

**AGENDA**  
**FOR THE REGULAR MEETING OF THE GOVERNING BOARD**  
**TO BE HELD January 15, 2013**

The regular meeting of the Governing Board will be held commencing at 5:30 p.m.  
The location of the meeting is at 5300 Sixth Street, Carpinteria, California.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**BOARD APPROVAL OF AGENDA** AS [SUBMITTED] [MODIFIED]  
Board President asks the Board, public, staff, and legal counsel if there are any additions and/or modifications to the Agenda.

**I. APPROVAL OF MINUTES**

December 18, 2012 AS [SUBMITTED] [MODIFIED]

**II. PUBLIC FORUM**

The public may address the Governing Board on items of interest to the public which are not already on this evening's agenda and are within the subject matter jurisdiction of the Board. The time allotted for this discussion shall be pursuant to Board Bylaws.

**III. MATTERS BEFORE THE BOARD**

**A. GENERAL REPORTS:**

**1. General Manager's Status Report** (Pages 1 - 5)

Description: General Manager to review his written report regarding the following issues:

- Quarterly Incident Report
- Staff Professional Certifications
- SAMA Meeting Report
- Solar Project Opportunities
- Digester Replacement Project Update
- Paperless Agenda Process Update
- Operations Update

**2. FY 2012/13 Mid-Year Budget Review** (Pages 6 - 10)

Description: The Board to review information presented from District staff outlining the current status of the operating budget and anticipated account level variances for FY 2012/13.

Staff Recommendation: None. Information item only.

**3. DOT Substance Abuse and Alcohol Testing Policy Update (Pages 11- 23)**

Description: That the Board review and consider adopting an updated version of the District's DOT Substance Abuse and Alcohol Testing Policy.

Staff Recommendation: Staff recommends that the Board adopt the revised Carpinteria Sanitary District DOT Substance Abuse and Alcohol Testing Policy.

**4. Tiered CalPERS Retirement Benefits for New Employees (Pages 24- 25)**

Description: The Board to review information presented from District staff outlining changes to the District's CalPERS benefits through recently passed legislation known as the California Public Employees' Pension Reform Act of 2013 (PEPRA).

Staff Recommendation: None.

**5. Board Workshop Planning (Page 26)**

Description: The Board to discuss and provide direction to staff regarding an upcoming Board Workshop.

Staff Recommendation: Staff recommends that the Board provide direction to staff regarding development of a Board Workshop.

**IV. BOARD ITEMS**

**A. COMMITTEE REPORTS**

Description: Verbal reports by the committee chairperson(s) of the following committees:

- Standing Finance Committee
- Standing Personnel Committee
- Standing Public Relations Committee

**B. GENERAL ITEMS**

1. CASA Legislative Committee Report (Jeff Moorhouse)
2. LAFCO Report (Jeff Moorhouse)
3. SBCSDA (Santa Barbara – California Special Districts Association) Report
4. CSRMA Report (Jeff Moorhouse)
5. Board Member Vacation Dates
6. Future Agenda Items

**V. ADJOURNMENT**

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**FURTHER INFORMATION AVAILABLE**

A staff report providing more detailed information is available for most agenda items and may be reviewed in the District office during regular hours (Monday - Friday from 8:00 a.m. to 12:00 p.m. and/or 1:00 p.m. to 5:00 p.m.). Copies of individual reports may be requested at this office. Call (805) 684-7214 extension 10 for more information.

In compliance with the Ralph M. Brown Act and the Americans with Disabilities Act, if you need a disability-related modification, accommodation, or other special assistance to participate in this meeting, please contact the District's Board Secretary at (805) 684-7214, extension 10, at least 48 hours prior to the start of the meeting.

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**CARPINTERIA SANITARY DISTRICT  
IN THE  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

**MINUTES**

These are the **minutes** of the **regular** meeting of the Governing Board of the Carpinteria Sanitary District in the City of Carpinteria, County of Santa Barbara, and State of California.

The Governing Board of the Carpinteria Sanitary District held a regular meeting on **December 18, 2012**, at 5:30 p.m. at its District administrative office located at 5300 Sixth Street, Carpinteria, California.

Directors Present: Jeff Moorhouse  
Mike Modugno  
Michael Damron  
Lin Graf  
Gerald Velasco

Staff Present: Craig Murray – General Manager  
Kim Garcia – Board Clerk  
Hamid Hosseini – Finance Director

Legal Counsel  
Present: Anthony Trembley – Musick, Peeler & Garrett, LLP

Public Present: None

President Graf called the meeting to order and asked Director Velasco to lead those present in the Pledge of Allegiance.

Board Clerk asked newly appointed Directors Moorhouse, Damron and Velasco to stand, raise their right hand and repeat after her as she administered the Oath of Office.

**Board Approval of Agenda** - President Graf asked if there were any modifications and/or changes to the agenda. Hearing none, President Graf said the agenda was approved as submitted.

**Board Approval of Minutes of the Meeting of December 4, 2012** – Director Modugno made a motion that the Minutes of the December 4, 2012 Regular Board meeting be approved as submitted; Director Damron seconded the motion, and the motion was approved by a 4-0-1 vote, with Director Velasco abstaining from voting.

**Public Forum** – None.

**Annual Board Reorganization** – President Graf said this was the time the Board established officers, meeting place, meeting time and other housekeeping functions required annually by law. President Graf called for nominations for the positions of the Board.

Director Damron made a motion to nominate Director Moorhouse as President; Director Modugno as President Pro-Tem; Director Graf as Secretary; Director Velasco as Secretary Pro-Tem; and Director Damron as Treasurer; Director Modugno seconded the motion and the motion was approved by a 5-0 vote.

The Board discussed the standing committee appointments. President Moorhouse made the following appointments:

- Finance Committee: **Chair** - Director Damron; **Member** – Director Graf
- Personnel Committee: **Chair** - Director Modugno; **Member** – Director Velasco
- Public Relations Committee: **Chair** - Director Graf; **Member** – President Moorhouse

Director Damron made a motion that the Board approve the standing committees as appointed and order the Secretary to file a Statement of Facts with the Secretary of State and the County as required by law, Director Graf seconded the motion, and the motion was approved by a 5-0 vote.

President Moorhouse reaffirmed the following:

- Musick, Peeler & Garrett LLP as Legal Counsel
- Craig Murray, P.E. as General Manager
- 5300 Sixth Street as the place of regular meetings of the Board
- The first and third Tuesday of each month as the days of the regular meetings of the Board, unless the first and third Tuesday fell on a national holiday
- 5:30 p.m. as the time of the regular meetings of the Board
- Section 54956 and 54956.5 of the Government Code designated as the manner by which special and emergency meetings respectively would be called
- Compensation to Directors, as established by Board Resolution for attendance at regular, special, adjourned meetings of the Board of Directors, committee meetings, seminars, conferences and other meetings

Director Damron made a motion that the Board approve and adopt the organizational provisions as presented, Director Graf seconded the motion, and the motion was approved by a 5-0 vote.

