

SUMMERLAND SANITARY DISTRICT

2435 Wallace Avenue
Regular Board of Directors Meeting
Thursday July 11, 2013 at 5:00 p.m.

MINUTES

THE MEETING WAS CALLED TO ORDER AT 5:00 P.M. BY PRESIDENT COLOMY.

I. ROLL CALL

DIRECTORS PRESENT: JOLENE COLOMY
BETTY FRANKLIN
DAVID NOVIS
MARTIN TUCKER

ABSENT: JOHN FRANKLIN

ALSO PRESENT	JIM McMANUS	General Manager
	MARJON SOUZA	Office Manager/ Clerk to the Board
	WILLIAM HAIR	Legal Counsel
	Public	

CLOSED SESSION

- I. Conference with Legal Counsel- Threatened Anticipated Litigation (Government Code Section 54956.9[b]). Number of potential cases: One

The Board went into closed session at 5:01 p.m. and returned back into open session at 5:22 p.m. President Colomy announced that no action was taken during closed session.

OPEN SESSION

I. APPROVAL OF THE AGENDA

Director Tucker made a motion to approve the agenda. The motion was seconded by Secretary B. Franklin and passed with four ayes and one absent vote.

- II. APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING JUNE 13, 2013. Director Tucker moved to approve the minutes of the board meeting. The motion was seconded by Secretary B. Franklin and passed with four ayes and one absent vote.

- III. APPROVAL OF THE MONTHLY BILLS FOR THE MONTH OF JUNE 2013, INCLUDING PAYROLL AND PETTY CASH General Manager McManus answered and clarified questions the Board asked about pay out of the bills. Secretary B. Franklin moved to approve the monthly bills, including payroll and petty cash, totaling \$122,448. The motion was seconded by Director Tucker and passed with four ayes and one absent vote.

IV. PUBLIC COMMENT

President Colomy welcomed public and requested the speaker slips from public that wished to speak. Public is given three minutes speaking time per agenda item and the Board allows up to a total of nine minutes if two other members of the public give up their time to speak.

Mr. Malott: has an allotted time of nine minutes.

Mr. Malott addressed his concern to the Board of his assessed annual sewer fee for his 30-unit apartment complex. The apartments are small units with one bathroom and one bedroom. There are 650 residential units and there are 66 commercial buildings in town which constitute 20% of the user fees, yet the commercial units have 20 different classifications. The residential units have no different classifications at this time, which is a fairness concern to Mr. Malott. Mr. Malott showed a diagram and said that his property has a user water consumption rate equal to three single family dwellings if he calculates it by the assumed water flow for one single family dwelling presented by the District's consultant from Bartle Wells Associates. Mr. Malott said that most renters of the buildings are not home weekdays to use the sewer facilities. Mr. Malott said that he is open for a dialogue with the Board Directors to talk about fairness, suggestions and allocation of annual sewer fee.

Mr. Smith: has an allotted time of six minutes

Mr. Smith (attorney to Mr. Malott) said that the people of Summerland are owners of the Summerland Sanitary District and opined that Board alliance should be with the people that own the District, not District staff or consultants. Mr. Smith said that he, too, wanted an open dialogue and discussion for his client Mr. Malott. This same issue was discussed in Lompoc and an open dialogue has taken place between the Directors and the client.

V. OLD BUSINESS

A. Finance Committee Report

The committee did not meet.

B. Administration, Operations & Personnel (AOP) Committee Report

The committee did not meet but will be meeting next week for evaluating employees' salaries and benefits.

C. Fish Reef Project

The Board and General Manager discussed the request from Mr. Goldblatt of Fish Reef Project (FRP) to place man-made reefs within the outfall lease easement in the proximity of the discharge outfall pipeline. General Manager McManus invited Mr. Goldblatt to the meeting, but he did not show. President Colomy said after the discussion during the May 2013 meeting, it seems that the Board's position is, even though the reefs are an excellent concept, that the District should not allow anything close to the outfall. All Directors agreed with this position. General Manager McManus will inform Mr. Goldblatt with the Board's decision and wish him all the best in his future endeavors.

