



# Montecito Sanitary District

1042 Monte Cristo Lane  
Santa Barbara, CA 93108

*A Public Service Agency*

Phone: (805) 969-4200  
[www.montsan.org](http://www.montsan.org)

## **BOARD PACKET**

For the Regular Board Meeting of

**Thursday, May 12, 2022**

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## **AGENDA**

For the Regular Meeting of the Board on:

**May 12, 2022**

The regular meeting of the Governing Board will begin at **2:00 p.m. on May 12, 2022** in the District's Board Room at 1042 Monte Cristo Lane.

The public may attend the meeting in person or participate remotely via Zoom using the following virtual meeting details:

By visiting: <https://us02web.zoom.us/j/89962037096>

Or by calling: 1-669-900-6833

Meeting ID: 899 6203 7096

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### **1. CALL TO ORDER**

President Dorinne Lee Johnson; statement regarding meeting decorum. When the MSD Board is in session, all Board members must preserve order, decency, and decorum at all times and be respectful while others are speaking.

#### **A. ROLL CALL**

#### **B. PLEDGE OF ALLEGIANCE**

### **2. PUBLIC COMMENT**

Public comment is **limited to 3 minutes** and is at the discretion of the Board President. For further instructions, see please see [Instructions for Public Comment](#) on the District's website.

### **3. APPROVAL OF MINUTES**

It is recommended that the Board consider approving the minutes from Board Meetings held on April 13, 2022, April 14, 2022, April 21, 2022, and April 28, 2022.

### **4. COMMITTEE REPORTS**

It is recommended that the Board receive and file a report provided by the following committee(s):

- i) The Public Information Committee (Newquist and Johnson) related to their meeting of May 6, 2022.

### **5. OLD BUSINESS**

#### **A. LILAC OAK GROVE SEWER MAIN EXTENSION PROJECT**

It is recommended that the Board consider:

- i) Authorize the General Manager to execute a Task Order under the On-Call Services Contract (2020-008-OC) with Phillipin Engineering, in the amount of \$49,920 for part-time construction support and inspection services to complete the project.

6. **NEW BUSINESS**

None

7. **DISTRICT OPERATIONS AND MAINTENANCE**

A. **INFORMATION ITEMS**

General Manager Brad Rahrer P.E., will provide informational, nonactionable updates regarding matters before the District.

B. **AGREEMENTS TO BE SIGNED**

None.

C. **OPERATIONS AND MAINTENANCE REPORTS**

For the period of April 1 through April 30, 2022.

8. **ITEMS FOR THE NEXT AGENDA**

The next Board meeting will be a regularly scheduled board meeting on May 26, 2022 at 2:00 pm; to discuss the following items (but not limited to):

- Draft FY2022-2023 Budget

9. **ADJOURNMENT**

The Montecito Sanitary District has resumed in-person meetings in accordance with the Brown Act. In accordance with the State of Emergency declaration issued on March 4, 2020 by the Governor of the State of California in response to COVID-19 and Government Code 54953(e), the District also provides alternative methods of remote participation which permit members of the public to observe and address public meetings remotely via telephone or Zoom. These methods of participation can be accessed through the internet link provided at the top of this agenda.

This agenda was posted on the District website, and at the Montecito Sanitary District Bulletin Board in accordance with the requirements of the Brown Act. Attested by:



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Stephen Williams  
District Administrator/Clerk of the Board



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## MINUTES

For the Special Meeting of the Board on:

**April 13, 2022**

### 1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a special meeting at 2:06 pm on Wednesday, April 13, 2022. The meeting was broadcast using Zoom teleconferencing.

#### ATTENDANCE

##### **Board Members Present:**

President Dorinne Lee Johnson, Vice President Woody Barrett, Treasurer Don Eversoll and Director Dana Newquist

##### **Board Members Absent:**

Director Gary Fuller (Resigned effective April 13, 2022)

##### **Also Present and Participating:**

Brad Rahrer, P.E. MSD General Manager

Aleks Giragosian, MSD General Counsel, Colantuono, Highsmith & Whatley

### 2. PUBLIC COMMENT

No members of the public were in attendance.

