



**SOUTH SAN LUIS OBISPO COUNTY  
SANITATION DISTRICT**

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Telephone (805) 489-6666 FAX (805) 489-2765  
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**AGENDA  
BOARD OF DIRECTORS MEETING**

Grover Beach City Hall Chambers  
154 South 8<sup>th</sup> Street  
Grover Beach, California 93433

**Wednesday, July 5, 2017, at 6:00 p.m.**

**Board Members**

John Shoals, Chair  
Linda Austin, Vice Chair  
Jim Hill, Director

**Agencies**

City of Grover Beach  
Oceano Community Services District  
City of Arroyo Grande

**Alternate Board Members**

Karen White, Director  
Tim Brown, Director  
Barbara Nicolls, Director

Oceano Community Services District  
City of Arroyo Grande  
City of Grover Beach

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- 1. CALL TO ORDER AND ROLL CALL**
  - 2. PLEDGE OF ALLEGIANCE**
  - 3. AGENDA REVIEW**
  - 4. 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.
- Direct Staff 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 District Administrator or Bookkeeper/Secretary at (805) 481-6903. So that the District may address your request in a timely manner, please contact the District two business days in advance of the meeting.

**5. 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.

**5A. Approval of Warrants**

**5B. Approval of Minutes of Meeting of June 21, 2017**

**6. ACTION ITEMS:**

**6A. ADOPTING RULES FOR ADMINISTRATION OF EMPLOYER/EMPLOYEE RELATIONS, RESOLUTION NO. 2017-371**

Consider and approve Resolution No. 2017-371, a Resolution adopting rules for administration of employer/employee relations.

**6B. PROPOSED BYLAW REVISION TO CHANGE MEETING TIME CONCLUSION**

Consider and approve a revision to the District's Bylaws as proposed in Attachment No. 1.

**6C. REQUEST FOR AUTHORIZATION TO PROCEED UNDER EXISTING KENNEDY JENKS DESIGN CONTRACT TO COMPLETE OPTIONAL TASK AND EVALUATE ALTERNATIVES FOR PRODUCTION OF RECYCLED WATER**

Consider and approve authorization to proceed with optional task under existing Kennedy Jenks contract to evaluate alternatives for production of recycled water.

**6D. DISTRICT ADMINISTRATOR AND PLANT OPERATION'S REPORT**

Receive and File Report

**7. BOARD MEMBER COMMUNICATIONS**

**8. CLOSED SESSION**

**CONFERENCE WITH LABOR NEGOTIATORS** pursuant to Government Code Section 54957.6. Agency designated representative: District Administrator

Employee Organizations: Service Employees International Union (SEIU) Local 620, Non-represented Management and Non-Represented Employees.

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraphs (2) of subdivision (d) and (5) of subdivision (e) of Section 54956.9: (one potential case).

**9. ADJOURN MEETING**

**The next regularly scheduled Board meeting on July 19, 2017, 6 pm at the Grover Beach City Hall Chambers, 154 South 8th Street, Grover Beach, California 93433**



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

**WARRANT REGISTER**

07/05/2017 FY 2016/17

VENDORS	BUDGET LINE ITEM	DESCRIPTION	WARRANT NO.	ACCT	ACCT BRKDN	TOTAL
AIRGAS	SMALL TOOLS	9064224033	07052017-2222	19-8055	38.95	38.95
AMY SIMPSON	MEDICAL REIMBURSEMENT	FY 16/17	2223	19-6075	15.00	15.00
APPLIED INDUSTRIAL TECH	EQUIPMENT MAINTENANCE	7010742975	2224	19-8030	44.62	44.62
ARAMARK	UNIFORMS	0058/7135/4314/1231/8254/5242/2341	2225	19-7025	1,604.99	1,604.99
ATLAS PERFORMANCE IND.	ADMIN OFFICE SPACE	RI99133	2226	19-7040	450.00	450.00
AT&T	COMMUNICATIONS	6/8/17-7/7/17	2227	19-7013	324.92	324.92
BARTLE WELLS ASSOCIATES	REDUNDANCY PROJECT	1001D	2228	20-7080	10,313.31	10,313.31
BECKY VAWTER	OCEANO CSD SERVICES	01-01354-00/REFUND DOUBLE PAYMENT	2229	19-4035	178.32	178.32
BRENNTAG	PLANT CHEMICALS	BPI742033	2230	19-8050	5,763.83	5,763.83
CAL COAST REFRIGERATION	EQUIPMENT MAINTENANCE	166619	2231	19-8030	1,085.34	1,085.34
CENTRAL COAST TECHNOLOGY	COMPUTER SUPPORT	1089	2232	19-7082	330.00	330.00
CHARTER	COMMUNICATIONS	8245101010130620	2233	19-7013	99.98	99.98
CHARTER	COMMUNICATIONS	8245101010085060	2234	19-7013	376.78	376.78
CITY NATIONAL BANK	CO-GEN	INSTALLMENT LOAN #09-028	2235	20-7096	37,398.30	37,398.30
DOWNEY BRAND	OUTSIDE COUNSEL	511819	2236	19-7070	266.00	266.00
FAYE RUSSO E.A TAX ACCOUNTING	PROF SERVICES-FISCAL SERVICES	Jun-17	2237	19-7083	3,750.00	3,750.00
JB DEWAR	FUEL	848627	2238	19-8020	126.06	126.06
JIM HILL	BOARD SERVICE	JUNE 2017	2239	19-7075	200.00	200.00
JOHN SHOALS	BOARD SERVICE	JUNE 2017	2240	19-7075	200.00	200.00
JOHN SHOALS	MEETING/ COASTAL COMMISSION	TRAVEL EXPENSE	2241	19-7050	324.43	324.43
LINDA AUSTIN	BOARD SERVICE	JUNE 2017	2242	19-7075	200.00	200.00
LIEBERT, CASSIDY WHITMORE	OUTSIDE COUNSEL	1441929/1441930/1441933/1441931/1441932	2243	19-7070	19,450.50	19,450.50
MARIO DE LEON	MEDICAL REIMBURSEMENT	FY 16/17	2244	19-6075	701.86	701.86
MICHAEL ARIAS	MEDICAL REIMBURSEMENT	FY 16/17	2245	19-6075	484.50	484.50
MICHAEL K. NUNLEY & ASSOCIATES	DIGESTER 1	3469	2246	19-7077	693.34	5,842.60
	HEADWORKS	3543		26-8065	2,082.95	
	REDUNDANCY PROJECT	3436		20-7080	3,066.31	
MIDS STATE INSTRUMENTS	GAS AND OIL	MSI 7492	2247	19-8020	182.08	182.08
NBS	OCEANO BILLING	JULY 1, 2017-SEPTEMBER 30,2017	2248	19-7074	2,534.33	2,534.33
PG&E	ELECTRICITY	5/1/20174-6/8/2017	2248	19-7091	14,388.52	14,388.52
POLYDYNE INC.	PLANT CHEMICALS	1147596	2249	19-8050	5,821.53	5,821.53
RABOBANK	ARROYO GRANDE SERVICES	REFUND/AG #39-32060-00	2249	19-4015	236.34	353.16
	GROVER BEACH SERVICES	REFUND/GB #77		19-4022	116.82	
REGIONAL GOVERNMENT SERVICES	HUMAN RESOURCES	7124	2250	19-7076	999.15	999.15
SAFETY KLEEN	CHEMICAL ANALYSIS	73363687/73993504	2251	19-7078	185.01	185.01
SDRMA	PROP / LIA INSURANCE	60810	2252	19-7043	31,361.20	31,361.20
SO CAL GAS	UTILITIES-GAS	4/28/17-5/30/17	2253	19-7092	1,570.62	1,570.62
USA BLUEBOOK	EQUIPMENT SUPPLIES	283948	2254	19-8030	128.09	128.09
VWR	LAB SUPPLIES	9610/3319/0550	2255	19-8040	1,167.39	1,167.39
WILLIAM ROMHILD	MEDICAL REIMBURSEMENT	FY 16/17	2256	19-6075	500.00	500.00
WSC	RECYCLED WATER FACILITIES	2584	2257	20-7090	727.75	727.75
<b>SUB TOTAL</b>					<b>\$ 149,489.12</b>	<b>\$ 149,489.12</b>
SO. SLO CO. SANITATION DISTRICT	PAYROLL	PPE 6/29	2258		31,935.19	31,935.19
	CALPERS RETIREMENT	PPE 6/29			4,043.58	4,043.58
	WEBHOSTING	Jun-17			153.40	153.40
<b>GRAND TOTAL</b>					<b>\$ 185,621.29</b>	<b>\$ 185,621.29</b>

We hereby certify that the demands numbered serially from 07052017-2222 to 07052017-2257 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: \_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Secretary





**SOUTH SAN LUIS OBISPO COUNTY  
SANITATION DISTRICT**

**BOARD OF DIRECTORS MEETING**

Grover Beach City Hall Chambers  
154 South 8<sup>th</sup> Street  
Grover Beach, California 93433

Action Summary Minutes of the  
**Meeting of Wednesday, June 21, 2017, at 6:00 p.m.**

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**1. CALL TO ORDER AND ROLL CALL**

Chairman Shoals called the meeting to order and recognized a quorum.

Present: Chairman John Shoals, City of Grover Beach; Director Linda Austin, Oceano Community Services District; Director Jim Hill, City of Arroyo Grande

District Staff in Attendance: Gerhardt Hubner, District Administrator; Mychal Jones, Acting Chief Plant Operator; Gilbert Trujillo, District Legal Counsel; Wendy Stockton, District Legal Counsel

**2. AGENDA REVIEW**

Upon motion by Director Hill, seconded by Director Austin the Agenda was approved as presented.

**3. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA**

Chairman Shoals opened the item for public comment.

Julie Tacker commented on letters from the Resource Water Quality Control Board (RWQCB), contract with Liebert, Cassidy Whitmore, status of 2015/16 Audit, and the absence of the District Administrator's Report on tonight's agenda.

Kris Victorine spoke about the 3<sup>rd</sup> Quarter FY 2016/17 performance review and the \$5,300,000 source.

Patty Moreno spoke about the RWQCB settlement agreement, the grit removal project and read the letter from the RWQCB.

Patricia Price commented on letters from the RWQCB, District's average monthly legal costs, cancellation of the May 17<sup>th</sup> Board meeting, criteria for the District Administrator's Performance Evaluation, and two employees on paid Administrative Leave.

Mary Lucey spoke about the brine disposal being a source of revenue, legal bills being triggered when there is a threat of litigation, and issuing an RFP for legal counsel.

Patty Welsh commented on the length of the board meetings, the Board's responsibility to defend the District Administrator and the cost for a Police Officer to be present at Board meetings.

Debbie Peterson read a resolution regarding civility into the record.

Chairman Shoals closed the Public Comment period.

## **5. CONSENT AGENDA:**

Director Hill requested 5A be removed from the Consent Agenda.

Chairman Shoals opened the Public Comment period.

Julie Tacker spoke about the Minutes, anticipated litigation, abuse of the Public Records Act, and receiving four different compensation reports when there should only be one.

Debbie Peterson commented on the Minutes, and the Brown Act.

Chairman Shoals closed the Public Comment period.

### **5A. Approval of Warrants**

Director Hill commented on high legal costs, and charges from outside counsel Downey Brand.

Gil Trujillo, District Legal Counsel, advised the Board that Downey Brand was retained for specialized legal advice on the RWQCB regulatory matters

Chairman Shoals opened the item for public comment.

