



V

Minutes of the Regular Board of Directors Meeting

Thursday, April 14, 2022, at 3:00 p.m.

These are the minutes of the regular meeting of the Governing Board of the Summerland Sanitary District held at the District’s Office at 2435 Wallace Avenue, Summerland, California.

The public was able to listen to the meeting telephonically by calling +1 669 900 6833 (San Jose), code 983 226 8568, or through the internet at <https://us02web.zoom.us/j/9832268568>. The public was also allowed to attend the meeting with social distancing protocols.

The agenda notice for this meeting, including instructions for the public to provide comments and/or participate in the electronic meeting, was posted on the district’s website and 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 (DAVE) NOVIS JOHN FRANKLIN JAMES (JIM) WITMER MARTIN TUCKER	(via Zoom)
ABSENT	-	
ALSO, PRESENT	NOE AGUILAR VEGA MARJON (MAR) SOUZA JANET MCGINNIS	Operations Manager Administrative Manager District Legal Counsel (via Zoom)

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

President D. Novis asked if there were any modifications and/or changes. President D. Novis said that under new Business Item A: Rate Study 2021-22 the word “for” should read “during” in the following sentence “*That rates adopted by Ordinance 19 remain in effect while the District waits for the CASA Flow & Loading Study to be completed for analyzing future annual sewer fee rates or consider a new Rate Study **for (=during)** the fiscal year 2022/23.*” Hearing no objections, the agenda was approved as submitted.

IV. PUBLIC COMMENT [NON-AGENDA ITEMS]

No public comments were submitted. Mr. Stefan Morton from CSDA financing joined the meeting via Zoom.

V. APPROVAL OF THE MINUTES FOR THE REGULAR BOARD MEETING OF MARCH 10, 2022 [Action Item]

A motion was made by Director J. Colomy to approve the minutes of the Regular Board Meeting of March 10, 2022. 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

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ABSENT: 0 None
ABSTAIN: 0 None

VI. APPROVAL OF THE MONTHLY EXPENSES FOR MARCH 2022, INCLUDING PAYROLL AND PETTY CASH [Action Item]

District Management answered the Board's questions and clarified information about the payout of bills. A motion was made by Director J. Colomy to approve the monthly expenses, including payroll and petty cash totaling \$95,904 for Fund 5215. 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 meet April 6th with Management and will report under closed session item B.

C. Ad hoc Committee for Grants & Financial Aid

The Ad Hoc Committee for Grants & Financial Aid did not meet.

VIII. CLOSED SESSION ITEMS

A. Conference with Legal Counsel – Existing Litigation – Government Code, § 54956.9(d)(1)
Lucinda Malott, etc. versus Summerland Sanitary District, Santa Barbara Superior Court No. 18CV01923

At 3:06 p.m., Board President D. Novis announced the commencement of the closed session item A.

At 3:35 p.m., President D. Novis announced that the Board had reconvened in open session and that the following reportable action was taken during the closed session: the board gave approval for a per diem compensation amount of \$175, per day of service, for the Board members mediation team. At this point Legal Counsel Ms. J. McGinnis left the meeting.

B. Public Employee Performance Evaluation – AOP Committee Report

Government Code, § 54957(b)(1)

Titles: Operations Manager and District Administrative Manager

At 3:40 p.m., Board President D. Novis announced the commencement of the closed session item B. Staff left the room during the closed session item.

At 3:45 p.m., President D. Novis announced that the Board had reconvened into open session and that there was no reportable action taken during the closed session.

IX. OLD BUSINESS ITEMS

A. Emergency Repair Report for the Replacement of Treatment Plant’s Blowers as Authorized by Resolution 2021-08 [Non-Action Item]

The Board reviewed the submitted staff report. Operations Manager N. Aguilar Vega said that there is a delay in the shipping of the Variable Frequency Drives, these are a crucial component of the Blowers. Instead of the projected install date of May, it is now expected that the installation will take place in July of this year. Until the completion of the installation, the emergency condition, as described in Resolution 2021-08, still exists.

B. Emergency Repair Report for the Maintenance on the District’s Outfall Pipeline as Authorized by Resolution 2021-09 [Non-Action Item]

The Board reviewed the submitted staff report. Operations Manager N. Aguilar Vega said that the first phase of the Ocean Outfall Pipeline Maintenance is still scheduled on or around June 15, 2022 and that the emergency condition, as described in Resolution 2021-09, still exists.

X. NEW BUSINESS ITEMS

A. Rate Study 2021-22 [Action Item]

The Board considered approving the following recommendation from the Ad Hoc Rate Study Committee: *That rates adopted by Ordinance 19 remain in effect while the District waits for the CASA Flow & Loading Study to be completed for analyzing future annual sewer fee rates or consider a new Rate Study during the fiscal year 2022/23.*

A motion was made by Director J. Witmer to approve the recommendation by the Rate Study Committee that the rates adopted by Ordinance 19 remain in effect while the District waits for the CASA Flow & Loading Study to be completed for analyzing future annual sewer fee rates or consider a new Rate Study during the fiscal year 2022/23. 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

B. Resolution 2022-01: A Resolution of the Board of Directors of the Summerland Sanitary District Adopting Debt Issuance and Management Policies [Action Item]

The Board considered adopting debt issuance and management policies Resolution 2022-01. This Resolution complies with the requirements of section 8855 of the Government Code and is required for the Installment Sale Agreement proposed for execution for the Outfall Pipeline Repair Project’s (partial) financing.