### 3. CLOSED SESSION

Prior to entering closed session, General Manager Brad Rahrer reported that Director Fuller tendered a letter of resignation for his position on the Board shortly before the meeting.

The Board of Directors entered closed session at 2:08 p.m. and returned from closed session at 4:02 p.m.

#### A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (GOVERNMENT CODE § 54956.9)

A point has been reached where, in the opinion of the District Board of Directors on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the District:

Number of Potential Cases: 3

Reportable Action: Board voted to schedule another closed session at a future time and date for the purposes of initiating litigation.

4. **ITEMS FOR THE NEXT AGENDA**

The next Board meeting will be a regularly scheduled board meeting on April 14, 2022 at 2:00 pm.

5. **ADJOURNMENT**

The meeting adjourned at 4:04 p.m. ON MOTION by Director Barrett, seconded by Director Eversoll.

These minutes were presented for approval at the Board Meeting on May 12, 2022.

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Dorinne Lee Johnson, President

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Ellwood T. Barrett II, Vice President

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Dana Newquist, Secretary

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Donald M. Eversoll, Treasurer

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Gary Fuller, Director



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## MINUTES

For the Regular Meeting of the Board on:

**April 14, 2022**

### 1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:03 pm on Thursday, April 14, 2022.

#### ATTENDANCE

##### *Board Members Present:*

President Dorinne Lee Johnson, Vice President Woody Barrett, Treasurer Don Eversoll, and Director Dana Newquist

##### *Board Members Absent:*

None

##### *Also Present and Participating:*

Brad Rahrer, P.E. MSD General Manager  
Stephen Williams, MSD District Administrator  
Aleksan Giragosian, Colantuono, Highsmith & Whatley  
Elsie Varela, SoCalREN  
Tyler Barton, SoCalREN  
Mark Carney  
Guest (Unidentified Zoom Participant)

### 2. PUBLIC COMMENT

No members of the public addressed the Board.

### 3. SOCALREN PROGRAMS PRESENTATION

Members of the Southern California Regional Energy Network (SoCalREN) gave the Board a presentation on relevant programs and financial incentives for eligible District projects.

### 4. APPROVAL OF MINUTES

It is recommended that the Board consider approving the minutes from Board Meetings held on March 3, 2022, March 10, 2022, and March 24, 2022.

ON MOTION by Director Newquist, Second by Director Eversoll, the Board voted to approve the Minutes from the Board Meeting held on March 3, 2022.

AYES:	Directors Barrett, Eversoll, Johnson and Newquist
NAYS:	None
ABSTAIN:	None
ABSENT:	None

ON MOTION by Director Barrett, Second by Director Eversoll, the Board voted to approve the Minutes from the Board Meetings held on March 10, 2022 and March 24, 2022.

AYES: Directors Barrett, Eversoll, Johnson and Newquist  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**5. OLD BUSINESS**

**A. ACCESSORY DWELLING UNIT (ADU) POLICY DISCUSSION**

The General Manager gave a brief overview of the District's updated housing development review policy that is in conjunction with Resolution 2022-947.

ON MOTION by Director Newquist, Second by Director Barrett, the Board voted to adopt Resolution 2022-947 and the accompanying housing development review policy.

AYES: Directors Barrett, Eversoll, Johnson and Newquist  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**6. NEW BUSINESS**

None.

**7. ITEMS FOR THE NEXT AGENDA**

The next Board meeting will be a regularly scheduled board meeting on April 28, 2022 at 2:00 pm; to discuss the following items (but not limited to):

- Enhanced Recycled Water Feasibility Study – Progress Update
- Appointment timeline of 5<sup>th</sup> Board Member
- Discuss trimming of trees in connection with information received from the Public

**8. ADJOURNMENT**

The meeting adjourned at 3:31 p.m. ON MOTION by Director Newquist, seconded by Director Barrett.

These minutes were presented for approval at the Board Meeting on May 12, 2022.