D. LAFCO-Municipal Service Review

The Board of Director tabled the item until the next regular board meeting to allow staff time to receive the latest version of the MSR from LAFCO.

I. NEW BUSINESS

A. California Special District Association 2013 Board Elections

The District received a ballot to use in voting to elect (one) director to represent for the District's region 5 to the CSDA Board of Directors.

Director Novis made a motion to vote for Kathy Tiegs to represent the District's region 5 to the CSDA Board of Directors. The motion was seconded by Secretary B. Franklin and passed with four aye votes and one absent vote.

The ballot card was signed by President Colomy.

B. Resolution No. 2013-04

The Board of Directors considered adopting Resolution 2013-04 for the election of Directors to the Special District Risk Management (SDRMA) Authority Board of Directors. The Resolution includes a ballot to vote for four (4) candidates for the SDRMA's Board of Directors.

The Board requested to table this Resolution to the next regular board meeting to receive more information on SDRMA and CSDA.

C. Notice of hearing on report to collect Summerland Sanitary District Sewer Charges on County Tax Roll.

The Board reviewed the Summerland Sanitary District published the notice in the Santa Barbara News Press on June 24, 2013, for information.

D. Resolution No. 2013-05

Resolution of the governing Board of Summerland Sanitary District agreeing that the alternative method of distribution of property tax levies and assessment be applicable to tax levies made by the County of Santa Barbara, State of California.

Secretary B. Franklin made a motion to accept Resolution No. 2013-05 of the governing Board of Summerland Sanitary District agreeing that the alternative method of distribution of property tax levies and assessment be applicable to tax levies made by the County of Santa Barbara, State of California. The motion was seconded by Director Novis and passed with the following roll call: President Colomy; yes, Secretary B. Franklin; yes, Director Novis; yes, Director Tucker; yes, Director J. Franklin was absent.

E. Resolution No. 2013-06

Resolution of the governing Board of Summerland Sanitary District ordering the filing with the county auditor of a report of sewer service charges for fiscal year 2013-14 to be placed on the County tax roll.

Director Novis made a motion to accept Resolution No. 2013-05 of the governing Board of Summerland Sanitary District ordering the filing with the county auditor of a report of sewer service charges for fiscal year 2013-14 to be placed on the County tax roll.

The motion was seconded by Director Tucker and passed with the following roll call: President Colomy; yes, Secretary B. Franklin; yes, Director Novis; yes, Director Tucker; yes, Director J. Franklin was absent.

F. Annual Certification of Fixed Charge Fiscal Year 2013-14

The Board will consider authorizing the Board President to sign the certification.

Secretary B. Franklin moved to approve authorizing the Board President to sign certification. The motion was seconded by Director Tucker and passed with four ayes and one absent vote.

G. Request to Establish Ad-Hoc Committee

President Colomy requested to establish an Ad-Hoc Committee for Effluent Water Reclamation. President Colomy proposed to be a member of this committee and invited Secretary B. Franklin to join. Secretary B. Franklin accepted. A dialogue is taking place with Montecito Water District and Heal the Ocean to explore possibilities for Effluent Water Reclamation. The committee will report findings to the Board at the next regular board meeting.

H. Financial Report FY 2013-14

The Board received a quarterly financial report of FY 2013-14 for review.

Mr. Malott said that the retirement contributions are extremely high. President Colomy said that the AOP-Committee is reviewing benefit package Tuesday, July 17, 2013, at 9:00 a.m.

VI. MANAGER'S REPORT

The General Manager provided a written report on operations, facility and collection maintenance. At this point, Clerk of the Board Souza left the Board meeting.

VII. ITEMS FOR FUTURE CONSIDERATION BY THE BOARD

- Next Board meeting date: August 8, 2013
- Ad Hoc Committee- Reclaimed water
- LAFCO MSR Review
- Grand Jury Report
- Review of Board Bylaws and Procedures

VIII. ADJOURNMENT

The meeting was adjourned at 6:28 p.m. by unanimous consent of the Board Members present.

Respectfully submitted:

Betty Franklin
Board Secretary

Date: _____

Minutes prepared by M. Souza