



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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Board of Directors Meeting Agenda

1655 Front Street

Oceano, California 93445

Wednesday, February 6, 2013 at 6:00 PM

Board Members

Tony Ferrara, Chairman

Matthew Guerrero, Vice Chairman

Debbie Peterson, Director

Alternates

Jim Guthrie, Director

Mary Lucey, Director

Jeff Lee, Director

Agencies

City of Arroyo Grande

Oceano Community Services District

City of Grover Beach

City of Arroyo Grande

Oceano Community Services District

City of Grover Beach

1. CALL TO ORDER AND ROLL CALL

2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

This public comment period is an invitation to members of the community to present comments, thoughts, or suggestions on matters not scheduled on this agenda. Comments should be limited to those matters that 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 Chairman or presiding Board Member may:

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

Please adhere to the following procedures when addressing the Board:

- Comments should be limited to 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. 1655 Front Street, Oceano, California. Consistent with the Americans with Disabilities Act 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 the modification or accommodation in order to participate at the above referenced public meeting by contacting the District Administrator or Administrative Assistant at 805-544-4011.

3. CONSENT AGENDA

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 Any Board Member may request that any item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action.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

3a. Review and Approval of Minutes of January 24, 2013 special meeting

3b. Review and Approval of Warrants

4. PLANT SUPERINTENDENT'S REPORT**5. BOARD ACTION ON INDIVIDUAL ITEMS:****A. EXTENSION OF CONCRETE WALL FOR BIOSOLIDS DRYING BEDS**

Staff recommends the Board approve building an extension (added height) of the existing concrete wall at the westerly end of the biosolids drying beds in the amount of **\$9,300.00** to be performed by A-1 Concrete

B. SUMMARY OF PROPOSED BYLAW CHANGES

Staff recommends the Board review the summary from District Counsel and provide further direction to staff.

C. STATUS UPDATE RWQCB DECEMBER 18, 2012 NOTICE OF VIOLATION RESPONSE

Staff recommends the Board receive an oral presentation on the status of the technical report.

D. SUMMARY OF INDUSTRIAL AND COMMERCIAL WASTEWATER SURVEY (ICWS) 2012

Staff recommends the Board receive the ICWS Summary and provide any comments to staff.

E. DISCUSSION OF THE DISTRICT ORGANIZATION FROM BOARD LEVEL DOWN AND CONSIDERATION OF HIRING AN ACCOUNTANT

Staff recommends the Board entertain discussion on this topic.

6. MISCELLANEOUS ITEMS

- a. Miscellaneous Oral Communications
- b. Miscellaneous Written Communications

7. PUBLIC COMMENT ON CLOSED SESSION**8. CLOSED SESSION**

- 1) Pursuant to Govt. Code §54957.6 – Conference with labor negotiators
Agency Designated Representative: John Wallace
Unrepresented Employees: The Employees of the South San Luis Obispo County Sanitation District
- 2) Conference with Legal Counsel regarding existing litigation pursuant to Government Code Section 54956.9; 3 cases
Mascolo v SSLOCSD et.al. CV110676
Central Coast RWQCB vs SSLOCSD et. al. ACLC No. R3-2012-0030
Carter v Wallace et.al. Case No. CV 110124
- 3) SSLOCSD vs US Energy et. al. (pending litigation) Case No. CV120008

9. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION**10. ADJOURNMENT**

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Oceano Community Services District
1655 Front Street
Oceano, CA 93445

Minutes of the Special Meeting of Thursday, January 24, 2013
6:00 P.M.

1. CALL TO ORDER AND ROLL CALL

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

Others in Attendance: John Wallace, District Administrator; Mike Seitz, District Counsel; Bob Barlogio, Plant Superintendent; Trini Rodriguez, Shift Supervisor; Matthew Haber, District Bookkeeper/Secretary

2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

Ms. Julie Tacker of Los Osos said she was looking for an update on the administrative billing charges. She also mentioned she had heard board members talk about a review of operations in the future.

3. CONSENT AGENDA

A. Review and Approval of Minutes of the Meeting of January 2, 2013

It was moved by Vice Chairman Guerrero, seconded by Director Peterson, to approve Consent Agenda Item 3A, as presented. Motion carried unanimously.

B. Review and Approval of Warrants

Vice Chairman Guerrero asked about the Wallace Group warrant. He said after the ACL the warrant is now lower. He mentioned having a future agenda item to look at the management structure. Director Peterson agreed with Vice Chairman Guerrero and asked about a breakdown on the warrant. Chairman Ferrara said he had reviewed the billing with Administrator Wallace in detail. He said he had the opportunity to go through the Wallace Group invoice on a project-by-project basis to see how all of their employees are integrated into the District's projects. Chairman Ferrara said there is a lot of activity at the Plant and that if he had not known the depth and complexity of some of these projects. He is going to propose something later for what Vice Chairman Guerrero and Director Peterson are focusing on. Vice Chairman Guerrero said that a ratepayer efficiency discussion needs to be had.

Director Peterson asked who has checked these warrants and what the process is. She said it makes her uncomfortable to sign these without knowing what they are for. Administrator Wallace said that the invoices are processed by the District Bookkeeper/Secretary, Matthew Haber, and that the backup documentation is always brought to every Board meeting for detailed review if desired. If a director has any questions about a warrant at a meeting, the invoice will be pulled and discussed. Further, when a director gets the Board packet, he or she can contact Administrator Wallace with any questions about the warrants.

It was moved by Vice Chairman Guerrero, seconded by Chairman Ferrara, to approve Consent Agenda Item 3B, as presented and on the following roll call vote: Vice Chairman Guerrero, yes; Chairman Ferrara, yes; Director Peterson, no; the motion carried 2-1.

C. Financial Report ending December 31, 2012

Director Peterson still had a few questions about the Primary Clarifier No. 1 project. Administrator Wallace said he has provided additional information to Director Peterson to answer her questions. The documents tracked all expenses back to the beginning of the project. Chairman Ferrara said he does not have any questions about that issue because he and Vice Chairman Guerrero are familiar with the budget process, multi-year projects and transfers between funds.

It was moved by Director Peterson, seconded by Vice Chairman Guerrero, to approve Consent Agenda Items 3C, as presented. Motion carried unanimously.

4. PLANT SUPERINTENDENT'S REPORT

Plant Superintendent Barlogio said the Plant is running well, and he presented the results for January which show that the Plant is within compliance. The BODs and suspended solids have all been coming off really well. Fecals for January have all been less than 2. He mentioned that the most recent turbidity was an 8.6. Chlorine usage is down as well.

5. BOARD ACTION ON INDIVIDUAL ITEMS

A. COUNTY WINTER STORM PREPAREDNESS

Administrator Wallace spoke to the draft letter to the County Department of Public Works, and he introduced Mr. Paavo Ogren, Director of Public Works for the County who would like to comment on the letter.

Mr. Ogren said he attended a board meeting at the end of last year, and his understanding was that he would come back to do a comprehensive presentation. His preference is still to do that and for the Board to table this letter. Mr. Ogren said there are some items in the letter to which the County would take exception, but the benefit of the draft letter does provide Mr. Ogren a greater insight into the concerns which the District has, and it gives him a better ability to address those concerns. He said the letter could be modified in order to focus on specific recommendations. His request is to table this item for a month so Public Works could come back to make a comprehensive presentation which will address the issues in the letter.

Under public comment, Mr. Jeff Edwards of Los Osos said that the District should send a different letter because the draft letter reflects what he has heard from Public Works for the last two years. Mr. Edwards said that it was the flooding of the lagoon and the lack of operating the flapgates in conjunction with the water coming from the airport, which led to the flooding of the Plant. He concluded that it is important to get the airport mentioned in the letter and to put the County on notice.

Vice Chairman Guerrero said he had seen the Public Works' presentation at OCSD and he wondered what Mr. Ogren's exceptions were and whether the District should wait another month to send the letter.

Director Peterson said she thought the letter was fairly innocuous. She said she is in favor

of getting the parties around the table to discuss these matters. She said that she would like to see the entities involved thrash something out as litigation is a last resort.

Chairman Ferrara said it is important for a number of reasons that the District make a record of these issues. He said the focus is to try to mitigate something like this from occurring in the future. Chairman Ferrara said the District has control of what happens onsite, and it has taken a good deal of mitigation measures to implement onsite. He said the District does not have a lot of control over what happens externally. He said that the District wants to continue to work with the County. Vice Chairman Guerrero said he thinks one of the concerns is that the vulnerabilities still exist and that if there were a heavy weather situation, we would be in the same spot. Last year, the County put in a pump and temporary measures which are no longer there. Mr. Ogren was asked how quickly we are to see permanent solutions, considering permitting requirements and everything else.

Mr. Ogren said that the critical path is not through the County but through the permitting agencies. He said there are errors in the letter and thinks the final letter would be better after discussions. Vice Chairman Guerrero asked if there would be value in setting up a meeting before the next Board meeting. Administrator Wallace said that if Mr. Ogren believes that there may be inaccuracies in this draft letter, then the District should clarify those before sending the letter. Chairman Ferrara said that as long as having a discussion is something which needs to happen relatively soon because he thinks that the letter is necessary. Mr. Ogren said that Public Works' number one priority is the flooding in Oceano, and he will make himself available for a meeting.

It was moved by Director Peterson, seconded by Vice Chairman Guerrero to postpone this letter until the February 6th meeting for a final review during which time corrections could be made to the letter ensuring its accuracy, any edits would be completed and a meeting with Mr. Ogren could be scheduled. Motion carried unanimously.

B. SOFTWARE SUPPORT

Plant Superintendent Barlogio spoke about the purchasing of continued software support from Hach for the WIMS (Water Information Management Solution) and JobsPlus which is used for work orders. Plant Superintendent Barlogio said that Hach had told Staff that there will be a price increase, but if the District purchased two years of support, then the price would be locked in.

It was moved by Vice Chairman Guerrero, seconded by Director Peterson, to approve the staff recommendation that the Board approve the purchase of a two-year software support service from Hach HM Support in the amount of \$4,330. Motion carried unanimously.

C. CHLORINE ANALYZER PURCHASE

Plant Superintendent Barlogio said that Staff would like to purchase a chlorine analyzer so Staff could monitor chlorine residual. He said the District's existing chlorine analyzer would then be used to monitor the dechlorination process. Plant Superintendent Barlogio said Staff is in the process of putting in electrical conduit so the new analyzer can turn on a chlorine pump in cases of low chlorine residual. He said that Staff looked into purchasing other chlorine analyzers, but those were more costly. Capital Controls is the local, sole-source supplier for this chlorine analyzer.

Administrator Wallace added that this purchase will be an important part of the NOV response to show that the District can meet its effluent coliform requirements. Vice Chairman Guerrero asked if that is how the discussion got started and whether the Water Board had suggested it. Administrator Wallace replied that Staff had recognized internally that looking at alternate methods of recording chlorine use as well as chlorine residual was needed.

It was moved by Director Peterson, seconded by Vice Chairman Guerrero to approve the staff recommendation that the Board approve the purchase of a Capital Controls CL500 chlorine analyzer from Severn Trent Water via Misco Water, the sole-source local distributor, in the amount of \$10,092.48. Motion carried unanimously.

