

WINDSOR



RESPONSES

AUG 29 2011



Town of Windsor
9291 Old Redwood Highway
P.O. Box 100
Windsor, CA 95492-0100
Phone: (707) 838-1000
Fax: (707) 838-7349

www.townofwindsor.com

Mayor
Steve Allen

Vice Mayor
Debora Fudge

Councilmembers
Robin Goble
Sam Salmon
Cheryl Scholar

Town Manager
J. Matthew Mullan

August 24, 2011

Gary Nadler, Presiding Judge
Superior Court State of California
County of Sonoma Hall of Justice
600 Administrative Drive
Santa Rosa, CA 95403

Re: Grand Jury Final Report 2010-2011

Dear Judge Nadler:

This letter is written on behalf of the Town of Windsor in response to the Grand Jury's Final Report of 2010-2011. The Windsor Town Manager was asked to respond to recommendations regarding *Improvements Needed in the Town of Windsor*:

- Recommended Improvements – R1, R2, R3 and R4

Recommendation R1

The Public Works Director should ensure that guidelines clarify the chain of command with respect to the handling of non-permitted discharges. These should become part of each written description for job classes involved in reporting discharges.

Response to R1

Recommendation numbered R1 has not been implemented as requested because it is not warranted to list procedures for the handling of non-permitted discharges in a job classification. With respect to Recommendation #1, clear guidelines currently exist in the Town's Standard Operating Procedures. The Public Works Director will provide a copy of the Standard Operating Procedure in his response.

Recommendation R2

Each job description should be reviewed to ensure that it includes a clear, specific definition of reporting responsibilities of all supervisory and management staff in order to clarify the chain of command.

Response to R2

Recommendation numbered R2 has been implemented; revised job classifications were developed and are current as of July 1, 2011. Job classifications include clear reporting responsibilities and outline the chain of command. A Town of Windsor organization chart which clearly shows the chain of command in each department and all job classifications are available on the Town website.

Recommendation R3

The Town Manager should address the issue of employees who are currently engaged in

Approved: [Signature]
Superior Court Judge
Date: 8/29/11

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AUG 29 2011

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SONOMA
BY: [Signature] DEPUTY CLERK

the continuation of longstanding interpersonal conflicts, which have created a stressful and possibly inefficient work environment.

Response to R3

Recommendation numbered R3 has been implemented and to the extent that any such issues may exist, they are, and will continue to be, properly addressed through the Town's regular personnel policies and procedures.

Recommendation R4

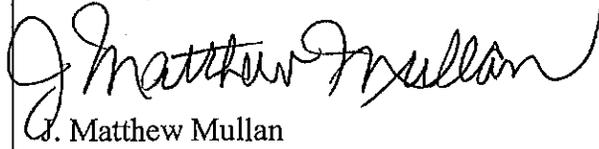
The Town Manager should confirm the right of any employee to provide sworn, secret testimony to any legal body without fear of exposure or retaliation.

Response to R4

Recommendation numbered R4 has been implemented. With respect to Recommendation #4, this recommendation is implemented through a combination of state laws and the Town's personnel rules that are applicable to, and observed by, the Town and all of its officials and Town employees, including management employees.

If you should have any questions regarding the above or require any additional information, please do not hesitate to contact me at (707) 838-5315.

Sincerely,



J. Matthew Mullan
Town Manager

Cc: Chris Christensen, Foreperson 2010-2011 Sonoma County Civil Grand Jury
Windsor Town Council



AUG 30 2011

Approved: [Signature]
Superior Court Judge
Date: 9/7/11

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SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SONOMA
BY [Signature] DEPUTY CLERK

Re: Grand Jury Final Report 2010-2011

Dear Honorable Judge Nadler:

This letter is written on behalf of the Town of Windsor in response to the Grand Jury's Final Report of 2010-2011. The Public Works Director/Town Engineer was asked to respond to recommendations regarding *Improvements Needed in the Town of Windsor*:

- Recommended Improvements – R1 and R2

Recommendation R1

The Public Works Director should ensure that guidelines clarify the chain of command with respect to the handling of non-permitted discharges. These should become part of each written description for job classes involved in reporting discharges.

Response to R1

Recommendation numbered R1 has not been implemented as requested because it is not warranted to list procedures for the handling of non-permitted discharges in a job classification.

The Public Works Department expects the highest standards to be maintained in the services that we provide to the public. We are responsible for a highly regulated public water system that must comply with all state EPA and Department of Health Services regulations and publish our compliance record to our customers annually. We must comply with storm water quality regulations from the Regional Water Quality Control Board, and with the Department of Fish and Game, Army Corp. of Engineers and NOAA for storm water quality and work in creeks and streams. The State Department of Health Services and the Water Quality Control Board regulate the use and application of recycled water. Windsor has, for over a decade, experience in the day-to-day operation and use of recycled water for urban and agricultural purposes. We have been in full compliance with our NPDES permit which includes the proper oversight and monitoring of recycled water operations.

