

**SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT**

MINUTES OF THE BOARD MEETING

July 10, 2008

The Regular Board Meeting of the Selma-Kingsburg-Fowler County Sanitation District was called to order at 4:00 p.m. by the Chairwoman, Judith G. Case.

DIRECTORS' ROLL CALL

Leland Bergstrom (present)
David Cárdenas (present)
Dennis Lujan (present)
Bob Waterston (4:05 P. M.)
Judith Case, Chairwoman (present)

STAFF AND CONSULTANTS PRESENT

Ben Muñoz, Jr., Interim General Manager/Secretary
Mike Fong, Chief Accountant
Hilda Cantú Montoy, General Counsel
Veronica Cazares, Supervising Engineer
Dave Bacon, Information Systems Analyst
Robert Whitley, Consultant District Engineer

OTHERS PRESENT

David Weisser, City of Fowler
Norman Krebbs, Kingsburg Resident

CONSIDERATION OF MINUTES

Interim General Manager Muñoz advised that the minutes of the Board Meeting of June 12, 2008 had been revised to remove the sentence in paragraph 4 "How do you set that?" as requested by General Counsel Montoy. There being no further comments from the public, a motion to approve the minutes of the Board Meeting of May 8, and June 12, 2008 was made by Director Cárdenas, seconded by Director Bergstrom, and approved by the following vote:

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|----------|--|
| AYE: | Directors Lujan, Waterston, Bergstrom, Cárdenas and Case |
| NO: | None |
| ABSENT: | None |
| ABSTAIN: | None |

CONSENT CALENDAR

Interim General Manager Muñoz requested that consent item H-1 (Personnel Matter) be pulled from the agenda, Chairwoman Case so ordered and included item C-3 (Land Clearing Project prevailing Wage –Budget Amendment) as being pulled for separate discussion. Chairwoman Case so ordered and included item C-3 (Land Clearing Project prevailing Wage-Budget Amendment) as being pulled for separate discussion.

There being no comments from the public, a motion to approve the remaining three consent calendar items and the staff recommendations with the exception item C-3 Land Clearing Project prevailing Wage-Budget Amendment), was made by Director Bergstrom, seconded by Director Cárdenas, and approved by the following vote:

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| AYE: | Directors Waterston, Lujan, Bergstrom, Cárdenas and Case |
| NO: | None |
| ABSENT: | None |
| ABSTAIN: | None |

Land Clearing Project Prevailing Wage –Budget Amendment

Chairwoman Case requested the following statement be added as a matter of record by Mr. Ed Blanton due to his absence, the statement was read as follows:

“The clearing of Agriculture properties is normal and repeatedly performed farming activity to prepare land for crops. I do not believe the current Board nor any between the original approving Board has addressed the reasons for acquiring peripheral acreage on the eastern plant property line 1000 feet wide parallel to that line as an encroachment “BUFFER” to residential development. A condition of their approval was verbalized by two directors who represented the County Board of Supervisors was that the land must remain in “active” agriculture use. Such condition may well have been in the “TRANSCRIPT” of the minutes as was the routine and proper technique under Robert Rules Of Order and PUBLIC AGENCY requirements. This manager prefers to write his own minutes and type them as well. Very expensive usurpation of administration staff duties as well being an improper and disingenuous representation of what board members actually say. The number of times he has been called for missing the wording or meaning surely should urge the board to make the procedure being followed in this agency be changed to proper procedures and prevent further orchestration of board dialogue. Board is entitled to have their words, unmodified, to be present in the minutes and such should be a true transcript with only punctuation, tenses and other grammatical editing”.

Chairwoman Case went on to say that Mr. Muñoz had a letter from the Labor Board regarding prevailing wage rates on the land clearing project.

Interim General Manager Muñoz went on to state that SKF was subject to California’s prevailing wage laws under the facts as presented to the Director of Industrial Relations.

Interim General Manager Muñoz recommended that \$17,972 be added to Repairs/Maintenance –

Outside Services and should be taken from the O & M Reserve; to compensate for prevailing wage rate.

Chairwoman Case directed that staff and General Counsel Montoy establish a policy of any future land acquisition to be free and clear of any trees and structures if land was not going to be used for agriculture or leased in order to avoid costly labor wages.

There being no comments from the public, a motion to approve the Budget Adjustment for the Land Clearing Project Prevailing Wage, was made by Director Lujan, seconded by Director Cárdenas and approved by the following vote:

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| AYE: | Directors Lujan, Cárdenas, Bergstrom, Waterston and Case |
| NO: | None |
| ABSENT: | None |
| ABSTAIN: | None |

PUBLIC COMMENTS (first call)

None.

NEW BUSINESS

None.

UNFINISHED BUSINESS

42” Influent Pipe Rehabilitation Project

Staff has solicited proposals for the 42” Influent Pipe Rehabilitation Project. Two vendors responded. Interim General Manager Muñoz recommends accepting the proposal from Insituform Technologies, Inc.

The needed refurbishment consists of a cured-in-place type lining of the pipe from the Headworks to Structure No. 3 and replacement of a slide gate, weir plates, grating and epoxy coating of structures, which will extend the life of the structures and pipe. The purpose is to provide a crucial auxiliary artery plus additional influent capacity when used with the parallel influent line.

This project is part of the 6.3 MGD Improvement Plan which calls for the correction of Bottleneck

No. 5 by refurbishing the 42” influent pipe inside the treatment plant. Supervising Engineer Cazares completed the design documents and her cost estimate was \$675,000.