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Dorinne Lee Johnson, President

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Ellwood T. Barrett II, Vice President

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Dana Newquist, Secretary

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Donald M. Eversoll, Treasurer

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Gary Fuller, Director





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## MINUTES

For the Special Meeting of the Board on:

**April 21, 2022**

### 1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a special meeting at 2:08 p.m. on Thursday, April 21, 2022. The meeting was broadcast using Zoom teleconferencing.

#### ATTENDANCE

##### *Board Members Present:*

President Dorinne Lee Johnson, Vice President Woody Barrett, Treasurer Don Eversoll (left at 4:37 p.m. during closed session) and Director Dana Newquist

##### *Board Members Absent:*

None

##### *Also Present and Participating:*

Brad Rahrer, P.E. MSD General Manager  
Aleks Giragosian, MSD General Counsel, Colantuono, Highsmith & Whatley

### 2. PUBLIC COMMENT

No members of the public were in attendance.

### 3. CLOSED SESSION

Prior to entering closed session, General Manager Brad Rahrer reported that Director Fuller tendered a letter of resignation for his position on the Board shortly before the meeting.

The Board of Directors entered closed session at 2:12 p.m. and returned from closed session at 4:44 p.m.

#### A. PERSONNEL COMMITTEE APPOINTMENT

Discussion and appointment of a replacement for the vacancy on the Personnel Committee caused by a Director's resignation.

#### B. MEDIA RESPONSE STRATEGY

Discussion regarding the District's roles, responsibilities and strategy to fulfill information requests from media and complying with information requests under the Public Records Act.

#### C. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION (GOVERNMENT CODE § 54956.9(d)(4))

A point has been reached where, in the opinion of the District Board of Directors on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the District:

Number of Potential Cases: 3

Reportable Action: None

4. **ITEMS FOR THE NEXT AGENDA**

The next Board meeting will be a regularly scheduled board meeting on April 28, 2022 at 2:00 pm.

5. **ADJOURNMENT**

The meeting adjourned at 4:54 p.m. ON MOTION by Director Barrett, seconded by Director Eversoll.

These minutes were presented for approval at the Board Meeting on May 12, 2022.

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Dorinne Lee Johnson, President

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Ellwood T. Barrett II, Vice President

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Dana Newquist, Secretary

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Donald M. Eversoll, Treasurer

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Gary Fuller, Director



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## MINUTES

For the Regular Meeting of the Board on:

**April 28, 2022**

### 1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:02 pm on Thursday, April 28, 2022.

#### ATTENDANCE

##### *Board Members Present:*

President Dorinne Lee Johnson, Vice President Woody Barrett, and Treasurer Don Eversoll

##### *Board Members Absent:*

Director Dana Newquist

##### *Also Present and Participating:*

Brad Rahrer, P.E. MSD General Manager  
Stephen Williams, MSD District Administrator  
Aleksan Giragosian, Colantuono, Highsmith & Whatley  
Andy Salveson, Carollo Engineers  
Lisa Arroyo, Carollo Engineers  
Farjaneh Shabani, Carollo Engineers  
Rob Morrow, Carollo Engineers  
Marco Felix, MSD Chief Treatment Plant Operator  
Carole Rollins, MSD Laboratory Manager  
Thomas K, Member of the Public  
Resident, Member of the Public  
Kenneth Coates, Member of the Public  
Alison Thompson, Heal the Ocean  
Hillary Hauser

### 2. PUBLIC COMMENT

No members of the public addressed the Board.

### 3. PRESENTATION

#### A. ENHANCED RECYCLED WATER FEASIBILITY STUDY

The Board received a presentation from Carollo Engineers on the progress of the Enhanced Recycled Water Feasibility Study project and the Treatment Facilities Master Plan.

**B. DIRECTOR VACANCY REPLACEMENT PROCESS**

The Board received a report from General Counsel regarding the District’s options and process for filling the vacancy created by Director Fuller’s resignation.

ON MOTION by Director Barrett, Second by Director Eversoll , the Board voted to fill the vacancy through appointment. General Counsel was directed to prepare a “Notice of Intention to Fill Vacancy” for posting in at least three or more conspicuous locations within the Montecito Sanitary District from April 29, 2022 to May 18, 2022.