The Public Works Department has a procedure for sanitary sewer overflow that also applies to recycled water releases. This procedure has been in place for years and refined through practice and application. The procedure has been kept up-to-date through revisions required from the Department of Health Services and the Regional Water Quality Control Board and the Town's NPDES permit. The procedure clearly outlines the chain of command when a response to a spill or release is required. The procedure is as follows: the responding employee assesses the situation, they are then required to contact their supervisor or the Public Works Manager or the Public Works Director, in that order. Reports that are prepared are to be reviewed by the Public Works Manager and signed by the Public Works Director in accordance with department policy.

While the department is always open to ideas for improvement, our current practices have been in compliance with all rules, laws and regulations and satisfied the requirements of regulatory agencies. The Grand Jury heard from the Regional Board that the Town "was well within the norm for the number of reported problems" and that "there are no outstanding problems or complaints."

The Grand Jury's recommendation to include the chain of command in written job classes would not be appropriate since this is a procedural matter and is best communicated as a department procedure. Procedures change from time-to-time to include the latest requirements and regulations. There are several positions that this procedure necessarily applies to. There are wastewater operators, parks maintenance employees, water maintenance employees, utility maintenance employees, street maintenance staff, school district maintenance staff, urban site supervisors, and agricultural site supervisors that all carry responsibilities for monitoring and reporting recycled water releases that are reportable.

The Town has recently updated all job classifications through a process that involved each employee. The job class description clearly indicates where the position is placed in the department organization, the position's relationship to a supervisor, and the characteristics of the class. The department's organizational chart clearly shows the reporting relationships of personnel and the chain of command.

Recommendation R2

Each job description should be reviewed to ensure that it includes a clear, specific definition of reporting responsibilities of all supervisory and management staff in order to clarify the chain of command.

Response to R2

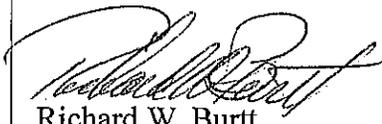
Recommendation numbered R2 has been implemented, revised job classifications were developed by Koff and Associates following a comprehensive classification and compensation study. Job classifications

include clear reporting responsibilities and outline the chain of command. Also available is a Town of Windsor organization chart which clearly shows the chain of command in each department and division within the Town. New classifications are available on the Town website and are current as of July 1, 2011.

Each job description does clearly state to whom the position reports to and how that position differs from the next higher position in the organization. This relationship is further reinforced through the annual employee performance review process which is conducted by the direct supervisor who sets the goals and objectives for the employee and evaluates competency dimensions appropriate for the position. Should there appear to be uncertainty about the chain of command or reporting relationships for an employee, a simple discussion with the employee can clarify their role and the expectations of their position. There is one supervisory level in the Public Works Maintenance Division and two management levels, Public Works Manager and Public Works Director. All Public Works Supervisors know that they are responsible to report to the Public Works Manager.

If you should have any questions regarding the above or require any additional information, please do not hesitate to contact me at (707) 838-5343.

Sincerely,



Richard W. Burt
Public Works Director/Town Engineer

Attachment: Town of Windsor Utility Maintenance Sanitary Sewer Over Flow Procedure (Rev 4/17/11)

Cc: Chris Christenen, Foreperson 2010-2011 Sonoma County Civil Grand Jury
Windsor Town Council
Matt Mullan, Town Manager

SSMP
APPENDIX D
TOWN OF WINDSOR UTILITY MAINTENANCE
SANITARY SEWER OVER FLOW PROCEDURE (REVISED 4/17/11)

This procedure is intended to identify and outline basic steps, which shall be followed when responding to a reported sanitary sewer overflow.

GOALS: Provide good customer service, protect yourself and the public from hazards, identify source of overflow and determine ownership, perform clean up and abatement, complete proper reporting procedures.