**General Manager's Status Report** – General Manager reported on the following:

**Rincon Septic to Sewer Conversion Project Update** – General Manager said the Santa Barbara County Planning Commission, at its December 12<sup>th</sup> meeting, conducted a hearing and unanimously approved the Coastal Development Permit, Conditional Use Permit and Development Plan for the project. The Commission also made a determination that conveyance of an easement by the County to the District was consistent with the County's General Plan. Progress is being made on acquisition of easements on private parcels. A

significant number of easements remain outstanding. **101 Widening Project Update** – General Manager said he participated in a utility coordination meeting at Carpinteria City Hall that CalTrans coordinated. All utility providers were invited to this round table meeting to discuss buried and overhead infrastructure conflicts that will result from the upcoming Casitas Pass / Linden Bridge Replacement and 101 Widening Project expected to commence in 2015. **2012 Wastewater Revenue Bond Issuance** – General Manager said the 2012 Wastewater Revenue Bond transaction closed on December 5<sup>th</sup>. The bond proceeds were received via wire transfer on December 13<sup>th</sup>. The funds have since been transferred to LAIF where a restricted “Project Fund” account has been established. Attached to the Board packet for review was a letter from Mr. Jim Cervantes of Stone & Youngberg extending congratulations on the successful financing. **Bluffs Sewer Relocation Project** – General Manager said the District engaged Acacia Erosion Control, Inc. to hydroseed those areas impacted by the Bluffs Sewer Relocation Project. The work was completed on December 13<sup>th</sup>. The native seed mixes were sourced from S&S Seeds based on the Habitat Restoration Plan developed for the project. The District will monitor the 17 sites that were restored over a three year period, as required by the Coastal Development Permit issued by the City of Carpinteria, to ensure satisfactory regrowth. **CSRMA Executive Board Meeting** – General Manager said he attended a meeting of the Executive Board of CSRMA in San Francisco on December 6<sup>th</sup>. The pool continues to perform very well and the Board approved dividends for the members that will be distributed following the full Board meeting in January. **Operations Update** – General Manager said the WWTP is operating in full compliance with our NPDES permit. The collections system is operating well. No SSOs or other significant problems have occurred since the last Board meeting. A potential SSO was averted when the District removed a very large root mass from a main sewer. It appears that the roots were dislodged or cut from a lateral sewer. The Board had some discussion regarding the need for communication with plumbers while servicing laterals. Operations staff began installation of the polymer blending unit and associated plumbing. Scrubber media sampling was completed this week following some experimental testing and analysis that was done by Unisorb. We continue to search for the most reliable and accurate means of testing the odor control units at the treatment plant to ensure that we maintain continuous compliance with our APCD permit.

**Paperless Board Agenda Process Update** – General Manager reported that an Ipad tablet device had been distributed over the past two months to individual Board members, with an agenda packet for a specific meeting pre-loaded in PDF format. District staff has received positive feedback from Board members who have used the tablet in lieu of receiving a paper agenda packet. Staff is now seeking additional direction from the Board on how to proceed.

General Manager said in order to facilitate the paperless program, one additional expense would be incurred to set up a wireless access point at the District office that integrates with our existing firewall and network.

Director Damron made a motion that the Board move forward with the Paperless Board Agenda Process and authorize procurement of the wireless access point hardware and up to 4 of the most recent release iPad devices. Director Graf seconded the motion, and the motion was approved by a 5-0 vote.

**Finance Committee** – A special meeting of the Finance Committee was set for Friday, December 21, 2012 at 8:30 a.m.

**Personnel Committee** – Did not meet.

**Public Relations Committee** – Did not meet.

**CASA Legislative Committee Report** – None.

**LAFCO Report** – President Moorhouse reported that the Executive Officer of LAFCO submitted a letter of resignation from his position to be effective June 30, 2013.

**SBCSDA Report** – None.

**CSRMA Report** – None.

**Board Member Vacation Dates** – None.

**Future Agenda Items** – None.

**Adjournment.** There being no further items to discuss, President Graf adjourned the meeting at 6:22 p.m.

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Jeff Moorhouse  
President

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Lin Graf  
Secretary

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Mike Modugno  
President Pro-Tem

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Gerald Velasco  
Secretary Pro-Tem

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Michael Damron  
Treasurer



# Carpinteria Sanitary District

Board of Directors Meeting  
General Manager's Status Report

TO: Board of Directors  
FROM: Craig Murray, P.E. - General Manager  
SUBJECT: **General Manager's Status Report**  
DATE: January 15, 2013

**Quarterly Incident Report.** Attached is a summary table detailing incidents, complaints and other customer interactions during the fourth quarter of 2012.

**Staff Professional Certifications.** Paul Swenington successfully passed the SWRCB Grade III Operator Certification exam. Casey Balch successfully passed the Grade II Operation Certification exam, as well as the Grade I Treatment Plant Maintenance and Collection System Maintenance exams offered through CWEA's Technical Certification Program. Copies of recognition letters from the Board President are attached.

**SAMA Meeting Report.** Mark Bennett and I attended the January meeting of the Sanitation Agency Managers Association held at the City of Santa Barbara's El Estero WWTP on January 9<sup>th</sup>. The speaker was Larry Fay, the new Environmental Health Director for the County of Santa Barbara. Mr. Fay brings extensive experience to the position, most recently serving as the public health official for King County, WA. A good discussion followed on coordination with wastewater agencies on on-site wastewater issues (i.e. septic tanks), SSO reporting, beach closure posting, and other pertinent topics. Montecito SD reported on testimony given by Dr. Edo McGowan at the RWQCB hearing held on their NPDES renewal. His concerns related to contaminants of emerging concern in wastewater discharges to the marine environment were heard by the Board but did not affect the MSD permit renewal process.

**Solar Project Opportunities.** Director Modugno and I met with representatives from Chevron Energy Solutions to discuss potential for solar energy projects at District facilities. Their sales and engineering group was in Carpinteria meeting with City officials and it was a good opportunity to revisit solar power options. As in prior evaluations, it was determined that there was insufficient space at the treatment facility to really make a solar project pencil out – either through direct capital investment or through a power purchase agreement. The breakpoint seems to remain at around 5 acres to fully leverage financial incentives and generate sufficient power during peak periods. They did provide some key information on how and when to consider rooftop solar and other smaller scale solar energy projects.

**Digester Replacement Project Update.** A half-day design workshop was held with Carollo's project manager and project coordinator. The goal was to address a number of critical site layout issues and project parameters, necessary prior to finalizing the Preliminary Design Report. We expect to receive this report for review in the next 6 weeks and it will be presented to the Board at that time.

**Paperless Agenda Process Update.** Based on previous direction, tablet devices were procured for those Board members electing to use a District owned reader for Board and committee agenda packets. The Ipads will be distributed at tonight's meeting with some general instructions on setup and use. The Office Manager will be available for additional setup and operational training before the next meeting agenda is distributed electronically. A device use policy will also be distributed.

**Operations Update:** WWTP and Collection System operations updates are as follows:

- Operations staff has been responding to recurring problems with the sodium bisulfite chemical used to dechlorinate treated effluent prior to discharge. Cold overnight and early morning temperatures have caused the liquid chemical to freeze at certain points in the delivery piping. Sodium bisulfite has a freezing point of 45° F and for that reason we store the bulk chemical in a heated and insulated tank. Despite this, we have had crystallization occur on several occasions, at least three of which have resulted in violations of our instantaneous effluent limit for free chlorine. Staff has implemented several remedial steps, including bypass lines, heat trace on piping and other methods to prevent freezing. As we have not experienced this condition in many years, even during similar cold snaps, it is possible that we received a “bad” batch of chemical. Since receiving a new load of bulk chemical the week of January 7<sup>th</sup>, we have not had freezing problems.
- The collections system is operating well. No SSOs or other significant problems have occurred since our last meeting.
- Collection staff completed CCTV inspection and an extensive effort to clean the line crossing under Carpinteria Creek from the Concha Loma neighborhood. This pipe is primarily cast or ductile iron and exhibits interior corrosion. We have addressed immediate concerns related to hydraulic capacity and this line will be rehabilitated in our upcoming capital program. New cleaning nozzles and equipment are being utilized to remove mineral scale from other locations in the collection system.
- Operations staff completed installation of the polymer blending unit and associated plumbing. This capital project, completed within budget, provides operational flexibility and system redundancy.
- Staff is working to finalize an update to the District's standard construction specifications and standard details. This effort will culminate in new section of the District code book and will be presented to the Board for approval at a future meeting, most likely in the form of an ordinance.
- Grease interceptor inspections were conducted recently, and for the most part the restaurants are doing a good job on maintenance. Grease trap and restaurant inspections will be conducted in the coming weeks.
- Several new residential connections have been made or are in progress, including dwelling units on Serafin Way, Dorrance Way, Third Street and Padaro Lane.