D. SCADA SYSTEM EVALUATION

Plant Superintendent Barlogio said that Staff would like to retain Frank Potter of FM Controls to evaluate the Plant's SCADA system since it is not operational. He said Staff does not know the software well.

Vice Chairman Guerrero asked how long the SCADA has been down. Plant Superintendent Barlogio replied that it has not been fully operational for about three years. Chairman Ferrara asked if Plant Superintendent Barlogio could explain what the SCADA system does. Plant Superintendent Barlogio said when you give the SCADA system plant operations information from pumps and water level, the SCADA system can speed up or slow down pump speeds. It also could be integrated with the chlorine analyzer to control disinfection levels. He said that the nice thing about the SCADA system is that it will also digitize information so there is an electronic record. He said it is planned to hook the SCADA up to an autodialer so if something falls out of parameter, the SCADA would notify operators. Plant Superintendent Barlogio said this is something which the Water Board is leaning towards and that the District already has the SCADA software and uses it to operate the centrifuge.

Director Peterson asked if the system ever worked. Shift Supervisor Trini Rodriguez said yes, the alarm system works. If something goes wrong at the Plant, then the alarm company would call, but the on-call operator does not know specifically what is wrong until getting to the Plant. With a SCADA system, the operator would know what is wrong and could even fix it via computer. Shift Supervisor Rodriguez said things have been added to the SCADA system over the years to make it work. The display for the centrifuge works, but not all other plant parameters of the Plant are tied into the SCADA system.

Under public comment, Ms. Mary Lucey of Oceano commented about the SCADA system not working. Ms. Julie Tacker spoke about the not-to-exceed amount vs. how much it would cost to get a whole new system since some of the components are already old.

It was moved by Vice Chairman Guerrero, seconded by Director Peterson, to approve contracting with FM Control to evaluate and to make recommendations/specifications for full use of the District's Supervisory Control and Data Acquisition (SCADA) system in an amount not to exceed \$10,000. Motion carried unanimously.

E. SWRCB STATEWIDE SSO ANNUAL COMPLIANCE REPORT

Administrator Wallace presented the State Water Resource Control Board's Statewide SSO Overflow Reduction Program Annual Compliance Report. Staff has summarized what the District's compliance has been as compared to the rest of the state. Staff's conclusion is

that, with the one exception which resulted from the December 2010 spill, the District ranks very well compared to similar sized systems and compared to statewide metrics.

F. DISTRICT BYLAWS SUMMARY

Counsel Seitz said that as part of the Board bylaws, the Board reviews the bylaws the first meeting of February. In his staff report, Counsel Seitz discussed a number of items which had been discussed in the past or held over.

The first two items relate to additional responsibilities of the Board Chair which were suggested by Chairman Ferrara at the last Board meeting. Chairman Ferrara said that the intent of Section 1 (b) was that the Chair would be the primary District representative at a meeting with the Water Board, but it would be a question of who is available. He said that it would be the Board Chair or an alternate Board member depending upon availability. Chairman Ferrara also suggested adding some language referring to Plant inspections. Vice Chairman Guerrero suggested using "designee"; Director Peterson concurred.

Counsel Seitz said the second category deals with the nomenclature for the Chair and District Administrator. The second topic in this section deals with the location of the meetings. Counsel Seitz said that traditionally, the Board meetings have either been at the Plant or at OCSD. There has been a suggestion in the past that while it has been convenient since the Plant is so close to OCSD, it probably tends to dampen participation by constituents of the other Member Agencies. This idea suggests the possibility of rotating the meetings.

Other general changes to the Bylaws include the rules of decorum of those participating at the Board meetings. Counsel Seitz said that he had reviewed a number of policies regarding this, and he thinks the District's policy could be made more user friendly. Director Peterson said she would support changes in the language as she thinks that it should be at the Chair's prerogative rather than "he/she shall do this."

The next item refers to putting ethics training in the Bylaws. Counsel Seitz said this is a requirement, and by putting it in the Bylaws, it would provide additional notice to the members of the Board and Staff that ethics training is a requirement.

The third possible change is the potential for a Brown Act violation when using email. Putting in the Bylaws "not to reply to all" provides additional notification to the Board with regards to a potential for a Brown Act violation.

The next potential change concerns the relative authority of a member of the Board nominated to attend a public meeting on behalf of the Board. Counsel Seitz said that, in that circumstance, the member is allowed to and should announce that he or she is a member of this Board when he or she is commenting. When a Board member attends a meeting but is not delegated to go to that meeting, that Board member can announce that he or she is a member of the District Board but is speaking as an individual.

The final potential change to the Bylaws refers to putting some specific recitation of the conflict of interest rules and where to find guidance in regards to whether or not someone has to declare a conflict of interest.

Concerning the rotation of meetings, Vice Chairman Guerrero spoke about potential scheduling issues. He suggested having locations scheduled for a quarter of the year. Director Peterson said that consistency is more likely to bring people out and that maybe the

meeting could be held once a year in Grover Beach or once a year in Arroyo Grande.

Regarding the ethics training, the Board reached a consensus to keep it in the Bylaws since every public agency's board or council requires ethics training.

Regarding the potential for Brown Act violations, Vice Chairman Guerrero said that this says to follow the law. Director Peterson said maybe it should be more specific. Chairman Ferrara said it was worth spending some time on because Arroyo Grande had to develop new policies and protocols for new technology.

Regarding the attendance of other public meetings by a Board member, Vice Chairman Guerrero said people will identify someone and assume or make the connection that he or she represents that organization. Chairman Ferrara asked Counsel Seitz about the situation where that agency specifically asks for representation from the District and what if an agency would ask for input on an issue which this Board has already decided and taken a position on. Counsel Seitz said that the point is that a member could identify himself or herself as a member of this Board and clarify that he or she is speaking as a private citizen.

Chairman Ferrara asked the public for their comments especially regarding the rotation of Board meeting locations. Under public comment, Mr. Edwards said that, since the District holds Board meetings twice a month, he thinks it is really important for consistency and doesn't think it is essential to rotate. Ms. Lucey said it may be a little bit confusing to rotate locations since this has been established in everybody's schedule. She suggested possibly having AGP Video come out to one meeting of the month. She also asked that "territory" be changed to "jurisdiction" and "Chairman" be changed to "Chair" or "Chairperson." Ms. Tacker said to have a joint meeting once a year with all the Member Agencies where there is a real sense of participation. Ms. Jennifer _____ of Oceano said she does not mind going wherever the meeting is, and she understands wanting to include all the people in the surrounding area.

Director Peterson spoke about the most current bylaws from 2011. She said she does not like 2.10 which discusses Board roll call votes and how silence by a director will be recorded as an affirmative vote. Counsel Seitz said that under the Board bylaws there are no abstentions. Director Peterson suggested that the language be changed. 3.2 states that the person giving public comments shall state his/her name and whether he/she lives within the District boundary prior to giving his/her comment. Director Peterson asked whether this could be done under the Brown Act. Vice Chairman Guerrero suggested changing it to read "requested to." Chairman Ferrara said that it has to be part of the record who has spoken, and the question has come up before whether a speaker needs to say if he or she lives within the District's boundaries.

Director Peterson asked about the District Secretary and where the minutes are kept. Administrator Wallace said that the District Secretary is Matthew Haber and that the minutes are kept at the District office. Last year, the potential amendment was to keep the electronic recordings of the Board meetings for one year. Counsel Seitz said that tapes of the Board meetings never substitute for the minutes and are not the official record of the District. Once the minutes are approved at a subsequent meeting, they become the official record.

Chairman Ferrara asked what the Board had decided on silence during voting. Counsel Seitz said that no abstentions are allowed. A Board member could be disqualified from voting on the approval of the minutes when he or she was not present at that meeting. Chairman Ferrara said when it comes to that, a statement could be made indicating that the

Board member was not present at the last meeting and therefore cannot participate in the vote on the approval of the minutes or another item which requires attendance at the previous meeting. Administrator Wallace said that it should be clear as to why a director is not voting.

Counsel Seitz said he would bring this back to the next meeting for final comments, and a resolution would be brought to the Board at the second meeting in February.

Vice Chairman Guerrero spoke about potentially making the Board a five-person Board. He said that one of the advantages would be that sometimes it is easier to get a quorum, and another is that it is not as isolating. Administrator Wallace said that has come up before during the annexation of Grover Beach into the District. The Board at that time decided to stay as a three-person Board and went to the State legislature to provide for that. If there were a five-person Board, it would be necessary to adopt a change to legislation. Counsel Seitz said the potential issue he has with this is that the Directors have all been elected to office at the Member Agencies, and thereby they sit on the District Board. With appointees to a five-member board there would be no voter control. Chairman Ferrara said he believes this rises to a level where the Directors need to get some feedback from their councils. Director Peterson spoke about having individuals with broader skill sets who could round out a board. The Directors reached consensus on discussing this issue with their respective councils and board.

Counsel Seitz asked for clarification regarding the changing of titles for officers. The Directors reached a consensus to change the title of District Administrator to General Manager but to keep the titles for Chairman and Vice Chairman.

G. DISTRICT NEWSLETTER DISTRIBUTION

Administrator Wallace said that Staff has generated several editions of the proposed District newsletter, and the previous direction from the Board was to investigate inserting the newsletter into the utility bills from the Member Agencies. OCSO does its own mailing, but Grover Beach and Arroyo Grande use a service out of Texas. Firm costs for posting and stuffing have not yet been established, but costs for reproduction and stepping costs are about \$1,000 per cycle. Staff has looked at linking the Member Agencies' websites to the District website and making the newsletter more prominent on the District website. The current copy of the newsletter as found on the District website is included in the Board packet. Also, copies of the newsletter could be placed on the agencies' counters. Staff is asking for further direction from the Board regarding this process.

Director Peterson said she was inclined to say that online is fine since most people go online anyway. She said she is a little bit concerned since District expenses are higher than revenues so she would not want to spend any more money than is needed. Vice Chairman Guerrero agreed although he said that he would prefer to mail the newsletters.

Under public comment, Ms. Jennifer _____ said her initial thought is to save paper and put it on the website electronically. District Administrator Wallace added that another advantage of an electronic copy is being able to have additional pages of content in the newsletter.

Chairman Ferrara said he favored doing it electronically, and he mentioned that we could also run announcements on Charter Channel 20 and Channel 21.

6. MISCELLANEOUS ITEMS

A. Miscellaneous Oral Communications

The San Luis Obispo chapter of CSDA will have its annual meeting on Friday, February 22 and the election of new officers will take place at this meeting.

Director Peterson responded to Ms. Tacker's public comment about the items which had been agreed to be agendaized for the February 6th meeting..

Vice Chairman Guerrero said that he had heard concerns about whether Charter Communications was present at the Plant, and whether the District was receiving income from Charter.

B. Miscellaneous Written Communications

Administrator Wallace said he had received a letter from OCSD stating that OCSD's primary appointee would be Matthew Guerrero with Mary Lucey as alternate.

Administrator Wallace spoke about the monthly Enforcement Report prepared by Harvey Packard at the Regional Water Board which listed violations by dischargers between September 1 and October 31, 2012. The report shows the District's violations of fecal coliform under "Significant or Notable Violations" as well as noting the District's ACL. Administrator Wallace said he thinks an appropriate counterpoint is that there were other plants with significant violations which were more serious, yet the report does not note those violations as significant. Chairman Ferrara said there were roughly ten violations from the California Men's Colony, but in every case no further action was recommended. He said this is the disparity in how the Water Board enforces permit violations.