Julie Tacker commented on Downey Brand contract, Legal Counsel Trujillo and Stockton's combined costs, public records requests, and the District's payroll being \$2-\$3k higher than normal.

Patricia Price spoke about the Downey Brand legal bill, the water board fine and similarities between the current and Wallace administrations.

Mary Lucey stated the community is watching, and she could never understand why someone would bog down the system. She further stated that if the system is broken it needs to be fixed without being bogged down.

Ron Arnoldsen spoke on the previous speaker's comments regarding potential litigation with employees, one person causing the District's problems, progressive discipline and public records requests.

Patty Welsh commented on the code of civility.



Kris Victorine commented on high legal fees coming up at every meeting and suggested that a better effort should be made to explain the reasons for high legal fees.

Chairman Shoals closed the Public Comment period.

**Motion:** Director Austin made the motion to approve 5A.

**Second:** Director Shoals seconded the motion

**Action:** Motion was approved 2 -1 with Director Hill voting No

- 5B. **Approval of Minutes of Meeting of June 7, 2017**
- 5C. **April Financial Report**
- 5D. **May Financial Report**
- 5E. **Plant Operations Report**

Director Hill asked if the Plant Operations Report should be presented to the Public and not on the Consent Agenda and he further asked about samplings for the Fixed Film Reactor (FFR) oil change.

Mychal Jones, Acting Plant Superintendent advised there was water and some metal shavings in the oil.

**Motion:** Director Austin made the motion to approve 5B, 5C, 5D and 5E

**Second:** Director Hill seconded the motion

**Action:** Approved unanimously by roll call vote

## 6. ACTION ITEMS:

### 6A. **ADOPTION OF THE FINAL BUDGET FOR FISCAL YEAR 2017-18**

District Administrator Hubner provided a PowerPoint presentation and gave background information on the final proposed budget.

Director Hill commented on deferring maintenance on the primary No. 2 clarifier, Fund 20 expansion use, Co-generation payment, joint Environmental Impact Report (EIR), the reserve account, salaries and wages, approved employee positions, Maintenance Assistant, attorney fees, outside litigation, Moyno pump, plant corrosion control, lab calibration, capital projects and needing a quorum of the Board to hire.

Chairman Shoals commented on Fund 19, deferral on the primary clarifier, reserve funds versus contingency, legal fees, human resource issues, the total budget being in line with previous years and clarification for use of Fund 20.

Chairman Shoals opened the item for Public Comment.

Julie Tacker spoke about no line item for PRA requests, being confused about the Bay Foundation check, new development effecting trunk lines, costs for the I&I Study and asked if the 2010 I&I Study could be updated. She commented on the public notice not being published according to legal requirements, having an Organizational chart of staffing, and leaving money in Fund 20 for redundancy.

Kris Victorine stated both the 2013/14 and 14/15 audited financial statements indicate that the District follows the accrual method, and she asked for clarification of which accounting method the District uses.

Amy Simpson asked why revenues for the school services had dropped so significantly.

Mary Lucey asked if Amy Simpson was speaking as a plant employee or a ratepayer and if there would be a reduction of chemicals or a cost savings after the clarifier is fixed. She stated she would like to see more maintenance at the plant and jetting out the collection systems.

Debbie Peterson spoke about how Fund 20 historically has been used. She also stated it was risky to take the advice that the Board has discretion on how to use the funds. She commented on past audit comments, Grand Jury reports and capital fund projects.

Patricia Price spoke about a chart for FY 2016/17, the number of fulltime employees, and deferring maintenance.

Ron Arnoldsen commented on a correlation between now and the Wallace years, and commended Director Hill for the way he approaches the budget and agenda.

Chairman Shoals closed the item for Public Comment.

Chairman Shoals asked about the Wallace I&I Study and the cash versus accrual method.

Director Austin asked if the uncashed check to the Bay Foundation will come back before the Board.

District Administrator Hubner advised the check will come back on a future warrant register.

Director Hill asked District Counsel hearing notice to comment on the budget hearing notice legal requirements.

The Board recessed at 7:50 p.m. to allow District Counsel the opportunity to get clarification on the hearing notice.

The Board reconvened the meeting at 8:00 p.m.

Gil Trujillo, District Counsel, advised the Board the code section citation provided by a member of the Public regarding the hearing notice applied to the Air Pollution

Control District and not the Sanitation District. Therefore the Budget hearing had been properly noticed and the Board could proceed with the hearing.

**Motion:** Director Hill made a motion to approve the Budget for Fiscal Year 2017/18 generally as presented by staff with the following changes: Phase I and Phase II of the video logging jetting cleaning and I & I Study not be funded through Fund 20 rather they be funded through Fund 19 or 26, funds collected for Redundancy project under the recent rate increase be identified as a separate account which could be incorporated into Fund 20; Professional Services for attorney fees be reduced to \$36k from \$96k and the Professional Services Outside Counsel litigation be reduced from \$50k to \$20k absent additional Board action; transfers from Fund 19 to Fund 26 reflect the updated total of \$777,200 instead of the \$1 million that was on an earlier copy; Item 6A, Attachment 2, Page 9 the total revenues to Fund 20 be corrected to \$153k such that the total at the end of the year is \$3.203 million currently the total; acknowledge the deferral of the work on the primary clarifier; and charges under laboratory capital equipment for 2017-B2-13 laboratory calibrations be transferred to a maintenance fund; under Attachment No. 5, Page 1 Administration Compensation Plan in the 3<sup>rd</sup> sentence, the term District Manager be changed to Administrator and in the subsequent sentence the Chairman of the Board of Directors shall make a decision be changed to the Board of Directors shall make a decision; and that the adopting Resolutions (Resolution Nos. 2017-369 and 2017-370) be modified as necessary to comply with his motion.

An amendment was made to reduce the Professional Services for attorney fees to half of the \$96k proposed (or \$48K).

Director Hill recommended establishing an account with the fees for the redundancy project based on the document that was approved during the Proposition 218 rate increase and if the amount to place in the account is not easily determined to bring it back to the Board.

**Second:** Director Shoals seconded the motion

**Action:** Approved unanimously by roll call vote.

**6B. AWARD OF CONTRACT FOR THE CHERRY AVE SEWER BRIDGE MAINTENANCE PROJECT**

District Administrator Hubner provided a PowerPoint presentation on the Cherry Avenue Sewer Bridge maintenance project.

Director Hill commented on California Fish & Wildlife permitting for the project.

District Administrator Hubner advised that California Fish & Wildlife, in lieu of a Streambed Alteration Agreement, issued an Operation of Law letter with permit conditions proposed in the District's application.

Chairman Shoals opened the item for Public Comment.

Julie Tacker spoke of the items removed from the scope and asked if they were no longer applicable to the project or who was going to do them.

Patricia Price commented on spraying both sides of the creek with Roundup.

Chairman Shoals closed the item for public comment.

District Administrator Hubner advised the items proposed for deletion would not jeopardize the project and the District would defer to California Fish & Game and our biological monitor for use of Roundup during the project.

Director Austin questioned if someone could come back on the District and say the items removed should have been done.

Director Hill noted that the originally proposed vegetation removal was 25' and that it can be done with 5' so there will be less vegetation removal, there is some non-native species, and he shares the previous speaker's concerns regarding the use of Roundup.

**Motion:**

Director Austin made a motion to enter into an agreement with Brough Construction, Inc. in the amount of \$280,200 for the Cherry Ave Sewer Bridge Maintenance Project.

**Second:** Director Shoals seconded the motion.

At the request of Director Hill, the motion was amended to include having Garing Taylor & Associates or someone ensure that the District properly utilizes Roundup during the project.

**Action:** Approved unanimously by roll call vote.

## **7. BOARD MEMBER COMMUNICATIONS**

Director Hill commented on the number of items not on the Agenda, the Strategic Plan, job descriptions, the PPM, the Audit, potential confusion regarding the PRA, and the need for a PRA policy. Director Hill read, in its entirety, a letter from the RWQCB and he requested a special meeting to address the letter. Director Hill stated he had provided the Board with a cease and desist letter to prevent discussing items not listed on the Agenda. He further stated at the April 19, 2017 meeting only three items were noticed and announced for Closed Session and when the 4<sup>th</sup> item came up, he recused himself from the meeting.

Gil Trujillo, District Legal Counsel, stated he was not aware of any Brown Act violation. He had talked to Director Hill and attempted to address his concerns. He was comfortable with the Closed Session notice. He further stated in regard to Public Records Act requests it is assumed that every document is a public record, unless an exemption applies and that State law should be followed.

Director Hill made a motion to agendaize for discussion his cease and desist letter regarding an alleged violation of the Brown Act.

The motion died for lack of a second.

Director Austin commented about the length of the last meeting, and requested a Bylaw change to adjourn meetings at 10:00 p.m.

The Board directed staff to return with a Bylaw amendment changing the meeting adjournment time to no later than 10:00 p.m.

**8. CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Chairman Shoals opened the item for Public Comment.

Debbie Peterson commented on the requirement for posting the budget before May 30<sup>th</sup>, and the relationship between the District Administrator and the RWQCB.

Ron Arnoldsen stated the point of conflict was not the Plant Manager but District Administrator.

Julie Tacker commented on all potential litigation the District may be exposed to, on public claims, the RWQCB letter, exposure to outstanding grievances, a chlorine spill, a potential Brown Act violation, the Downey Brand agreement, and PRA requests.

Chairman Shoals closed the item to Public Comment.

The Board recessed to Closed Session.

The Board returned to Open Session with District Counsel announcing that there was no reportable action.

**9. ADJOURN MEETING**

The meeting adjourned at 9:15 p.m.

**The next regularly scheduled Board meeting on July 5, 2017, 6:00 pm at the Grover Beach City Hall Chambers, 154 South 8th Street, Grover Beach, California 93433**





# 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

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## STAFF REPORT

**Date:** July 5, 2016  
**To:** Board of Directors  
**From:** Gerhardt Hubner, District Administrator  
**Subject:** **ADOPTING RULES FOR ADMINISTRATION OF EMPLOYER/EMPLOYEE RELATIONS, RESOLUTION NO. 2017-371**

### RECOMMENDATION

Consider and approve Resolution No. 2017-371 (Attachment No.1), a Resolution adopting rules for administration of employer/employee relations.

### BACKGROUND

Currently the District has no formal rules or procedures that govern employee/employer relations under the Meyer-Milias-Brown Act (Act). In late 2016 and continuing into 2017, District staff, in conjunction with our human resources consultant Lara HR services, researched and compiled a set of rules and regulations that comply with the Act.

Subsequently, when drafted, these rules and regulations were shared and discussed with SEIU representations this past Spring. Comments received were considered, agreed to by both parties, and incorporated into Resolution No. 2017-371.

### DISCUSSION

Resolution No. 2017-371 states that after consulting in good faith with representatives of a recognized employee organization the District has prepared and presented a proposed resolution containing rules and regulations to its recognized employee union. After Union review, and amendment, District response, and SEIU acceptance, the Resolution is now ready for consideration and action by this District's Board.

The Resolution states:

1. The Board's intention is to comply with the Meyer-Milias-Brown, and
2. The District Administrator is designated as the District's representative in all matters implementing the Act; and

3. The District will administer employer-employee relations according to the following rules and regulations contained in the Resolution.