# Carpinteria Sanitary District

5300 Sixth Street, Carpinteria, CA 93013

(805) 684-7214 • Admin Fax (805) 684-7213 • Plant Fax (805) 566-6599

December 31, 2012

Mr. Paul Swenington  
RR 2 BOX 237 A  
Goleta, CA 93117

**Subject: CONGRATULATIONS!**

Dear Paul,

On behalf of the Carpinteria Sanitary District Board of Directors, I would like to congratulate you for recently passing the Grade III Operator Certification Exam given by the State Water Resources Control Board. We greatly appreciate the commitment this achievement represents and we recognize that you pursued this higher level of professional certification on your accord.

Taking and passing this exam reflects upon your technical skills and abilities as an operator, but it also raises the bar and inspires other team members to pursue their goals and objectives. As a Board, we greatly value employee development as it benefits both the agency and the community we represent. We are fortunate to have dedicated, professional staff members like you to rely on.

Congratulations again, and keep up the great work!

Best Regards,

Jeff Moorhouse  
Board President

cc:      Board of Directors  
          Mark Bennett, Operations Manager  
          Employee File



# Carpinteria Sanitary District

5300 Sixth Street, Carpinteria, CA 93013  
(805) 684-7214 • Admin Fax (805) 684-7213 • Plant Fax (805) 566-6599

December 31, 2012

Mr. Kenneth Balch  
185 Serafin Way  
Carpinteria, CA 93013

**Subject: CONGRATULATIONS!**

Dear Casey,

On behalf of the Carpinteria Sanitary District Board of Directors, I would like to congratulate you for recently passing the Grade II Operator Certification Exam given by the State Water Resources Control Board. We greatly appreciate the commitment this achievement represents and applaud you for completing this important step towards becoming a fully certified treatment plant operator.

Further congratulations are in order for your successful passing of the Grade I Collection System Maintenance and Grade I Treatment Plant Maintenance TCP Exams offered by the California Water Environment Association. These accomplishments reflect a strong desire to advance your professional skills and abilities in this industry, but they also inspire other team members to pursue their own goals and objectives. The result is continued organizational improvement.

As a Board, we greatly value employee development as it benefits both the agency and the community we represent. We are fortunate to have dedicated, professional staff members like you to rely on.

Congratulations again, and keep up the great work!

Best Regards,

  
Jeff Moorhouse  
Board President

cc:      Board of Directors  
          Mark Bennett, Operations Manager  
          Employee File

**CARPINTERIA SANITARY DISTRICT**  
**QUARTERLY SUMMARY INCIDENT REPORT**  
**October 1 - December 31, 2012**

Date	Location	Incident/Complaint	Determination/Resolution
10/17/2012	Church Lane	Stoppage/Overflow	District staff responded to a sewer backup. The Gorlitz was used to unclog an unknown obstruction in the property line clean out. Approximately 7-10 gallons of clear water was absorbed into the surrounding dirt area.
11/26/2012	Arbol Verde	Overflow	District staff responded to call regarding an overflow. When staff arrived no active spill was present, however dried debris was present. The Gorlitz was used to unclog roots from the lateral, the spill debris was cleaned up and the area was rinsed.
12/19/2012	Arbol Verde	Stoppage	Collection staff responded to a residence on Arbol Verde. Inspected line and advised owner the problem was within a portion of the private line between the property line cleanout and the building and that owner should contact a plumber to resolve the stoppage.



# Carpinteria Sanitary District

Board of Directors Meeting

## STAFF REPORT

**TO:** Board of Directors  
**FROM:** Craig Murray, P.E., General Manager  
Hamid Hosseini, Finance Director  
**SUBJECT:** FY 2012/13 Mid-Year Budget Review  
**DATE:** January 15, 2013

**REQUESTED ACTION:** None. Information Item Only.

**FUNDING SOURCE:** General Fund / Capital Improvement Fund (FY 2012/13)

**BACKGROUND:** A number of years ago, the District discontinued the practice of formally amending its annual operating budget at the mid-point of the fiscal year. In lieu, a mid-year review of budget performance, with a simple report on actual versus projected expenditures, is provided to the Board around the middle of the year to highlight any anticipated excursions from budgeted totals for individual accounts.

Overall, year to date performance in FY 2012/13 has been consistent with budget projections. As of the end of December 2012, we have expended 44% of the anticipated year to date budgeted amount. Although certain expenses trail by a month, spending to date has generally been at or below expected levels.

It is typical for certain line items (or accounts) to vary from original projections. District staff reviewed each account within the current year operating budget. A summary of anticipated account level overages or variance is presented below. For reference, the agenda packet contains a summary of year to date expenses for each individual account.

### GENERAL EXPENSES

**Account Number: 5241      Uniform Expenses      Fund Shortage: \$2,000**

The District's approved budget for this account for the current fiscal year is \$12,000. Staffing changes during the fiscal year necessitated uniform purchases that were not anticipated, and replacement of existing uniform items was also undertaken. At this time, we expect a total overage of approximately \$2,000 in this account through June 2013.

### SUPPLIES AND EQUIPMENT

**Account Number: 5521      Odor Control Chemicals      Fund Shortage: \$15,000**

Although there have been no expenditures to date in this account, recent testing of odor scrubber media has preliminarily indicated that the media beds in both odor control units may need to be replaced in their entirety. Original budget projections anticipated replacement of only a portion of

the scrubber media. Additional testing is in progress at this time. If confirmed, media costs are expended to be in the \$50,000 range, as compared to the \$35,000 original budget for this account. The District has been successful in reducing recurring media costs by internalizing the media removal and installation processes.

### **PROFESSIONAL SERVICES**

**Account Number: 5831      Legal Counsel**

**Fund Shortage: \$2,000**

Contract legal support expenses vary over the course of any given year. As of the mid-point of FY 2012/13 we are running approximately 4% over the expected year to date spending level. Although there are no significant ongoing legal matters, a straight line projection through the end of the fiscal year would result in a variance of approximately \$2,000 over our original \$24,000 annual budget projection.

### **CAPITAL IMPROVEMENT PROJECTS**

In the first half of FY 2012/13 we have completed several capital improvement projects. The Bluffs Sewer Relocation Project was a multi-year project that was finalized in the second half of 2012. Three smaller projects authorized in this fiscal year have been successfully completed. These are the Lift Station No. 3 Pump Replacement, Polymer Blending System and Headworks Mechanical Bar Screen Overhaul Projects. Each of these projects was completed within the approved capital budget and no amendments or budget augmentations are proposed.

At this point in time, District staff is confident that we will complete the 2012/13 fiscal year well within the total projected annual operating budget of \$3,208,100. The minor variances in individual accounts outlined above will be offset by more significant savings in other accounts.

**RECOMMENDATION:** None. Information Item Only.

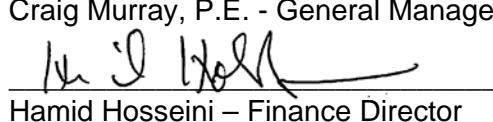
**SUGGESTED MOTION:** None. Information Item Only.