Administrator Wallace mentioned he had included the spreadsheet for the Primary Clarifier No. 1's total cost in the packet and he can again meet with Director Peterson to discuss any of her questions or concerns.

Administrator Wallace spoke about the District's records request to the State Water Board for the ACL. The State Water Board did not supply all the records which they should have, and the law provides for attorney's fees in such cases. The petition on behalf of the District to recoup attorney's fees of approximately \$30,000 was granted. Vice Chairman Guerrero said that he had previously asked that the actual litigation costs be separated out from operations. Administrator Wallace said that would be brought back as part of the mid-year budget review in February.

7. PUBLIC COMMENT ON CLOSED SESSION

Chairman Ferrara asked Mary Lucey to combine her comments regarding Item 5F with any public comments she had on closed session. Under public comment, Ms. Lucey said that she would strongly encourage the Board to take into consideration two at-large seats. She recommended having a seat for an environmentalist and an agricultural at-large seat which would lead to more community buy-in.

Counsel Seitz said that an urgency item had come up after the agenda was published regarding the Plant Superintendent, and he asked that this item be placed on tonight's agenda as an urgency closed session item pursuant to Government Code 54957. The Board unanimously agreed to place this as an urgency closed session item.

8. CLOSED SESSION

- (1) Pursuant to Government Code Section 54957.6 – Conference with labor negotiators
Agency Designated Representative: John Wallace
Unrepresented Employees: The Employees of the South San Luis Obispo County Sanitation District
- (2) Pursuant to Government Code Section 54957 (b) – Regarding the Plant Superintendent
- (3) Conference with Legal Counsel regarding existing litigation pursuant to Government Code Section 54956.9; 3 cases
Mascolo v. SSLOCSD et al. CV110676
Central Coast RWQCB vs. SSLOCSD et al. ACLC No. R3-2012-0030
SSLOCSD vs. U.S. Energy et al. CV120008

9. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

District Counsel Setiz said that the Board met in closed session and had accepted the resignation of Plant Superintendent Bob Barlogio effective March 22, 2013. There was no other reportable action.

10. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 9:00 p.m.

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

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

WARRANT REGISTER

2/6/2013

ISSUED TO	PURCHASE/SERVICE	INV. # / SERVICE PERIOD	WARRANT NO.	ACCT	ACCT BRKDN	TOTAL
ABBA EMPLOYER SERVICES	CONTRACT LABOR	18483 18501	020613-7322	6085	1,627.60	1,627.60
APPLIED INDUSTRIAL TECH	COUPLINGS	85750492	23	8030	58.67	58.67
ARAMARK UNIFORMS	EMPLOYEE UNIFORMS	7581722 7599535	24	7025	539.88	539.88
B&B STEEL & SUPPLY	STEEL	407534 407986	25	8060	329.39	329.39
BC PUMP SALES & SERVICE	MISC SUPPLIES	27441	26	8060	307.98	307.98
BRENNTAG PACIFIC, INC	PLANT CHEMICALS	270673	27	8050	4,379.87	4,379.87
CA ELECTRIC SUPPLY	MISC SUPPLIES	7826-513587	28	8060	53.39	2,056.13
	ELECTRICAL SYSTEM UPGRADE	7826-512054 7826-512181 7826-512526 7826-513137		26/8065	2,002.74	
	04 MBI 16	7826-513142 7826-513293 7826-513563				
CARLOS QUINTERO	MEDICAL REIMBURSEMENT		29	6075	590.00	590.00
CAROLLO ENGINEERS	PRETREATMENT ORDINANCE	126123	30	7065	7,696.00	7,696.00
CARQUEST	MISC SUPPLIES	7314-601181 7314-604672 7314-605350	31	8032	286.93	286.93
CHARTER	INTERNET SERVICE	FEBRUARY	32	7011	59.99	59.99
CHEMSEARCH	SHELF FOR SPILL PALLET	972974 11 MBI 01	33	19/8010	347.52	347.52
CONSOLIDATED ELECTRIC (CED)	LAMPS FOR ELEC SYS UPGRADE	7605-551861 04 MBI 16	34	26/8065	104.71	104.71
D&H WATER SYSTEMS	WATERCHAMP REPAIR	2013-28	35	8030	2,222.63	2,222.63
DEBBIE PETERSON	BOARD SERVICE	JANUARY	36	7075	200.00	200.00
DOWNNEY BRAND LLP	LEGAL SERVICES	444596	37	7070	317.68	317.68
ENVIRONMENTAL RESOURCE ASSOCIATES	ELAP QUALITY CONTROL	673432	38	8040	296.93	296.93
FEDEX	SHIPPING	2-156-59150	39	8045	54.34	54.34
FERGUSON ENTERPRISES	MERCOLD SWITCH AND 6" VALVE	8633011 8627377 8940525	40	8060	1,202.60	1,202.60
FGL ENVIRONMENTAL	CHEMICAL ANALYSIS	380007A 380056A 380128A	41	7078	504.00	504.00
		380161A 380168A 380246A				
FLUID RESOURCE MANAGEMENT	WORK ON PRI CLAR NO. 1	C7577 RETENTION RELEASE 06 MBI 04	42	26/8061	17,415.80	17,415.80
HOPKINS TECHNICAL PRODUCTS	FLOW CONTROL MONITORS	201301455	43	8030	1,395.78	1,395.78
JB DEWAR INC	VEHICLE FUEL AND OIL	19358	44	8020	231.36	358.24
	MISC SUPPLIES	967498		8030	126.88	
KEMIRA	FERRIC CHLORIDE	9017315608	45	8050	7,584.51	7,584.51
LINC DELIVERY	DELIVERY SERVICE	DECEMBER	46	8040	332.50	332.50
MATTHEW GUERRERO	BOARD SERVICE	JANUARY	47	7075	200.00	200.00
MC MASTER CARR	SMALL TOOLS	44151348 44339045	48	8055	218.72	565.16
	MISC SUPPLIES	44097542		8060	346.44	
MULLAHEY FORD	VEHICLE REPAIR	66994	49	8032	876.18	876.18
OCEANO COMMUNITY SERVICES DIST	WATER SERVICE	11/18/12 - 01/18/13	50	7094	128.53	128.53
OFFICE DEPOT	OFFICE SUPPLIES	JANUARY	51	8045	235.91	235.91
PRAXAIR	MISC SUPPLIES	45086957	52	8060	45.18	45.18
ROYAL WHOLESALE ELECTRIC	ELECTRICAL WIRING	7842-417280 04 MBI 16	53	26/8065	819.54	819.54
SLO COUNTY APCD	PERMIT RENEWALS	#703-4 #977-4 #1162-1 INV. 15041	54	7068	3,528.00	3,528.00
SM TIRE	TRAILER TIRES	573917 574029	55	8032	195.53	195.53
STATE FUND COMPENSATION	WORKERS' COMP	FEBRUARY	56	6080	10,391.75	10,391.75
TEKTEGRITY	MANAGED IT SERVICE - FEBRUARY	24952-113	57	7015	346.50	346.50
TITAN INDUSTRIAL	SAFETY SIGNS	1052807	58	8056	127.28	127.28
TONY FERRARA	BOARD SERVICE	JANUARY	59	7075	200.00	200.00
UNDERGROUND SERVICE ALERT	DIG ALERT SERVICE	13010263	60	7011	117.00	117.00
WATER ENVIRONMENT FEDERATION	MEMBERSHIP RENEWAL	MEMBER ID: 1770918 - ALLEN	61	7050	228.00	228.00
WESCORP	WORK ON ELEC SYS UPGRADE	242 246 04 MBI 16	62	26/8065	6,934.66	6,934.66
WW GRAINGER	SAFETY SUPPLIES	9039803722	63	8055	217.96	463.06
		9042634221		8058	245.10	
SUB TOTAL					75,671.96	75,671.96
PAYROLL	PPE 01/25/2013				25,927.25	25,927.25
GRAND TOTAL					101,599.21	101,599.21

We hereby certify that the demands numbered serially from 020613-7322 to 020613-7363 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:

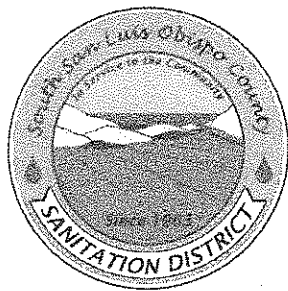
DATE: _____

Chairman

Board Member

Board Member

Secretary



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339 Oceano, California 93475-0339

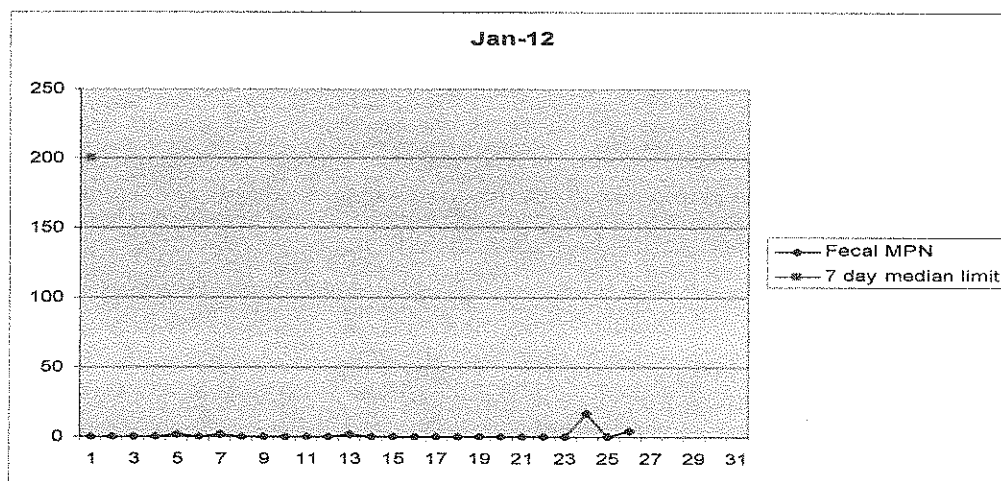
1600 Aloha Oceano, California 93445-9735

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

<http://www.sslocsd.org/>

To: Board of Directors
From: Bob Barlogio, Plant Superintendent
Via: John Wallace, District Administrator *mw*
Date: February 6, 2013
Subject: Superintendent's Report

The plant has been operating fine, with January's numbers looking like this as of Jan 28, 2013; Averages, daily flow 2.61 million gallons per day, chlorine usage of 275 gallons per day. BOD in 321 mg/l out 32 mg/l, TSS in 420 mg/l out 25 mg/l, with a limit out of 40 and 40 mg/l. As the fecal coliform chart below shows the highest to date is a 17 MPN, seven sample median limit of 200 MPN

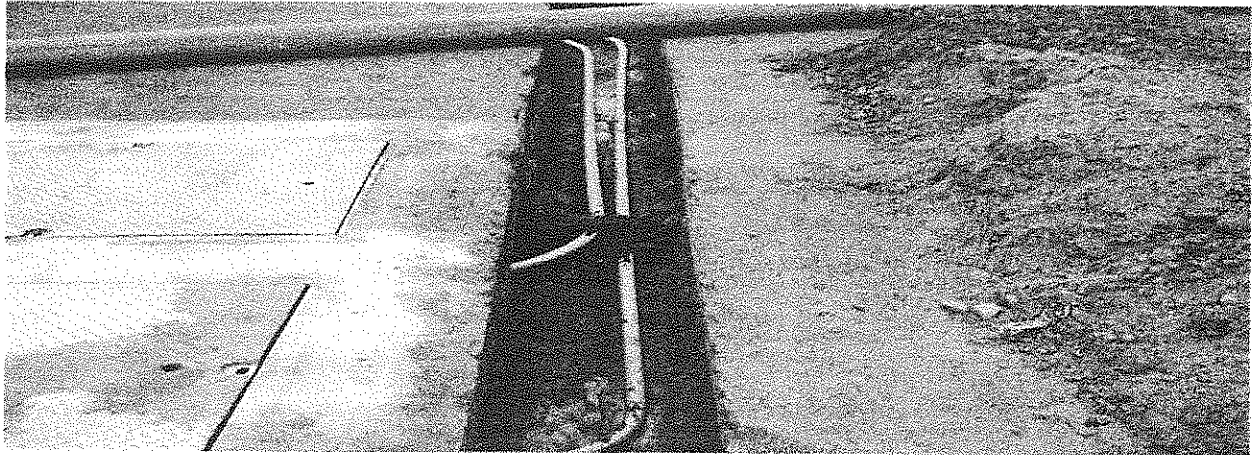


Staff is working with Central Coast Fence and Five Cites Fire Authority to resolve emergency access to the South San Luis Obispo County Sanitation District facility after hours.