The Resolutions contains the following elements and narrative descriptions:

Statement of Purpose, Definitions, Filing of Recognition Petition by Employee Organization, District Response to Recognition Petition, Open Period for Filing Challenging Petition, Granting Recognition without an Election, Election Procedure, Procedure for Decertification of Exclusively Recognized Employee Organization, Policy and Standards for Determination of Appropriate Units, Procedure for Modification of Established Units, Procedure for Processing Severance Requests, Appeals, Submission of Current Information by Recognized Employee Organizations, Employee Organization Activities/Use of District Resources, Administrative Rules and Procedures, Initiation of Impasse Procedures, Impasse Procedures, Cost of Impasse Procedures, Construction and Severability.

### Conclusion

District staff believes it is important to have these rules, procedures or regulations be adopted and implemented for the administration of employee/employer relations. Unfortunately, there were no prior rules or procedures for employee/employer relations that were considered, or adopted by past District Boards. For the reason stated above, including unionization of our operators, it is important moving forward through Resolution No. 2017-371 to have these rules and procedures in place.

### **ATTACHMENT**

1. Resolution No. 2017-371: Rules and Procedures for Administration of Employer-Employee Relations



**RESOLUTION NO. 2017-371**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
ADOPTING RULES FOR ADMINISTRATION OF EMPLOYER-EMPLOYEE  
RELATIONS**

**WHEREAS**, Section 3507 of the California Government Code allows public agencies to adopt reasonable rules and regulations for administering employer-employee relations under the Meyer-Milias-Brown Act ("Act"), after consulting in good faith with representatives of a recognized employee organization; and

**WHEREAS**, the District has prepared and presented a proposed resolution containing rules and regulations to its recognized employee union; and

**WHEREAS**, after Union review, amendment, District response, and Union acceptance, the resolution is now ready for consideration and action by the District Board; and

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

**SECTION 1.** The Board hereby declares its intention to comply with the Meyer-Milias-Brown Act, Government Code §§3500 and following;

**SECTION 2.** The District Administrator is hereby designated as the District's representative in all matters implementing the Act; and

**SECTION 3.** Pursuant to the Act, the District will administer employer-employee relations according to the following rules and regulations:

**Article I -- General Provisions**

**Sec. 1. Statement of Purpose:**

This Resolution implements Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500 et seq.) captioned "Local Public Employee Organizations," (the Meyers-Milias-Brown Act (MMBA)) by providing orderly procedures for the administration of employer-employee relations between the District and its employee organizations. However, nothing contained herein shall be deemed to supersede the provisions of state law, the District Charter, ordinances, resolutions and rules which establish and regulate the District's personnel system, or which provide for other methods of administering employer-employee relations. This Resolution is intended, instead, to strengthen methods of administering employer-employee relations through the establishment of uniform and orderly methods of communications between employees, employee organizations and the District.

It is the purpose of this Resolution to provide procedures for meeting and conferring in good faith with Recognized Employee Organizations regarding matters that directly and significantly affect and primarily involve the wages, hours and other terms and conditions of employment of employees in appropriate units and that are not preempted by federal or state law or the District Charter. However, nothing herein shall be construed to restrict any legal or inherent exclusive District rights with respect to matters of general legislative or managerial policy, which include among others: The exclusive right to determine the mission of its constituent departments, commissions, and boards; set standards of service; determine the procedures and standards of selection for employment; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other lawful reasons; determine the content of job classifications; subcontract work; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.

**Sec. 2. Definitions:**

As used in this Resolution, the following terms shall have the meanings indicated:

- a. "Appropriate unit" means a unit of employee classes or positions, established pursuant to Article II hereof.
- b. "District" means the South San Luis Obispo County Sanitation District and, where appropriate herein, refers to the District Board of Directors or any duly authorized District representative as herein defined.
- c. "Confidential Employee" means an employee who, in the course of his or her duties, has access to confidential information relating to the District's administration of employer-employee relations.
- d. "Consult/Consultation in Good Faith" means to communicate orally or in writing with all effected recognized employee organizations for the purpose of presenting and obtaining views or advising of proposed actions in a good faith effort to reach a consensus; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of the meet and confer process, does not involve an exchange of proposals and counterproposals in an endeavor to reach agreement in the form of a Memorandum of Understanding, nor is it subject to Article IV hereof.
- e. "Day" means calendar day unless expressly stated otherwise.
- f. "Employee Relations Officer" means the District Administrator or his/her duly authorized representative.

g. "Exclusively Recognized Employee Organization" means an employee organization which has been formally acknowledged by the District as the sole employee organization representing the employees in an appropriate representation unit pursuant to Article II hereof, having the exclusive right to meet and confer in good faith concerning statutorily required subjects pertaining to unit employees, and thereby assuming the corresponding obligation of fairly representing such employees.

Such recognition status may only be challenged by another employee organization as set forth in Article II section 8.

h. "Impasse" means that the representatives of the District and a Recognized Employee Organization have reached a point in their meeting and conferring in good faith where their differences on matters to be included in a Memorandum of Understanding, and concerning which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.

i. "Management Employee" means an employee having responsibility for formulating, administering or managing the implementation of District policies and programs.

j. "Proof of Employee Support" means (1) an authorization card recently signed and personally dated by an employee, provided that the card has not been subsequently revoked in writing by the employee (2) a verified authorization petition or petitions recently signed and personally dated by an employee as permitted by law, or (3) employee dues deduction authorizations, using the payroll register for the period immediately prior to the date a petition is filed hereunder, except that dues deduction authorizations for more than one employee organization for the account of any one employee shall not be considered as proof of employee support for any employee organization. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee. The words "recently signed" shall mean within ninety (90) days prior to the filing of such proof of support.

k. "Supervisory Employee" means any employee having authority, in the interest of the District, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

l. Terms not defined herein shall have the meanings as set forth in the MMBA.

## **Article II -- Representation Proceedings**

### **Sec. 3. Filing of Recognition Petition by Employee Organization:**

An employee organization which seeks to be formally acknowledged as an Exclusively Recognized Employee Organization representing the employees in an appropriate unit

shall file a petition with the Employee Relations Officer containing the following information and documentation:

- a. Name and address of the employee organization.
- b. Names and titles of its officers.
- c. Names of employee organization representatives who are authorized to speak on behalf of the organization.
- d. A statement that the employee organization has, as one of its primary purposes, the responsibility of representing employees in their employment relations with the District.
- e. A statement whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner, with a local, regional, state, national or international organization, and, if so, the name and address of each such other organization.
- f. Certified copies of the employee organization's constitution and bylaws.
- g. A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose.
- h. A statement that the employee organization has no restriction on membership based on race, color, religion, creed, sex, national origin, age, sexual orientation, mental or physical disability or medical condition.
- i. The job classifications or position titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein.
- j. A statement that the employee organization has in its possession proof of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the District. Such written proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party.
- k. A request that the Employee Relations Officer formally acknowledge the petitioner as the Exclusively Recognized Employee Organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.

The Petition, including the proof of employee support and all accompanying documentation, shall be declared to be true, correct and complete, under penalty of perjury, by the duly authorized officer(s) of the employee organization executing it.

#### **Sec. 4. District Response to Recognition Petition:**

Upon receipt of the Petition, the Employee Relations Officer shall determine whether:

- a. There has been compliance with the requirements of the Recognition Petition, and
- b. The proposed representation unit is an appropriate unit in accordance with Sec. 9 of this Article II.

If an affirmative determination is made by the Employee Relations Officer on the foregoing two matters, he/she shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit and shall take no action on said request for thirty (30) days thereafter. If either of the foregoing matters are not affirmatively determined, the Employee Relations Officer shall offer to consult thereon with such petitioning employee organization and, if such determination thereafter remains unchanged, shall inform that organization of the reasons therefore in writing.

The petitioning employee organization may appeal such determination in accordance with Sec. 12 of this Resolution.

#### **Sec. 5. Open Period for Filing Challenging Petition:**

Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the exclusively recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all the classifications or positions set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty (30) percent and otherwise in the same form and manner as set forth in Sec. 3 of this Article II. If such challenging petition seeks establishment of an overlapping unit, the Employee Relations Officer shall call for a hearing on such overlapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations shall be heard. Thereafter, the Employee Relations Officer shall determine the appropriate unit or units in accordance with the standards in Sec. 9 of this Article II. The petitioning employee organizations shall have fifteen (15) days from the date notice of such unit determination is communicated to them by the Employee Relations Officer to amend their petitions to conform to such determination or to appeal such determination pursuant to Sec. 12 of this Article II.

#### **Sec. 6. Granting Recognition Without an Election:**

If the Petition is in order, and the proof of support shows that a majority of the employees in the appropriate unit have designated the petitioning employee organization to represent them, and if no other employee organization filed a challenging petition, the petitioning employee organization and the Employee Relations Officer shall request the California

State Mediation and Conciliation Service, or another agreed upon neutral third party, to review the count, form, accuracy and propriety of the proof of support. If the neutral third party makes an affirmative determination, the Employee Relations Officer shall formally acknowledge the petitioning employee organization as the Exclusive Recognized Employee Organization for the designated unit.

#### **Sec. 7. Election Procedure:**

Where recognition is not granted pursuant to Sec. 6, the Employee Relations Officer shall arrange for a secret ballot election to be conducted by a party agreed to by the Employee Relations Officer and the concerned employee organization(s), in accordance with such party's rules and procedures subject to the provisions of this Resolution. All employee organizations who have duly submitted petitions which have been determined to be in conformance with this Article II shall be included on the ballot. The ballot shall also reserve to employees the choice of representing themselves individually in their employment relations with the District. Employees entitled to vote in such election shall be those persons employed in regular permanent positions within the designated appropriate unit who were employed during the pay period immediately prior to the date which ended at least fifteen (15) days before the date the election commences, including those who did not work during such period because of illness, vacation or other authorized leaves of absence, and who are employed by the District in the same unit on the date of the election. An employee organization shall be formally acknowledged as the Exclusively Recognized Employee Organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of valid votes cast; the rules governing an initial election being applicable to a run-off election.

There shall be no more than one valid election under this Resolution pursuant to any petition in a 12-month period affecting the same unit.

In the event that the parties are unable to agree on a third party to conduct an election, the election shall be conducted by the California State Mediation and Conciliation Service.

Costs of conducting elections shall be borne in equal shares by the District and by each employee organization appearing on the ballot.

#### **Sec. 8 Procedure for Decertification of Exclusively Recognized Employee Organization:**

A Decertification Petition alleging that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in an established appropriate unit may be filed with the Employee Relations Officer only during the month of March of any year following the first full year of recognition or during the thirty (30) day period commencing one hundred twenty (120) days prior to the termination date of a

Memorandum of Understanding then having been in effect less than three (3) years, whichever occurs later. A Decertification Petition may be filed by two or more employees or their representative, or an employee organization, and shall contain the following information and documentation declared by the duly authorized signatory under penalty of perjury to be true, correct and complete:

- a. The name, address and telephone number of the petitioner and a designated representative authorized to receive notices or requests for further information.
- b. The name of the established appropriate unit and of the incumbent Exclusively Recognized Employee Organization sought to be decertified as a representative of that unit.
- c. An allegation that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto.
- d. Proof of employee support that at least thirty (30) percent of the employees in the established appropriate unit no longer desire to be represented by the incumbent Exclusively Recognized Employee Organization. Such proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party within the time limits specified in the first paragraph of this Section.