STEPS:

1. **Response Readiness:** *NOTE: Items listed below will be put on the response check list which will attach to the procedure as a future revision.*
 - a. **Ensure you have the following items with you:**
 - i. *Base map book with storm and sewer*
 - ii. *Sewer hook; camera; GPS unit*
 - iii. *Response procedure with check list*
 - iv. *Standby folder with phone list*
 - v. *Active cell phone*
2. **Assess the scene for hazards to yourself and or the public.**
 - a. Utilize control devices such as: (signs, cones, delineators, lights, barricades), when your work encroaches in lane(s) of traffic, or in an area subject to pedestrian or vehicle traffic.
 - b. Utilize Personal Protection Equipment such as gloves; hardhat; safety glasses; safety vest; or splash goggles as needed, in compliance with the Town of Windsor Code of Safe Work Practices.
 - c. Protect your back: Utilize proper lifting, pulling and bending techniques when removing a sanitary sewer access cover.
3. **Conduct investigation:**
 - a. IDENTIFY THE SOURCE AND DETERMINE OWNERSHIP.
WHEN REPORT IS OVERFLOW or BACKUP ON or FROM PRIVATE PROPERTY:
 - i. Conduct an inspection of the Town system both upstream and down stream from the reporting address.
 - *If the access hole upstream of the customer has standing water, or the trough is not visible, assume the problem is within the Town system. (See directions on Appendix A).*
 - *If the access hole downstream of the customer has standing water, or no water flow, assume the problem is within the Town system. (See directions on Appendix A)*
 - *If both the access hole upstream and downstream of the customer has good flow, the problem is then assumed to be the customers. (See directions on Appendix B)*
 - *If the backup is determined to be caused by the Town system, and property damage has occurred (See directions on Appendix A)*
 - **If an overflow of more than five gallons occurred from either the Town system or the customers, or flow enters a storm system or surface water (See directions on Appendix A, B, C and D)**
 - ii. WHEN REPORT IS OVERFLOW FROM TOWN SYSTEM:
 - ii. Conduct an inspection of the Town system both upstream and downstream of the overflow point.
 - *If an overflow is verified (See directions on Appendix A)*

~~UTILITY MAINTENANCE STANDARD OPERATING PROCEDURE~~
~~SANITARY SEWER OVERFLOW~~

APPENDIX A

PROBLEMS IN THE TOWNS SANITARY SEWER SYSTEM

STEPS: Note: step one assumes contract assistance to be used. If Town equipment is to be used, follow the emergency callout contact procedures.

1. **Contact service provider.** *Roy's Sewer Service 707 (795-5656)*
2. **Contact service provider.** *Miksis: 707(433-8053)*
 - a. Provide them with the following information:
 - i. Your Name, and Town of Windsor Public Works
 - ii. Your contact phone number
 - iii. Report the situation, and location
 - iv. Request the type of equipment needed to address the situation.
 1. Hydro Jetter
 2. Combo Unit
 - b. Request the following information from them
 - i. The estimated response time
 - ii. The name and contact number for their responding employee
3. **Contact Supervisor or Manager: in the following order**
 - a. *Mary Coburn: Cell: (707) 327-6749*
 - b. *Richard Bartlett: Home: (707)837-0142 Cell: (707) 301-0838*
 - c. *Richard Burt: Home: (707)836-0579 Cell: (707)327-7099*
4. **Collect data for reporting: complete appendix B**
5. **Contact: (when any sewer overflow occurs)**
 - a. Cal North Adjusters (707) 539 7785
 - b. REMIF: (707)938-2388
 - c. **Cal North**
Ed Chasco – Cell 548-2165
Office 539-7785
Home 584-7990
 - d. Complete a Town of Windsor Incident Report Form
 1. Fax copy to REMIF
 2. Send Original to Admin Services Director
 3. Send copies to Utility Maintenance Supervisor, Public Works Manager, Public Works Director/Town Engineer.
6. **REPORTING REQUIREMENTS**
 - a. **For any discharge of sewage that results in a discharge to a drainage channel or a surface water, shall as soon as possible, but not later than (2) hours after becoming aware of the discharge, notify:**
 - i. **State Office of Emergency Services**
 1. 1-800-852-7550 Control # _____ Date/Time: _____
 - ii. **Department of Health Service:**
 1. 707-576-2145 Date/Time: _____
 2. 707-565-6544
 - iii. **Regional Water Quality Control Board:**
 1. 707-576-2220 Date/Time: _____
 2. 24 hour fax report Date/Time: _____