PG&E has trimmed the trees by our front gate, allowing them access to the high voltage fuses, with out the need to enter our facility. The South San Luis Obispo County Sanitation District does not have Charter Communication equipment, with the exception of our own internet line,

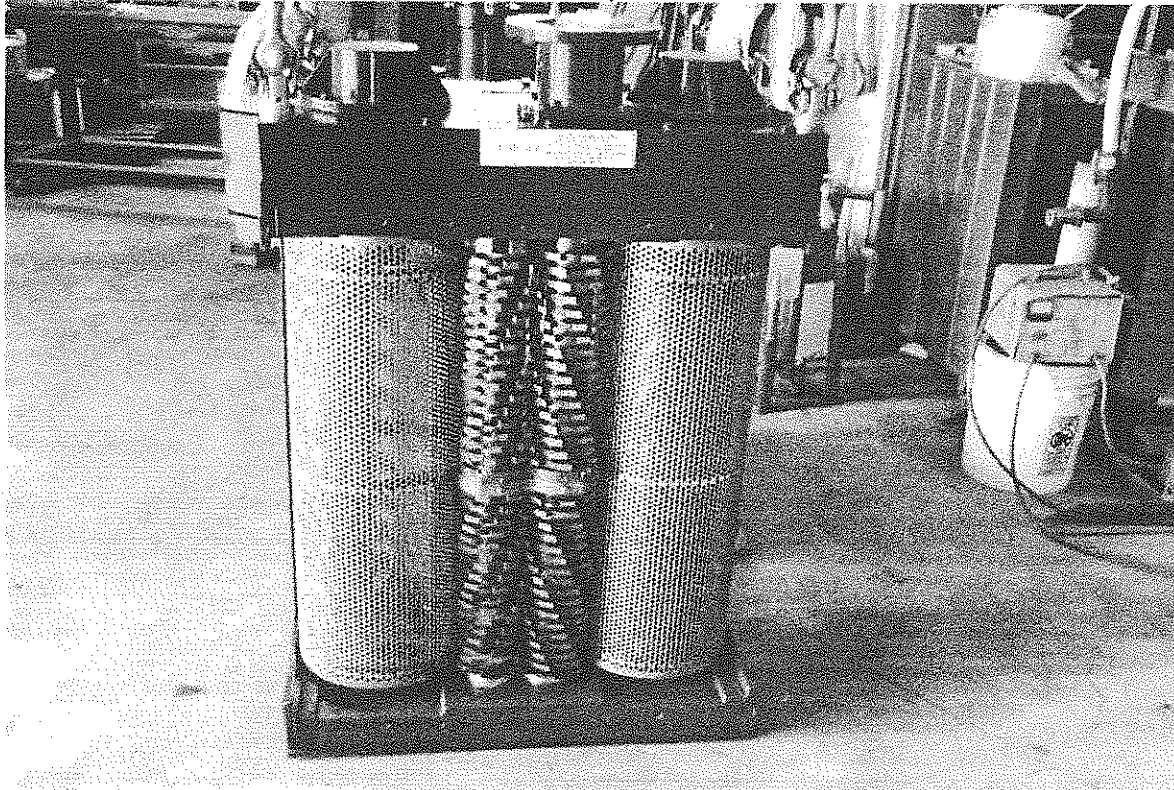
our grounds. Staff has ordered a sign to post by the front gate, stating the emergency phone number for after hours and weekends, easing public access to the on call operator.

Staff with electrician's help, have installed electric conduit to the standby chlorination system.

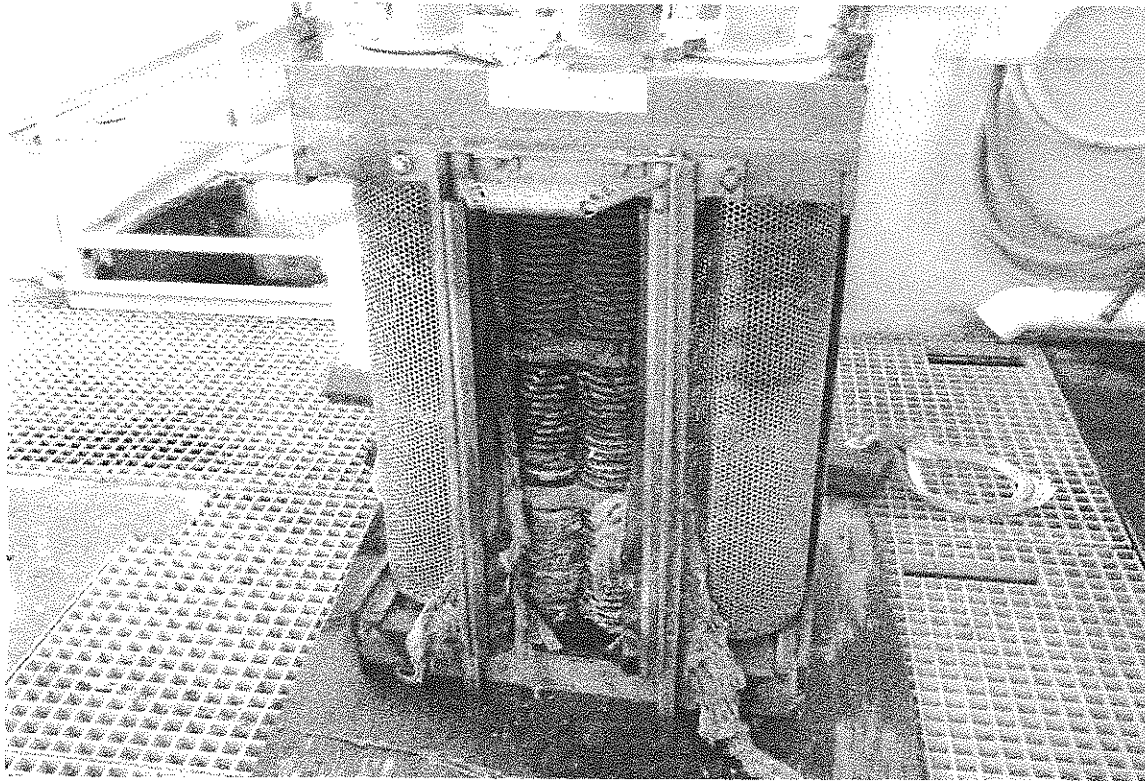


We have two conduits, one for power, and the other for signal wire.

New grinder (Muffin Monster) for the headworks. We have a service called MonsterCare which allows us to change out worn grinders for newly rebuilt units on an annual basis.



Old unit. See how impacted the bottom grinding teeth are. As the unit's teeth wear, the unit does not shear or cut the material coming through, it packs between the teeth. This creates pressure on the bearings and wears them out. Currently, we have a work order to remove each grinder from service on a monthly basis and clean the teeth, but as they get worn, they just smash the rags and plastic creating problems.





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

<http://sslocsd.org/>

Staff Report

To: Board of Directors
From: Bob Barlogio, Plant Superintendent
Via: John Wallace, District Administrator 
Date: February 6, 2013
Subject: Extension of Concrete Wall for Biosolids Drying Beds

Recommendation:

Staff is requesting approval for building an extension (added height) of the existing concrete wall at the westerly end of the biosolids drying beds in the amount of **\$9,300.00** to be performed by A-1 Concrete.

Funding:

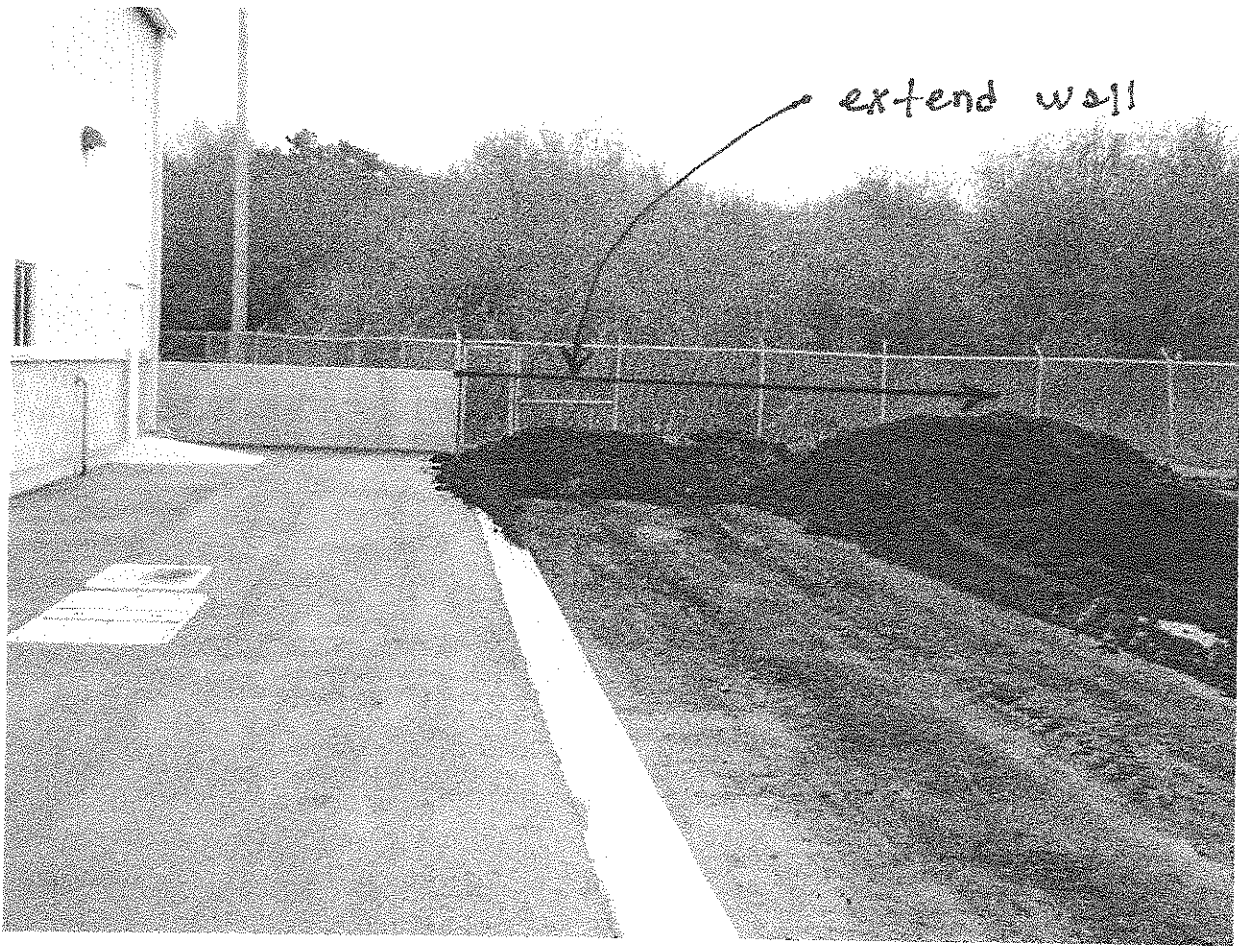
Funding would come from 19-8060, Structure Maintenance-Regular. We have spent \$43,633 of the \$80,000 budgeted. If this purchase is approved, \$27,067 would be remaining.