An employee organization may, in satisfaction of the Decertification Petition requirements hereunder, file a Petition under this Section in the form of a Recognition Petition that evidences proof of employee support of at least thirty (30) percent, that includes the allegation and information required under this Section 8, and otherwise conforms to the requirements of Section 3 of this Article.

The Employee Relations Officer shall initially determine whether the Petition has been filed in compliance with the applicable provisions of this Article II. If his/her determination is in the negative, he/she shall offer to consult thereon with the representative(s) of such petitioning employees or employee organization and, if such determination thereafter remains unchanged, shall return such Petition to the employees or employee organization with a statement of the reasons therefore in writing. The petitioning employees or employee organization may appeal such determination in accordance with Sec. 12 of this Article II. If the determination of the Employee Relations Officer is in the affirmative, or if his negative determination is reversed on appeal, he/she shall give written notice of such Decertification or Recognition Petition to the incumbent Exclusively Recognized Employee Organization and to unit employees.

The Employee Relations Officer shall thereupon arrange for a secret ballot election to be held on or about fifteen (15) days after such notice to determine the wishes of unit employees as to the question of decertification and, if a Recognition Petition was duly filed hereunder, the question of representation. Such election shall be conducted in conformance with Sec. 7 of this Article II.

During the "open period" specified in the first paragraph of this Sec. 8, the Employee Relations Officer may on his/her own motion, when he/she has reason to believe that a majority of unit employees no longer wish to be represented by the incumbent Exclusively Recognized Employee Organization, give notice to that organization and all unit employees that he/she will arrange for an election to determine that issue. In such event any other employee organization may within fifteen (15) days of such notice file a Recognition Petition in accordance with this Sec. 8, which the Employee Relations Officer shall act on in accordance with this Sec. 8.

If, pursuant to this Sec. 8, a different employee organization is formally acknowledged as the Exclusively Recognized Employee Organization, such organization shall be bound by all the terms and conditions of any Memorandum of Understanding then in effect for its remaining term.

### **Sec. 9. Policy and Standards for Determination of Appropriate Units:**

The policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of the District and its compatibility with the primary responsibility of the District and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered shall be:

- a. Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions.
- b. History of representation in the District and similar employment; except however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.
- c. Consistency with the organizational patterns of the District.
- d. Effect of differing legally mandated impasse resolution procedures.
- e. Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.
- f. Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classifications among two or more units.

Notwithstanding the foregoing provisions of this Section, managerial, supervisory and confidential responsibilities, as defined in Sec. 2 of this Resolution, are determining factors in establishing appropriate units hereunder, and therefore managerial, supervisory



and confidential employees may only be included in a unit consisting solely of managerial, supervisory or confidential employees respectively. Managerial, supervisory and confidential employees may not represent any employee organization which represents other employees.

Also under the MMBA, professional employees have the right to be represented separately from non-professional employees.

The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate or delete modified classifications or positions from units in accordance with the provisions of this Section. The decision of the Employee Relations Officer shall be final.

#### **Sec. 10. Procedure for Modification of Established Appropriate Units:**

Requests by employee organizations for modifications of established appropriate units may be considered by the Employee Relations Officer only during the period specified in Sec. 8 of this Article II. Such requests shall be submitted in the form of a Recognition Petition and, in addition to the requirements set forth in Sec. 3 of this Article, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in Sec. 9 hereof. The Employee Relations Officer shall process such petitions as other Recognition Petitions under this Article II.

The Employee Relations Officer may by his own motion propose that an established unit be modified, through a meet and confer process. The Employee Relations Officer shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s), at which time all affected employee organizations shall be heard. Thereafter the Employee Relations Officer shall determine the composition of the appropriate unit or units in accordance with Sec. 9 of this Article II, and shall give written notice of such determination to the affected employee organizations. The Employee Relations Officer's determination may be appealed as provided in Section 12 of this Article. If a unit is modified pursuant to the motion of the Employee Relations Officer hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the Exclusively Recognized Employee Organization for such new appropriate unit or units pursuant to Sec. 3 hereof.

#### **Sec. 11. Procedure for Processing Severance Requests:**

An employee organization may file a request to become the recognized employee organization of a unit alleged to be appropriate that consists of a group of employees who are already a part of a larger established unit represented by another recognized employee organization. The timing, form and processing of such request shall be as specified in Sec. 10 for modification requests.

## **Sec. 12. Appeals:**

An employee organization aggrieved by an appropriate unit determination of the Employee Relations Officer; or an employee organization aggrieved by a determination of the Employee Relations Officer that a Recognition Petition (Sec. 3), Challenging Petition (Sec. 5), Decertification Petition (Sec. 8), Unit Modification Petition (Sec. 10) --- or employees aggrieved by a determination of the Employee Relations Officer that a Decertification Petition (Sec. 8) or Severance Request (Sec. 11) ---has not been filed in compliance with the applicable provisions of this Article, may, within ten (10) days of notice of the Employee Relations Officer's final decision, request to submit the matter to mediation by the State Mediation and Conciliation Service, or may, in lieu thereof or thereafter, appeal such determination to the District Board of Directors for final decision within fifteen (15) days of notice of the Employee Relations Officer's determination or the termination of mediation proceedings, whichever is later.

Appeals to the District Board of Directors shall be filed in writing with the District Clerk, and a copy thereof served on the Employee Relations Officer. The District Board of Directors shall commence to consider the matter within thirty (30) days of the filing of the appeal. The District Board of Directors may, in its discretion, refer the dispute to a non-binding third party hearing process. Any decision of the District Board of Directors on the use of such procedure, and/or any decision of the District Board of Directors determining the substance of the dispute shall be final and binding.

## **Article III -- Administration**

### **Sec. 13. Submission of Current Information by Recognized Employee Organizations:**

All changes in the information filed with the District by an Exclusively Recognized Employee Organization under items (a.) through (h.) of its Recognition Petition under Sec. 3 of this Resolution shall be submitted in writing to the Employee Relations Officer within fourteen (14) days of such change.

Exclusively Recognized Employee Organizations that are party to an agency shop provision shall provide annually to the Employee Relations Officer and to unit members within 60 days after the end of its fiscal year the financial report required under Government Code Section 3502.5 (f) of the Meyers-Milias Brown Act.

### **Sec. 14. Employee Organization Activities -- Use of District Resources:**

Access to District work locations and the use of District paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in Memoranda of Understanding and/or administrative procedures, shall be limited to lawful activities consistent with the provisions of this Resolution that pertain directly to the employer-employee relationship and not such internal employee organization business as soliciting membership,

campaigning for office, and organization meetings and elections, and shall not interfere with the efficiency, safety and security of District operations.

**Sec. 15. Administrative Rules and Procedures:**

The District Administrator is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of this Resolution after consultation with affected employee organizations.

**Article IV -- Impasse Procedures**

**Sec. 16. Initiation of Impasse Procedures:**

If the meet and confer process has reached impasse as defined in Section 2 of this Resolution, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such meeting shall be:

- a. To review the position of the parties in a final effort to reach agreement on a Memorandum of Understanding; and
- b. If the impasse is not resolved, to discuss arrangements for the utilization of the impasse procedures provided herein.

**Sec. 17. Impasse Procedures:**

Impasse procedures are as follows:

- a. If the parties agree to submit the dispute to mediation, and agree on the selection of a mediator, the dispute shall be submitted to mediation. All mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues.
- b. If the parties agree to, and do participate in mediation, and if mediator is unable to effect settlement of the controversy, the employee organization may present a request to the District and the Public Employment Relations Board (PERB) to submit the impasse to fact-finding. This request by the employee organization to submit the impasse to fact-finding must be made no sooner than 30 days, but no later than 45 days, following the selection of a mediator by the parties.
- c. If the parties do not agree to participate in mediation, the employee organization may present a request to the District and PERB to submit the impasse to fact-finding no later than 30 days following the date that either party has provided the other a written notice of declaration of impasse.

d. Within five (5) working days after PERB's determination that the request for fact-finding is sufficient, a fact-finding panel of three (3) shall be appointed in the following manner: One member of the panel shall be appointed by the Employee Relations Officer, and one member shall be appointed by the Exclusively Recognized Employee Organization. PERB shall, within five (5) working days after making its determination that the request for fact-finding is sufficient, submit the names of seven persons, drawn from the list of neutral fact-finders established pursuant to Government Code section 3541.3(d). PERB shall thereafter designate one of the seven persons to serve as the chairperson unless notified by the parties within five (5) working days that they have mutually agreed upon a person to chair the panel in lieu of a chairperson selected by PERB.

e. The following constitute the jurisdictional and procedural requirements for fact-finding:

(1) The panel shall, within ten (10) days after its appointment, meet with the parties or their representatives, either jointly or separately, and may make inquiries and investigations, hold hearings, and take any other steps it deems appropriate. The panel shall have subpoena power with regard to hearings, investigations and inquiries.

(2) Subject to the stipulations of the parties, the fact-finders shall consider, weigh and be guided by the following measures and criteria in arriving at their findings and recommendations:

- a. State and federal laws that are applicable to the employer.
- b. Local rules, regulations, or ordinances.
- c. Stipulations of the parties.
- d. The interests and welfare of the public, and the financial ability of the public agency.
- e. Comparison of the wages, hours, and conditions of employment of the employees involved in the fact-finding proceeding with the wages, hours, and conditions of employment of other employees performing similar services in comparable public agencies.
- f. The consumer price index for goods and services, commonly known as the cost of living.
- g. The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays, and other excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment, and all other benefits received.
- h. Any other facts not confined to those specified in paragraphs (a)-(g), inclusive, which are normally or traditionally taken into consideration in making the findings and recommendations, including, but not limited to:
  - (i.) Maintaining appropriate compensation relationships between classifications and positions within the District;
  - (ii.) Other legislatively determined and projected demands on agency resources (i.e., budgetary priorities as established by the governing body);
  - (iii.) Allowance for equitable compensation increases for other employees and employee groups for the corresponding fiscal period(s);

- (iv.) Revenue projections not to exceed currently authorized tax and fee rates for the relevant fiscal year(s);
- (v.) Assurance of sufficient and sound budgetary reserves; and
- (vi.) Constitutional, statutory, and District Charter limitations on the level and use of revenues and expenditures.

(3) Within thirty (30) days after the appointment of the fact-finding panel, or, upon agreement by both parties within a longer period, the panel shall make written findings of fact and advisory recommendations for the resolution of the issues in dispute, which shall be presented in terms of the criteria and limitations specified above. Any member of a fact-finding panel shall be accorded the right to file dissenting written findings of fact and recommendations. The fact-finder or chairperson of the fact-finding panel shall serve such findings and recommendations on the Employee Relations Officer and the designated representative of the Exclusively Recognized Employee Organization before they are made available to the public.

f. If these parties have not resolved the impasse within ten (10) days after service of the findings and recommendations upon them, the District shall make them public by submitting them to the District Clerk for consideration by the District Board of Directors in connection with the Board's legislative consideration of the impasse.

g. After any applicable mediation and fact-finding procedures have been exhausted, but no earlier than ten (10) days after the fact finders' written findings of fact and recommended terms of settlement have been submitted to the parties, the District Board of Directors may hold a public hearing regarding the impasse, and take such action regarding the impasse as it in its discretion deems appropriate as in the public interest, including implementation of the District's last, best and final offer. Any legislative action by the District Board of Directors on the impasse shall be final and binding.

h. The costs for the services of the panel chairperson agreed upon by the parties shall be equally divided between the parties, and shall include per diem fees, if any, and actual and necessary travel and subsistence expenses. The per diem fees shall not exceed the per diem fees stated on the chairperson's résumé on file with PERB. The chairperson's bill showing the amount payable by the parties shall accompany his or her final report to the parties and PERB. The parties shall make payment directly to the chairperson.

i. Any other mutually incurred costs shall be borne equally by the parties. Any separately incurred costs for the panel member selected by each party shall be borne by that party.

