BOARD PACKET

For the Regular Board Meeting of

Thursday, March 10, 2022

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AGENDA

For the Regular Meeting of the Board on:

March 10, 2022

The regular meeting of the Governing Board will begin at 2:00 p.m. on March 10, 2022.

Due to COVID-19 Pandemic, the meeting will be held via Zoom per the <u>Virtual Meeting Protocols</u>.

The public may attend and comment by calling 1-669-900-6833 Meeting ID: 899 6203 7096

Or by visiting: https://us02web.zoom.us/j/89962037096

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

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 <u>Instructions for Public Comment</u> on the District's website.

3. RESL 2022-946 REMOTE MEETINGS CONTINUING ADOPTION

It is recommended that the Board consider:

- i) Adopting Resolution 2022-946 in accordance with California Assembly Bill 361 enabling the District to continue to hold remote public meetings; and
- ii) Taking such additional, related action that may be desirable.

4. APPROVAL OF MINUTES

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

5. OLD BUSINESS

None.

6. <u>NEW BUSINESS</u>

A. DIGESTER BLOWER REPLACEMENT

It is recommended that the board consider:

i) Authorizing the General Manager to issue a purchase order to Aerzen USA Corp in the amount of \$38, 184 to purchase new blowers for the aerobic digester.

B. ACCESSORY DWELLING UNIT (ADU) POLICY DISCUSSION

It is recommended that the Board consider:

- i) Discuss the appeal letter regarding 499 Crocker Sperry;
- ii) Receiving a presentation from the General Manager regarding the District's existing ADU policy; and
- iii) Taking such additional, related action that may be desirable.

C. <u>PETITION FOR EMPLOYEE REPRESENTATION – STATUS UPDATE</u>

The General Manager will provide an update on the status of the Petition for Employee Representation and next steps on the Collective Bargaining Process.

7. DISTRICT OPERATIONS AND MAINTENANCE

A. INFORMATION ITEMS

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

- Sanitary Sewer Spill on February 24, 2022 in Birnam Wood Development
- N. Jameson Lane Manholes
- Statement of Economic Interest (Form 700) Annual Requirement

8. <u>ITEMS FOR THE NEXT AGENDA</u>

The next Board meeting will be a regularly scheduled board meeting on March 24, 2022 at 2:00 pm; to discuss the following items (but not limited to):

- District Reopening Plan
- Annual Continuing Disclosure Report
- Collective Bargaining Process Special Legal Counsel
- Special District Consolidation Evaluation Study Special Legal Counsel

9. <u>ADJOURNMENT</u>

RESOLUTION NO. 2022-946

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTECITO SANITARY DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM DATED MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE MONTECITO SANITARY DISTRICT FOR THE PERIOD OF 30 DAYS PURSUANT TO THE BROWN ACT PROVISIONS.

WHEREAS, the Montecito Sanitary District ("District") is a sanitary district duly organized and existing pursuant to the Sanitary District Act of 1923 codified in Health & Safety Code section 6400 et seq.; and

WHEREAS, the District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District's governing body are open and public, as required by the Ralph M. Brown Act, codified in California Government Code section 54950 et seq. ("Brown Act"), so that any member of the public may attend, participate, and watch the District's governing body conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution No. 2021-935, on September 30, 2021, finding that the requisite conditions exist for the Board of Directors of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District's jurisdiction, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the jurisdiction of the District, specifically, a State of Emergency remains active as proclaimed by Governor Gavin Newsom's Proclamation of a State of Emergency dated March 4, 2020; and

WHEREAS, State and Local Officials have imposed and recommended social distancing measures and allowing legislative bodies to meet via teleconferencing to avoid risks to the health and safety of members of the public who would like to participate in meetings of the legislative bodies; and