M\_\_\_\_\_ S\_\_\_\_\_

Ayes:\_\_\_\_\_ Nays:\_\_\_\_\_ Abstentions:\_\_\_\_\_

Prepared By:

  
Craig Murray, P.E. - General Manager

  
Hamid Hosseini – Finance Director

**CARPINTERIA SANITARY DISTRICT**  
**CSD BUDGET DETAIL**

**December 2012**

Account Number	Description	2012/2013 Budget	Y-T-D Estimate	Y-T-D Actual	Percentage YTD		Current Month	Notes
					Y-T-D Variance	Unexpended Balance		
<b><u>Personnel Expenses</u></b>								
5010	Regular Salaries	1,342,700	671,350	577,014	94,336	765,686	43%	94,611
5030	Overtime	12,500	6,250	3,029	3,221	9,471	24%	223
5040	Special Duty Pay	36,800	18,400	17,300	1,100	19,500	47%	2,790
5050	Directors' Fees	17,500	8,750	4,850	3,900	12,650	28%	0
	Total Wages	1,409,500	704,750	602,193	102,557	807,307	43%	97,624
<b><u>Employee Benefits</u></b>								
5111	PERS	241,700	120,850	121,274	(424)	120,426	50%	16,265 Retro Payment
5112	Social Security	105,700	52,850	41,822	11,028	63,878	40%	5,749
5120	Medical Insurance	180,200	90,100	91,560	(1,460)	88,640	51%	14,599 Advanced Payment
5121	Retiree Health Benefit/GASB 45	0	0	0	0	0	0%	0
5122	Unemployment Insurance	7,400	3,700	308	3,392	7,092	4%	0
5124	Long-Term Disability	9,100	4,550	4,788	(238)	4,312	53%	707 Advanced Payment
5126	Life Insurance	4,500	2,250	2,311	(61)	2,189	51%	339 Advanced Payment
5127	Dental/Vision Self Funding Plan	42,500	21,250	15,849	5,401	26,651	37%	2,792
5128	Workers' Compensation	46,200	23,100	45,627	(22,527)	573	99%	0 Payment for Entire Year
5132	Employee Physicals & First Aid	2,400	1,200	1,217	(17)	1,183	51%	491
	Total Employee Benefits	639,700	319,850	324,756	(4,906)	314,944	51%	40,941
	<b>TOTAL PERSONNEL</b>	<b>2,049,200</b>	<b>1,024,600</b>	<b>926,949</b>	<b>97,651</b>	<b>1,122,251</b>	<b>45%</b>	<b>138,565</b>
<b><u>General Expenses</u></b>								
5210	Departmental Expense	12,500	6,250	4,142	2,108	8,358	33%	809
5215	Office Supplies	8,000	4,000	1,606	2,394	6,394	20%	0
5222	Directors Confs, Training & Misc.	15,000	7,500	4,151	3,349	10,849	28%	(419)
5226	Directors Election Expense	10,000	5,000	0	5,000	10,000	0%	0
5228	Directors Dental/Vision	12,500	6,250	4,585	1,665	7,915	37%	1,803
5231	District Liability Insurance	69,500	34,750	56,310	(21,560)	13,190	81%	0 Advanced Payment
5241	Uniform Expenses	12,000	6,000	7,007	(1,007)	4,993	58%	2,581
5242	Memberships and Dues	23,200	11,600	18,896	(7,296)	4,304	81%	7,512 Advanced Payment
5244	Conference & Training	21,000	10,500	8,780	1,720	12,220	42%	858 Cal-OSHA Training
5246	Employee Education Reimb.	2,500	1,250	0	1,250	2,500	0%	0
5260	Vehicle Fuel Expenses	16,600	8,300	6,762	1,538	9,838	41%	1,068
5265	Employee Mileage Reimb.	2,000	1,000	459	541	1,541	23%	0
5270	Equipment Rental and Leases	4,700	2,350	2,077	273	2,623	44%	288
5290	Licenses and Permits	25,000	12,500	11,572	928	13,428	46%	0 Advanced Payment
	Total General	234,500	117,250	126,346	(9,096)	108,154	54%	14,499
<b><u>Environment &amp; Monitoring</u></b>								
5310	Monitoring-Equipment Expense	27,500	13,750	7,175	6,575	20,325	26%	2,023
5320	Monitoring-Lab Work	15,500	7,750	4,811	2,939	10,689	31%	413
5330	Prop. 65 Clean-Up Expense	10,000	5,000	0	5,000	10,000	0%	0
	Total Environment & Monit.	53,000	26,500	11,986	14,514	41,014	23%	2,436
<b><u>Utilities</u></b>								
5410	So. California Gas	1,800	900	258	642	1,542	14%	110
5420	So. California Electric	184,000	92,000	94,583	(2,583)	89,417	51%	25,097
5430	Telephone	10,700	5,350	3,891	1,459	6,809	36%	1,006
5440	Water	12,100	6,050	4,613	1,437	7,487	38%	1,030
5450	Rubbish	5,000	2,500	2,356	144	2,644	47%	367
5480	Underground Service Alert	800	400	203	198	598	25%	35
5490	Building Alarm System	700	350	465	(115)	235	66%	155 Advanced Payment
	Total Utilities	215,100	107,550	106,368	1,182	108,732	49%	27,801

**CARPINTERIA SANITARY DISTRICT**  
**CSD BUDGET DETAIL**

December 2012

Account Number	Description	2012/2013 Budget	Y-T-D Estimate	Y-T-D Actual	Percentage YTD		Current Month	Notes
					Y-T-D Variance	Unexpended Balance		
<b><u>Sludge Disposal</u></b>								
5470	Sludge Disposal	125,000	62,500	46,516	15,984	78,484	37%	11,049
	Total Sludge Disposal	125,000	62,500	46,516	15,984	78,484	37%	11,049
<b><u>Supplies &amp; Equipment</u></b>								
5510	General Supplies	15,000	7,500	7,720	(220)	7,280	51%	3,509
5521	Odor Control Chemicals	35,000	17,500	0	17,500	35,000	0%	0
5522	Chlorine-SO2	120,000	60,000	45,904	14,096	74,096	38%	11,811
5524	Polymers	26,000	13,000	15,614	(2,614)	10,386	60%	3,806 Bulk Purchased
5525	Tools/Small Parts	4,300	2,150	1,996	154	2,304	46%	587
5526	Fuel, Diesel, Lubricants	6,500	3,250	3,750	(500)	2,750	58%	37 Bulk Purchased
5527	Safety Equipment	5,700	2,850	2,605	245	3,095	46%	467
	Total Supplies & Equipment	212,500	106,250	77,589	28,661	134,911	37%	20,217
<b><u>Repairs &amp; Maintenance</u></b>								
5610	Equipment (minor)	19,300	9,650	3,768	5,882	15,532	20%	1,369
5620	Building Maintenance	8,000	4,000	1,376	2,624	6,624	17%	162
5630	Grounds Maintenance	3,500	1,750	1,899	(149)	1,601	54%	1,750 LS 1 Tree Removal
5640	Vehicles Maintenance	11,600	5,800	4,106	1,694	7,494	35%	213
5650	Treatment Plant Maintenance	45,000	22,500	15,296	7,204	29,704	34%	4,478
5680	Pump Station Maintenance	9,000	4,500	7,682	(3,182)	1,318	85%	726 Controller Replacmt LS 5
5690	Collection System Maintenance	82,000	41,000	7,437	33,563	74,563	9%	0
	Total Repairs & Maint.	178,400	89,200	41,565	47,635	136,835	23%	8,698
<b><u>Professional Services</u></b>								
5821	Accounting (Annual Audit)	8,800	4,400	8,800	(4,400)	0	100%	8,800
5831	Legal Counsel	24,000	12,000	13,065	(1,065)	10,935	54%	8,096
5843	Computer-Related Expenses	25,500	12,750	11,631	1,119	13,869	46%	3,508
5844	SCADA Related Expenses	20,000	10,000	17,112	(7,112)	2,888	86%	0 SCADA Programming
5847	Public Relations	15,000	7,500	8,474	(974)	6,526	56%	7,795 Newsletter
5849	Professional Services	24,000	12,000	1,815	10,185	22,185	8%	75
5851	Payroll Service-Paychex	4,600	2,300	1,682	618	2,918	37%	298
5855	IDP/Monitoring Source Control	500	250	0	250	500	0%	0
	Total Professional Services	122,400	61,200	62,579	(1,379)	59,821	51%	28,572
<b><u>Other Expenses</u></b>								
6020	Admin Charges-SB County	10,000	5,000	0	5,000	10,000	0%	0
6030	Debt Services Administration Fee	3,200	1,600	1,400	200	1,800	44%	0 Advanced Payment
6031	LAFCO Pro-Rata Costs	3,800	1,900	3,023	(1,123)	777	80%	0 Payment for Entire Year
6032	Regional Grant/Planning Costs	1,000	500	475	25	525	48%	0 Advanced Payment
	Total Other Expenses	18,000	9,000	4,898	4,102	13,102	27%	0
<b>GRAND TOTALS</b>		3,208,100	1,604,050	1,404,796	199,254	1,803,304	44%	251,837