### **Sec. 18. Costs of Impasse Procedures:**

The cost for the services of a mediator and chairperson of a fact-finding panel utilized by the parties, and other mutually incurred costs of mediation and fact-finding, shall be borne equally by the District and Exclusively Recognized Employee Organization. The cost for a fact-finding panel member selected by each party, and other separately incurred costs, shall be borne by such party.

## **Article V -- Miscellaneous Provisions**

### **Sec. 19. Construction:**

This Resolution shall be administered and construed as follows:

(a) Nothing in this Resolution shall be construed to deny to any person, employee, organization, the District, or any authorized officer, body or other representative of the District, the rights, powers and authority granted by federal or state law (or District Charter provisions).

(b) This Resolution shall be interpreted so as to carry out its purpose as set forth in Article I.

(c) Nothing in this Resolution shall be construed as making the provisions of California Labor Code Section 923 applicable to District employees or employee organizations, or of giving employees or employee organizations the right to participate in, support, cooperate or encourage, directly or indirectly, any strike, sickout or other total or partial stoppage or slowdown of work. In consideration of and as a condition of initial and continued employment by the District, employees recognize that any such actions by them are in violation of their conditions of employment except as expressly otherwise provided by legally preemptive state or contrary local law. In the event employees engage in such actions, they shall subject themselves to discipline up to and including termination, and may be replaced, to the extent such actions are not prohibited by preemptive law; and employee organizations may thereby forfeit rights accorded them under District law or contract.

### **Sec. 20. Severability:**

If any provision of this Resolution, or the application of such provision to any persons or circumstances, shall be held invalid, the remainder of this Resolution, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

**PASSED AND ADOPTED** at a regular meeting of the South San Luis Obispo County Sanitation District held June 21, 2017, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Board Chair

ATTEST:

\_\_\_\_\_  
DISTRICT SECRETARY

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
DISTRICT COUNSEL

CONTENTS:

BY: \_\_\_\_\_  
DISTRICT ADMINISTRATOR







# **SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

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**Staff Report**

**Date:** July 5, 2017  
**To:** Board of Directors  
**From:** Gerhardt Hubner, District Administrator  
**Subject:** **PROPOSED BYLAW REVISION TO CHANGE MEETING TIME CONCLUSION**

## **RECOMMENDATION**

Consider and approve a revision to the District's Bylaws as proposed in Attachment No. 1.

## **BACKGROUND AND DISCUSSION**

At the June 21, 2017 Board meeting the Board directed staff to come back with one change to the District's Bylaws concerning an ending time for concluding a Board meeting.

District staff proposes the following change to Section 2.1. Meetings: *"The meeting shall conclude no later than 10 p.m., unless a vote of the majority of the Board acts to continue it."*

No other changes are proposed at this time. The proposed change appears in tracked changes format in Attachment No. 1.

## **ATTACHMENT**

Attachment No. 1 – Redlined version with proposed change to District Bylaws

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**  
**BOARD OF DIRECTORS BYLAWS**  
**JULY 2017 UPDATE**

**1. OFFICERS OF THE BOARD OF DIRECTORS**

- 1.1 The officers of the Board of Directors are the Chair and Vice Chair.
- 1.2 The Chair of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other Directors of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.
- 1.3 In the absence of the Chair, the Vice Chair of the Board of Directors shall serve as chairperson over all meetings of the Board. If the Chair and Vice Chair of the Board will both be absent, the Chair may name any member of the Board to perform the duties of the presiding officer prior to the meeting. If the Chair's absence is unexpected, the chairperson shall be as specified by standing order of the Chair.
- 1.4 The Chair and Vice Chair of the Board shall be elected annually at the last regular meeting of each calendar year.
- 1.5 The term of office for the Chair and Vice Chair of the Board shall commence on January 1 of the year immediately following their election.
- 1.6 The Chair, and in his/her absence, the Vice Chair, are authorized to attend meetings of the San Luis Obispo County Planning Commission, meetings of the San Luis Obispo County Board of Supervisors, meetings between District Staff and Water Board Personnel, including either Regional Quality Control Staff or State Water Board Staff on behalf of the District, without compensation except reimbursement for use of his/her private vehicle to attend such meetings pursuant to District Policy 10.01(b). If the Chair is absent, the Vice Chair or Board member may attend these meetings.
- 1.7 The Chair, or in his/her absence, the Vice Chair shall meet with the District Administrator in advance of a regularly scheduled meeting to review all Warrants to be presented at the next regular Board meeting immediately following the meeting with the District Administrator.

**2. MEETINGS**

- 2.1 Subject to holidays and scheduling conflicts, regular meetings of the Board of Directors shall commence at 6:00 p.m. on the first and third Wednesday of each calendar month at such meeting location within the District boundaries designated by the Board Chair. The Board of Directors reserves the right to cancel and/or designate other dates, places and times for Director Meetings due to scheduling conflicts and holidays. [The meeting shall conclude no later than 10 p.m., unless a vote of the majority of the Board acts to continue it.](#)

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
DIRECTOR BYLAWS  
JULY 2017 UPDATE**

**2.2 SPECIAL MEETINGS.**

Special meetings may be called by the Chair or two (2) Directors with a minimum of twenty-four (24) hours public notice. A special meeting agenda shall be prepared and distributed pursuant to the procedures of the Brown Act by the District Administrator in consultation with the Chair, or in his or her absence, the Vice Chair or those Directors calling the meeting.

**2.3** Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

**2.4** No action or discussion may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act. Pursuant to the Brown Act:

- (a)** Directors may briefly respond to statements or questions from the public;
- (b)** Directors may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting;
- (c)** A Director individually, or the Board by motion, may take action to direct the District Administrator to place a matter on a future agenda. If requested by a Director individually, the District Administrator shall inquire whether a majority of the Board wishes to entertain the item; and
- (d)** Directors may make brief announcements or make a brief report on his/her own activities under the Director Comment portion of the Agenda.

**2.5 MEETING PROTOCOL**

- (a)** Policy. The purpose of oral presentation at District meetings, as well as written presentations, is to formally communicate to the Board of Directors on matters (1) listed on the Agenda, or (2) matters that are within the jurisdiction of the Board of Directors during general public comment. Such presentations are helpful to the Board in its decision-making process. The Board of Directors welcomes information and expressions of opinion from members of the public on any item which it may be considering. However, the Board of Directors is not required to provide a public forum for remarks or conduct in violation of the Rules of Decorum.
- (b)** Public Comment. Subject to the following rules, the Board of Directors shall set aside 30 minutes on each agenda item for public comment:

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- (c) The Chairperson, after consideration of the length of the Agenda, the nature of the agenda item, and the meeting limitations of Section 2.2, may expand or further limit the 30-minute time allocation for public comment.
- (d) Each public commenter shall be limited to 3 minutes unless shortened or extended by the Chairperson with consideration of the length of the Agenda, the nature of the agenda item, and the meeting limitations of Sections 2.2, above.

**2.6 DISTURBANCE OF BOARD MEETINGS**

**2.6.1 Rules of Decorum.** The rules of decorum, below, shall apply to public comment and attendance at District meetings.

- (a) No person shall address the Board of Directors without first being recognized by the Chairperson.
- (b) Persons addressing the Board have the option to state their name and their general place of residence.
- (c) Public comment and public testimony shall be directed to the Chairperson and shall be addressed to the Board of Directors as a whole. Persons addressing the Board of Directors shall not engage in a dialogue with individual Directors, District staff or members of the audience. The Chairperson shall determine whether, or in what manner, the District will respond to questions.
- (d) Persons addressing the Board are limited to one opportunity per Agenda item unless otherwise directed by the Chairperson in his/her discretion.
- (e) A person cannot defer his/her time allocation to another person.
- (f) When a group or organization wishes to address the Board on the same subject, the Chairperson may request that a spokesperson be chosen to speak for that group. The spokesperson's three (3) minute time allocation may be extended by the Chairperson in his/her discretion.
- (g) Persons addressing the Board shall confine the subject matter of their comments to the Agenda item being considered by the Board of Directors.
- (h) Each person addressing the Board of Directors shall do so in an orderly and civil manner and shall not engage in conduct which disrupts the orderly conduct of the District meeting.
- (i) The Chairperson may rule a speaker out of order who is unduly repetitious or extending discussion of irrelevance.
- (j) Except as provided below, persons who reference or read from documents such as reports, exhibits, or letters ("Documents") as part of his/her comment to the Board shall lodge the Document (or a copy) with the District Secretary at the end of the comment, to allow the Document to be appropriately referenced in the meeting Minutes and to allow District staff the opportunity to review and respond to the Document. The Chairperson has the discretion to strike a speaker's comments from the record for failure to lodge the referenced Documents. Upon request, the lodged Documents shall be returned to the

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speaker after 1:00 p.m. on the day following the meeting.

Exceptions:

- Speaker's presentation outline, however, Documents referenced in the outline shall be lodged.
- Documents that are in the Agenda packet.
- Documents that have been previously published by the District, so long as the speaker identifies the Document by date, author and the pages referenced or read from.
- For voluminous Documents the speaker need only lodge the cover sheet that identifies the author and date and the pages read from or referenced.

**2.7** Enforcement of Rules of Decorum. Any person who violates the Rules of Decorum may, at the discretion of the Chairperson, be removed from the meeting. The Rules of Decorum shall be enforced in the following manner:

- (a) Warning. The Chairperson shall warn the person who is violating the rules of decorum.
- (b) Expulsion. If after receiving a warning from the Chairperson, the person persists in violating the rules of decorum the Chairperson shall order the person to leave the Board meeting room for the remainder of the meeting.
- (c) Assisted Removal. If such person does not voluntarily remove himself/herself, the Chairperson may order any law enforcement officer who is on duty at the meeting, or who may be summoned to the meeting, to remove the person from the Board room.
- (d) Restoration of Order. If order cannot be restored by the removal of individuals who are disrupting the meeting, the Board meeting will be continued under the provisions of Government Code §54957.9

**2.8** Limitations (Government Code §59454.3(c)). The Rules of Decorum shall not be interpreted to prohibit public criticism of the policies, procedures, programs or services of the District.

**2.9** The Chair, or in his/her absence the Vice Chair, or if both are absent, the Chair's designee as provided by Paragraph 1.3, shall be the presiding officer at District Board meetings. He/she shall conduct all meetings in a manner consistent with the policies of the District. He/she shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/she shall announce the Board's decision on all subjects. He/she shall vote on all questions and on roll call votes his/her name shall be called last.

**2.10** Two (2) Directors of the Board shall constitute a quorum for the transaction of business. When a quorum is lacking for a regular, adjourned, or special meeting, the Chair, Vice Chair, or any Director shall adjourn such meeting; or, if no Director is present, the District Secretary shall adjourn the meeting.