WHEREAS, the Board of Directors does hereby find that Governor Gavin Newsom's Proclamation of State of Emergency and Social Distancing Orders and other conditions causing imminent risk to attendees has caused, and will continue to cause, conditions of peril to the safety of persons within the jurisdiction of the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California and re-ratify State and Local orders for social distancing; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the District's governing body shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the District shall continue to provide notice as otherwise required by the Brown Act of all public meetings.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MONTECITO SANITARY DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

- Section 1. <u>Recitals</u>. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
- Section 2. <u>Affirmation that Local Emergency Persists</u>. The Board of Directors hereby considers the conditions of the state of emergency in the jurisdiction of the District and proclaims that a local emergency persists throughout the jurisdiction of the District and allowing remote access and participation in the District's board meetings will reduce health and safety risks to attendees.
- Section 3. <u>Re-ratification of Governor's Proclamation of a State of Emergency</u>. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
- Section 4. <u>Remote Teleconference Meetings</u>. The General Manager or designee and the Board of Directors of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
- Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) March 12, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors of the Montecito Sanitary District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the Montecito Sanitary District this 10th day of March 2022, by the following vote:

AYES: NAYS: ABSENT:

ABSTAIN:

Board President
Dorinne Lee Johnson

ATTEST:

Board Secretary Dana Newquist



MINUTES

For the Regular Meeting of the Board on:

February 10, 2022

1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:00 pm on Thursday, February 10, 2022 using Zoom teleconferencing in accordance with the State Executive Order No. N-29-20 issued on March 17, 2020.

ATTENDANCE

Board Members Present:

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

Board Members Absent:

Director Gary Fuller

Also Present and Participating:

Brad Rahrer, P.E. MSD General Manager Stephen Williams, MSD District Administrator Rico Larroude, MSD Collections & Maintenance Supervisor Carole Rollins, MSD Laboratory Manager Alison Thompson, Heal the Ocean

2. PUBLIC COMMENT

No members of the public addressed the Board.

3. RESL 2022-945 REMOTE MEETINGS CONTINUING ADOPTION

ON MOTION by Director Johnson, Second by Director Barret, the Board voted to adopt Resolution 2022-945 enabling the District to continue to hold remote public meetings and comply with California Assembly Bill 361.

AYES: Directors Barrett, Eversoll, Johnson

NAYS: None ABSTAIN: None

ABSENT: Directors Fuller, Newquist

4. APPROVAL OF MINUTES

It is recommended that the Board consider approving the minutes from Board Meetings held on January 27, 2022.

ON MOTION by Director Barrett, Second by Director Newquist, the Board voted to approve the Minutes from Board Meeting held on January 27, 2022.

AYES: Directors Barrett, Eversoll, Johnson and Newquist

NAYS: None ABSTAIN: None ABSENT: Fuller

5. COMMITTEE REPORTS

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

- i) Director Johnson and Director Barrett gave a summary of the Joint Strategic Planning Committee meeting held on January 31, 2022.
- ii) Director Johnson and Director Barrett gave a summary of the Strategic Planning Committee meeting held on February 8, 2022.

6. OLD BUSINESS

None.

7. <u>NEW BUSINESS</u>

A. <u>2021 ANNUAL SUMMARY REPORT TO THE REGIONAL WATER</u> <u>QUALITY CONTROL BOARD</u>

General Manager Rahrer presented a summary of the District's Annual Wastewater System Summary Report for the 2021 Calendar Year.

B. <u>DISTRICT GENERAL LEGAL COUNSEL</u>

Director Johnson detailed the process for selecting new legal counsel for the District. An Ad Hoc Committee, consisting of Director Johnson and Director Newquist, will reach out to several local attorneys, narrow down the options to three candidates, and bring those candidates to the Board at a later date for consideration.

8. <u>DISTRICT OPERATIONS AND MAINTENANCE</u>

A. <u>INFORMATION ITEMS</u>

General Manager Brad Rahrer P.E. provided an update on the Maintenance Building Tree Damage and COVID-19 policy.

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 January 1 through January 31, 2022.