**CARPINTERIA SANITARY DISTRICT**  
**CAPITAL IMPROVEMENT PROJECT (CIP) EXPENDITURES**  
**FY 2012/2013**

Date: December 2012

CIP No.	Funding Source	Description	Project Starting Date	Budget	Project Cost to Date	% Expended	YTD Expense	MTD Expense	Variance	Comments
P-118	CIP/DIF	Bluffs Sewer Relocation Project	7/1/2008	\$ 2,300,000	2,028,373	88%	12,942	0	271,627	Construction Completed
P-132	CIP	Plum Street Sewer Replacement Project	7/1/2010	\$ 1,000,000	71,853	7%	7,875	2,003	928,147	In Design
P-138	CIP	Aerobic Digester Preliminary & Final Design	3/1/2012	\$ 350,000	162,143	46%	59,481	20,492	187,857	In Design
P-139	CIP	Lift Station # 3 Pump Replacement	7/1/2012	\$ 20,000	19,187	96%	19,187	0	813	Completed 11/30/2012
P-140	CIP	Polymer Blending System	7/1/2012	\$ 13,000	12,036	93%	12,036	0	964	Construction Completed
P-141	CIP	Headworks Mechanical Bar Screen Overhaul	8/1/2012	\$ 65,000	60,802	94%	60,802	0	4,198	Completed 12/31/2012
	CIP	Plant Air Compressor Replacement		\$ 35,000	0	0%	0	0	35,000	Equipment Ordered
	CIP	Collection System Rehabilitation Project-Phase 1		\$ 750,000	0	0%	0	0	750,000	
	CIP	Carpinteria Creek Suspended Line Crossing Restoration		\$ 200,000	0	0%	0	0	200,000	
Totals				4,733,000	2,354,394		172,323	22,495	2,378,606	

Assessment District 2007-1 Projects

CIP No.	Funding Source	Description	Project Starting Date	Budget	Project Cost to Date	% Expended	YTD Expense	MTD Expense	Variance	Comments
P-201	Bonds	Rincon Point, Zone A	4/1/2009	\$ 5,281,217	767,576	15%	97,569	17,925	4,513,641	Final Design
P-202	Bonds	Sandyland Cove, Zone B	4/1/2009	\$ 1,464,519	1,661,991	113%	4,174	0	-197,473	Construction Completed
P-203	Bonds	Sandpoint Road, Zone C	4/1/2009	\$ 963,928	1,070,193	111%	2,889	0	-106,265	Construction Completed
Totals				\$ 7,709,664	3,499,760		104,631	17,925	4,209,904	



# Carpinteria Sanitary District

Board of Directors Meeting

## STAFF REPORT

TO: Board of Directors

FROM: Craig Murray, P.E. - General Manager

**SUBJECT: DOT Substance Abuse and Alcohol Testing Policy Update**

DATE: January 15, 2013

**REQUESTED ACTION:** Consider and adopt updated version of the District's DOT Substance Abuse and Alcohol Testing Policy.

**BACKGROUND:** The Omnibus Transportation Employee Testing Act of 1991 and the U.S. Department of Transportation, Federal Motor Carrier Safety Administration require employers in California to establish, implement and maintain an effective DOT Substance Abuse and Alcohol Testing Policy. The District's previously adopted policy, prepared by an outside consultant, has been in place for over a decade.

The attached DOT Substance Abuse and Alcohol Testing Policy has been updated to fully comply with current regulatory requirements and to better reflect actual practices and procedures on the part of the District and its outside testing facility and administrator (DATCO). The revised policy is more clear and concise, benefitting both administrative staff and the covered employees. It applies to certain District staff members who possess a commercial driver's license and drive commercial vehicles in excess of 26,000 pounds. If adopted, the revised policy will be provided to covered employees in accordance with law.

**RECOMMENDATION:** Adopt updated version of the District's DOT Substance Abuse and Alcohol Testing Policy.

**SUGGESTED MOTION:** I move that the Board adopt the revised Carpinteria Sanitary District DOT Substance Abuse and Alcohol Testing Policy.

M\_\_\_\_\_

S\_\_\_\_\_

Ayes:\_\_\_\_\_ Nays:\_\_\_\_\_ Abstentions:\_\_\_\_\_

Prepared By:

  
\_\_\_\_\_  
Craig Murray, P.E. - General Manager

Attachments: Carpinteria Sanitary District DOT Substance Abuse and Alcohol Testing Policy

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# **Carpinteria Sanitary District**

## **DOT Substance Abuse and Alcohol Testing Policy**

### **I. GENERAL**

This policy will act as notice that Drug and Alcohol Testing is prescribed by the Omnibus Transportation Employee Testing Act of 1991 and DOT regulations. These regulations are 49 CFR part 40, "Procedures for Transportation Workplace Drug and Alcohol Testing Programs," and Part 382 as prescribed by the Federal Motor Carrier Safety Regulations, U.S. Department of Transportation, Federal Motor Carrier Safety Administration and Part 383 "Commercial Driver's License Standards; Requirements and Penalties."

This policy applies to every DOT safety-sensitive employee who operates a commercial motor vehicle with a Gross Vehicle Weight Rating (GVWR) of 26,001 or more pounds and is subject to the Commercial Driver's license requirement of 49 Part 383 when they are on District property or when performing any District related business. It applies to off-site lunch periods and breaks when a covered employee is scheduled to return to work.

Each covered employee will receive and sign for a copy of this testing policy.

### **II. PURPOSE OF EMPLOYEE DRUG AND ALCOHOL TESTING**

This policy is to provide a uniform procedure concerning the testing of DOT safety-sensitive employees or applicants for employment in DOT safety-sensitive positions to detect individuals having drugs or alcohol in their systems. The purpose of such testing is to provide, in the interest of the safety of employees, passengers, and the general public, work and service environments that are free from the effects of drug and alcohol abuse.

The Carpinteria Sanitary District is committed to providing a safe work place for its employees that is free of the effects of substance abuse and is committed to employee health. Since the Carpinteria Sanitary District is involved in public service, the community depends on careful attention by all employees. Such attention must not be affected by the use of drugs and/or alcohol.

The use of any drug, including alcohol, can interfere with the safe and efficient functioning of the District's personnel. It is the District's goal to provide a safe work place and to have employees function in the most effective manner. Drug or alcohol abuse is a matter of concern and will be dealt with in an appropriate manner.

The Carpinteria Sanitary District expects employees to report for work in condition to perform their duties. On-the-job involvement with drugs and/or alcohol is a violation of District policy and Federal law.

### **III. PROHIBITED BEHAVIOR**

The Carpinteria Sanitary District believes its employees must adhere to strict standards of conduct both on and off the job to meet our goal of providing a safe work environment and to continue to fulfill our responsibility to provide efficient and reliable service to our customers.

Therefore:

1. The use, sale, manufacturing, or possession of narcotics, drugs, or controlled substances, or the use or possession with intent to consume alcohol while on the job or at a District work site is proper cause for disciplinary action, up to and including termination of employment. Any covered employee reasonably suspected of being under the influence of or affected by drugs and/or by alcohol while on duty will be required to submit to an evaluation, which may include urinalysis and/or breath testing, to determine fitness for duty. Refusal to submit to an evaluation is an act contrary to this policy. Illegal substances confiscated will be turned over to the appropriate law enforcement agency.
2. Off-the-job drug and/or alcohol use may adversely affect an employee's job performance and could jeopardize the safety of other employees, the public, or District equipment. Therefore, any covered employee reporting to work under the influence of or affected by drugs and/or alcohol will be subject to evaluation and disciplinary action, up to and including termination.
3. Covered employees who are taking prescription, non-prescription lawful drugs, or eating unusual foods (i.e., poppy seeds or derivatives) that may affect the performance of their job duties should report such usage to the medical review officer (MRO) before testing. Such drugs used on the job may be determined to be allowable drugs if the MRO has determined that the use of the drug is consistent with safe performance of the employee's duties and the drug is being used at the prescribed dosage.

