



Montecito Sanitary District

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A Public Service Agency

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MONTECITO SANITARY DISTRICT

STAFF REPORT – 2A

DATE: March 23, 2023
TO: Board of Directors
FROM: John Weigold, General Manager
Stephen Williams, District Administrator
SUBJECT: Emergency Contracts Resolution Adoption – Resolution 2023-965

DISCUSSION

The Montecito Sanitary District discovered a sewage spill on Thursday morning, March 17th, 2023 at 6:40am at the District’s lift station at 1285 Channel Drive. The spill was contained by 7:30am. The District estimates that the spill started on Wednesday night, March 16th, 2023 at about 11:00pm and estimates an overflow of about 6,650 gallons of sewage reached the nearby storm drain which in turn drains to Butterfly Beach.

The California Office of Emergency Services, California Department of Fish and Wildlife, the Regional California State Water Resources Control Board, and the Santa Barbara County Environmental Health Services were all notified of this incident.

Montecito Sanitary District excavated and constructed a temporary bypass as the leak in the 60-year-old six-inch cast iron force main pipe is eighteen feet underground surrounded by a gas and water pipe, making repair impractical. The sewer system has experienced heavy flow rates because of multiple storms this winter, and this particular leak is in an area that was impacted by the January 2018 mudflows. While the temporary bypass has served its purpose during the emergency, a more robust bypass is needed for intermediate term, potentially one to two years while a permanent solution is developed.

Moving forward, the District plans to develop a design alternatives analysis to determine a permanent solution for the force main. Once the analysis is complete and an alternative is chosen, a design will be developed and implemented.

FISCAL IMPACT

Emergency repairs are estimated to be no more than \$200,000. The District will work to design a more permanent solution for the surrounding system and bring to the Board recommendations at a later date.

ANALYSIS

The General Manager requires the authority to sign off on contracts in excess of the current \$15,000 threshold in order to appropriately address the emergency event. The Board will be given updates on contracted amounts at future Board Meetings.

ATTACHMENTS

1. Resolution 2023-965 – Emergency Contracts – Channel Drive

RESOLUTION NO. 2023-965

**RESOLUTION OF THE GOVERNING BOARD OF
THE MONTECITO SANITARY DISTRICT
AUTHORIZING EMERGENCY CONTRACTS PURSUANT TO
PUBLIC CONTRACT CODE § 22050**

RECITALS

WHEREAS, Pursuant to Public Contract Code (“PCC”) § 20168 and 22050, the Board of Directors may, upon a four-fifths vote, declare that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property because of an emergency, and repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

WHEREAS, the District discovered a sewage spill on the morning of March 16, 2023, at its lift station located at 1285 Channel Drive in Montecito, California; and

WHEREAS, the sewage reached the nearby storm drain which in turn drains to Butterfly Beach; and

WHEREAS, based upon these facts, the Board of Directors finds that there is an imminent threat to public health and safety that requires immediate action; and

WHEREAS, in compliance with applicable law, and to protect public, health, safety and welfare, the General Manager is authorized to take immediate emergency action to repair District assets and will report their actions to the Board of Directors; and

WHEREAS, under such emergency conditions, the Board of Directors finds that the delay resulting from public bidding would imperil essential public services; and

WHEREAS, the project is exempt from review under the California Environmental Quality Act of 1970, as amended, Public Resources Code section 21000 et seq. (“CEQA”) pursuant to Section 15269, subdivision (a) of the CEQA Guidelines because the emergency repair to this public facility is necessary to maintain service essential to the public, health and welfare.

BE IT RESOLVED by the Montecito Sanitary District Board of Directors as follows:

SECTION 1: The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2: The public interest and necessity demand the immediate expenditure of public money to safeguard life, health, and property because of the emergency described in the Recitals.

SECTION 3: The Board of Directors authorizes the General Manager to take all steps necessary to protect public health, safety and welfare including, without limitation, awarding contracts in accordance with PCC § 22050.

SECTION 4: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

SECTION 5: The Board of Directors will review the emergency action at their next regularly scheduled meeting to determine whether there is a need to continue the action pursuant to PPC § 22050, subdivision (c).

PASSED AND ADOPTED by the Governing Board of the Montecito Sanitary District on the 23rd day of March, 2023.

AYES:

NAYS:

ABSENT:

(SEAL



ATTEST:

Board President
Ellwood Barrett

Clerk of the Board
Stephen Williams