9. ITEMS FOR THE NEXT AGENDA

The next Board meeting will be a regularly scheduled board meeting on March 10, 2022 at 2:00 pm; to discuss the following items (but not limited to):

- Collective Bargaining Process Special Legal Counsel
- FY 2021-22 Unaudited Quarterly Financial Reports
- District Consolidation
- District Legal Counsel
- Recycled Water Pilot Program
- Annual District BBQ

10. ADJOURNMENT

The meeting adjourned at 3:55 p.m. ON MOTION by Director Barrett, seconded by Director Newquist.

Director Newquist.			
These minutes were presented for approval at the Board Meeting on March 10, 2022.			
Dorinne Lee Johns	van Pracidant		
Dornine Lee Johns	son, i resident		
FILL IT D II V. D			
Ellwood T. Barrett II, Vice President	Dana Newquist, Secretary		
Donald M. Eversoll, Treasurer	Gary Fuller, Director		

MINUTES

For the Regular Meeting of the Board on:

February 24, 2022

1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:02 pm on Thursday, February 24, 2022 using Zoom teleconferencing in accordance with the State Executive Order No. N-29-20 issued on March 17, 2020.

ATTENDANCE

Board Members Present:

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

Board Members Absent:

None

Also Present and Participating:

Brad Rahrer, P.E. MSD General Manager Stephen Williams, MSD District Administrator Carole Rollins, MSD Laboratory Manager Joseph Pennino, Member of the Public Melinda Burns, Member of the Public 1-805-560-8954, Member of the Public

2. PUBLIC COMMENT

Member of the public Joseph Pennino addressed the Board to express support for the sewer main extension project on Ashley Road and East Mountain Drive.

3. APPROVAL OF PAYABLES

ON MOTION by Director Barrett, Second by Director Newquist, the Board voted to approve the District payables for checks dated January 15 through January 31, 2022.

TOTAL	\$ 216,836.10
Payroll	\$ 76,969.29
Recycled Water Fund	\$ 13,430.21
Capital Improvement Projects	\$ 24,313.77
Accounts Payable	\$ 102,122.78

AYES: Directors Barrett, Eversoll, Fuller, Johnson and Newquist

NAYS: None ABSTAIN: None ABSENT: None

4. COMMITTEE REPORTS

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

- i) Director Eversoll and Director Johnson gave a summary of the Finance Committee meeting held on February 16, 2022.
- ii) Director Newquist gave a summary of the Administration and Operations Committee meeting held on February 17, 2022.

5. OLD BUSINESS

A. <u>COLLECTIVE BARGAINING PROCESS – SPECIAL LEGAL COUNSEL</u>

Item was tabled and will be discussed at a Special Meeting to be held on March 3, 2022.

6. NEW BUSINESS

A. FY2021-22 QUARTERLY FINANCIAL REPORTS

ON MOTION by Director Newquist, Second by Director Fuller, the Board voted to approve and accept as presented the Unaudited Quarterly Financial Statements for the period ending December 31, 2021.

AYES: Directors Barrett, Eversoll, Fuller, Johnson and Newquist

NAYS: None ABSTAIN: None ABSENT: None

B. EVALUATION OF SPECIAL DISTRICT CONSOLIDATION

ON MOTION by Director Newquist, Second by Director Newquist, the Board authorized the General Manager to enter into an agreement with Raftelis to perform a feasibility study of Special District Consolidation between the Montecito Sanitary District and the Montecito Water District. Also agreed upon was the 50/50 cost sharing arrangement with the Montecito Water District.

AYES: Directors Barrett, Eversoll, Johnson and Newquist

NAYS: Director Fuller

ABSTAIN: None ABSENT: None

C. RECYCLED WATER PILOT PLAN - REACTIVATION

ON MOTION by Director Barret, Second by Director Fuller, the Board authorized the reactivation of the Montecito Sanitary District's Recycled Water Pilot Plant to benefit the ongoing Enhanced Recycled Water Feasibility Study.