Appendix C Fax to : (707) 523-0135

**UTILITY MAINTENANCE
SANITARY SEWER OVERFLOW
APPENDIX B**

Reporting Form and Check List

- Address/Location of SSO: _____
- GPS coordinates of SSO: _____
- Did SSO enter a drainage channel or surface water? Yes _____ No _____
- Did the SSO enter a storm drain pipe? Yes _____ No _____
- Were onsite photos taken? Yes _____ NO _____
- Estimate the SSO volume in gallons: _____
- Estimate of SSO amount not recovered from storm, or amount which entered a surface water or drainage channel: _____
- Estimate the amount recovered: _____
- Were samples taken? Yes _____ NO _____ (See appendix D for procedure and parameters)
- What were the sample parameters? _____
- If samples were taken, which regulatory agency received results? _____
- Sample Date: _____
- Sample location: _____
- Sample takers name: _____
- Sample analysis completed by: _____
- Were health warnings issued? Yes _____ No _____
- SSO source (manhole, cleanout, etc.) _____
- SSO cause (blockage, roots etc.) _____
- Time of SSO notification or discovery: _____
- Estimated operator arrival time (Town staff) _____
- Estimated operator arrival time (contractor) _____
- SSO destination: _____
- Estimated SSO end time: _____
- Was SSO from a private lateral? Yes _____ No _____
- Contact information if SSO originated from private lateral: Name _____
 - Telephone Number _____, Address _____
- Is there an ongoing investigation? Yes _____ No _____ Unknown _____
- OES control number: _____ (800)852-7550
- Time OES was called: _____
- Date OES was called: _____
- Was the County Health Dept. called? Yes _____ Time _____ Date _____ No _____
Unknown _____
- 24 Hour RWQCB Fax sent: Date: _____ Time: _____ (See Appendix C Form)
- Town of Windsor Incident Report completed: Date: _____ Time: _____
- Incident Report sent to:
 - REMIF Yes: _____ No: _____
 - Admin Service Director Yes: _____ No: _____
 - Public Works Director/Town Engineer Yes: _____ No: _____
 - Utility Maintenance Supervisor Yes: _____ No: _____
 - Public Works Manager Yes: _____ No: _____

APPENDIX C
24 Hour Fax Report
CERTIFICATION OF CATEGORY 1 DISCHARGE NOTIFICATION

To: North Coast Regional Water Quality Control Board
Fax Number: (707) 523-0135
From: _____
Date: _____
Subject: Discharge Certification Notice

In accordance with notification procedures required by Executive Order No. WQ 2008-0002 and Order No. 2006-2003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, the City/Town/Agency is hereby certifying that the State Office of Emergency Services (OES) and the County Environmental Health have been notified of a discharge to a drainage channel or surface water within the required two-hour period after becoming aware of the discharge.

Date/Time when City/Town/Agency notified about discharge: _____

Discharge Location: _____

Notified Office of Emergency Services

OES Control No. _____

Date: _____ Time: _____

Notified County Environmental Health

Date: _____ Time: _____

Contact Person: _____

Fax sent by: _____ Phone number: _____
(print name here)

Date: _____ Time: _____

FAX TO NORTH COAST RWQCB NO LATER THAN 24 HOURS AFTER DISCHARGE

APPENDIX D SPILL SAMPLING PROCEDURE

If a spill of wastewater or reclaimed water occurs and enters a stream or surface water, collection of samples are required. You are required to wear safety glasses, disposable gloves and to sanitize your hands between samples. The samples will consist of three ½ gallon bottles, three quart bottles, three 250 ml glass bottles and three 100 ml coli form bottles.

Collect samples at three locations.

- 1) Upstream of the spill source.
- 2) At the source of the spill.
- 3) Downstream of the spill source.

At each of the sample points, collect one ½ gallon bottle (to the top of the bottle) one quart bottle, one 250 ml glass bottle and one 100 ml coli form bottle (filled to the 100 ml line indicated on the bottle). You will also collect additional information about the samples being collected. This information will include: Temperature, Dissolved Oxygen and pH. You will note this information on the ½ gallon bottles and on the chain of custody sheet. To help you gather this information you will use the portable DO-pH meter. The meter also indicates temperature.

On each ½ gallon bottle write (in black sharpie):

- 1) Town of Windsor
- 2) Date
- 3) Time the sample was collected
- 4) Sample location (address of spill) and Up, Down or Source
- 5) Temperature
- 6) pH
- 7) DO
- 8) BOD
- 9) NFR

On each of the quart bottles you will write (in black sharpie):

- 1) Town of Windsor
- 2) Date
- 3) Time the sample was collected
- 4) Sample location
- 5) N-NH₃
- 6) N-NO₃

On each of the glass, 250 ml jars, you will write (ballpoint pen, on the label):

- 1) Town of Windsor
- 2) Date
- 3) Time the sample was collected
- 4) Sample location
- 5) TP04

On the coli form bottle (the green, removable label) fill out the label with the following information:

- 1) Client, you will write Town of Windsor
- 2) Sample point = sample location
- 3) Date
- 4) Time
- 5) Samplers initials

APPENDIX D

Page 2

On the chain of custody sheet will write the following:

- 1) Town of Windsor. This will go in the upper right corner of the B&R Lab chain of custody sheet.
- 2) Each individual sample will have its own line on the chain of custody sheet. In the appropriate spaces provided you will write, location, time the sample was collected, the temperature, bottle type (1/2 gallon, quart, 250 ml glass or coli form bottle.)
- 3) Sample type
- 4) Analysis requested
- 5) In the "remark" section you will write in the temperature, DO and pH that you got from the portable meter.