The District is dedicated to assuring fair and equitable application of this substance abuse and alcohol policy. Therefore, supervisors and managers are directed to use and apply all aspects of this procedure in an unbiased and impartial manner. Any supervisor or manager who knowingly disregards the requirements of this procedure, or who is found to deliberately misuse the procedure in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

#### **IV. HOURS OF COMPLIANCE**

In accordance with 49 CFR Part 654.23, this policy sets forth the time periods when all DOT safety-sensitive employees must be in compliance with the alcohol rule. An employee must not consume alcohol while performing safety-sensitive functions, four hours prior to performing safety-sensitive functions, and up to eight hours following an accident or until the employee undergoes a post-accident test, whichever occurs first.

The use and ingestion of prohibited or illegal drugs, by any District employee, is prohibited at all times.

#### **V. CIRCUMSTANCES OF DRUG AND ALCOHOL TESTING**

Six drug and/or alcohol screening situations will be utilized by the District.

1. **Pre-Employment Screen:** Included in the District job vacancy announcement is a notice of testing. If an applicant qualifies for and is considered for a DOT safety-sensitive position, he/she will be scheduled for collection of a urine sample for drug screening at a District selected testing laboratory. Drug screening is required of all

DOT safety-sensitive applicants. If an applicant refuses to be tested or tests positive, the application will be rejected.

2. **Reasonable Cause:** Reasonable cause means that the District, while acting through its supervisory personnel, reasonably believes that the appearance or conduct of the DOT safety-sensitive employee is indicative of being under the influence of, or affected by alcohol or a controlled substance. The questioned conduct must be witnessed and documented in writing by at least two trained supervisors. Reasonable cause also means a report of substance abuse by a qualified individual or medical provider.
3. **Post-Accident Testing:** Post-accident testing is mandatory where there is loss of life and/or where an injury demanding medical treatment away from the scene of an accident occurs. In addition, any vehicle incident in which one or more motor vehicle is towed from the scene or that results in a DOT safety-sensitive employee receiving a citation for a moving violation will require testing. In all accidents, any covered employee who was in the vehicle at the time must be drug and alcohol tested. Any other DOT safety-sensitive employee whose performance could have contributed to the accident, as determined by the District, using the best information available at the time of the accident, will be given a drug and alcohol test.

Post-accident drug and alcohol tests must be conducted as soon as possible after the accident. Drug tests must be performed within 32 hours after the accident. Alcohol tests must be performed within 8 hours after the accident.

The requirement for drug and alcohol testing after an accident should in no way delay necessary medical attention for injured people or prohibit a DOT safety-sensitive employee from leaving the scene of an accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

4. **Random:** All DOT safety-sensitive employees will be subject to testing on an unannounced or random basis. The number of random tests to be conducted will be a minimum of 50% of all DOT safety-sensitive employees for drugs and alcohol each year. Random testing will be conducted in accordance with procedures established in 49 CFR Parts 653 and 654, and will be conducted using the Replacement Method. The Replacement Method operates as follows:

- 1) If ten (10) employees were to be tested, then fifteen (15) employees will be selected (randomly) and listed by order of selection.
- 2) Employees will be notified in order of selection until the ten (10) have been tested. Reasons for not being tested when randomly selected will be limited to:
  - a) Employee is on approved leave without pay (excluding injury leave) exceeding one (1) week from the date the notice of test is received in the department.
  - b) Employee is on approved paid absence (annual leave, sick leave etc.) exceeding one (1) week from the date the notice to test is received in the department.

- c) An employee on injury leave is out of the state on an approved absence exceeding on (1) week from the date the notice to test is received in the department.
- 5. **Return to Duty:** DOT safety-sensitive employees who have previously refused to take a drug or alcohol test, or failed such a test, (See Section XII) shall be tested for prohibited drug or alcohol use before they return to duty. The employee must first be certified by the substance abuse professional as capable of resuming duties. Any such employee, once returned to duty, may be administered unannounced follow-up drug and alcohol tests for up to 60 months after their return to duty.
- 6. **Follow-Up:** Once allowed to return to duty, a DOT safety-sensitive employee shall be subject to unannounced follow-up testing for at least 12 months but not to exceed 60. The frequency and duration of the follow-up testing will be recommended by the substance abuse professional as long as a minimum of 6 tests are performed during the first 12 months after the employee returns to duty. Follow-up testing is separate from and in addition to the random testing program.

## **VI. TRAINING**

All supervisory and management level employees will attend substance abuse educational sessions to aid in the detection of and assistance with abusers.

## **VII. BEHAVIOR THAT CONSTITUTES A REFUSAL TO SUBMIT TO A TEST**

Behavior that constitutes a refusal to submit to a test includes, but is not limited to, the following:

- 1. Refusal to take a test.
- 2. Inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation.
- 3. Tampering with or attempting to adulterate the specimen or collection procedure.
- 4. Not reporting to the collection site in the allotted time.
- 5. Leaving the scene of an accident without a valid reason before the tests have been conducted.

## **VIII. SUBSTANCES TO BE INCLUDED IN TESTING**

Alcohol (ethanol), amphetamines, cannabinoids (marijuana), cocaine, opiates, phencyclidine (PCP), and their metabolites will be included. Because the District is concerned about the abuse of illegal drugs and alcohol, the above list may be expanded to include yet to be developed substances or changes to Federal laws or regulations.

## **IX. DRUG TESTING PROCEDURES**

The Carpinteria Sanitary District shall identify and select only qualified medical facilities certified by the DHHS/NIDA/SAMHSA to perform the urinalysis testing described by this policy.

Appointments for urine collection for drug screens will be coordinated by the District supervisory personnel. The specimens will be collected at special facilities that optimize confidentiality and observe DOT collection procedures. The collection facility must adhere to the collection provisions set forth in the DHHS regulations entitled "Mandatory Guidelines for Federal Work Place Drug Testing Programs," 53 CFR (11970), published April 11, 1988, known as "DHHS Guidelines." A strict chain of custody will be maintained on the specimen as described in the "DHHS Guidelines." Record keeping and reporting of all drug testing and results shall be in strict accordance with Federal guidelines to protect the confidentiality of the employees.

If there is concern about an individual's ability to function safely, that individual will be provided transportation to their home after completion of the drug testing.

## X. DRUG TESTING CUTOFF LEVELS

### 1. Initial Test

- a. The initial test shall use an immunoassay that meets the requirements of the Food and Drug Administration for commercial distribution. The most current NIDA/SAMHSA cutoff levels shall be used when screening specimens to determine whether they are negative for these drugs. The primary (initial or screening) controlled substance test thresholds for a verified positive test result are those that are equal to or greater than:

Alcohol	0.02 gr/210L.
Marijuana metabolites:	
(Cannabinoids).....	50 ng/ml
Cocaine metabolites.....	150 ng/ml
Codeine/Morphine.....	2000 ng/ml
6-Acetylmorphine.....	10 ng/ml
Phencyclidine (PCP).....	25 ng/ml
Amphetamines (AMP/MAMP).....	500 ng/ml
MDMA.....	500 ng/ml

- b. These cutoff levels are subject to change by the DHHS and/or the DOT as advances in technology or other considerations warrant.

### 2. Confirmation Test

- a. All specimens identified as positive on the initial test shall be confirmed using gas chromatography/mass spectrometry (GS/MS) techniques using the most current NIDA/SAMHSA cutoff levels. The confirmatory controlled substance test thresholds for a verified positive test result are those that are equal to or greater than:

Alcohol.....	0.04 gr/210L.
Marijuana metabolite (THCA) .....	15 ng/ml
Cocaine metabolite.....	100 ng/ml
Opiates:	
Morphine.....	2000 ng/ml
Codeine.....	2000 ng/ml
6-Acetylmorphine.....	10 ng/ml
Phencyclidine (PCP).....	25 ng/ml

Amphetamines:	
Amphetamine.....	250 ng/ml
Methamphetamine.....	250 ng/ml
MDMA:	
MDMA.....	250 ng/ml
MDA.....	250 ng/ml
MDEA.....	250 ng/ml

- b. These cutoff levels are subject to change by the DHHS and/or the DOT as advances in technology or other considerations warrant.

