



## Minutes of the Regular Board of Directors Meeting

Thursday July 8, 2021, at 3:00 P.M.

These are the minutes of the regular board meeting of the Governing Board of the Summerland Sanitary District. The Governing Board of the Summerland Sanitary District held a regular meeting at 2435 Wallace Avenue, Summerland, California with social distancing protocols. The meeting was conducted in accordance with the Governor’s Executive Order No. N-29-20. The District did permit public access to the meeting location and the public was able to listen to the meeting telephonically by calling +1 669 900 6833 (San Jose) Meeting Code ID: 983 226 8568 or through the internet at <https://us02web.zoom.us/j/9832268568>.

The agenda notice for this meeting, including instructions for the public to provide comments and/or participate in the electronic meeting, was posted at the district’s website, bulletin board and at the post office at least 72-hours in advance of the meeting.

PRESIDENT D. NOVIS CALLED THE REGULAR BOARD MEETING TO ORDER AT 3:01 P.M.

I. CALL TO ORDER/ROLL CALL

DIRECTORS PRESENT	JOLENE COLOMY DAVID NOVIS JOHN FRANKLIN JAMES WITMER MARTIN TUCKER
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ABSENT -

ALSO PRESENT	NOE AGUILAR VEGA      Operations Manager MARJON SOUZA            District Administrative Manager
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II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

President D. Novis asked if there were any modifications and/or changes to the agenda. Hearing none, the agenda was approved as submitted.

IV. PUBLIC COMMENT [NON-AGENDA ITEMS]

No public comments were submitted, and no public was present via telephone, or Zoom at this time.

V. APPROVAL OF THE MINUTES FOR THE REGULAR BOARD MEETING OF JUNE 9, 2021 [Action-item]

A motion was made by Director J. Franklin to approve the minutes of the Regular Board Meeting of June 9, 2021. The motion was seconded by Director J. Colomy. The motion was carried by the following roll call vote:

AYES:            5            J. Colomy, J. Franklin, D. Novis, M. Tucker, J. Witmer

NOES: 0 None  
ABSENT: 0 None  
ABSTAIN: 0 None

VI. APPROVAL OF THE MONTHLY EXPENSES FOR JUNE 2021, INCLUDING PAYROLL AND PETTY CASH [Action-item]

District Management answered and clarified questions the Board had about pay out of bills. A motion was made by Director J. Colomy to approve the monthly expenses, including payroll and petty cash totaling \$55,322 for Fund 5215 and a transfer of \$598,970 out of Fund 5215 into Fund 5217. The motion was seconded by Director J. Franklin and was carried by the following roll call vote:

AYES: 5 J. Colomy, J. Franklin, D. Novis, M. Tucker, J. Witmer  
NOES: 0 None  
ABSENT: 0 None  
ABSTAIN: 0 None

VII. COMMITTEE REPORTS

A. Finance Committee Report

The Finance Committee did not meet.

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

The AOP-Committee did not meet.

VIII. CLOSED SESSION

Conference with Legal Counsel- Existing Litigation (Subdivision (d)(1) of Section §54956.9)  
Title of Case: Santa Barbara Superior Court Case Number: 18CV01923/Court of Appeal Case No. B298730. Lucinda Malott Successor Trustee versus Summerland Sanitary District.

Board President, D. Novis, announced that the Board entered in a closed session at 3:11 p.m. to discuss closed session item: *Conference with Legal Counsel- Existing Litigation (Subdivision (d)(1) of Section §54956.9)*

President D. Novis announced that the Board reconvened the closed session at 3:25 p.m. and reported that no action was taken.

