



Minutes of the Regular Board of Directors Meeting

Thursday, October 13, 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.

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 3:00 p.m.

I. CALL TO ORDER/ROLL CALL

DIRECTORS PRESENT

- JOLENE COLOMY
- JOHN FRANKLIN (Via Zoom)
- DAVID NOVIS
- MARTIN TUCKER
- JAMES WITMER

ABSENT

-

OTHERS PRESENT

- NOE AGUILAR VEGA Operations Manager
- MARJON (MAR) SOUZA Administrative Manager

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

President D. Novis said he proposed a minor change under the agenda item “Discussion of Replacing the Operation Manager Position”. This item is listed as a non-action item, and it should be listed as an action item. President D. Novis asked if there were any objections to this. Hearing no objections, the agenda was approved with the proposed change.

IV. PUBLIC COMMENT [NON-AGENDA ITEMS]

No public comments were submitted, and one member of the public was present via zoom.

V. APPROVAL OF THE MINUTES FOR THE REGULAR BOARD MEETING OF SEPTEMBER 8, 2022
[Action Item]

A motion was made by Director M. Tucker to approve the minutes of the Regular Board Meeting of September 8, 2022. The motion was seconded by Director J. Colomy, 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

VI. APPROVAL OF THE MONTHLY EXPENSES FOR SEPTEMBER 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 \$70,112 for Fund 5215 and \$2,627 for Fund 5217. 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

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. 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 the new blower units were installed and tested. Staff has been trained on the operation and maintenance of the Blowers by an Aerzen technician. The old blower parts from blowers 1 and 2 will be used to rebuild the 3rd blower that hasn't been replaced. With the completion of the installation, the emergency condition, as described in Resolution 2021-08 is terminated.

A motion was made by Director J. Colomy to terminate the emergency condition as described in Resolution 2021-08, as required per Public Contract Code, Chapter 2.5 Emergency Contracting Procedures, Section 22050. The motion was seconded by Director M. Tucker, 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

IX. NEW BUSINESS ITEMS

A. Acceptance of Resignation of Operations Manager

The Operations Manager submitted his resignation on October 6, 2022, with his last day of work to be December 31, 2022, or sooner if replacement is found and services are no longer required.

Operations Manager N. Aguilar Vega explained his reasoning for leaving the district and his position; he is going to work in the private sector by taking over the family business and he will further his education.

Director Colomy, Franklin, Witmer, and Tucker wished Mr. Aguilar Vega good luck with his new endeavors and thanked him for the years of service with the District, he will be greatly missed. President Novis said that he wanted to be on record that he is very disappointed in Mr. Aguilar Vega. He appreciated that the Directors wished him well, but it puts the District in a difficult situation now that half of the Management team is leaving in a couple of months and the position might be hard to fill with the personnel shortage.

B. Discussion of Replacing the Operation Manager Position [Action Item]

The Board will discuss the replacement and advertisement of the Operation Manager Position, and, or possible restructuring of the district.

Operations Manager Noe Aguilar Vega said that he is flexible to work part-time if needed after December until the right person has been found. President Novis said that the action item is to go ahead and advertise the position. President Novis said that the position could be called Operations Supervisor and the salary range will be predicated on the level of experience. Administrative Manager Souza recommended that the Job position title should be Operations Manager and not Operations Supervisor since the job responsibilities that are currently listed are that of a manager. If the Board would like to hire a supervisor, then there should be a reorganization and a change in the job description and responsibilities. President Novis disagreed. Operations Manager Aguilar Vega said that in his role previously as an Operations Supervisor he did have the managers' responsibilities, but not the job title. Working in this industry with peers and vendors it's important to have a job title that fits with the given responsibilities. President Novis disagreed with this statement. Director Franklin said the board should look at what the needs are for the district. President Novis said that if the Board believes that the District should go search for an Operations Manager then the Board should move ahead with the search for this and he requested to tally for a vote on the position title. Director Witmer asked for clarification regarding the job title. President Novis said that Mr. Aguilar Vega worked himself up to the position and that it's different. Mr. Aguilar Vega said that there is a certain degree of responsibility that he carried. President Novis started a conversation with Mr. Aguilar Vega. At this point, President Novis was requested to return to the agenda item by District Administrative Manager Souza, and President Novis said that he did not want to be interrupted by Ms. Souza. Then President Novis was also requested by Director Colomy to return to the discussion of the agenda item and to the discussion of the job title and she said that she strongly preferred the job title Operations Manager. President Novis said that with everything he has done for the District, it was obvious that right up to this point he was no longer effective as President. District Manager Souza said that that was untrue. President Novis said that "as of now I resign, I'm through, I'm through". At this point, Mr. Novis exited the room. Vice-President Colomy took over the meeting as President Pro-term. A motion was made by Director M. Tucker to accept Director D. Novis's resignation as Board President, the motion was seconded by Director Franklin and passed with the following roll call:

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

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ABSTAIN: 0 None

Administrative Manager Souza will follow up with a phone call to Mr. Novis.