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- 2.11 Except as otherwise specifically provided by law, a majority vote of the total membership of the Board of Directors is required for the Board of Directors to take action.
- 2.12 A roll call vote shall be taken upon the passage of all ordinances and resolutions, and shall be entered in the Minutes of the Board, showing those Directors voting aye, those voting no, those not voting because of a conflict of interest, and absent. A roll call vote shall be taken and recorded on any motion not passed unanimously by the Board. Silence shall be recorded as an affirmative vote.
- 2.13 Any person attending a meeting of the Board of Directors may record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding that the recording cannot continue without disruptive noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings.
- 2.14 All video tape recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speaker's podium once the meeting begins. The Chair retains the discretion to alter these guidelines, including the authority to require that all video tape recorders, still and/or motion picture cameras be located in the back of the room.

**3. ETHICS TRAINING**

- 3.1 Pursuant to sections 53234 et seq. of the Government Code all Directors and designated District personnel shall receive at least 2 hours of ethics training every two years.
- 3.2 Each newly appointed Board member will receive such training from their Agency. Each newly designated District personnel shall receive ethics training no later than one year from the first day of service with the District and thereafter shall receive ethics training at least once every two years.

**4. AGENDAS**

- 4.1 The District Administrator, in cooperation with the Board Chair, shall prepare the agenda for each regular and special meeting of the Board of Directors. Any Director may call the District Administrator and request an item to be placed on the regular meeting agenda no later than 5 p.m. 11 calendar days prior to the meeting date. Such a request must also be submitted in writing either at the time of communication with the District Administrator or delivered to the office within the next working day.
- 4.2 A block of twenty (20) minutes time shall be set aside to receive general public comment. Comments on agendized items should be held until the appropriate item is called. Unless otherwise directed by the Chair, public comment shall be presented from the podium. The person giving public comment shall state his/her name and whether or not he/she lives within the District boundary prior to giving his/her comment. Public comment shall be directed to the Chair of the Board and limited to three (3) minutes unless extended or shortened by the Chair at his/her discretion.
- 4.3 Those items on the District Agenda which are considered to be of a routine and non-controversial nature are placed on the "Consent Agenda". These items shall be approved, adopted, and accepted, etc. by one motion of the Board of Directors;

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for example, approval of Minutes, approval of Warrants, various Resolutions accepting developer improvements, minor budgetary items, status reports, and routine District operations.

**(a)** Directors may request that any item listed under "Consent Agenda" be removed from the "Consent Agenda", and the Board will then take action separately on that item. Members of the public will be given an opportunity to comment on the "Consent Agenda"; however, only a member of the Board of Directors can remove an item from the "Consent Agenda". Items which are removed ("pulled") by Directors of the Board for discussion will typically be heard after other "Consent Agenda" items are approved unless a majority of the Board chooses an earlier or later time.

**(b)** A Director may ask questions on any item on the "Consent Agenda". When a Director has a minor question for clarification concerning a consent item which will not involve extended discussion, the item may be discussed for clarification and the questions will be addressed along with the rest of the "Consent Agenda". Directors are encouraged to seek clarifications prior to the meeting if possible.

**(c)** When a Director wishes to consider/"pull" an item simply to register a dissenting vote, or conflict of interest, the Director shall inform the presiding officer that he/she wishes to register a dissenting vote, or conflict of interest, on a particular item without discussion. The item will be handled along with the rest of the Consent Agenda, and the District Secretary shall register a "no" vote, or conflict of interest, in the Minutes on the item identified by the Director.

**5. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES**

**5.1** The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheads;

**5.2** The minutes of the Board of Directors shall record the aye and no votes taken by the members of the Board of Directors for the passage or denial of all ordinances, resolutions or motions.

**5.3** The District Secretary shall be required to make a record only of such business as was actually considered by a vote of the Board and, except as provided in Sections 5.4 and 5.6 below, shall not be required to record any remarks of Directors or any other person;

**5.4** Any Director may request for inclusion into the Minutes brief comments pertinent to an agenda item, only at the meeting in which the item is discussed. In addition, the minutes shall include brief summaries of public comment, the District Administrator's report, matters of concern to District legal counsel, District committee reports, and Directors' reports. Materials submitted with such comments shall be appended to the minutes at the request of the District Administrator, District Counsel, the Board Chair, or any Director.

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- 5.5 The District Secretary shall attempt to record the names and general place of residence of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter.
- 5.6 Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

**6. DIRECTORS**

- 6.1 Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors.
- 6.2 Members of the Board of Directors shall exercise their independent judgment on behalf of the interest of the entire District, including the residents, property owners and the public as a whole.
- 6.3 Information may be requested from staff or exchanged between Directors before meetings, within such limitations as required by the Brown Act. Information that is requested or exchanged shall be distributed through the District Administrator, and all Directors will receive a copy of all information being distributed.
- 6.4 Directors should at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.
- 6.5 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions. Civil discourse is encouraged. Once the Board of Directors takes action, dissenting Directors should not create barriers to the implementation of said action.
- 6.6 Except during open and public meetings the use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the Directors to develop a collective concurrence as to action to be taken on an item by the Board of Directors is prohibited.
- 6.7 Directors shall not be prohibited by action of the Board of Directors from citing his or her District affiliation or title in any endorsement or publication, so long as no misrepresentation is made, or implied, about the District's position on the issue.
- 6.8 Directors are cautioned when using e-mail communications. Any communication from the District Administrator, or the District's legal counsel, or from other members of the Board of Directors, in each case the Director in responding to that e-mail shall not respond to "all", as that could constitute a violation of the Brown Act for a serial meeting or other provisions.
- 6.9 Any Director may complain to the District about another Director's conduct.

The complaint shall be made in writing and forwarded to the District Administrator and District Counsel along with supporting information. Within five days, the District will notify the accused Director in writing the substance of the complaint and supporting information. The notice shall also specify that the accused Director has five days to respond with supporting information.

The District Administrator and Counsel shall review the submitted information,



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investigate further as needed, and forward a preliminary report to the District Board.

The District Board may:

- Do nothing;
- Direct staff to place the matter on a regular meeting agenda;
- Take action in open session at a regular meeting concerning the complaint. Any action taken shall be by resolution and shall be consistent with elected officials' right to free speech.
- Potential actions include, but are not limited to: finding the complaint unfounded, expressing a legislative opinion concerning behavior, and issuing an official reprimand (censure) concerning inappropriate behavior.

**7. AUTHORITY OF DIRECTORS**

7.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

7.2 Directors do not represent any fractional segment of the community but are, rather, a part of the body which represents and acts for the community as a whole.

7.3 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

7.4 Directors, when attending other meetings, may refer to their affiliation as a member of the Board of Directors and may make statements on their own behalf or endorsements on their own behalf as long as there is no misrepresentation made or implied about the District's position in regards to the issue presented.

**8. AUTHORITY OF THE DISTRICT ADMINISTRATOR**

The District Administrator shall be responsible for all of the following:

8.1 The implementation of the policies established by the Board of Directors for the operation of the District.

8.2 The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the District's Personnel Policies as established by the Board of Directors.

8.3 The supervision of the District's facilities and services.

8.4 The supervision of the District's finances.

**9. DIRECTOR GUIDELINES**

9.1 Directors, by making a request to the District Administrator, shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the District Administrator

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cannot timely provide the requested information by reason of information deficiency, or major interruption in work schedules, workloads, and priorities, then the District Administrator shall inform the individual Director why the information is not or cannot be made available.

- 9.2** In handling complaints from residents or property owners within the District, or other members of the public, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the District Administrator for processing and the District's response, if any.
- 9.3** Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, should refer said concerns directly to the District Administrator.
- 9.4** When approached by District personnel concerning specific District policy, Directors should direct inquiries to the District Administrator. The chain of command should be followed.
- 9.5** Directors and District Administrator should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.
- 9.6** When responding to constituent request and concerns, Directors should respond to individuals in a positive manner and route their questions to the District Administrator.
- 9.7** Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.
- 9.8** No member may participate in a hearing or take action on an item which creates an economic conflict of interest for the member. Where there is an economic conflict of interest, the conflicted member shall announce the nature of the conflict of interest and recuse himself or herself from the hearing or deciding the matter and thereon step down from the dais and leave the room until the matter has been fully considered and voted upon, or otherwise continued.

**10. DIRECTOR COMPENSATION**

- 10.1** Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular, adjourned or special meeting of the Board of Directors attended by him/her.
- 10.2** Each Director is authorized to receive one hundred dollars (\$100) per day as compensation for representation of the District at a public meeting or public hearing conducted by another public agency and/or participation in a training program on a topic that is directly related to the District, provided that the Board of Directors has previously approved the member's participation at a Board of Director's meeting and the member delivers a written report to the Board of Directors at the District's next regular meeting regarding the member's participation.
- 10.3** In no event, shall Director Compensation exceed \$100 per day.
- 10.4** Director compensation shall not exceed six full days in any one calendar month.

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**11. DIRECTOR REIMBURSEMENT**

**11.1** Each Director is entitled to reimbursement for their actual and necessary expenses, including the cost of programs and seminars, incurred in the performance of the duties required or authorized by the Board.

**(a)** It is the policy of the District to exercise prudence with respect to hotel/motel accommodations. It is also the policy of the District for Directors and staff to stay at the main hotel/motel location of a conference, seminar, or class to gain maximum participation and advantage of interaction with others whenever possible.

If lodging is in connection with a conference or organized education activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board of Directors at the time of booking. If the group rate is not available, the Director shall use lodging that is comparable with the group rate. Personal phone calls, room service, and other discretionary expenditures are not reimbursable.

**(b)** Members of the Board of Directors shall use government and group rates offered by a provider of transportation for travel when available. Directors using his/her private vehicle on District business, shall be compensated at the prevailing IRS per diem mileage rate.

**(c)** Any Director traveling on District business shall receive in addition to transportation and lodging expenses, a per diem allowance to cover ordinary expenses such as meals, refreshments and tips. The amount set for per diem shall be considered fair reimbursement. The per diem shall include \$10.00 for breakfast, \$10.00 for lunch, \$20.00 for dinner, for a daily total of \$40.00.

**(d)** All travel and other expenses for District business, conferences, or seminars outside of the State of California shall require separate Board authorization, with specific accountability as to how the District shall benefit by such expenditure.

**11.2** All expenses that do not fall within the reimbursement policy set forth in 11.1, above, shall be approved by the Board of Directors, at a public meeting, before the expense is incurred.

**11.3** Board members shall submit an expense report on the District form within ten (10) calendar days after incurring the expense. The expense report shall be accompanied by receipts documenting each expense except for per diem allowances.

**11.4** Members of the Board of Directors shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the Board of Directors.

**12. CORRESPONDENCE DISTRIBUTION POLICY**

Time permitting, the following letters and other documents shall be accumulated and delivered to the Board of Directors on Monday of each week and/or with agenda packet.

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- 12.1 All letters approved by the Board of Directors and/or signed by the Chair on behalf of the District; and
- 12.2 All letters and other documents received by the District that are of District-wide concern, as determined by District staff.

**13. CONFLICTS AND RELATED POLICY**

State laws are in place which attempt to eliminate any action by a Director or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. Laws which regulate conflicts are very complicated. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with District Legal Counsel and/or the Fair Political Practices Commission ( FPPC) at 1-800-ASK-FPPC (1-800-275-3772), prior to the day of the meeting, if they have questions about a particular agenda item.

**13.1 Conflict of Interest**

Each Director is encouraged to review the District Conflict Code on an annual basis. The general rule is that an official may not participate in the making of a governmental decision if it is: reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. Additionally, the FPPC regulations relating to interests in real property have recently been changed. If the real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is now deemed to be directly involved in the decision.