3. **Split Sample Testing**

The covered employee may request, within 72 hours of notification of a positive test by the medical review officer, the split sample be tested at a separate DHHS certified laboratory. This request must be made in writing to the medical review officer. The results of the split sample test shall be the final test results that are reported to the employer by the medical review officer. The cost for transportation and testing of the split sample is the sole responsibility of the employee and must be paid for in advance.

## **XI. ALCOHOL TESTING PROCEDURES**

Alcohol breath testing will be performed in the following manner in accordance with 49 CFR Section 40.51 Subpart C:

1. **Screening Test**

The initial test shall be done using an evidential breath testing device (EBT) in accordance with 49 CFR Part 382 subpart C. If the initial test results are less than .02 alcohol concentration, the test results are negative and will be reported by the breath alcohol technician as such. If the initial test results are .02 or greater, a second or confirmatory test must be conducted.

2. **Confirmation Test**

The confirmatory test must be conducted on the same EBT as the initial test in accordance with 49 CFR Section 40.65 subpart C. Before the confirmatory test may be given, a minimum of 15 minutes and maximum of 20 minutes must have passed since the initial test was performed. During this period, the employee should avoid any actions that could increase mouth alcohol. The 15-20 minute wait period is to ensure that the presence of mouth alcohol does not artificially raise the test result.

Only the results of the confirmatory test shall be reported irrespective of the results on the initial test. If the results of the initial and confirmatory tests are not identical, the confirmation test result is deemed to be the final result.

If the results of the confirmatory test is less than .02 alcohol concentration, a negative result shall be reported by the breath alcohol technician.

If the results of the confirmatory test are .02 or greater but less than .039 alcohol concentration, the employee must be removed from his/her DOT

safety-sensitive position. The employee may not return to work within 8 hours of the first test unless the employee repeats the breath test and has an alcohol concentration that measures less than .02.

If the results of the confirmatory test show an alcohol concentration of .04 or greater, the employee must be removed from his/her DOT safety-sensitive position, be informed about educational and rehabilitative programs, and be evaluated by a substance abuse professional. The determination of the substance abuse professional will guide further decisions regarding continued rehabilitation and employment of the employee.

## **XII. POSITIVE TEST/REFUSAL TO TEST**

A positive substance abuse test is a violation of the District's policy and FTA regulations. Employees who refuse to submit to a drug and/or alcohol test will be considered to have failed the test. Failure to comply with the request for a drug/alcohol test or failing a drug test may be just cause for termination.

If a positive test for drugs is reported by the medical review officer, it is understood that the screening test was positive and a second confirmatory test, based on a different scientific principle, was also positive. The acceptable method of confirmations is: gas chromatography/mass spectrometry (GC/MS).

If a positive test for alcohol (.04 or above) is reported, it is understood that the positive test was the result of the confirmation test on an EBT.

Failing an alcohol test will result in an immediate referral to a substance abuse professional for evaluation of the employee. An employee whom the substance abuse professional determines is not a "qualified individual with a disability" may be terminated. An employee who is determined by the substance abuse professional to be a "qualified individual with a disability" may be afforded the opportunity for voluntary or involuntary rehabilitation

## **XIII. ACCOMMODATION**

After the District has complied with any legal obligation to reasonably accommodate an employee's protected disability under Federal and State laws, the District may dismiss an employee who is unable to perform essential functions of the job.

## **XIV. CONDITION OF EMPLOYMENT**

Participation in the District's DOT Substance Abuse and Alcohol Testing Policy and subsequent testing program is a requirement of each DOT safety-sensitive employee and, therefore, is a condition of employment.

## **XV. CONTACT PERSONS**

The contact person available to answer questions about the District's DOT Substance Abuse and Alcohol Policy is the District's General Manager. The District's Office Manager may also be able to respond to certain questions of a procedural or administrative nature.

## XVI. DEFINITIONS

1. Accident - an occurrence associated with the operation of a motor vehicle if, as a result:
  - an individual dies; or
  - an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or
  - one or more of the vehicles involved incurs disabling damage as a result of the occurrence and is transported away from the scene by a tow truck or another vehicle.
2. Alcohol - the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol. References to use or possession of alcohol includes use or possession of any beverage, mixture or preparation containing ethyl alcohol (including any medication containing alcohol).
3. Breath-Alcohol Technician (BAT) - an individual trained to proficiency and certified in the use of an evidential breath testing device.
4. Canceled Test - a test that has been declared invalid by an MRO for drug testing of for alcohol under Section 40.812 of 49 CFR.
5. CDL - a Commercial Driver's License issued by the State of California.
6. Controlled Substance (Drug) Test - A method of detecting and measuring the presence of alcohol and other controlled substances, whether legal or illegal, in a person's body. A controlled substance test may be either an initial test or confirmation test. An initial controlled substance test is designed to identify specimens having concentrations of a particular class of drug above a specified concentration level. It eliminates negative specimens from further consideration.
7. Covered Employee - any person employed by the Carpinteria Sanitary District in a DOT safety-sensitive position.
8. DHHS - the United States Department of Health and Human Services.
9. DOT - the United States Department of Transportation.
10. Drugs - illegal drugs including prescription and non-prescription medication and other substances that affect an employee's ability to safely and effectively perform the functions of the job.
  - A. Controlled Substances - drugs designated as illegal in Schedule I or II of the Controlled Substance Act and/or State law. This includes but is not limited to: marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).
  - B. Non-Controlled Substance - drugs prescribed by a physician that impair an employee's ability to safely and effectively perform the functions of the job. This also includes various drugs that may be illegal to use when not prescribed by a physician.

- C. Over-The-Counter Drugs - drugs designated as legal that affect an employee's ability to safely and effectively perform the functions of the job.
11. Evidential Breath Testing Device (EBT) - an instrument reliable in measuring an accurate alcohol concentration from breath, meeting the National Highway Traffic Safety Administration's specifications, and included in the Conforming Products List of Evidential Breath Testing Devices.
  12. FTA - the Federal Transit Administration of the U.S. Department of Transportation.
  13. Medical Facility - a hospital, clinic, laboratory, or physician's office that is competent to take or analyze toxicological samples, in accordance with DHHS/NIDA/SAMHSA standards.
  14. Medical Review Officer (MRO) - a licensed physician responsible for receiving laboratory reports generated by the District's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test results with his or her medical history and any other relevant biomedical information.
  15. District Policy and Procedure - the Carpinteria Sanitary District policy and procedure on DOT Substance Abuse Testing.
  16. Negative Test - a test that shows no such detectable level(s) as defined by NIDA/SAMHSA and/or the US DOT.
  17. NIDA - the former National Institute on Drug Abuse. Now known as the SAMHSA.
  18. Safety Sensitive Employee - Employees employed to positions classified in Appendix A of policy, who are required to maintain a Class "A" or Class "B" commercial drivers license.
  19. SAMHSA - the Substance Abuse and Mental Health Services Administration of the DHHS. Formally known as NIDA.
  20. Split Sample - the urine sample is divided at the time of collection, with a minimum specified amount of urine being used for the primary sample and the remainder being poured off and saved in the event the original specimen tests positive and the employee requests a second test.
  21. Substance Abuse Professional (SAP) - a licensed physician, licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of drug-related disorders.
  22. Supervisory Employee - supervisor, manager, or other employee of the District who is responsible for supervising or monitoring the conduct or performance of one or more employees.
  23. Under the influence of or Influenced By - behavior that may limit an employee's ability to safely and/or effectively perform his/her job duties, or poses a threat to the safety of the employee or others resulting from the use of drugs or alcohol.