Discussion:

The backside (westerly end) of the bio-solids drying beds has a short wall. As the loader pushes against the bio-solids, sometimes some of the material has a tendency to fall over the wall, spilling onto the ground, which then has to be shoveled by hand back into the drying bed(s). To prevent this from occurring, staff would like to have a concrete wall built. The wall would be anchored to the top of the existing wall by doweling the rebar with epoxy. The wall is to match the existing wall around the centrifuge building, about 55 inches tall, 12 inches thick and 100 feet long. The rebar will be placed every 16 inches, two rows, and minimum 2 inches of cover. After the concrete had cured, staff plans to install a couple of steel plates to prevent gouging with the loader bucket.

Staff obtained three price quotes

A-1 Concrete	\$9,300.00
Hilyard Concrete	\$15,259.00
R.Baker, Inc	\$19,400.00



Proposal

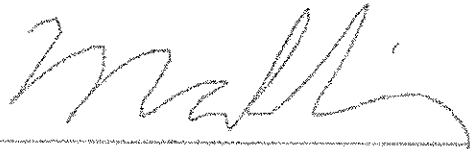


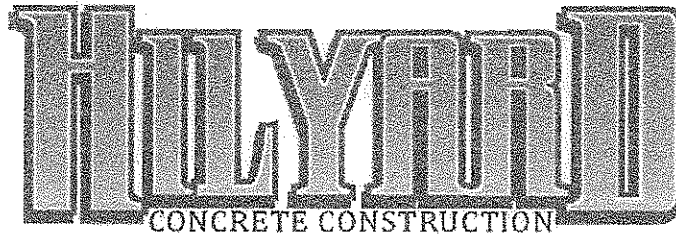
A-1 Concrete

4240 Hwy 41e Templeton Ca 93465

805 712 5630

bassmaster@wildblue.net

Robert Barlogio Sanitation District	01/23/2013
1600 Aloha Place	805 489 6666
Oceanside Ca 93475	Bob@sslocsd.us
100 Foot Concrete Wall.	
<p>We hereby submit specifications and estimates, subject to all terms and conditions as set forth on both sides, as follows:</p> <p>I will build wall 100 feet by 12 inches wide with number 5 rebar 5.5 sack concrete with fiber 55inches tall .</p>	
<p>We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of: <input type="text" value="9,300.00"/></p> <p>Note: This proposal may be withdrawn by us if not accepted within: <input type="text" value="21"/> days</p> <p>Authorized Signature: </p>	
<p>Accepted: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.</p> <p>Signature: _____</p> <p>Date: 10/27/2012</p>	



Office 696 Clarion Court | San Luis Obispo, CA 93401 USA
t +1 805 594 0400 f +1 805 594 0408 CA lic no. 372223

SMALL BUSINESS ENTERPRISE: 1087681
PROPOSAL

TO: Robert Bartogio
South County Sanitation District
Bid Date: 1/24/2013
Date of Plans: 1/18/2013

Phone:
805-489-6666
Job Name/ Location:
South SLO County
Water Sanitation Plant

Email: bob@ssfacsd.us

We hereby submit specifications and estimates for:

- Concrete wall measuring 100' in length, 55" in height and 12" wide

Price: **\$15,259**

This Bid Includes the Following Items:

- Supply of all labor and materials for layout, forming and placement of concrete as listed
- Supply and placement of steel reinforcing for concrete
- Wall finish to be similar to existing wall
- Drill and epoxy into existing wall below
- Cleanup of trash to a Contract/Owner supplied trash container

Job specific Exclusions:

General Exclusions:

- Offsite hauling of excavated footing spoils
- Any rebar welded to structural steel shall be the responsibility of others
- Any miscellaneous metals for structural steel installation shall be the responsibility of others
- Supply and placement of joint fillers & sealers
- Barricades, handrails for other trades, traffic control and protection, or street cleaning
- Suitable onsite area for storage of equipment and materials for job construction
- Permits, fees, or licenses other than city and county business licenses and state contractor's license
- Cleaning or removal of dirt from footing excavations caused by other contractors
- Supply and placement of precast concrete items
- Costs for movement of stored materials once initial delivery is made
- Stainless steel, epoxy coated, or weldable rebar unless specifically included above

R. BAKER, INC.
PIPE LINE AND UTILITY CONSTRUCTION
Post Office Box 419
Arroyo Grande, California 93421
Contractors License No. 372751
Phone 805-489-8711 Fax 805-489-1653
Email: JGuiton@charter.net

Date: 1/24/13
To: Robert Barlogio
Company: South SLO Co. Sanitation District
From: Jim Guiton
Re: Concrete wall extension

Number of pages: 1

Comments: Dear Mr. Barlogio,

R. Baker, Inc. will provide labor, equipment, material and insurance to extend the existing concrete wall at the back of the sludge beds 100 LF for the lump sum of \$19,400.00.

The new wall will be 1' thick and the finish height will match the existing wall finish grade. We exclude any permits or fees associated with this work.

Thank you for the opportunity to quote you on the wall and feel free to contact me if you have any questions regarding this proposal. This price is valid for 30 days.

Sincerely,
R. Baker, Inc.



Jim Guiton
Vice President

STAFF REPORT

TO: BOARD OF DIRECTORS
SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

FROM: MICHAEL W. SEITZ, DISTRICT LEGAL COUNSEL

DATE: JANUARY 31, 2013

RE: DRAFT AMENDED BOARD BYLAWS

INTRODUCTION

The Board reviewed potential changes to the District Bylaws at its special meeting on January 24, 2013. Attached to this memorandum is a draft of the 2013 Bylaws for the Board's review. At this time, the Board will review the Bylaws and direct any additional changes and give instruction to legal counsel regarding those changes. The matter will then be brought back for final approval at the second meeting in February.



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
BOARD OF DIRECTORS BYLAWS
2013 UPDATE

(ATTACHMENT "A" TO RESOLUTION 2013 - Bylaws)

1. OFFICERS OF THE BOARD OF DIRECTORS

- 1.1 The officers of the Board of Directors are the Chairman and Vice Chairman.
- 1.2 The Chairman 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 Chairman, the Vice Chairman of the Board of Directors or his/her designee shall serve as chairperson over all meetings of the Board. If the Chairman and Vice Chairman of the Board are both absent, the remaining Directors present shall select one of themselves to act as chairperson of the meeting.
- 1.4 The Chairman and Vice Chairman of the Board shall be elected annually at the last regular meeting of each calendar year.
- 1.5 The term of office for the Chairman and Vice Chairman of the Board shall commence on January 1 of the year immediately following their election.
- 1.6 The Chairman, and in his/her absence, the Vice Chairman, 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, -and meetings of the San Luis Obispo County Board of Supervisors without compensation except reimbursement for use of his/her private vehicle to attend such meetings pursuant to District Policy 10.01(b). If the Chairman is absent, the Vice Chairman or Boardmember shall attend these meetings.
- 1.7 The Chairman, or in his/her absence, the Vice Chairman -shall meet with the General Manager 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 General Manager.

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 in the Board Room at the Oceano Community Services District, located at 1655 Front Street, Oceano, CA, or at such other meeting location within the District boundaries designated by the Board Chairman. 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.
- 2.2 Special Meetings.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
2013 UPDATE**

Special meetings may be called by the Chairman 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 General Manager in consultation with the Chairman, or in his or her absence, the Vice Chairman 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 General Manager to place a matter on a future agenda; 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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**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
2013 UPDATE**

(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.

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~~(a) Each person desiring to address the Board shall proceed to the speaker's stand upon recognition from the Chairman. The speaker shall state for the record his/her name and address. Unless further time is granted by the Chairman, (unless overruled by a majority vote of the Board), the speaker shall limit his/her remarks to three (3) minutes unless special circumstances exist. All remarks shall be pertinent to the subject at hand. All remarks must be addressed to the Board as a whole and not to any Member individually. No questions shall be asked of a Board Member or member of staff without the permission of the Chairman.~~

~~(b) In order to avoid repetitious presentations and delay in the business of the Board, whenever any group of persons wishes to address the Board on the same subject matter, it shall be proper for the Chairman to request a spokesperson be chosen by the group to represent its position. The Chairman may, in his discretion, grant additional time for a speaker that has been recognized or designated by a group to present comments on their behalf.~~

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~~(c) After a motion has been made and seconded, or a public hearing has been closed, no member of the public shall address the Board from the audience on the matter under consideration without first securing permission to do so from the Chairman or a majority vote of the Board.~~

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.

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(a) Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet, clapping and talking (other than giving public comment) or other acts which disrupts the orderly conduct of the District meeting.

(b) Members of the audience who wish to address the Board on a particular item on the Agenda shall line up behind the podium or sit in the front two (2) rows next to the podium.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
2013 UPDATE**

- (c) No person shall address the Board of Directors without first being recognized by the Chairperson.
- (d) Persons addressing the Board shall state their name and their general place of residence.
- (e) 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.
- (f) Persons addressing the Board are limited to one opportunity per Agenda item unless otherwise directed by the Chairperson in his/her discretion.
- (g) A person cannot defer his/her time allocation to another person.
- (h) 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.
- (i) Persons addressing the Board shall confine the subject matter of their comments to the Agenda item being considered by the Board of Directors.
- (j) 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.
- (k) The Chairperson may rule a speaker out of order who is unduly repetitious or extending discussion of irrelevance.
- (l) 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 speaker after 1:00 p.m. on the day following the meeting.

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**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
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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.