**13.2 Interest in Contracts, Government Codes Section 1090**

The prohibitions of Government Code Section 1090 provide that the Board of Directors may not contract with any business in which another Director has a financial interest.

**13.3 Incompatible Office**

The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent action, to the detriment to the other public interest, their discharge by one person is incompatible with that interest. When a Director is sworn in for such a second office, he/she is simultaneously terminated from holding the first office.

**14. EVALUATION OF CONSULTANTS**

The District's legal counsel shall be evaluated by the Board of Directors annually during the months of May or June of each year.

**15. CONTINUING EDUCATION**

Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Subject to

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budgetary constraints, there is no limit to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

**16. BOARD BYLAWS REVIEW POLICY**

The Board Bylaws Policy shall be reviewed annually at the first regular meeting in February. The review shall be provided by District Counsel and ratified by Board action.

**17. RESTRICTIONS ON RULES**

The rules contained herein shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with State or Federal laws.





# SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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## Staff Report

**Date:** July 5, 2017

**To:** Board of Directors

**From:** Gerhardt Hubner, District Administrator

**Subject:** **REQUEST FOR AUTHORIZATION TO PROCEED UNDER EXISTING KENNEDY/JENKS DESIGN CONTRACT TO COMPLETE OPTIONAL TASK AND EVALUATE ALTERNATIVES FOR PRODUCTION OF RECYCLED WATER**

### RECOMMENDATION

Consider and approve authorization to proceed with the optional task under the existing Kennedy/Jenks contract to evaluate alternatives for production of recycled water.

### BACKGROUND

At the Board's March 16, 2016 meeting, the Board approved the issuance of a Notice of Award to Kennedy/Jenks Consultants, Inc. and execution of the District's agreement with several scope of work phases under the contract. At the June 7, 2017 Board meeting, the Board approved proceeding with the remaining phases of work under the Kennedy/Jenks contract. An optional task (Task 1.4A – Alternatives for Future Production of Recycled Water) was included in the original contract for the Redundancy Project. This optional task was left as an unfunded scope item.

### DISCUSSION

Kennedy/Jenks is in the process of initiating work on the next phases, including preliminary and final design. As noted above in the original contract, optional Task 1.4 A was included to explore and evaluate alternative technologies for producing recycled water. Over the past weeks, staff from the District, Kennedy/Jenks, and Michael Nunley Associates have discussed various wastewater and water recycling technologies, recent advances in these technologies, and their applicability to the District's Redundancy Project.

In addition, with the Regional Groundwater Sustainability Project (RGSP) moving forward now towards environmental review and preliminary engineering, it makes sense to step back and make

sure the District is making the most informed decision regarding its investments in wastewater and future reclamation infrastructure now and into the future in order to avoid stranded assets, inefficiency and waste of resources.

In the attached scope (Attachment No. 1) Kennedy/Jenks describes the evaluation that will take place in the drafting of a Technical Memorandum (TM). The TM will present conceptual alternatives on how the District's WWTP could be upgraded implementing the Redundancy Project with a membrane bioreactor process (MBR) for production of recycled water. In other words, what kind of infrastructure using this technology would be needed to upgrade and improve effluent from the District's WWTP for use in the RGSP or other reclamation project. This work would be completed during the course of preliminary design, to inform a path forward during final design of the facility improvements.

Some advantages already identified using MBR process technology include nutrient removal, and filtration providing a precursor step for the RGSP, and potential reduced costs for any future partnership in the RGSP. Other information that would be included in the Technical Memorandum would be a cost benefit analysis (or pros and cons) of the current Redundancy Project vs. a later upgrade for recycled water that includes a MBR or other alternatives, alternative operational costs, alternative project impacts and a site/footprint comparison.

The cost of the optional task is \$28,230 on a time and material basis. The schedule for completion of the Technical Memorandum is estimated to be the end of October, if not sooner. Timing of this approval today is of essence if this optional task is to undertaken since 30% design is the next milestone expected for the Redundancy Project.

#### **FISCAL IMPACT**

None at this time. Funds are proposed to be reallocated from Phase 7, and a request for budget augmentation may be made to refund Phase 7 before the Redundancy Project enters construction.

#### **ATTACHMENT**

1. Proposed Scope of Work for Alternatives for Production of Recycled Water



# **SCOPE OF WORK: ALTERNATIVES FOR PRODUCTION OF RECYCLED WATER**

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## **Project Understanding**

The South San Luis Obispo County Sanitation District (SSLOCSD) is contemplating a partnership with the City of Pismo Beach, the Oceano Community Services District, the City of Arroyo Grande, and the City of Grover Beach in a regional groundwater sustainability project. A goal of the project is to contribute to developing a resilient water supply portfolio for southern San Luis Obispo County. The purpose of this scope of work is to explore conceptual alternatives for how the SSLOCSD Wastewater Treatment Plant (WWTP) could be upgraded for production of recycled water, such that effluent from the WWTP could be more easily used in a regional groundwater project.

## **Scope of Services for Task 1.4A**

The Consultant will present conceptual alternatives for how the SSLOCSD WWTP could be upgraded for nutrient removal (nitrification and denitrification) and future production of recycled water as a part of the Redundancy Project using a membrane bioreactor (MBR) process. Two alternatives will be presented with conceptual plan-view layouts, conceptual cost estimates, and conceptual O&M estimates.

Alternatives to be evaluated include: 1) replacing the existing fixed film reactor and secondary clarifier with a main-stream MBR treating primary effluent which would also provide for the required redundancy, and 2) implementation of a smaller sidestream MBR treating influent or primary effluent in addition to the redundancy improvements. The implementation of Alternative 1, as noted above, would most likely include the elimination of the new secondary clarifier from the redundancy project as it would no longer be required. Alternatives will be planned to achieve effluent total nitrogen (TN) less than 10 milligrams per liter (mg/L) and produce effluent in compliance with California's Title 22 Regulations Related to Recycled Water (2014) for unrestricted surface irrigation and in preparation for advanced treatment that would be necessary for indirect potable reuse options. Requirements to meet Title 22 quality effluent would most likely include fine screening, increased process tank volume, chemical systems (supplemental carbon, alkalinity, membrane cleaning, foam control), increased process aeration blowers capacity, membrane air scour blowers, increased recycle and waste pumping, permeate pumping, and additional disinfection; the requirements of these ancillary facilities will be evaluated to support the MBR process and nitrogen removal.

The concept alternatives will be presented in TM 7 – Alternatives for Future Production of Recycled Water. TM 7 will be submitted in draft format for SSLOCSD review prior to initiating work on the 30% drawings. Comments on the draft TM will be addressed in the final TM7 and included in the Concept Design Report.

The Consultant assumes that three meetings will be used to coordinate at appropriate times in the development of TM7: a kickoff meeting to discuss the goals of the improvements and probable infrastructure involved, a progress meeting to solicit SSLOCSD input during development of the alternatives, and a meeting to discuss SSLOCSD review comments on draft TM7. In preparing this scope

of work and fee estimate, the Consultant assumed that all meetings will be held remotely using conference calls and web-meetings.

## **Budget**

The Consultant recommends compensation on a time and materials basis, not to exceed the total estimate budget of \$28,230 without prior authorization. Please refer to Phase 1, Task 1.4A of the Proposal Fee Estimate for details.

## **Schedule**

TM7 development is estimated to be approximately three (3) months, with milestones and dates shown below.

<b>Key Milestone or Deliverable</b>	<b>Date</b>
Notice To Proceed	Assume 6/8/17
Kickoff Meeting	Within 3 weeks of NTP
Draft TM7	Week of 8/21/2017
TM7 Review Meeting	Week of 9/11/17
Final TM7	Week of 9/25/17

Proposal Fee Estimate

Kennedy/Jenks Consultants

CLIENT Name: South San Luis Obispo County Sanitation District  
 PROJECT Description: WWTF Redundancy Project - Project Change Request #4  
 Proposal/Job Number: 1668009'00 Date: 6/8/2017

January 1, 2016 Rates	Eng-Sci-9	Eng-Sci-8	Eng-Sci-7	Eng-Sci-6	Eng-Sci-5	Eng-Sci-4	Eng-Sci-3	Eng-Sci-2	Designer	Project Administrator	Total	KJ Labor	Sub ESA	KJ Sub-Markup	Total Labor	Total Subs	Total Expenses	Total Labor + Subs + Expenses
Classification:	\$260	\$250	\$240	\$220	\$195	\$180	\$165	\$150	\$155	\$115	Hours	Fees	Fees	10%				Fees
Phase 1 - Preliminary Design																		
Task 1.4A - Alternatives for Recycled Water (TM7)			16	8	24	10	8	60	24	8	158	\$28,230		\$0	\$28,230	\$0	\$0	\$28,230
<i>Phase 1 - Subtotal of Added Cost</i>	0	16	8	24	10	8	0	60	24	8	158	\$28,230	\$0	\$0	\$28,230	\$0	\$0	\$28,230
<b>Project Change Request Grand Total</b>	<b>0</b>	<b>16</b>	<b>8</b>	<b>24</b>	<b>10</b>	<b>8</b>	<b>0</b>	<b>60</b>	<b>24</b>	<b>8</b>	<b>158</b>	<b>\$28,230</b>	<b>\$0</b>	<b>\$0</b>	<b>\$28,230</b>	<b>\$0</b>	<b>\$0</b>	<b>\$28,230</b>





## SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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Date: July 5, 2017  
To: Board of Directors  
From: Gerhardt Hubner, District Administrator, Mychal Jones, Interim Plant Superintendent, & Fanny Mui, Laboratory Technician  
Subject: **DISTRICT ADMINISTRATOR AND PLANT OPERATION'S REPORT**

Today's report presents ongoing information on latest District staff activities of possible interest to the Board and members of the public, major capital project and studies updates, programmatic initiatives, regional collaboration, NPDES discharge permit renewal, our Plant Operation's report detailing our operation and maintenance activities. *Updates since the last report are provided in italics below:*

### **Major Capital Projects:**

- **Cherry Ave. Arroyo Grande Sewer Bridge Project:**

CEQA: Status: Complete. Board approved MND at its September 7, 2016 meeting.  
Regulatory permits: Complete. All Regulatory permits received.