AYES: Directors Barrett, Eversoll, Fuller, Johnson and Newquist

NAYS: None ABSTAIN: None ABSENT: None

7. ITEMS FOR THE NEXT AGENDA

The next Board meeting will be a regularly scheduled board meeting on March 10, 2022 at 2:00 pm; to discuss the following items (but not limited to):

- Digester Blower Replacement
- Annual Continuing Disclosure Report
- 499 Crocker Sperry
- Sewer Spill Birnham Woods
- Update on Jameson Lane Manhole

8. <u>ADJOURNMENT</u>

The meeting adjourned at 4:19 p.m. ON MOTION by Director Newquist, seconded by Director Barret.

These minutes were presented for approval at the Board Meeting on March 10, 2022.

Dorinne	e Lee Johnson, Pr	resident
Ellwood T. Barrett II, Vice President		Dana Newquist, Secretary
Donald M. Eversoll, Treasurer		Gary Fuller, Director

MONTECITO SANITARY DISTRICT STAFF REPORT

DATE: Thursday, March 10, 2022

TO: Board of Directors

FROM: Bradley Rahrer, General Manager

PREPARED BY: Rico Larroude, Acting Operations and Maintenance Manager

SUBJECT: Digester Blower Replacement

RECOMMENDATION: That the Board of Directors:

1. Authorize the General Manager to issue a purchase order to Aerzen USA Corp. in the amount of \$38, 184 to purchase new blowers for the aerobic digester.

DISCUSSION

Background – Air is supplied to the aerobic digerster tanks by two (2) positive displacement blowers housed in the blower building. The District's two units have reached the end of their useful life, causing additional maintenance and can no longer be rebuilt to serve the District's demands. Staff planned for replacement of the blowers prior to failure.

Fiscal Impact – Staff inlouded the cost for the replacement of the equipment in the Fiscal Year 2021-2022 annual budget under Capital Improvement Projects. The Capital Budget has sufficient funds to cover the cost of the new blowers.

Analysis – Justifications: – Staff is proposing to replace the two blowers in kind, meaning matching specifications to the units that have reached the end of their useful life. District staff plan to install the units and it is important that the District uses the same manufacturer so that Staff do not have to replace the motor, mounting hardware and enclosures. While there are other blower manufacturers on the market, it is in the District's best interest to waive competively bidding out the materials because installing blowers from another manufacturer would significantly add to the complexity and cost for replacement.

DEPARTMENTS INVOLVED: Treatment Operations

ATTACHMENTS: Quotation from Aerzen USA Corp dated March 4, 2022



Compressed air, gas and vacuum solutions

Aerzen USA Corporation 108 Independence Way Coatesville, PA 19320-1653 USA

order-usa@aerzen.com www.aerzenusa.com Phone: 610-380-0244

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Quotation

Montecito Sanitary District

1042 Monte Cristo Lane

SANTA BARBARA, CA 93108

Att.: Perry Cabugos

Quote no. SEQ-22-001057/ 0

Date: 03/04/22
Quote Expiration date: 04/03/22
Salesperson: Tom McCurdy
Handled by: Catalina Peek

Payment Terms: Net 30 days

Your account no.: 21-04191 Phone number: +18054485502

E-Mail: pcabugos@montsan.org

Serial No. 711136 Service Items SEI-013641

Item No.: 031998000, GM 50L CIII Package

Replacement Stage

Item No.: 2000045334, AERZEN Positive Displacement Blower GM 50 L,, GJL

Pos.	Item No.	Quantity	Unit of M.	Unit Price	Line Amount
	Description			USD	USD
	2000045334	1	each	16,270.31	16,270.31
	AERZEN Positive Di	isplacement Blowe	r GM 50 L,		
	21-001385	1	each	29.93	29.93
	Gasket Maker				
	159875000	1	each	26.02	26.02
	Gasket				

Replacement Stage

Item No.: 2000045334, AERZEN Positive Displacement Blower GM 50 L,, GJL

Pos.	Item No.	Quantity	Unit of M.	Unit Price	Line Amount
	Description			USD	USD
	2000045334	1	each	16,270.31	16,270.31
	AERZEN Positive D	Displacement Blowe	r GM 50 L.		