IX. NEW BUSINESS [Action-Items]

**A. Resolution 2021-06: Resolution of the Board of Summerland Sanitary District Ordering the Filing with the County Auditor of a Report of Sewer Service Charges for the Fiscal Year 2021-22 to be Placed on and Collected by Means of the County Tax Roll**

A procedure text was provided for placing sewer charges on the County Tax Roll;

President D. Novis opened the hearing and asked the Clerk of the Board to call the roll. Answering "present" were Directors J. Colomy, J. Franklin, D. Novis, M. Tucker and J. Witmer. The Clerk of the Board said there were five Board members present, and that met the 2/3's quorum required by State law to adopt the resolution setting rates on the County Assessor's Rolls.

President D. Novis asked the Clerk of the Board to file the Notice of Hearing and Proof of Publication of the hearing with the Secretary. The Clerk of the Board delivered Proof of Publishing of the Notice of Hearing to Board Secretary, Director J. Colomy. President D. Novis noted for the record there were no members of the public present who wished to speak on the item and no comments had been submitted electronically prior to the deadline. The Clerk of the Board said there was no majority protest and President D. Novis declared the hearing closed.

President D. Novis asked for a motion on the resolution. Director J. Franklin made a motion, seconded by Director J. Witmer that the Board adopt Resolution No. 2021-06 ordering the filing with the County Auditor of a report of sewer service charges for FY2021/2022 to be placed on and collected by the County Assessor's Rolls. The motion carried by the following roll call vote:

AYES:	5	J. Colomy, J. Franklin, D. Novis, M. Tucker, J. Witmer
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**B. Emergency Repair of section of Main Sewer Line as Authorized by Resolution 2021-05**

The Board received an oral and written report from the Operations Manager N. Aguilar Vega for the completion of the emergency repair as authorized by Resolution 2021-05 on June 29, 2021. A section of the main sewer line was replaced to restore the integrity of the pipeline. Work was completed on Friday July 2, 2021.

A motion was made by Director J. Colomy to declare that the emergency condition as described in Resolution 2021-05 was terminated as required by Public Contract Code Section 22050 (c) (1). The motion was seconded by Director J. Witmer and was carried by the following roll call vote:

AYES:	5	J. Colomy, J. Franklin, D. Novis, M. Tucker, J. Witmer
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**X. FINANCIAL STATUS REPORT JUNE 2021**

The Board received a Financial Status and Cash Balances Reports for Funds 5215, 5216 & 5217 and staff provided explanation where requested. The Board accepted the report as presented.

**XI. OPERATIONS MANAGER REPORT**

Operations Manager N. Aguilar Vega provided a written report and answered questions the board had regarding the report. Mr. Aguilar Vega informed the Board the following:

- A conditional Job offer has been provided to Mr. Ronnie Perez. If all goes well, then Mr. Perez will start July 20<sup>th</sup>.
- A new riding lawn mower has been purchased and picked up.

- The Proposal for Engineering Services from MNS was briefly discussed. A second engineering firm has been contacted to provide an additional proposal to compare the engineering services.

XII. DISTRICT ADMINISTRATIVE MANAGER REPORT

District Administrative Manager M. Souza provided a written report and answered questions the board had regarding the report. Ms. Souza will be leaving for vacation from July 12 through July 27<sup>th</sup>. Ms. Souza will have access to emails and the financial system for processing invoices if needed. Mr. Aguilar Vega has experience in covering administration tasks during her vacation absence in the past as well. A request for an immediate support letter for “Non-Flushable Wipes Product Packaging Legislation” was sent out on behalf of the Board, signed by President Novis.

XIII. BOARD COMMUNICATIONS

- A. Board communications; none.
- B. Items for future Board meetings: Rate Study Committee Report on the Review and recommendation on the received Rated Study Proposals.
- C. Next Board meeting date:  
Regular Board Meeting Thursday August 12, 2021, at 3:00 p.m.

XIV. ADJOURNMENT

A motion was made by Director D. Novis to adjourn the Regular Board meeting at 4:30 p.m. The motion was seconded by Director J. Witmer and was carried by five ayes.

Respectfully submitted:

  
Jolene Colomy  
Board Secretary

Date: August 12, 2021

Minutes prepared by M. Souza