*At the June 21, 2017 Board meeting. the Board awarded a contract to Brough Construction Inc. in the amount of \$280,200. Since then staff have been working with Garing, Taylor Associates on executing an agreement with Brough, and determining the actual project start date.*

- **Grit Removal System:** Status: Operational and Complete.
- **Mechanical Bar Screen** – Status: *Operational.*

*Staff is working on ensuring all operational issues are addressed prior to final payment including completion of our punch list for project close out (final payment and record drawings).*

- **Redundancy Project:**

Design: On March 16, 2016, the Board approved a design contract with Kennedy Jenks for Phase I of this project. *On June 21, 2017, the Board approved proceeding with the remaining phases under the contract, including final design. On today's agenda is a separate item to consider an optional task.*

Coastal Commission Permitting:

*On May 10, 2017, the Commission voted unanimously to approve a 30-year Coastal Development Permit for the Project (see attached press release). The Commission approved revised Findings on June 7th finalizing their May 10<sup>th</sup> decision. The Notice of Intent to Issue a CDP was received from Coastal Commission staff on June 19<sup>th</sup>, and we returned it acknowledging our receipt. We have also executed a contract with Environmental Science Associates who will develop the Coastal Hazard Plan, one of the conditions contained in the CDP.*

Financing:

*State: All portions of the SRF loan package application have been submitted to SWRCB. We also received notice of several SRF Policy and Prioritization workshops scheduled in June and July around the state. In addition, we held a conference call with SWRCB SRF loan staff on June 28th to discuss our pending application, and any outstanding documents.*

*Federal: United States Department of Agriculture: On June 2<sup>nd</sup>, staff and MKN met on-site with two USDA representatives to discuss programs USDA administers for funding wastewater infrastructure. The meeting was very positive, with indications the District could be eligible for grants and loans up to one third of the amount needed for the Redundancy Project through a disadvantageous community program. A follow-up meeting and tour of our WWTP is scheduled for July 11<sup>th</sup>.*

- **Biosolids Concrete Slab:** Preliminary engineering and design work is complete. With Coastal Commission approval now received, this project can proceed to the next step, with bid advertisement, and award. We anticipate construction of this project (approximately \$33,000) occurring in late 2017 or Spring 2018.
- **Primary Digester No. 1 Cleanout and Structural Evaluation:** The District has two primary digesters at its facility. Primary Digester No. 1 (constructed in 1965) is long overdue for its regular clean out and inspection (last completed in 2005). In addition, staff and our consultant engineering firm MKN, are concerned with its structural integrity. The first phase is for the cleanout of the digester. The second phase will involve, after cleanout, an inspection and structural survey to determine the digester's structural integrity. Recommendations for any repairs are also proposed as part of this second phase. At the April 5<sup>th</sup> Board meeting, the Board approved funding for 1<sup>st</sup> phase of this project. After advertising and soliciting bids for the project, only one bid was received for \$527,316 (over the Board approved amount of \$380,000). Staff, in consultation with MKN, reviewed the bid, and determined that several items could be removed and/or done more cost-effectively. *The project was re-advertised and bids due June 16, 2017. Four bids were received. The bids ranged from \$243,690 to \$488,289. Based upon the lowest qualified bid, a notice of award was issued on June 19<sup>th</sup> to Wastewater Solids Management for \$243,690. This rebidding and reevaluation of the project saved the District approximately \$250,000 from the previous bid (Or \$137,000 from engineers estimate). As noted in our Plant Operation's report, the temporary centrifuge has arrived from Pace, and will be operational soon.*

- **District Control Building and Office:** Significant issues and problems are evident in the District's Operational and Administrative Building. *Relocating of furniture and demolition of the old floor has begun. The new concrete flooring for the building is scheduled for installation starting July 3<sup>rd</sup>, with anticipated completion two weeks later.*

District staff executed a contract with an architectural firm for an audit/assessment of the existing building for disabled access and 2016 Building Code compliance. The Audit Report completed identifies a number of deficiencies that will need major and minor corrective actions. *We are awaiting design documents and final cost estimates.*

### **Studies:**

- **Recycled Water Planning Facilities Study Grant:** Complete. Staff submitted the Final Study to SWRCB on June 9, 2017. *Once SWRCB accepts the Final Study and issues a letter allowing final reimbursement, District staff will prepare the required documentation and invoice for submission.*
- **Inflow & Infiltration (I & I) Study:** The District's plant received significant increased flow this past wet weather season. A multiple phased I&I study approach is being utilized first with the installation of new flow meters to measure any increase flow from our member agencies collection system. *Both Phase I and Phase II of the Study were included in the adopted Budget for Fiscal Year 2017-18. As the first step, District staff will be pursuing the purchase of another flow meter to collect data for one of our trunk lines.*

### **Programmatic Initiatives**

- **Outreach Initiative:** *We are close to finishing the 1<sup>st</sup> draft of the next edition of our newsletter with focus on the District's capital projects, and one of our operators. We anticipate bringing that to the Board at the June 19<sup>th</sup> meeting.*
- **Records Management Initiative:** *At the May 3, 2017 Board meeting the Board adopted a comprehensive overhaul of our existing Records Retention Policy. Staff is also considering various options for housing our C-Train records, as the C-Train must be removed by September 1<sup>st</sup> per the Coastal Commission CDP waiver issued back in December 2016. These options are being coordinated through the SLO District Attorney's office.*
- **Human Resources/Personnel Policy Manual Update:** *All Sections of PPM have now been reviewed (including legal input), updated with significant and comprehensive revisions. Subsequently, the entire revised and updated Manual was sent on April 28th to SEIU employee union representatives. This begins the "meet and confer" for the PPM, which must be concluded prior to the PPM consideration and adoption by the Board. Staff met again on June 20th in its latest series of meetings with SEIU representatives to discuss SEIU's latest proposals and revisions to the draft Memorandum of Understanding. In addition, SEIU representatives indicated that they would have comments to share with us on the draft PPM by July 13<sup>th</sup>.*
- **Strategic Planning Initiative:** *The Strategic Planning Workshop has been postponed to September.*

- **Financial Initiative:**

Annual Fiscal Year 2015-2016 Audit: District auditors Glenn Burdette, continue to work with staff to complete our Audit most recently on fixed assets purchased from FY 15-16. The Auditors have told us that they expect to complete the Audit by the end of June. *Staff contacted the Auditors past week requesting a status update.*

*Workman's Compensation - On June 26<sup>th</sup>, we received good news that our annual premium for Workman's Compensation had dropped from \$68,764 last year to \$45,140 this year (a savings of \$23,624) due to \$0 losses and competing markets forcing State Fund to apply credits.*

### **Regional Collaboration**

- Regional Groundwater Sustainability Project (RGSP): This project consists of a potential future regional recycling project in the South San Luis Obispo County area in conjunction with the City of Pismo, and the District (with participation of our member agencies: Cities of Arroyo Grande, Grover Beach, and Oceano CSD). *On June 20<sup>th</sup>, the MOU between the City of Pismo and the District was approved by the Pismo Beach City Council. The City also awarded a contract for the joint EIR to Rincon consultants at that same meeting. In addition, a District grant support letter was requested by the City and submitted to the SWRCB on June 9th. A similar support letter was also provided by the Cities of Grover Beach and Arroyo Grande.*
- Northern Cities Management Area Technical Group - The NCMA TG, formed as a result of the Santa Maria Groundwater Basin (SMGB) Adjudication, is exploring various ways to protect and enhance future water supplies in the basin through groundwater monitoring, and the collection and analyzing of data pertinent to water supply and demand. *The next meeting is scheduled for July 10<sup>th</sup>.*
- Water Reuse, Central Coast Chapter - The Association is a not-for-profit association (501c6) of utilities, government agencies and industry that advocates for laws, policies and funding to promote water reuse and reclamation. *The next meeting of the Chapter is scheduled for July 27<sup>th</sup>.*
- Zone 1/1A Flood Control Advisory Committee – The Committee's focus is to provide input and coordination on proposed improvements and maintenance of the Zone 1/1A flood facilities, working with the Coastal San Luis Resource Conservation District. *The meeting scheduled for June 20<sup>th</sup> was cancelled, and a committee update dated June 9<sup>th</sup> circulated.*
- Integrated Regional Water Management (IRWM). IRWM is a collaborative effort with the County of San Luis Obispo to manage all aspects of water resources on a region-wide scale. *The next scheduled meeting is September 6<sup>th</sup>.*
- San Luis Obispo County Flood Control and Water Conservation District Water Resources Advisory Committee (WRAC) – *The next scheduled meeting is September 6th.*
- Countywide Water Action Team/Water Management Efforts: Water managers throughout San Luis Obispo County meet quarterly to discuss and collaborate on water supply management solutions. *The next meeting is scheduled for September 22th.*



### RWQCB NPDES Permit Renewal

Based upon a recent conversation with RWQCB staff, a draft permit is not likely to be released for public review before late 2017.

In addition, staff revised the Sewer System Management Plan Audit Report to come in compliance with our General WDR. The WDR requires an Audit be completed every two years. Unfortunately, this Audit report which was due last summer, was not timely completed. This Audit Report describes our planned activities under the Plan for the upcoming year.

### District's Brine Disposal Program:

District staff completed a revised Brine Disposal Plan this month, and submitted it to the RWQCB for review and evaluation.

### Public Records Requests

- For the Month of June, staff fulfilled 10 individual requests. Several required legal review.
- Fiscal Year to Date (July 1<sup>st</sup> to June 28<sup>th</sup>), staff fulfilled 113 individual requests.

## Plant Operation's Report

During this reporting period (June 15<sup>th</sup> - June 28<sup>th</sup>, 2017) the District's facility continues to regularly meet its Permit limitations as required under the State of California's National Pollutant Discharge Elimination System (NPDES) Permit issued to the District. Special Note: Due to a rupture of the influent composite sampler tubing, influent and effluent composite samplers were stopped on June 15<sup>th</sup>, 2017. We collected a composite sample earlier in the week and are required to test weekly for BOD/TSS per our NPDES Permit. The results for the previous test was reportable, therefore there will not be a NPDES Permit violation for not meeting weekly BOD/TSS testing requirements. We have replaced the tubing and have returned to our regular routine of influent and effluent sampling. The RWQCB was notified of the stoppage. *All process values (lab test results) were within permit limits.*

### **Monthly Plant Data as of June 28<sup>th</sup>, 2017**

June 2017	INF Flow MGD	INF Peak Flow MGD	INF BOD mg/L	EFF BOD mg/L	BOD % Removal	INF TSS mg/L	EFF TSS mg/L	TSS % Removal	Fecal Coliform MPN/100mL	Chlorine Usage lbs/day
Low	2.29	3.2	487	23		502	24		<1.8	109
High	2.75	4.4	598	25.6		660	31.5		49	434
Average	2.44	3.68	549.4	23.7	95.7	586.3	27.3	95.3	4.4	216
June 2016 AVG	2.3	3.4	475	39.9	91.7	448	45	90	15	172
Limit	5.0			40/60/90	>80		40/60/90	>80	2000	

\*Limit – 40/60/90 represent NPDES Permit limits for the monthly average, weekly average, and instantaneous value for plant effluent BOD and TSS.

### **Operation and Maintenance Projects**

- Began review and update of Overflow Emergency Response Procedures

- Coated truck bed with oil and stain for protection
- Reviewed and checked U.S.A.'s near District trunk sewer lines
- Fluid Resource Management installed gaskets and bands on washer compactor chute to stop leakage
- Unplugged Digester No.2 supernatant line
- Cal-Coast Refrigeration troubleshooted effluent composite sampler cooling issue
- Flushed Fixed Film Reactor
- Drained and rinsed Chlorine Contact Chamber
- Rental Centrifuge
  - Delivery by Pace DS of centrifuge
  - Assisted Pace DS with setup and assembly
  - Louie's Crane assisted with setup and assembly
  - Autosys installed electrical, pump controls, and assisted with setup
  - Fabricated and installed plumbing
  - Began test runs to ensure proper operation and fine tuning
- Office preparation for flooring project
  - Continued packing up office
  - Removed office desks
  - Removed carpet in office and conference room
  - Central Coast Technology Consultants assisted in moving server, hard drive, computers, and network to shop area.
  - Moved conference table and chairs to shop area
- Work Orders
  - Test ran emergency generator
  - Completed monthly safety walk through

### **Training**

- Target Solutions Safety Training in Water Industry Maintenance on Pumps, Motors, and Circuits

### **Call Outs**

- No call outs to report for this reporting period