The following procedure and format will be used by the Board to address disruptive persons at a Board Meeting:

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**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
2013 UPDATE**

(a) ~~The Chairman shall make the following announcement:~~

~~As the Chairman, I am advising you that your comments have violated the Board's rules of procedure for addressing the Board and you are causing a serious disruption to this meeting. I must ask you to immediately cease the disturbance before further action is necessary. At this time, I am going to recess the meeting for 10 minutes. We will then reconvene our meeting.~~

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(b) ~~Recess and call for Sheriff to be present when meeting reconvenes.~~

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(c) ~~If the disturbance continues after reconvening the meeting, the Chairman shall make the following announcement:~~

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~~As Chairman, since you are continuing this disturbance, I must advise you that the Penal Code provides that every person who, without authority of law, willfully disturbs or breaks up any meeting, not unlawful in its character, is guilty of a misdemeanor. If you do not immediately cease this disturbance, I will request the police to arrest you under California Penal Code Section 403.~~

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(d) ~~If the disturbance continues, request the Sheriff to come forward to make the arrest. (Government Code Section 54957.9)~~

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2.79 The Chairman, or in his/her absence the Vice Chairman (or his/her designee), 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.

2.810 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 Chairman, Vice Chairman, or any Director shall adjourn such meeting; or, if no Director is present, the District Secretary shall adjourn the meeting.

2.911 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.

2.102 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.

2.143 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.

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
2013 UPDATE**

- 2.124** All video tape recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speakers podium once the meeting begins. The Chairman 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 elected Board member and 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.

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34. AGENDAS

- 34.1** The General Manager, in cooperation with the Board Chairman, shall prepare the agenda for each regular and special meeting of the Board of Directors. Any Director may call the General Manager 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 General Manager or delivered to the office within the next working day.

- 34.2** A block of twenty (20) minutes time shall be set aside to receive general public comment. Comments on agenda items should be held until the appropriate item is called. Unless otherwise directed by the Chairman, 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 Chairman of the Board and limited to three (3) minutes unless extended or shortened by the Chairman at his/her discretion.

- 34.3** 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; 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

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
2013 UPDATE**

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.

45. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES

- 45.1** 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;
- 45.2** 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.
- 45.3** 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 4.4 and 4.6 below, shall not be required to record any remarks of Directors or any other person;
- 45.4** 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 General Manager'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 General Manager, District Counsel, the Board Chairman, or any Director.
- 45.5** 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.

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DIRECTOR BYLAWS
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45.6 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.

45.7 The District shall keep and maintain the electronic recordings of District Board Meetings for a period of sixty (60) days beyond the date that the Minutes for any meeting are approved. The purpose is to insure accuracy of the Minutes and the electronic recording is not intended to substitute for the official record of the meeting.

56. DIRECTORS

6.1 Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors.

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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.

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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 General Manager, and all Directors will receive a copy of all information being distributed.

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6.4 Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

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65.5 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, dissenting Directors should not to create barriers to the implementation of said action.

65.6 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.

65.7 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.

65.8 Directors are cautioned when using e-mail communications. Any communication from the General Manager, 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.

67. AUTHORITY OF DIRECTORS

76.1 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

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
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authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

76.2 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.

76.3 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.

76.4 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 set forth.

87. AUTHORITY OF THE GENERAL MANAGER

The General Manager 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.

98. DIRECTOR GUIDELINES

98.1 Directors, by making a request to the General Manager, 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 General Manager cannot timely provide the requested information by reason of information deficiency, or major interruption in work schedules, work loads, and priorities, then the General Manager shall inform the individual Director why the information is not or cannot be made available.

98.2 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 General Manager for processing and the District's response, if any.

98.3 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 General Manager.

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- | 98.4 When approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager. The chain of command should be followed. If a Director concludes that a personnel issue is not being adequately addressed in this manner, he/she should refer it to the Board's personnel committee for further consideration, in accordance with District Personnel Policy.
- | 98.5 Directors and General Manager should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.
- | 98.6 When responding to constituent request and concerns, Directors should respond to individuals in a positive manner and route their questions to the General Manager.
- | 98.7 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.
- | 98.8 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. The member that has disclosed the conflict of interest may comment on the matter and may participate in the discussion on the item as a member of the public, but only if the member has a personal interest in the matter before the Board, but such participation in such discussion will be subject to the same limitations imposed on all other members of the public. Should the recusal of one or more conflicted members result in the lack of a quorum and the participation of a conflicted member be necessary for resolution of an item, the Board will follow the requirements of the Brown Act, the California Political Reform Act, and the Government Code to determine which conflicted member(s) shall be allowed to participate.

| 109. **DIRECTOR COMPENSATION**

- | 109.1 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.
- | 109.2 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 Directors 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.

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| 109.3 In no event shall Director compensation exceed \$100 per day.

| 109.4 Director compensation shall not exceed six full days in any one calendar month.

| 110. **DIRECTOR REIMBURSEMENT**

| 110.1 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.

| 110.2 All expenses that do not fall within the reimbursement policy set forth in 10.1, above, shall be approved by the Board of Directors, at a public meeting, before the expense is incurred.

| 110.3 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

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
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accompanied by receipts documenting each expense except for per diem allowances.

- 110.4 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.

121. 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.

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

132. 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 insure 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 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.

132.1 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.

132.2 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.

132.3 Incompatible Office

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
DIRECTOR BYLAWS
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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.

| 143. EVALUATION OF CONSULTANTS

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

| 154. 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 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.

| 166. BOARD BYLAWS REVIEW POLICY

Subject to 3.1 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.

| 176. 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

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

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

<http://sslocsd.org/>

Staff Report

To: Board of Directors
From: John Wallace, District Administrator *aw*
Date: February 6, 2013
Subject: Status Update: RWQCB and EPA December 18, 2012 Notice of Violation (NOV) Response

Recommendation:

Staff recommends the Board receive a status update on the District response to the Notice of Violation (NOV) issued by the RWQCB on December 18, 2012 and provide comments to staff.

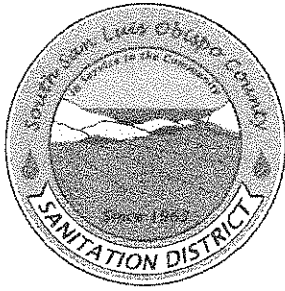
Funding:

N/A

Discussion:

The RWQCB issued a Notice of Violation (NOV) to the District on December 18, 2012. This NOV was based on inspections performed by RWQCB and EPA staff at the WWTP. The District is required to provide a technical report addressing the noted deficiencies outlined in the NOV with a deadline for submission of February 8, 2013.

Staff has completed a final draft of the NOV Response Technical Report. This report will be presented and discussed with the Board at the February 6th meeting. Staff will finalize and submit the final report to the RWQCB on February 8, 2013 after receiving and integrating any comments from the Board of Directors.



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Staff Report

To: Board of Directors
From: John Wallace, District Administrator 
Date: February 6, 2013
Subject: Summary of Industrial and Commercial Wastewater Survey (ICWS) 2012

Recommendation:

Staff recommends the Board receive the ICWS Summary and provide comments to staff.

Funding:

N/A

Discussion:

The Clean Water Act of 1977 established a National Pretreatment Program to control the discharge of pollutants into a Publicly Owned Treatment Works (POTW). The objectives of the National Pretreatment Program are to prevent the introduction of pollutants to the POTW which will interfere with normal operation or pass through a wastewater treatment plant (WWTP).

The District is currently not mandated to implement an approved Industrial Pretreatment Program as described by Title 40 of the Code of Federal Regulations (CFR) Part 403.8. However, the District has developed an evaluation of the need to implement a program as follows:

Every five (5) years under the District's National Pollutant Discharge Elimination System (NPDES) Permit, the District is required under Section 5.b.2 on page 22 to:

By February 1, 2013, submit to this office the results of an updated industrial waste survey as described in 40 CFR 403.8(f)(2)(i)-(ii), and a report summarizing potential impacts of industrial discharges upon the POTW. The report must include an evaluation of the need for regulation of industrial discharges to implement the objectives of the federal pretreatment program.

An industrial waste survey, or industrial and commercial wastewater survey (ICWS) requires that a POTW identify and locate non-domestic users of the sewer systems that might be subject to Federal Pretreatment Program wastewater discharge requirements and identify and maintain a list of its Significant Industrial Users (SIU). SIU are defined under 40 CFR Part 403.3(v) and by the 1994 District Pretreatment Ordinance as any of the following:

- An Industrial User (IU) subject to federal categorical pretreatment standards or Categorical Industrial User (CIU).
- An IU that discharges an average of 25,000 gallons per day (GPD) or more of process wastewater. (The District 1994 Pretreatment Ordinance defines an SIU as an IU that discharges an average of 10,000 GPD or more of process wastewater).
- An IU that contributes a process waste stream making up five (5) percent or more of the average dry-weather hydraulic or organic capacity of the POTW treatment plant (excluding sanitary, noncontact cooling water, and boiler blow down wastewater).
- An IU designated by the POTW as such because of its reasonable potential to adversely affect the POTW's operation or violate any Pretreatment Standard or Requirement.

2012 Industrial and Commercial Wastewater Survey

The Industrial and Commercial Wastewater Survey (ICWS) resulted in the location of 2,446 businesses located in the District boundaries which include the boundaries of its Member Agencies; the City of Arroyo Grande, the City of Grover Beach, and the Oceano Community Services District. Of these businesses, forty-five (45) businesses were identified that have the potential to, or are currently discharging non-domestic wastewater to the POTW.

Of the businesses surveyed, two (2) businesses were identified that would be classified as Significant Industrial Users (SIU) under 40 CFR Part 403 and the 1994 District Pretreatment Ordinance. These businesses are subject to Federal Pretreatment Program wastewater discharge categorical requirements under 40 CFR Part 403.6 and 40 CFR Sections 405-471:

1. Arroyo Grande Community Hospital – SIU per Plant Superintendent, who is a Duly Authorized Representative of the District. The hospital has reasonable potential to adversely affect the POTW.
2. California Fine Wire – Electroplating and Metal Finishing (40 CFR Part 433 and 40 CFR 413)

Arroyo Grande Community Hospital was last inspected on August 16, 2012; the hospital is currently undergoing a renewal of their Industrial Wastewater Discharge Permit due to the identification of a second previously unknown and therefore unmonitored connection to the POTW.

California Fine Wire (CFW) electroplates wire and conducts other metal finishing activities in Grover Beach. CFW under recent EPA Pretreatment Streamlining Regulations may be regulated by a local POTW as a Zero Discharge Categorical SIU if the POTW has incorporated those regulations into their local governing ordinance. The District has permitted CFW as a SIU, Permit Number IWD-2011-02 which expires 10/21/2014.

The District is currently in the process revising its 1994 Pretreatment Program Ordinance and the Board retained Carollo Engineering in October 2012 to update/revise the Ordinance. The District plans to complete the Pretreatment Ordinance update by June 2013, which will allow the District to revise CFW's permit to a Zero Discharge Categorical SIU Permit.

In conclusion, of the two SIU served by the District, California Fine Wire does not discharge process wastewater and Arroyo Grande Community Hospital in 2012 upgraded their x-ray equipment to digital processing and continues to demonstrate that they are managing their hazardous waste and unused/expired pharmaceuticals correctly. As such, District staff plans to continue to implement a pretreatment program for compliance with federal pretreatment program objectives.



