



Minutes of the Regular Board of Directors Meeting

Wednesday June 9, 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 2521 Banner Avenue, Summerland, California with social distancing protocols. The meeting was conducted in accordance with the Governor’s Executive Order No. N-29-20. To minimize the potential spread of the Covid-19 virus, the District did not permit public access to the meeting location. 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](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 (3:30 P.M.) MARTIN TUCKER
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ABSENT -

ALSO PRESENT	NOE AGUILAR VEGA Operations Manager MARJON SOUZA District Administrative Manager GREGORY PATTERSON District Legal Counsel (via Zoom)
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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 MAY 13, 2021 [Action-item]

A motion was made by Director J. Colomy to approve the minutes of the Regular Board Meeting of May 13, 2021. The motion was seconded by Director J. Franklin. The motion was carried by the following roll call vote:

Summerland Sanitary District
Minutes Regular Board Meeting 06/09/2021

AYES:	4	J. Colomy, J. Franklin, D. Novis, M. Tucker
NOES:	0	None
ABSENT:	1	J. Witmer
ABSTAIN:	0	None

VI. APPROVAL OF THE MONTHLY EXPENSES FOR MAY 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 M. Tucker to approve the monthly expenses, including payroll and petty cash totaling \$73,061 for Fund 5215 and \$5,294 for Fund 5216. The motion was seconded by Director J. Colomy and was carried by the following roll call vote:

AYES:	4	J. Colomy, J. Franklin, D. Novis, M. Tucker
NOES:	0	None
ABSENT:	1	J. Witmer
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 with legal counsel, district staff at 3:07 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. OLD BUSINESS [Action Item]

A. **Budget Review & Resolution No. 2021-02 Adopting of Operations Budget Fund 5215, Capital Facilities Budget Fund 5216 and Capital Replacement and Repair Budget Fund 5217 for FY2021/22**

The Board received a Proposed FY2021/22 Annual Budget. The Board of Directors was asked to consider approving the proposed budget FY2021-22, by adopting Resolution No. 2021-02, which included a 2.2% COLA. In addition, the Board was requested to consider approving reducing the Liability Coverage from \$5M to 2.5M per occurrence.

The Board reviewed the letter of transmittal and Exhibit A. The Finance Committee recommended to adopt the 2.2% cost of living to the salary schedule, which excluded

Management. The Finance Committee and Board President also recommended a closer review of the legal expenses during the last board meeting. The expected hearing to calculate possible legal fees was however delayed and the budget line item for legal fees can be modified at a later date. The Finance Committee proposed to lower the liability fee to a 2.5M coverage per occurrence.

Operations Manager N. Aguilar Vega gave an explanation to some of the proposed project costs.

A motion was made by Director J. Franklin to adopt Resolution No. 2021-02 approving the proposed budget FY2021-22. The proposed budget includes a 2.2% COLA and a Liability coverage of 2.5M per occurrence. The motion was seconded by Director M. Tucker and was carried by the following roll call vote:

AYES:	4	J. Colomy, J. Franklin, D. Novis, M. Tucker
NOES:	0	None
ABSENT:	1	J. Witmer
ABSTAIN:	0	None

X. **NEW BUSINESS** [Action-Items]

A. COVID-19: Considering lifting some of the precaution measurements

The Board discussed lifting some of the precaution measurements per June 15, 2021, according to the guidelines of the CA Department of Public Health.

Staff recommended that the Board consider public access to board meeting locations in addition to public participation through video/teleconferencing.

A motion was made by Director J. Colomy to allow members of the public at the Board meeting location in addition to public participation through video/teleconferencing commencing next board meeting. The motion was seconded by Director J. Franklin and was carried by the following roll call vote:

AYES:	4	J. Colomy, J. Franklin, D. Novis, M. Tucker
NOES:	0	None
ABSENT:	1	J. Witmer
ABSTAIN:	0	None

B. Resolution No. 2021-03 Setting the Date for a Hearing and Giving Notice Thereof of Election to Collect Sewer Serves Charges on the County Tax Roll

The Board reviewed and considered adopting Resolution No. 2021-03 for collecting sewer service charges on the County tax roll for the Fiscal year 2021-22.

President D. Novis commented that this is an annual occurring resolution to set a date for the Hearing to collect the sewer charges on the property tax roll. Clerk to the Board M. Souza said that the Notice of Hearing announcement will be published in the News Press on June 18th and June 25th.

Summerland Sanitary District
Minutes Regular Board Meeting 06/09/2021

A motion was made by Director J. Franklin to adopt Resolution No 2021-03. The motion was seconded by Director D. Novis and was carried by the following roll call vote:

AYES:	4	J. Colomy, J. Franklin, D. Novis, M. Tucker
NOES:	0	None
ABSENT:	1	J. Witmer
ABSTAIN:	0	None

C. Resolution No. 2021-04 Agreeing that the Alternate Method of Distribution of Property Tax Levies & Assessments be Applicable to Tax Levies Made by the County of Santa Barbara, State of California.

The Board reviewed and considered adopting Resolution No. 2021-04 for agreeing that the alternate method of distribution of property tax levies & assessments be applicable to tax levies made by the County of Santa Barbara.

A motion was made by Director J. Colomy to adopt Resolution No 2021-04. The motion was seconded by Director J. Franklin and was carried by the following roll call vote:

AYES:	4	J. Colomy, J. Franklin, D. Novis, M. Tucker
NOES:	0	None
ABSENT:	1	J. Witmer
ABSTAIN:	0	None

D. CSDA Board of Directors Election Ballot-Term 2022-2024; Seat A – Coastal Network

The Board of Summerland Sanitary District is requested to vote for one of the following candidates; Elain Magner or Hugh Rafferty.

President Novis commented that Mr. Rafferty is very active in the local CSDA chapter and is highly qualified and would recommend him, staff M. Souza found Mr. Rafferty an excellent candidate as well.

A motion was made by Director D. Novis to vote to elect Hugh Rafferty for Seat A-CSDA Coastal Network. The motion was seconded by Director M. Tucker and carried by the following roll call vote:

AYES:	4	J. Colomy, J. Franklin, D. Novis, M. Tucker
NOES:	0	None
ABSENT:	1	J. Witmer
ABSTAIN:	0	None

X. FINANCIAL STATUS REPORT MAY 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 also informed the Board the following: Staff member, Angel Diosdado, resigned on June 2nd. A new job announcement was posted at the

Summerland Sanitary District
Minutes Regular Board Meeting 06/09/2021

District's website, Indeed and CWEA. The Air Bubbler system at lift station II was successfully installed. N. Aguilar Vega also met with an Engineer from MNS to discuss bidding/project process for slip lining the outfall pipeline.

XII. DISTRICT ADMINISTRATIVE MANAGER REPORT

District Administrative Manager M. Souza provided a written report and answered questions the board had regarding the report.

XIII. BOARD COMMUNICATIONS

A. Board communications; none.

B. Items for future Board meetings: Notice of Hearing for Sewer Charges on the Property Tax Roll.

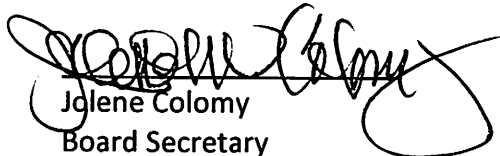
C. Next Board meeting date:

Regular Board Meeting Thursday July 8, 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: July 8, 2021

Minutes prepared by M. Souza