,000.

Attachment: Resolution No. 2014-313

RESOLUTION NO. 2014-313

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
FOR THE ADOPTION OF UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING

WHEREAS, the District desires to enact cost savings on public work projects with the use of its own internal resources including, but not limited to, labor, equipment, materials and supplies; and

WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054, Statutes of 1983, which added Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code Section 22000 et seq., the Uniform Public Construction Cost Accounting Act, establishes such a uniform cost accounting standard; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors, South San Luis Obispo County Sanitation District, San Luis Obispo County, California, that the South San Luis Obispo County Sanitation District hereby elects under Public Contract Code Section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directs District Staff to notify the State Controller forthwith of this election.

This Resolution shall take effect upon its adoption.

Upon motion of Director _____ and seconded by Director _____
and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

the foregoing resolution was passed and adopted this 4th day of September 2013.

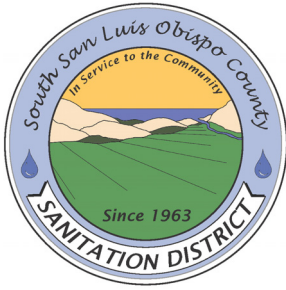
Matthew Guerrero, Chair

ATTEST:

Paul J. Karp
Interim General Manager

APPROVED AS TO FORM:

Michael W. Seitz
District Legal Counsel



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Staff Report

To: Board of Directors
From: Paul J. Karp, Interim District Manager
Date: September 4, 2013

Subject: Uniform Public Construction Cost Accounting Act; Informal Bidding Procedures

Recommendation:

It is the Staff recommendation that the Directors introduce the attached ordinance to implement accounting procedures that will allow the District to use the State established limits for informally bid public construction projects.

Funding:

No expenditure is necessary to implement these procedures.

Discussion:

When the Board adopted Resolution No. 2014-313, the District, under the Uniform Public Construction Cost Accounting Act, must comply with State established guidelines for uniform cost accounting. According to our Bookkeeper, the added work to perform these practices is negligible as most of the procedures are currently followed anyway. Uniform cost accounting procedures have been adopted by many of the Cities and other public agencies in California. Our Bookkeeper will be able to respond to questions on this subject should any of the Board Members wish to contact him with specific comments or concerns. Please feel free to contact Matt Haber between the date of your receipt of this communication and the meeting, or at the Board Meeting itself on September 4.

After adopting this enabling legislation, the District will be able to authorize work by "informal" bidding procedures up to a limit established by the State (currently \$175,000). Informal procedures may still require solicitation of multiple bids, and any work that costs in excess of these amounts will still have to be bid according to normal public bidding procedures as required under the Public Contract Code.

This reading by title only is the first required step in the process to adopt this ordinance. A public hearing on the adoption of this ordinance will be held at the next scheduled Board meeting of September 18, 2013.

ORDINANCE NO. 2014-1

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (Section 22000, et seq. of the Public Contract Code)

Whereas, on the ____ day of _____, 2013, the Board of Directors (the “Board”) of the South San Luis Obispo County Sanitation District (the “District”) adopted Resolution No. 2014-313 thereby electing to become subject to the uniform public construction cost accounting procedures set forth in the Uniform Public Construction Cost Accounting Act (the “Act”) and to the policies and procedures manual and cost accounting review procedures required under the Act;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT DOES ORDAIN AS FOLLOWS:

Section 1

Section 1.1 — Informal Bid Procedures. Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.

Section 1.2 — Contractors List. A list of contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

Section 1.3 — Notice Inviting Informal Bids. Where a public project is to be performed, which is subject to the provisions of this Ordinance, a notice inviting informal bids may be mailed to all contractors for the category of work to be bid as shown on the list developed in accordance with Section 1.2 and shall be mailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the District, provided however:

- (1) If there is no list of qualified contractors maintained by the District for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.
- (2) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

Section 1.4 — Award of Contracts

The District Manager is authorized to award informal contracts pursuant to this Section.

Section 2 — Inconsistency

To the extent that the terms of provision of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior district Ordinance(s), Motions, Resolutions, Rules, or Regulations adopted by the District, governing the same subject matter thereof, then such inconsistent and conflicting provisions of prior Ordinances, Motions, Resolutions, Rules, and Regulations are hereby repealed.

Section 3 — Incorporation of Recitals

The recitals to this Ordinance are true and correct, are incorporated herein by this reference, including the referenced documents, and constitute further findings for the implementation of the Water Service Limitations adopted by this Ordinance.

Section 4 — Severance Clause

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Ordinance. The Governing Board of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

Section 5 — Effect of Headings in Ordinance

Title, division, part, chapter, article, and section headings contained herein do not in any manner affect the scope, meaning, or intent of the provisions of this Ordinance.

Section 6 — CEQA

The Board of Directors of the District finds that the policies and procedures adopted by this Ordinance are exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15378 (b) (2) because such policies and procedures constitute general policy and procedure making. The Board of Directors further finds that the adoption of the rules and regulations established by this Ordinance is not a project as defined in CEQA Guideline Section 15378, because it establishes a new format and monetary limits relating to work by force account and for bidding for services. The District Manager is directed to file notice of this finding.

Section 7

This Ordinance shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the Board of Directors voting for and against the same in a newspaper of general circulation published in the County of San Luis Obispo.

PASSED, APPROVED and ADOPTED by the Board of Directors of the South San Luis Obispo County Sanitation District, this ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

Matthew Guerrero, Chair

ATTEST:

Paul J. Karp
Interim General Manager

APPROVED AS TO FORM:

Michael W. Seitz
District Legal Counsel