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February 1, 2013

Ms. Katie DiSimone
Water Resources Control Engineer
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Subject: 2012 Industrial and Commercial Wastewater Survey

Dear Ms. DiSimone:

Enclosed please find the District's updated industrial waste survey or industrial and commercial wastewater survey (ICWS). An ICWS is required to be updated every five (5) years under the District's 2009 National Pollutant Discharge Elimination System (NPDES) Permit. The District is required by Section 5.b.2 on page 22 to:

By February 1, 2013, submit to this office the results of an updated industrial waste survey as described in 40 CFR 403.8(f)(2)(i)-(ii), and a report summarizing potential impacts of industrial discharges upon the POTW. The report must include an evaluation of the need for regulation of industrial discharges to implement the objectives of the federal pretreatment program.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

John Wallace
District Administrator

cc:

SSLOCSD Board of Directors

Mike Seitz - District Legal Counsel

Sheila Soderberg - Central Coast Regional Water Quality Control Board

Attachments:

- A. SSLOCSD 2012 ICWS Survey Comprehensive List of Businesses
- B. SSLOCSD 2012 List of Commercial and Industrial Users by Category and Reason for Survey Elimination
- C. SSLOCSD 2012 Phone and Site Visit Results and Category Recommendation

Wallace Group

South San Luis Obispo County
Sanitation District

2012 Industrial and Commercial Wastewater Survey

February 1, 2013

2012 Industrial and Commercial Wastewater Survey

Prepared for:

South San Luis Obispo County Sanitation District

District Administrator
Plant Superintendent

John Wallace, PE
Robert Barlogio

Prepared by:

Wallace Group

Senior Environmental Compliance Specialist
Senior Environmental Compliance Specialist

Heather Billing
Bill Callahan

February 1, 2013

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List of Acronyms/Abbreviations

BMP	Best Management Practices
BOD	Five-day Biochemical Oxygen Demand
CA	Control Authority
CIU	Categorical Industrial User
CFR	Code of Federal Regulations
CSD	Community Services District
CWA	Clean Water Act
District	South San Luis Obispo County Sanitation District
EPA	United States Environmental Protection Agency
FOG	Fats, Oils, and Grease
GIS	Geographical Information System
IU	Industrial User
ICWS	Industrial and Commercial Wastewater Survey
POC	Pollutants of Concern
POTW	Publicly Owned Treatment Works
RWQCB	Central Coast Regional Water Quality Control Board
SIU	Significant Industrial User
TSS	Total Suspended Solids
USC	United States Code
WDR	Waste Discharge Requirements
WWTP	Waste Water Treatment Plant

Executive Summary

The Clean Water Act of 1977 established a National Pretreatment Program to control the discharge of pollutants into a Publicly Owned Treatment Works (POTW). The objectives of the National Pretreatment Program are to prevent the introduction of pollutants to the POTW which will interfere with normal operation or pass through a wastewater treatment plant (WWTP).

South San Luis Obispo County Sanitation District (District) owns approximately 8.5 miles of trunk sewer collection system that conveys wastewater to the District WWTP. The District is comprised of three (3) Member Agencies that convey wastewater to the District via their collection systems:

- The City of Arroyo Grande;
- The City of Grover Beach; and
- The Oceano Community Services District.

The District is currently not mandated to implement an approved Industrial Pretreatment Program as described by Title 40 of the Code of Federal Regulations (CFR) Part 403.8.

Every five (5) years under the District's National Pollutant Discharge Elimination System (NPDES) Permit, the District is required under Section 5.b.2 on page 22 to:

By February 1, 2013, submit to this office the results of an updated industrial waste survey as described in 40 CFR 403.8(f)(2)(i)-(ii), and a report summarizing potential impacts of industrial discharges upon the POTW. The report must include an evaluation of the need for regulation of industrial discharges to implement the objectives of the federal pretreatment program.

An industrial waste survey, or industrial and commercial wastewater survey (ICWS) requires that a POTW identify and locate non-domestic users of the sewer systems that might be subject to Federal Pretreatment Program wastewater discharge requirements and identify and maintain a list of its Significant Industrial Users (SIU). SIU are defined under 40 CFR Part 403.3(v) and by the 1994 District Pretreatment Ordinance as any of the following:

- An Industrial User (IU) subject to federal categorical pretreatment standards or Categorical Industrial User (CIU).
- An IU that discharges an average of 25,000 gallons per day (GPD) or more of process wastewater. (The District 1994 Pretreatment Ordinance defines an SIU as an IU that discharges an average of 10,000 GPD or more of process wastewater).
- An IU that contributes a process waste stream making up five (5) percent or more of the average dry-weather hydraulic or organic capacity of the POTW

treatment plant (excluding sanitary, noncontact cooling water, and boiler blow down wastewater).

- An IU designated by the POTW as such because of its reasonable potential to adversely affect the POTW's operation or violate any Pretreatment Standard or Requirement.

2012 Industrial and Commercial Wastewater Survey

The Industrial and Commercial Wastewater Survey (ICWS) resulted in the location of 2,446 businesses located in the District boundaries which include the boundaries of its Member Agencies the City of Arroyo Grande, the City of Grover Beach, and the Oceano Community Services District. Of these businesses, forty-five (45) businesses were identified that have the potential to or are currently discharging non-domestic wastewater to the POTW.

Of the businesses surveyed, two (2) businesses were identified that would be classified as Significant Industrial Users (SIU) under 40 CFR Part 403 and the 1994 District Pretreatment Ordinance. These businesses are subject to Federal Pretreatment Program wastewater discharge categorical requirements under 40 CFR Part 403.6 and 40 CFR Sections 405-471:

1. Arroyo Grande Community Hospital – SIU per Plant Superintendent, who is a Duly Authorized Representative of the District. The hospital has reasonable potential to adversely affect the POTW.
2. California Fine Wire – Electroplating and Metal Finishing (40 CFR Part 433 and 40 CFR 413)

Arroyo Grande Hospital was last inspected on August 16, 2012; the hospital is currently undergoing a renewal of their Industrial Wastewater Discharge Permit due to the identification of a second previously unknown and therefore unmonitored connection to the POTW.

California Fine Wire (CFW) electroplates wire and conducts other metal finishing activities in Grover Beach. CFW under recent EPA Pretreatment Streamlining Regulations may be regulated by a local POTW as a Zero Discharge Categorical SIU if the POTW has incorporated those regulations into their local governing ordinance. The District has permitted CFW as a SIU, Permit Number IWD-2011-02 which expires 10/21/2014.

The District is currently in the process revising its 1994 Pretreatment Program Ordinance and hired Carollo Engineering in October 2012. The District plans to complete the Pretreatment Ordinance update by June 2013, which will allow the District to revise CFW's permit to a Zero Discharge Categorical SIU Permit.

In conclusion, of the two SIU served by the District, CFW does not discharge process wastewater and the hospital in 2012 upgraded their x-ray equipment to digital processing and continues to demonstrate that they are managing their hazardous waste and unused/expired pharmaceuticals correctly. As such, the District plans to continue to fund in the annual fiscal year budgets and implement a pretreatment program to implement federal pretreatment program objectives.

1.0 2011-12 Industrial and Commercial Waste Survey

1.1 Purpose

The Industrial and Commercial Wastewater Survey (ICWS) was conducted in 2012 to identify and locate Industrial Users (IU) in the South San Luis Obispo County Sanitation District (District) Publicly Owned Treatment Works (POTW) that might be subject to the District's unapproved Pretreatment Program. The federal requirement to conduct an ICWS is described in Title 40 Code of Federal Regulations (CFR) Part 403.8(f)(2)(i)-(ii) as follows:

Procedures: The POTW shall develop and implement procedures to ensure compliance with the requirements of a Pretreatment Program. At a minimum, these procedures shall enable the POTW to:

- (i) Identify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program. Any compilation, index, or inventory of Industrial users made under this paragraph shall be made available to the Regional Administrator or Director upon request;*
- (ii) Identify the character and volume of pollutants contributed to the POTW by the Industrial users identified under paragraph (f)(2)(i) of this section. This information shall be made available to the Regional Administrator or Director upon request.*

From the ICWS, the District is required to prepare and maintain a list of its Significant Industrial Users (SIUs). SIUs are defined under 40 CFR Part 403.3(v) as any of the following:

- a) An IU subject to federal categorical pretreatment standards.
- b) An IU that discharges an average of 25,000 gallons per day (GPD) or more of process wastewater.
- c) An IU that contributes a process waste stream making up five (5) percent or more of the average dry-weather hydraulic or organic capacity of the POTW treatment plant (excluding sanitary, noncontact cooling water, and boiler blow down wastewater).
- d) An IU designated by the POTW as such because of its reasonable potential to adversely affect the POTW's operation or violate any Pretreatment Standard or Requirement.

1.2 Comprehensive Business List

The first step in identifying possible Industrial Users (IU) was to compile a comprehensive list of businesses that may discharge process wastewater into the District POTW. The General Pretreatment Regulations contained in 40 CFR Part 403 do not specify how a POTW is to identify its users, but the United States Environmental Protection Agency (EPA) Introduction to the National Pretreatment Program ^[1]

recommends resources such as water and sewer billing records, local telephone directories, and the internet.

The list of businesses included in the District ICWS was developed using the following resources:

Member Agency Business License List. City business licenses served as the primary mechanism to identify potential IUs. Listings of the various business types were sorted into categories for the ICWS.

Member Agency Water Use Records. This report was used to identify businesses that use more than 25,000 gallons of water per day.

District 2012 List of Fats, Oils, and Grease (FOG) Permits. Information on the existing Food Service Establishments with FOG Permits was entered into the database with the intent of excluding them from the ICWS.

Pacific Bell Telephone Directory for Arroyo Grande, Grover Beach, and Oceano. A review of the yellow pages resulted in the identification and inclusion of potential IUs, which were either not listed in the business licenses categories or were new to the area and served by the Member Agencies.

USEPA Envirofacts Database. This database (www.epa.gov/enviro/)^[2] was developed by the EPA as a tool to search for regulated facilities, and includes facilities that have permits to generate hazardous waste, store hazardous materials, emit air pollutants, and discharge treated wastewater to surface and/or groundwater.

Appendix A contains the comprehensive listing of the 2,446 businesses identified as potential IUs.