AYES: Directors Barrett, Eversoll, and Johnson  
NAYS: None  
ABSTAIN: None  
ABSENT: Director Newquist

**4. APPROVAL OF PAYABLES**

ON MOTION by Director Eversoll, Second by Director Barrett, the Board voted to approve the District payables for checks dated March 1 through March 31, 2022.

Accounts Payable	\$ 212,331.41
Capital Improvement Projects	\$ 116,570.10
Recycled Water Fund	\$ 33,778.19
Payroll	\$ 128,784.93
<b>TOTAL</b>	<b>\$ 491,464.63</b>

AYES: Directors Barrett, Eversoll, and Johnson  
NAYS: None  
ABSTAIN: None  
ABSENT: Director Newquist

**5. COMMITTEE REPORTS**

It is recommended that the Board receive and file a report provided by the following committee(s):

- i) Director Barrett gave a summary of the Personnel Committee meeting held on April 19, 2022
- ii) Director Johnson gave a summary of the Finance Committee meeting held on April 20, 2022.

**6. OLD BUSINESS**

None.

7. **NEW BUSINESS**

A. **FY2021-22 UNAUDITED QUARTERLY FINANCIAL REPORTS**

District Administrator Stephen Williams presented a summary of the District's Third Quarter Unaudited Financial Reports.

ON MOTION by Director Eversoll, Second by Director Barrett, the Board voted to approve and accept as presented the Unaudited Quarterly Financial Statements for the period ended March 31, 2022.

AYES: Directors Barrett, Eversoll, and Johnson  
NAYS: None  
ABSTAIN: None  
ABSENT: Director Newquist

B. **LETTER FROM BOARD OF DIRECTORS**

The Board discussed preparing a letter from the Board of Directors to advise the Public on the Districts current projects.

8. **DISTRICT OPERATIONS AND MAINTENANCE**

A. **INFORMATION ITEMS**

None.

B. **AGREEMENTS TO BE SIGNED**

None.

C. **OPERATIONS AND MAINTENANCE REPORTS**

General Manager Brad Rahrer P.E. provided a brief summary of the District's operations, maintenance, collections and laboratory statistics and achievements for the period of March 1 through March 31, 2022.

9. **ITEMS FOR THE NEXT AGENDA**

The next Board meeting will be a special Board meeting scheduled for May 12, 2022 at 2:00 pm.

**10. ADJOURNMENT**

The meeting adjourned at 4:40 p.m. ON MOTION by Director Eversoll, seconded by Director Barrett.

These minutes were presented for approval at the Board Meeting on May 12, 2022.

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Dorinne Lee Johnson, President

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Ellwood T. Barrett II, Vice President

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Dana Newquist, Secretary

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Donald M. Eversoll, Treasurer

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Gary Fuller, Director



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## MONTECITO SANITARY DISTRICT STAFF REPORT

**DATE:** May 12, 2022  
**TO:** Board of Directors  
**FROM:** Bradley Rahrer, General Manager  
**SUBJECT:** Lilac and Oak Grove Drive Sewer Main Extension - Inspection  
**SUMMARY:** Fillipin Engineering is requesting an additional task order to provide inspections services for the remaining work for the Lilac/Oak Grove Sewer Main Extension

**RECOMMENDATION: STAFF RECOMMENDS THAT THE BOARD:**

1. Authorize the General Manager to execute a Task Order under the On-Call Services Contract (2020-008-OC) with Fillipin Engineering, in the amount of \$44,200 for part-time construction support and inspection services to complete the remaining work on Lilac Drive.

**DISCUSSION:**

**Background** – On October 28, 2021, the Board approved proceeding with installing a sewer main along Lilac Drive, Oak Grove Drive, and along Highway 192 to serve 22 properties. The project involves installing approximately 3,822 linear feet of 8-inch PVC sewer main, 19 manholes, and extending 22 sewer laterals to the property line for each parcel served by the project. Additionally, the contractor will be required to repave per County and Caltrans standards after installing the new sewer facilities. In order to ensure the Contractor, Tierra Contracting (Tierra), complies with all County and Caltrans requirements and constructs the project per the design plans and specifications, the District requires field inspections services.