USD Payments - ACH/Wire
Bank JP Morgan Chase
Routing 021000021
Account No 350056393
SWIFT CHASUS33
Remittance email remittance-usa@aerzen.com

USD Payments - Lockbox Aerzen USA Corp PO Box 21920 New York, NY 10087-1920 EUR Payments - Wire Commerzbank AG Intermediary Bank: COBADEFF 150113606800EUR COBAUS3X remittance-usa@aerzen.com



Compressed air, gas and vacuum solutions

Quote no. SEQ-22-001057/ 0

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21-001385 Gasket Maker	1	each	29.93	29.93
159875000 Gasket	1	each	26.02	26.02

Serial No. 711126 Service Items SEI-013642

Item No.: 031998000, GM 50L CIII Package

Estimated Freight

Pos.	Item No.	Quantity	Unit of M.	Unit Price	Line Amount
	Description			USD	USD
		1		3,000.00	3,000.00

FREIGHT - (Estimated costs to ship both blowers)

Total USD Excl. TAX	35,652.52
Tax Amount USD	2,530.58
Total USD Incl. TAX	38,183.10

Ship-to Address: Montecito Sanitary District 1042 Monte Cristo Lane SANTA BARBARA, CA 93108

For questions on this order, please contact your Regional Service Coordinator.

Best regards,

Catalina Peek Aerzen USA Corporation

MANAGER'S REPORT

For the Regular Board Meeting of

March 10, 2022

8. DISTRICT OPERATIONS AND MAINTENANCE

A. <u>Information Items</u>

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 February 1 through February 28, 2022

WWT PLANT STATISTICS FOR DURATION: 28 DAYS

	_ 0 0 0 0 , ,	
Flows	13.82 MG	0.512 MGD avg
Hypochlorite used	3,765 Gal	139 Gallons day, avg
Bisulfite used	2,057 Gal	76 Gallons day, avg.
Effluent T.S.S.		4.0 mg/L avg
Effluent CBOD5		2.67 mg/L avg
BAC-T		< 5.5 MPN/100mL median
Rainfall	0.07 inches	

SLUDGE DISPOSAL - LOAD AND DISPOSAL BY ENGEL & GRAY

Load Date	<u>Total Haul (lbs)</u>	Total Haul (Tons)
02/14/2022	35,580	16.79
02/16/2022	34,960	17.48
02/22/2022	31,920	15.96
Totals:	100,460	50.23

PLANT OPERATIONS

- No violation of the NPDES permit during this reporting period.
- Operated the belt press for a total of 14.5 hours.

PLANT MAINTENANCE

- Performed routine inspections and maintenance of District Buildings and Equipment.
- Maintenance staff begun Belt Press belt replacement project.

COLLECTIONS

- 1 public sewer system overflow this reporting period.
 - o 2/24/2022 Collection staff responded to a sewer system overflow at Birnam Wood Golf Club caused by construction contractor damaging 8" pressurized potable water mainline and causing sanitary sewer system to surcharge and overflow at multiple locations.
- 2 private sewer system overflows this reporting period.
- Linear Feet Cleaned: 45,915 ft, 8.69 Miles
- Linear Feet Inspected: 0 ft, 0.0 Miles
- Tierra Contracting completed sewer manhole raising on state highway 192 project.
- Tierra Contracting began Lilac/Oak Grove sewer mainline extension project.
- 2/26/2022 Collection staff afterhours call out for odor complaint on Knapp Drive.

LABORATORY

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

- Collected 165 samples
- Ran 240 tests plus 73 duplicate tests for NPDES permit compliance and process control
- Performed calibrations on laboratory equipment and 610 quality control checks
- Sent 7 samples to OEC contract laboratory.
- Completed annual EPA-required Proficiency Testing all passed.