1.3 Survey of Each IU

Classification of Initial Business List:

The initial list of 2,446 businesses was reviewed and sorted into nine categories. The nine categories are: auto, food service, manufacturing, offices - professional, offices - medical, other, residential, retail, and services. Only two percent of the businesses fell into the manufacturing category while professional offices account for forty-four percent of the total businesses in the District territory as shown below in Figure 1:

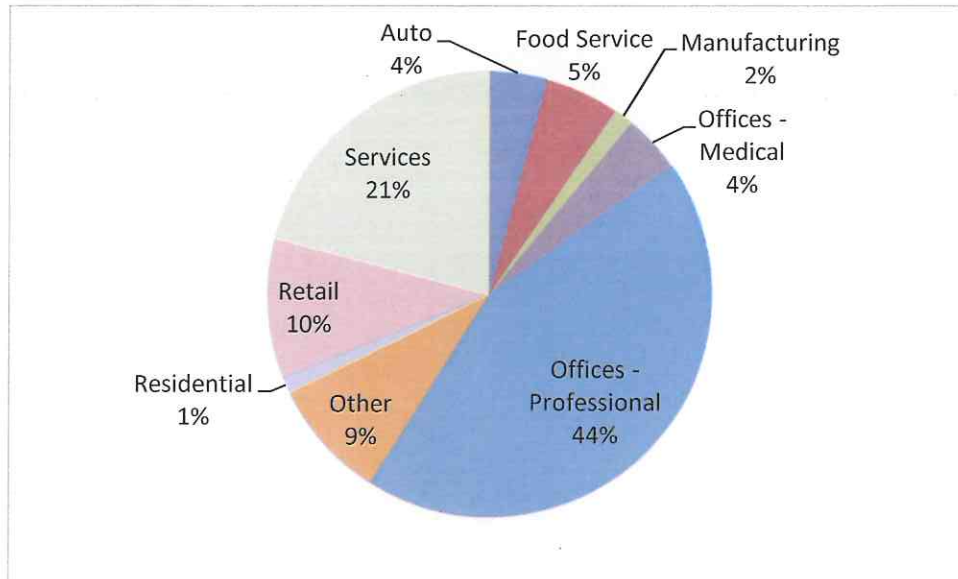


Figure 1: 2012 SSLOCSD Type of Business in Sewer Service Territory

Removal of Businesses from Further Survey Efforts

The 2,446 business were sorted and categorized by research on the internet, review of the firm's name, or knowledge of District staff who conduct pretreatment inspections for the Member Agencies. For example, Valley Auto Service is likely in the general auto repair business category and has the potential to generate hazardous waste, which would be harmful to the POTW if discharged.

Businesses were excluded from further survey efforts to identify Significant Industrial Users (SIU) if it was clear given the nature of the business that only domestic type wastewater is discharged, the business has no discharge to the POTW, or the business has to the potential to discharge hazardous waste to the District but does not fall under the definition of an SIU. Business categories excluded from further survey efforts included:

Figure 2: 2012 SSLOCSD Business Categories Excluded from Telephone Survey

Business Category	Reason Excluded from Survey
Auto – Body repair, paint, gas station and food service, tire, car wash, auto sales.	<p>Source of wastewater is expected to be domestic type from employees and customers and/or hazardous waste generated is stored and disposed of correctly as directed by state hazardous waste laws.</p> <p>Some, but not all, of these businesses are permitted by the District as Class I Industrial Users and inspected annually to ensure that hazardous</p>

Business Category	Reason Excluded from Survey
	waste is correctly disposed.
Food Service Establishment <ul style="list-style-type: none"> ▪ Restaurants ▪ Bakeries ▪ Grocery, Deli 	All businesses semi-annually inspected and permitted since 2007 as Class II Industrial Users by the District Fats, Oil, and Grease (FOG) Program.
Offices – Professional <ul style="list-style-type: none"> ▪ Accounting ▪ Law ▪ Property Management ▪ Realty ▪ Agriculture Brokers 	Source of wastewater is reasonably expected to be domestic type from employees and customers.
Other <ul style="list-style-type: none"> ▪ Assisted Living Facilities ▪ Bank ▪ Church ▪ Library ▪ Gym ▪ Shopping Center ▪ Laundromat (no dry cleaning) 	Source of wastewater is reasonably expected to be domestic type from employees and customers. The shopping centers were eliminated as the individual businesses located within are part of the survey.
Residential <ul style="list-style-type: none"> ▪ Apartment Complex 	Source of wastewater is reasonably expected to be domestic type from residents.
Retail <ul style="list-style-type: none"> ▪ Animal Feed ▪ Bicycles ▪ Clothing ▪ Florist ▪ Hardware ▪ Stonework 	Source of wastewater is reasonably expected to be domestic type from employees and customers.
Services <ul style="list-style-type: none"> ▪ Appliance Repair ▪ Bicycle Repair ▪ Carpet Cleaning ▪ Cleaning/Janitorial ▪ Mobile Window Washing ▪ Photography – No processing ▪ Equipment Rental 	Source of wastewater is reasonably expected to be domestic type from employees and customers. Window washing would not result in discharges to the POTW. Carpet cleaners are mobile and discharge small volumes of wastewater and fibers to POTW.

Appendix B is the summary spreadsheet of the 2,401 businesses eliminated from further survey efforts with the reason documented.

Phone Survey – Fall 2012

A phone survey was conducted of the remaining forty-five (45) businesses, who were categorized as a potential manufacturer, to determine if the businesses discharges process wastewater. The information gathered included name of owner, name and title of person answering the survey if not the owner, physical address, mailing address, and nature of the business practiced. The following questions were asked:

1. **Do you now discharge or in the future plan to discharge into the sanitary sewer system any wastewater or materials other than usual volumes of bathroom, kitchen, or residential laundry wastes?**
Present: [☐] Yes [☐] No Future: [☐] Yes [☐] No
2. **Do you now discharge or in the future plan to discharge into the storm drain sewer system any wastewater or materials other than storm runoff?**
Present: [☐] Yes [☐] No Future: [☐] Yes [☐] No
3. **Do you now discharge or in the future plan to discharge into a navigable body of water any wastewater or other materials?**
Present: [☐] Yes [☐] No Future: [☐] Yes [☐] No
4. **Do you or will you generate wastes that are hauled away to locations other than a sanitary landfill (grease, solvents, oil, chemical wastes, etc.)?**
Present: [☐] Yes [☐] No Future: [☐] Yes [☐] No

Any “yes” or lack of response resulted in the business continuing to be tracked as requiring a site visit. Appendix C is a spreadsheet summarizing the results of the forty-five (45) businesses surveyed by phone and/or a site visit. Site visits were conducted on December 15, 2012.

Figure 3: 2012 SSLOCSD Phone and Site Visit Survey Results

Result	Number of Businesses
1. Business out of business.	0
2. Business appears to be in but is out of service territory or business is in service territory but discharges to a septic system.	17
3. Business generates only domestic type wastewater (all 4 aforementioned survey questions received “no” responses.)	39

1.4 Evaluation of Businesses Based on Phone and Site Survey Results

The methodology used to evaluate each potential IU was to review the business to identify the nature of the business, if chemicals are used or stored, the estimated volume of wastewater discharged, and the potential for discharge of pollutants to the POTW. The business was then classified in the following manner:

- a) No further action required;
- b) Follow-up by the District recommended;
- c) Permitting recommended.

In recognition of the varying nature of IUs served by the District, the following categories are currently in use as permitting classifications. A description of the classifications is listed below.

Significant Industrial User (SIU)

Business meets definition of SIU as described in 40 CFR Part 403.3(v).

Class I: Businesses Discharging No Process Wastewater

This class includes IUs discharging no process wastewater, but who generate medical and/or hazardous waste, which may require verification that the waste is disposed of properly (licensed landfill, incinerator, recycling) and not the POTW.

Class II: Commercial/Industrial Dischargers with Well characterized Waste Streams

This class consists of commercial or industrial users, which have the potential but do not significantly impact to the POTW. These users may be required to install a grease interceptor or other type of pretreatment system. Permits that enforce Best Management Practices (BMPs), such as keeping records of cleaning grease interceptors, are required.

Class III: Special Case

Users in this class are those requiring special permits for a one-time discharge of wastewater into the collection system (batch discharge) or for discharging wastewater for a specific period of time (interim discharge). Sampling and analysis of their wastewater may be required prior to approving and issuing a permit. Class III permits may be issued for either specified volumes or specified time periods.

The figure below summarizes the current District classifications of businesses and the number of businesses fall into each class based on the ICWS survey.

Figure 4: 2012 SSLOCSD ICWS Survey Results

Result	Recommended Classification Definition	Category of Business	Number of Businesses
1. Significant Industrial User	As defined by 40 CFR Part 403.3(v)	<ul style="list-style-type: none"> ▪ Hospital; SIU at Plant Superintendent Direction ▪ Plating and Metal Finishing 	2
<p style="text-align: center;">District SIU</p> <p style="text-align: center;">Arroyo Grande Hospital California Fine Wire</p>			
Result	Recommended Classification Definition	Category of Business	Number of Businesses
2. Class I Industrial User	Business has the potential to discharge hazardous waste to the sewer system or discharges process wastewater that may contain pollutants.	<ul style="list-style-type: none"> ▪ Auto Repair ▪ Dry Cleaner ▪ Dentist Office ▪ Medical Office ▪ Manufacturing 	240
3. Class II Industrial User	Business discharges domestic type wastewater containing higher than domestic concentrations of Fats Oils, and Grease (FOG), Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS)	<ul style="list-style-type: none"> ▪ Restaurants ▪ Bakery ▪ Caterer 	132
4. Class III	Business is a one-time or infrequent discharger of non-domestic type wastewater that has potential to impact the wastewater treatment plant.	<ul style="list-style-type: none"> ▪ Chemical Root Control of Sewer System 	1

References

1. United States Environmental Protection Agency Office of Wastewater Management (4203), Introduction to the National Pretreatment Program, EPA-833-B-11-001 June 2011.
2. United States Environmental Protection Agency Pacific Envirofacts Site:
<http://www.epa.gov/enviro/>

January 15, 2013

South San Luis Obispo County Sanitation District
Mr. Matthew Haber
Bookkeeper/Secretary
Post Office Box 339
Oceano, CA 93475-0339

Dear Mr. Haber,

On January 9, 2013, the SDRMA Board of Directors approved a longevity distribution for the fourth year in a row. The Longevity Distribution Policy was originally approved by the Board in 2010 to recognize and reward members for their loyalty and commitment to SDRMA programs. The policy is consistent with the goals and objectives of the Board's strategic business plan and helps ensure pool stability by rewarding members for remaining in our Property/Liability and Workers' Compensation programs.

There is no action required by your agency. Every member that has completed the 3 full program year initial commitment period for either the Property/Liability or Workers' Compensation program is eligible to receive a longevity distribution credit for that particular program when they renew coverage. The longevity distribution may only be declared by the Board of Directors each year only after all Board policy reserve requirements have been met. The amount available for the longevity distribution is the amount of investment earnings on reserves above the Board approved confidence level for each program as of June 30. The distribution is weighted based on the member's length of time in that program and the amount of the member's annual contributions compared to the total contributions of all pool members.

This year, the Board approved a longevity distribution in the amount of \$487,939 for Property/Liability members and \$608,641 for Workers' Compensation members. For the Property/Liability program, over 92% of members will receive the distribution credit and for the Workers' Compensation program, over 88% of members will receive the distribution credit.

Congratulations! Since you have participated in our Property/Liability program for 13 years as of June 30, 2012, **your agency will receive a longevity distribution credit on your 2013-14 renewal invoice in the amount of \$1,080!** We encourage you to share this valuable news with your governing body!

In addition, we are pleased to provide a copy of the SDRMA 2011-12 Annual Report. The report highlights the strength of our programs, the diversity of our membership and the financial security of our pool as well as other important information!

REMINDER – We hope to see you at our Annual Membership Meeting and Safety/Claims Education Day on March 28, 2013 at the Sacramento Hilton Hotel! You will be receiving a special postcard mailer soon with more information.

Thank you for your participation and helping make SDRMA a premier risk management provider! If you have any questions, please contact the SDRMA Finance Department at 800.537.7790 or 916.231.4141.

Sincerely,
Special District Risk Management Authority


David Aranda, President
Board of Directors