On November 18, 2022, the Board authorized the General Manager to execute a task order under an existing on-call contract for inspection services. The initial task order and budget for inspection assumed the work would need 15 working days with full-time inspection for work in Caltrans right-of-way, and 45 working days for part-time inspection in County right-of-way.

From the onset of the project, Tierra has encountered large boulders which significantly slows down the pipeline installation (photo attached for reference). When a large boulder

is found that cannot be broken by the excavator, Tierra must change their equipment to break-up the boulder to allow the excavator to remove the pieces.

The District’s Caltrans permit requires full-time inspection while operating within Highway 192 (E. Valley Road). The geologic material encountered in the first stretch of pipe resulted in the District inspector providing full-time inspection for 32 working days, more than double that initially estimated. The work in Caltrans right-of-way is complete and Tierra efficiently completed the portion on Oak Grove, however, approximately 50% of the pipe remains to be installed on Lilac Drive.

Under the initial task order for the project, Fillipin Engineering does not have enough remaining hours to complete the project. To complete the work, the District agrees with Fillipin that approximately another 280 hours of inspection is an accurate estimate and necessary to provide part-time inspection work for the remaining portion of the project.

**Fiscal Impact** – The Lilac/Oak Grove Sewer Main Extension Project was budgeted for Fiscal Year 2021-22 and the cost for construction observation services will be associated with the CIP project. To prepare the proposed cost estimate provided in the proposal, Staff negotiated with the consultant to narrow the scope of work. The costs provided in the attached extra services letter are reasonable for construction inspection services for completion of project and takes into account the progress made to date.

Proposal	Amount
Initial Proposal	<b>\$49,920</b>
Additional Inspection Services Proposal	<b>\$44,200</b>
Original Extra Services	<b>\$4,992</b>
<b>Total</b>	<b>\$99,112</b>

The total for inspection services is within the industry standard of 25% overall soft costs (design, construction management, inspection) for a project of this magnitude.

**Previous Related Action** –

- October 28, 2021 – The Board awarded a construction contract to Tierra Construction for the full project serving Lilac, Oak Grove and E. Valley properties.
- November 18, 2021 – The Board authorized a task order under the on-call inspection contract to Fillipin Engineering for part-time inspection based on understanding of initial project.

**Goals and Objectives** – To ensure the contractor (Tierra) constructs the project in accordance with the design plans and specifications. To protect the District from risk involved with construction projects.

**Environmental Determination** – Categorically exempt by CEQA.



**Analysis – Justifications** – The District’s current Purchasing Policies and Procedures requires Board of Directors approval on all special service expenditures in excess of \$15,000. Due to the location, nature of work, and construction costs involved with this sewer main extension project, this extra service request is in excess of the General Manager’s contracting authority and therefore require board of directors approval.

**OTHER DEPARTMENTS INVOLVED:** Collections

**ATTACHMENTS:** 1) Fillipin Proposal for Additional On-Call Construction Support Services for Lilac Drive and Oak Grove Drive Sewer Main Extension Project

2) Photos of Boulders Encountered on Highway 192



April 27, 2022

Montecito Sanitary District  
Attn: Brad Rahrer  
1042 Monte Cristo Lane  
Montecito, CA 93108

**SUBJECT: NOTIFICATION OF ADDITIONAL SCOPE REQUEST FOR THE LILAC DRIVE AND OAK GROVE DRIVE SEWER MAIN EXTENSION PROJECT – BID NO. 2021-01R**

Dear Mr. Rahrer,

Thank you for the opportunity to perform Inspection services for Montecito Sanitary District’s Lilac Drive and Oak Grove Drive Sewer Main Extension Project. This letter follows verbal conversations we’ve had regarding the scope and timeline of these services, and to request additional services beyond that included in Task Order 5 of Agreement 2020-008-OC for the Lilac Drive and Oak Grove Drive Sewer Main Extension.

Original proposal and budget included 15 working days at an estimated 8 hours per day, and 45 working days at an estimated 4 hours per day. As of last Friday, 4/22, the project has 47 working days expired, 32 of which have been in Caltrans ROW. As noted in previous conversations and email, FE staff budget was projected to expire Friday, April 29<sup>th</sup>, leaving proposed closeout budget remaining.