Sealed bids were received for the 42” Pipe Rehabilitation Project at 2:00PM on July 8, 2008 at the District office. The following are the bid results:

| | Base Bid |
|---|-----------|
| Insituform Technologies, Inc (Chesterfield, MO) | \$669,400 |
| Michels Corporation (Salem, OR) | \$724,750 |

An review of the low bidder’s license and references yielded positive results.

The license of the low bidder is active; Class A, and no complaints or actions are noted. Veronica spoke to the references of Insituform Technologies, Inc and the comments were concurrent. For example, Insituform Technologies, Inc did a good job, professional, were timely, and no major problems, such as excessive extra work requests were noted.

Veronica spoke with Keith Hixson, a Sacramento County Inspector. Keith highly recommended them. The contractor rehabilitated 6”, 8”, 28”, and 25” sewer pipe. Keith told me that there was one change order initiated by the Owner. Insituform Technologies, Inc. was professional, conscientious, complied with the confined space entry requirements, and quality of work was good.

Veronica also spoke with Robert Miles, the Consultant Design Engineer for City of Folsom. He was generally satisfied with the quality of work performed by Insituform Technologies, Inc.

Ken Chamberlein, Public Works Inspector for the City of Fresno, performed inspection of work completed by Insituform Technologies, Inc. He stated that their work was fine, and day to day activities were fine. He would work with them again.

Brad Oberg, Public Works Inspector for the City of Fresno, has worked with Insituform Technologies, Inc. for 6-7 years on various City of Fresno pipe rehabilitation projects of various sizes and lengths. He has had no issues in their performance and the quality of work is good.

Chairwoman Case said as a matter of record the district, even with the 8% contingency, project cost’s will not exceed the second higher bidder.

In a separate issue relative to this item, Consultant District Engineer Whitley took exception to a letter from retired General Manager R. E. Blanton, titled RE: July 10, 2008 Agenda Items Comments; whereas Mr. Whitley took exception to the choice of words and was an attack on his integrity.

General Counsel Montoy responded that under the Brown Act, Mr. Blanton has a right to make such expressions; however the Board has the right to censure any undue criticism from the public as well.

Directors Waterston and Bergstrom also felt retired General Manager should refrain from casting aspersions about Consultant District Engineer Whitley.

It was the general concensus of the Board, that although they would make Mr. Blanton’s letter a attachment to the Board minutes, the Board would not allow elements on personal attacks that are unprofessional and direct such individuals to stick to the facts.

There being no comments from the public, a motion to approve that the Board establish a project budget of \$722,952, which includes an eight percent contingency for the 42” Pipe Rehabilitation Project (FY 2008 -09 budget item 8058-204-02), and authorize staff to issue a Notice of Award to Insituform Technologies, Inc (Chesterfield, MO) in the amount of \$669,400 and to execute the necessary documents, was made by Director Lujan, seconded by Director Cárdenas and approved by the following vote:

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| AYE: | Directors Lujan, Cárdenas, Bergstrom, Waterston and Case |
| NO: | None |
| ABSENT: | None |
| ABSTAIN: | None |

COMMUNICATIONS

It was communicated that General Manager Michel’s surgery went well on June 30 and his second surgery would be in mid August. Mr. Michel was expected back in November. The Board requested that a get well card and gift be sent to Dave Michel at the next board meeting.

It was announced that the 53rd CASA Concerence was forthcoming, and Director Lujan requested that Director Cárdenas be sent to represent SKF. Chairwoman Case also requested that General Counsel Montoy be sent to represent SKF.

Chairwoman Case requested that SKF have a informal meeting on the \$75,000.00 State Water Resources Board Grant that was applied for by District Consultant Engineer Whitley . District Consultant Engineer Whitley suggested that an information session be scheduled to go over a water cycling plan with the public and other interested agencies. Chairwoman Case suggested that the informational meeting be held in conjunction with SKF’s regular scheduled meeting dates. Chairwoman Case directed Interim General Manager Muñoz to check with cities, file notices in the newspaper to invite interested parties to the meeting. Chairwoman Case suggested that particulars of the meeting be also posted in SKF’s newsletter as well.

Chairwoman Case requested that Interim General Manager Muñoz review the SKF Wastewater Utility District Assessment July 2007, report submitted by Eisenhardt Group, Inc. (EGI). Interim General Manager Muñoz will bring back to the Board a report with EGI findings as well as recommendations.

ALLOWANCE OF CLAIMS

After a discussion on July payments and cost saving plans, there being no further comments from the public, a motion to accept the warrant list report showing checks issued in the amount of \$427,135.13, was made by Director Cárdenas, seconded by Director Lujan and approved by the following vote:

AYE: Directors , Lujan, Cárdenas, Waterston, Bergstrom and Case

NO: None

ABSENT: None

ABSTAIN: None

Chairwoman Case requested that a report on the utilization of the District's fuel usage be available for review at the next Board meeting.

PUBLIC COMMENTS (second call)

None.

ADJOURNMENT

There being no further business to come before the Board, Chairwoman Case declared the meeting adjourned on a motion duly made, seconded and approved by unanimous voice vote at 4:57 p.m.
Respectfully submitted, Approved,

Ben Muñoz, Jr., Interim General Manager/
Secretary of the Board

Judith G. Case
Chairwoman of the Board