Pro-term President Colomy said that the Board will return to the agenda item Discussion of the replacement of the Operations Manager Position. The position that will be advertised is for an Operations Manager and the salary range that was discussed was \$105,000 – to \$130,000 depending on experience. Operations Manager N. Aguilar will be available until a replacement is found and staff have been trained for some of the reporting tasks as well. The posting will be done through CWEA, Indeed, and through distribution in the surrounding Districts.

A motion was made by Director Witmer that the Board will be advertising for an Operations Manager position according to the job description that was handed out, with a salary range of \$105,000 - \$130,000, depending on experience. The motion was seconded by Director J. Franklin. The motion was passed with the following roll call:

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

C. Proposals for Professional Services- WWTP Ocean Outfall Replacement Cost [Action Item]

The Board will discuss and approve one of the proposals received from MNS and MPM for Professional (Engineering) Services for the Replacement Cost of the Ocean Outfall.

Operations Manager N. Aguilar Vega said that both proposals have the same objective of providing a cost estimate for the replacement of the outfall pipeline. The firm MNS also provides a plan and profile map in detail with a total cost of \$36,131. Both proposals will include the permitting and designing cost estimates for the replacement of the Outfall. Since the District is only interested in the receipt of a detailed cost estimate Operations Manager N. Aguilar Vega recommends approving the proposal from MPM with a total cost of \$6,500.

A motion was made by Director Franklin to approve the MPM proposal with a total cost of \$6,500. The motion was seconded by Director J. Witmer with the following roll call:

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

B. Rate Study Proposals [Action Item]

The Board of Directors received a Rate Study Proposal from L&T Municipal Consultants. The Board will be requested to approve or disapprove the proposal.

A motion was made by Director Witmer that the Board accepts the Rate Study Proposal from L&T Municipal Consultants. The motion was seconded by Director M. Tucker.

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District Administrative Manager Souza said that a Request for Proposal was sent out to eight firms and three of them responded; Raftelis and HF&H responded that they did not have the resources to take on the project at such short notice. L&T Municipal Consultants submitted a proposal. Pro-term President J. Colomy said that this firm's consultant also gave the Board Workshop last month. The Administrative Manager said that she called the references that were listed in the proposal, and they all shared that they had a very positive experience working with the firm and Ms. Lechowicz. The firm seems to work with smaller Districts.

District Administrative Manager M. Souza said that now that there is an upcoming change in Management, perhaps the Board does want to contemplate waiting to commence with a Rate Study until new management is hired. A discussion was held.

In light of the personnel change and the unknown cost of the replacement of the Outfall pipeline, which might push the District towards the direction of exploring dissolution further, the Board was of the opinion to table the motion of accepting the Proposal for a Rate Study until a cost estimate is received for the replacement of the outfall pipeline.

Director J. Franklin moved to table the Motion until the Board receives the detailed cost estimate of the outfall pipeline replacement. The motion was seconded by Director Tucker and passed with the following roll call:

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

X. FINANCIAL STATUS REPORT – September 2022 [Action Item]

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

Director J. Franklin announced that he had to leave the meeting and left the meeting by signing off through the Zoom videoconferencing.

A motion was made by Director J. Witmer to accept the Financial Status Report of September 2022. The motion was seconded by Director J. Colomy, and was approved by the following roll call vote:

AYES:	3	J. Colomy, M. Tucker, J. Witmer
NOES:	0	None
ABSENT:	2	J. Franklin, D. Novis
ABSTAIN:	0	None

VIII. OPERATIONS MANAGER REPORT

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

- Operations Manager N. Aguilar Vega announced the retirement of Alfonso Aguilar and said that his last day of work will be October 21st. A retirement luncheon will be organized at Delgado's restaurant in November. The Board members checked their calendars and November 3rd was tentatively agreed on.

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- The new NPDES Permit requires electronic recording of the incoming values of influent flow. The meters are ordered and the plumbing and rerouting and installation for this has been completed by staff. The project should be completed by November 1st.

IX. ADMINISTRATIVE MANAGER REPORT

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

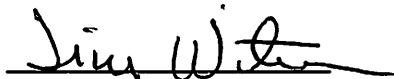
XI. BOARD COMMUNICATIONS

- A. Board communications: Retirement Lunch for Alfonso Aguilar is tentatively set for November 3rd at Noon at Delgado's restaurant.
- B. Items for future Board meetings. -
- C. The next regular board meeting is Thursday, November 10, 2022.

XII. ADJOURNMENT

A motion was made by Director J. Witmer to adjourn the Regular Board Meeting at 4:17 p.m. and was seconded by Director J. Colomy and carried by three ayes and 2 absent votes.

Respectfully submitted:



Jim Witmer
Board Secretary

Date: November 10, 2022

Minutes prepared by M. Souza