Pursuant to our phone conversation on Monday, April 25, 2022, this proposal is to continue services for an estimated additional 88 working days (140 working days total minus 52 working days expired as of 4/29). We have been asked to use an estimate of 3 hours per day average for the remainder of the project, and have also budgeted for 2 additional days of full time Caltrans work. Please see budget table below for breakdown of the services requested:

Scope:	Inspection @ 3 hrs/day		
Working Days:	88	17.60	weeks
<b>Task</b>	<b>Senior Construction Inspector</b>	<b>Clerical Support</b>	<b>Estimated Fee</b>
	\$ 150.00	\$ 110.00	
Construction Phase - General	264	20	\$41,800
Construction in Caltrans ROW	16		\$2,400
<b>TOTAL</b>	<b>280</b>	<b>20</b>	<b>\$44,200</b>

We appreciate your consideration of this scope of work, and are happy to make changes to the above based on budgetary constraints or varied assumptions on working days or average inspection hours, since this work is performed on a time and materials basis. If you have any questions or would like to discuss further, please don’t hesitate to call me at (805) 448-5619.

Sincerely,

FILIPPIN ENGINEERING

Kelly R. Wheeler, P.E.  
Vice President

Montecito Sanitary District  
Regular Board Mtg May 12,  
2022 Page 17 of 20

Photos of Boulders along Highway 192 (E. Valley Road)



# MANAGER'S REPORT

For the Regular Board Meeting of

**May 12, 2022**

## **8. DISTRICT OPERATIONS AND MAINTENANCE**

### **A. Information Items**

General Manager Brad Rahrer, P.E. will provide informational, nonactionable, updates regarding matters before the District.

### **B. Agreements to be signed**

None

### **C. Operations and Maintenance Reports**

For the period of April 1 through April 31, 2022

### **WWT PLANT STATISTICS FOR DURATION: 31 DAYS**

Flows	15.06 MG	0.496 MGD avg
Hypochlorite used	4,301 Gal	143 Gallons day, avg
Bisulfite used	2,333 Gal	78 Gallons day, avg.
Effluent T.S.S.		4.8 mg/L avg
Effluent CBOD <sub>5</sub>		3.59 mg/L avg
BAC-T		< 5.5 MPN/100mL median
Rainfall	.25 inches	

### **SLUDGE DISPOSAL - LOAD AND DISPOSAL BY ENGEL & GRAY**

<u>Load Date</u>	<u>Total Haul (lbs)</u>	<u>Total Haul (Tons)</u>
04/05/2022	34,940	17.47
04/22/2022	40,240	20.12
04/26/2022	33,548	16.77
04/29/2022	35,812	17.90
<b><u>Totals:</u></b>	<b><u>144,540</u></b>	<b><u>72.27</u></b>

## **PLANT OPERATIONS**

- No violation of the NPDES permit during this reporting period.
- Operated the belt press for a total of 14.5 hours.
- 4/16/2022 Operations staff after hours call out for power outage alarms.

## **PLANT MAINTENANCE**

- Performed routine inspections and maintenance of District Buildings and Equipment.
- Maintenance staff replaced Belt Press polymer pump.
- Maintenance staff installed new Aeration Basin Blower.

## **COLLECTIONS**

- 0 public sewer system overflows this reporting period.
- 0 private sewer system overflows this reporting period.
- Linear Feet Cleaned: 53,170 ft, 10.0 Miles
- Linear Feet Inspected: 3,298 ft, 0.62 Miles
- Tierra Contracting continued Lilac/Oak Grove sewer mainline extension project.

## **LABORATORY**

The Laboratory Manager and Operators assigned to the Laboratory performed the following activities during the reporting period:

- Collected 189 samples
- Ran 281 tests plus 84 duplicate tests for NPDES permit compliance, process control and Recycled water study
- Performed 38 calibrations on laboratory equipment and 641 quality control checks
- Sent 18 samples to OEC contract laboratory.