

**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, September 4, 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; Trini Rodriguez, Shift Supervisor; Matthew Haber, Bookkeeper/Secretary.

**2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

Director Guerrero opened the public comment period. There being none, Director Guerrero closed the public comment period.

**3. CONSENT AGENDA**

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

Director Peterson spoke about page 2 of the minutes regarding the 4<sup>th</sup> quarter budget review and legal fees. She wondered if there was a way in which to word that so that it was more accurate as the intent was not to say that they exaggerated the fees, but what happened was that some of the fees were submitted after the year end. Counsel Seitz said that the fees incurred in one year were reported in the following year so that the attorney fees for that year were inflated.

Director Peterson said that she had a question regarding the return to open session. Regarding Item 9, she said that the Board had met in closed session and approved a contract in closed session, but she asked whether the Board needs to hear contracts in open session. Counsel Seitz said that the Board does, and he also said that the contract approval should be on the consent calendar.

**Action:** It was moved by Director Peterson to approve Consent Agenda Item 3A as amended. Director Ferrara seconded, and the motion was carried 3-0.

**3B. Review and Approval of Warrants**

Director Peterson commented on the monthly electricity bills, and she wondered if the new billing practices by PG&E would be beneficial.

**Action:** It was moved by Director Peterson to approve Consent Agenda Item 3B as presented. Director Ferrara seconded, and the motion was carried 3-0.

**4. PLANT SUPERINTENDENT’S REPORT**

Plant Superintendent Clemons presented the Plant Superintendent’s Report which shows that the Plant continues to run well during the summer and is in compliance with regulatory limits. He mentioned an unusually high influent BOD of 586 mg/L experienced on August 16 which the Plant handled relatively well considering the Plant was originally designed to treat BOD loading around 250 mg/L.

Plant Superintendent Clemons also spoke about an inspection by the Environmental Laboratory Accreditation Program (ELAP) and the feedback received from the inspector.

Director Ferrara said that he wanted to make sure that the Standard Operating Procedures (SOPs) reflect any operational changes at the Plant and that the SOPs are displayed in case of inspection.

Plant Superintendent Clemons replied that the SOPs should be completed by the end of September as well as revisions to the O&M Manual.

Director Peterson asked whether or not all files had now been returned by the Wallace Group. She was advised that 12 boxes are still outstanding and that staff will follow up on this.

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

**5. BOARD ACTION ON INDIVIDUAL ITEMS**

**A. ADOPTION OF RESOLUTION NO. 2014-313**

Interim General Manager Karp presented the staff recommendation that the Board adopt Resolution No. 2014-313 which allows for the election by the District to become subject to the Uniform Public Construction Cost Accounting Act.

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

**Action:** Director Peterson moved that the Board direct Interim General Manager Karp to read Resolution No. 2014-313 by title only. Director Guerrero seconded, and the motion carried 3-0. Interim General Manager Karp read the title of 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. On the following roll call vote, to wit:

AYES: Director Peterson, Director Ferrara, Director Guerrero

NOES: None

ABSENT: None;

the foregoing resolution was passed and adopted this 4<sup>th</sup> day of September 2013.

**B. INTRODUCTION OF ORDINANCE NO. 2014-1**

Interim General Manager Karp presented the staff recommendation that the Board introduce Ordinance No. 2014-1 which will allow the use of the informal bidding process per the Uniform Public Construction Cost Accounting Act.

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

**Action:** Director Ferrara moved Staff's recommendations that the Directors introduce the attached ordinance to implement accounting procedures allowing the District to use the State established limits for informally bid public construction projects. Director Peterson seconded, and the motion was carried 3-0.

**6. MISCELLANEOUS ITEMS**

- A. Miscellaneous Oral Communications
- B. Miscellaneous Written Communications

**7. PUBLIC COMMENT ON CLOSED SESSION**

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

**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**

Counsel Seitz reported that the Board had met in closed session pursuant to Government Code Section 54956.9 to discuss a response to the "Cure and Correct" letter. The Board heard a report from Legal Counsel and had a vigorous discussion but took no reportable action.

**10. ADJOURNMENT**

There being no further business to come before the Board, Director Guerrero adjourned the meeting at approximately 7:23 p.m.

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