24. Verified Positive Test - both an initial and a confirmation test that shows an established detectable level of alcohol or drugs, as defined by NIDA/SAMHSA and/or the US DOT. In a case of drugs, the test results have been reviewed by a MRO and determined to have evidence of prohibited drug use.

Attachments:

Attachment A- Covered Employee Classifications  
Attachment B- Random Testing Procedures

I HEREBY ATTEST THAT I HAVE READ THE DOT SUBSTANCE ABUSE AND ALCOHOL TESTING POLICY FOR SAFETY SENSITIVE POSITIONS.

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Signature

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Print Name

---

Date

## **ATTACHMENT A**

### **DOT Safety-Sensitive Positions**

#### **Covered Employee Classification/Titles**

Operations Manager  
Collection System Supervisor  
Collection System Operator (all grades)  
Collection System Lead Operator  
Wastewater Treatment Plant Supervisor  
Wastewater Treatment Plant Operator (all grades)  
Maintenance Mechanic (all grades)  
Laborer

Note: An employee occupying one of the above listed positions may not be required to possess a class "A" or "B" and will therefore not be considered a DOT safety-sensitive employee.

## **ATTACHMENT B**

### **RANDOM TESTING PROCEDURES**

The selection of employees for random alcohol and controlled substances testing shall be made by a scientifically and statistically valid method. The District's random selection process will be conducted by DATCO Services Corporation, 2280 Grass Valley Highway, Suite 232, Auburn, CA 95603. They will randomly select the appropriate number of employees to be tested throughout the year.

Under the process, each safety-sensitive employee will have an equal chance of being tested each time selections are made. The random testing will be unannounced and the dates of the testing will be spread reasonably throughout the calendar year.

DATCO representative will contact the Office Manager with the names of those employees selected for random testing. The Office Manager will notify the appropriate supervisor, who will in turn notify the employee. As soon as practicable, the supervisor will make arrangements to have the employee report to the DATCO testing collection center to complete the test and return to duty.

### **POST-ACCIDENT TESTING PROCEDURES**

In accordance with the DOT Drug and Alcohol Testing Regulations (refer to the District Substance Abuse and Alcohol Testing Policy), a test for alcohol and controlled substances will be administered to the driver as soon as practicable following an accident, if any of the following conditions are met:

- a. The accident involves the loss of human life; or
- b. The driver is involved in a serious accident in which someone receives medical treatment away from the scene.
- c. One or more of the vehicles involved incurs disabling damage as a result of the occurrence and is transported away from the scene by a tow truck or another vehicle.
- d. A citation is issued to the involved driver,

Post-accident drug testing is required whenever a driver is involved in an accident as defined above, but no later than **32 hours** after the accident. Seriously injured drivers must authorize the hospital to obtain documentation (ie., blood tests, etc.), that would indicate whether controlled substances contributed to the accident, and also authorize the District to obtain the results of the hospital reports.

Post-accident alcohol testing must be administered no later than **eight (8) hours** after the accident.

No driver who must take a post accident alcohol test may use alcohol for eight (8) hours following the accident or until the driver has the test, whichever occurs first.

A driver who is subject to post accident testing shall remain readily available for the testing or shall be deemed by the District as having refused to submit to testing.

The General Manager, or designated alternatives, will be notified immediately of any accident defined above. They will notify the appropriate supervisor or designated employee to make arrangements with the driver involved to be tested.

Following random or post accident testing, appropriate measures will be taken per the District's Substance Abuse and Alcohol Testing Policy.



# Carpinteria Sanitary District

Board of Directors Meeting

## STAFF REPORT

TO: Board of Directors

FROM: Craig Murray, P.E. - General Manager

**SUBJECT: Tiered CalPERS Retirement Benefits for New Employees**

DATE: January 15, 2012

**REQUESTED ACTION:** None.

**BACKGROUND:** The California Public Employees' Pension Reform Act of 2013 (PEPRA), signed into law by Governor Brown late last year, became effective on January 1, 2013. PEPRA affects new CalPERS members who enroll on or after January 1, 2013 through provisions affecting benefit formulas, the definition of what comprises pensionable earnings, limits on pensionable earnings, and other matters. The new law also calls for new members to pay 50 percent of the normal cost of benefits and strengthens the rules involving pension forfeiture for public employees and elected officials who commit job-related felonies.

Retirement plan provisions for current members are not significantly affected by PEPRA and most aspects remain essentially the same. There are no required changes to retirement formulas; there is no mandatory cost sharing requirement; there are no pensionable earnings caps; and there is no requirement to modify or alter Employer Paid Member Contributions.

A current member, now being termed as a "classic member", is anyone who is an active member of CalPERS prior to January 1, 2013. All District employees fit this description. Individuals with qualifying CalPERS service earned prior to January 1, 2013 who are hired by the District and re-enrolled in CalPERS may also be considered "classic members".

Going forward, the District will have a two-tiered retirement benefit. Based on prior communications from CalPERS, we anticipated receipt of a new CalPERS contract that would detail the tiered benefit program. It now appears that the Tier II benefits for new members, which apply state-wide, will become effective automatically. This has been reflected in the CalPERS on-line system, which lists the District's benefit program as follows:

### Carpinteria Sanitary District - Tiered Benefit Matrix

Tier I – Classic Member	Tier II – New Member
2% @ 55 Miscellaneous	2% @ 62 Miscellaneous
Final Year Compensation	Three-Year Average Final Compensation
Compensation Cap set by IRS (401(a)(17))	\$136,440 Compensation Cap for 2013*
Employer Paid Member Contribution (EPMC)	PEPRA Prohibits EPMC for New Members
0% Normal Cost Contribution	50% Normal Cost Contribution up to 8% (6.25 for 2013)

\*Adjustments to the cap are permitted annually based on changes to the Consumer Price Index for All Urban Consumers.

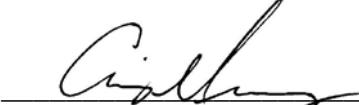
At this time, there is no Board action required to authorize or implement the tiered CalPERS benefit arrangement. However, staff is in the process of updating the District's Personnel Rules and Regulations (Chapter 3 of the District Code) to reflect the mandated changes to the retirement benefit. This is being coordinated with our annual review of this document and all changes and updates will be vetted in the Board Personnel Committee before coming back to the full Board for consideration. Concurrently, staff will be updating other informational materials (e.g. recruiting materials, employee summary data, etc.) to accurately reflect the new tiered benefit.

**RECOMMENDATION:** None.

**SUGGESTED MOTION:** None.

M\_\_\_\_\_ S\_\_\_\_\_

Ayes:\_\_\_\_\_ Nays:\_\_\_\_\_ Abstentions:\_\_\_\_\_

Prepared By:   
Craig Murray, P.E. - General Manager



# Carpinteria Sanitary District

Board of Directors Meeting

## STAFF REPORT

TO: Board of Directors  
FROM: Craig Murray, P.E. - General Manager  
SUBJECT: **Board Workshop Planning**  
DATE: January 15, 2013

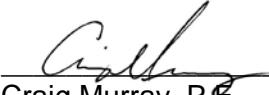
**REQUESTED ACTION:** That the Board provide direction to staff regarding planning a strategic planning workshop or retreat.

**BACKGROUND:** In 2012 the District Board of Directors confirmed interest in pursuing a Board workshop or retreat, with a primary objective being the development of a Strategic Plan for the agency. After considering options, there was consensus that an in-house Board workshop would best meet our existing planning needs. It was ultimately decided to defer such a workshop until early 2013, after new Board member roles were established.

This item is presented as an opportunity for the Board to discuss and plan a workshop so that it is tailored to the meet our specific needs. Staff would appreciate direction from the Board on workshop implementation, objectives and topics. We would also like to get feedback on the appropriate timing for this strategic planning process.

**RECOMMENDATION:** It is recommended that the Board discuss workshop planning issues, including scheduling, and provide direction to staff.

**SUGGESTED MOTION:** None. Informational item for discussion and possible staff direction.

Prepared By:   
Craig Murray, P.E. - General Manager