A motion was made by Director J. Colomy to adopt Resolution 2022-01 Adopting Debt Issuance and Management Policies. The motion was seconded by Director J. Franklin, and was carried by the following roll call vote:

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

Resolution 2022-01 was signed and sealed.

- C. Resolution 2022-02: Authorizing the Execution and Delivery of An Installment Sale Agreement, and Authorizing and Directing Certain Actions in Connection with the Acquisition and Construction of Pipeline Improvements [Action Item]

The Board will consider adopting Resolution 2022-02.

A motion was made by Director J. Colomy to adopt Resolution 2022-02 Authorizing the Execution and Delivery of an Installment Sale Agreement and Authorizing and Directing Certain Actions in Connection with the Acquisition and Construction of Pipeline Improvements. 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

Resolution 2022-02 was signed and sealed.

- D. Installment Sale Agreement for the Financing of the District's Ocean Outfall Pipeline Repair Project [Action Item]

The District was offered an Installment Sale Agreement for (partial) financing of the Ocean Outfall Pipeline Repair Project with a \$500,000, 10-year term loan with a 3.1% interest rate.

The Board considered approving and entering the offered Installment Sale Agreement and authorizing President D. Novis to execute the Agreement. The Installment Sale Agreement has been reviewed and approved by Legal Counsel.

A motion was made by Director J. Witmer to approve and enter the offered Installment Sale Agreement for (partial) financing of the Ocean Outfall Pipeline Repair Project with a \$500,000, 10-year term loan with a 3.1% interest rate and to authorize President D. Novis to execute the Agreement. 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

The Installment Sale Agreement was signed by President D. Novis.

- E. Banner Avenue Sewer Mainline Offset Repair between manhole R8031 and R8030 [Action Item]

The Board reviewed the submitted staff report and the pipeline inspection report with detailed information regarding the sewer mainline offset on Banner Avenue. The Board was requested to give Operations Manager N. Aguilar Vega signature authorization for the most competitive repair proposal not to exceed \$15,000.

Operations Manager N. Aguilar Vega said that a couple of weeks ago staff performed routine mainline cleaning on Banner Ave. While cleaning a certain section of the mainline, staff observed roots coming out of the mainline downstream near a manhole. Staff tried clearing the roots but were not successful. Thereafter, staff used a special cleaning head referred to as a chain flail. Staff was unable to drive the chain flail into the mainline. Staff subsequently conducted a video inspection of the mentioned section of the mainline to determine the cause of the chain flail not being able to travel into the pipe. The video inspection showed a severe offset that reduced the mainline capacity by 50%, prompting immediate action for repair to prevent the section of pipe from collapsing and creating a sanitary sewer overflow.

Both Tierra Contracting and Toro Enterprise Inc. were contacted and taken to the job site to receive a repair proposal. Both companies submitted proposals, which are included in the board meeting package.

Operations Manager N. Aguilar Vega requested the Board to approve the lowest proposal received from Tierra Contracting with \$11,375 and to be authorized to sign the proposal.

A motion was made by Director J. Colomy to approve the Tierra proposal and to authorize Operations Manager N. Aguilar to sign the proposal. 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

X. FINANCIAL STATUS REPORT – MARCH 2022

The Board received Financial Status and Cash Balances Reports for Funds 5215, 5216, and 5217, and staff provided explanations as requested.

A motion was made by Director J. Colomy to accept the Financial Status Report of March 2022. 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

VIII. OPERATIONS MANAGER REPORT

Operations Manager N. Aguilar Vega provided a written report and answered Board questions.

- Water leaked inside the operations room a couple of weeks ago when it rained, and it was discovered an existing toilet roof vent was corroded. Staff replaced the vent on top of the building.
- Staff was called out for a lateral sewer spill on Golden Gate Ave. Initially, staff believed that the spill belonged to the sewer lateral of 2435 Whitney Avenue, but upon close video inspection the spill was due to root intrusion of an abandoned lateral. Staff cleared the root intrusion and properly capped off the abandoned lateral. The homeowners of 2435 Whitney Avenue will be reimbursed for the plumber expense.

IX. ADMINISTRATIVE MANAGER REPORT

Administrative Manager M. Souza provided a written report and answered Board questions.

- 108 Pierpont received a final inspection of the three vacation rentals that are located on the top floor of the building. 2235 Calle Culebra submitted plans to convert the upper-level floor into an ADU.

XI. BOARD COMMUNICATIONS

A. Board communications: District staff and the Board will be invited in July 2022 to a luncheon at the District property to celebrate the 20-year work anniversary of the District Administrative Manager.

B. Items for future Board meetings: -

C. The next Regular Board Meeting date is Thursday, May 12, 2022, at 3:00 p.m.

XII. ADJOURNMENT

A motion was made by Director J. Witmer to adjourn the Regular Board Meeting at 4:22 p.m. and was seconded by Director J. Franklin and carried by five ayes.

Respectfully submitted:



Jim Witmer
Board Secretary

Date: May 12, 2022

Minutes prepared by M. Souza