



## Minutes of the Regular Board of Directors Meeting

Wednesday, October 9, 2024, at 3:00 p.m.

These are the minutes of the Summerland Sanitary District Governing Board meeting 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) Meeting Code ID: 983 226 8568 Passcode 123 or through the internet at <https://us02web.zoom.us/j/9832268568?pwd=nlt8jNgA5DOkwx950nKL4h0nmahQbj.1&omn=85964199693>.

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 J. WITMER CALLED THE REGULAR BOARD MEETING TO ORDER AT 3:00 P.M.

I. CALL TO ORDER/ROLL CALL

DIRECTORS PRESENT

JOLENE COLOMY  
JOHN FRANKLIN  
GARY ROBINSON  
MARTIN TUCKER  
JAMES WITMER

ABSENT

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OTHERS PRESENT

DAVID LEWIS                      Operations Manager  
MARJON (MAR) SOUZA            Administrative Manager

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

President J. Witmer asked if there were any modifications or changes. Hearing no objections, the agenda was approved.

IV. PUBLIC COMMENT [Non-Agenda Items]

President J. Witmer asked the Clerk of the Board M. Souza if there were any public comments. No public comments were submitted in advance and no member of the public was present in person or via Zoom videoconference.

V. APPROVAL OF THE MINUTES FOR THE REGULAR BOARD MEETING OF SEPTEMBER 12, 2024 [Action Item]

Director J. Franklin made a motion to approve the regular board meeting minutes of September 12, 2024. The motion was seconded by Director G. Robinson and was carried by the following roll call vote:

AYES:	5	J. Colomy, J. Franklin, G. Robinson, <b>M. Tucker</b> , J. Witmer
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

VI. APPROVAL OF THE MONTHLY EXPENDITURES FOR SEPTEMBER 2024, INCLUDING PAYROLL AND PETTY CASH [Action Item]

District Management answered the Board's questions and clarified information about the payout of bills. Director J. Colomy made a motion to approve the monthly expenditures, including payroll and petty cash totaling \$84,499 for Operations 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, G. Robinson, M. Tucker, J. Witmer
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

VII. COMMITTEE REPORTS

A. Finance Committee Report

Did not meet.

B. Administration, Operations & Personnel (AOP) Committee

Did not meet.

C. Ad-Hoc Strategic Committee

The committee met earlier today to discuss a Rough Order of Magnitude (ROM) proposal to clean and line the Ocean Outfall Pipeline. One ROM came in at \$2.3M. Two other ROMs for cleaning and lining are expected to come in before the next board meeting date.

D. Ad-Hoc Rate Study Committee

The committee met on September 30, 2024, and shall provide a report under New Business Items A.

VIII. NEW BUSINESS ITEMS

A. **Proposals for Rate Study** [Action Item]

The Board received two proposals from consultant firms for a rate study to be conducted during FY2024-25. Ad Hoc Rate Study Committee member J. Franklin said that both proposals were reviewed and discussed with Legal Consultant Mr. Colantuono and the Administrative Manager M. Souza.

The Ad Hoc Committee recommended that the board accept the Lechowicz & Tseng Municipal Consultant Proposal. This proposal was tailored to the District, Board, and Management has a good report with the Consultant, consultant rates are lower and there are more hours included in the study for the principal rate consultant. Mr. Colantuono will provide the Rate Consultant with legal advice throughout the study and recommended entering into a 3-party consultant agreement in which an attorney-client privilege will be created. This was considered as good advice by the board members. Raftelis' Proposal was also acceptable, but was less customized to the district, with higher consultant rates.

After a short discussion, Director G. Robinson made a motion to accept the Lechowicz & Tseng Municipal Consultants' Rate Study Proposal that was submitted on September 13, 2024, with a total of not-to-exceed fee of \$31,850 and to authorize Administrative Manager M. Souza to sign the Consultant Agreement Contract. The motion was seconded by Director J. Colomy, and was carried by the following roll call vote:

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

**B. Climate Change Adaptation Plan, Coastal Hazards Monitoring Plan, First Phase [Non-Action Item]**

The District is required by its NPDES/SWRCB operating license to conduct a Coastal Hazards Monitoring Plan by May 1, 2025. A one year extension was granted due to the District's efforts to explore connecting the facilities to a neighboring facility. Management was informed in August 2024 by the EPA and the State Water Control Board (SWCB) that a second one-year extension would not be granted.

Management has held several meetings with the EPA and SWCB regarding this topic and Operations Manager D. Lewis applied for an assistance grant for the Coastal Hazard Monitoring Plan. In addition, management and Board President J. Witmer had a meeting with Nick Panofsky from MSN on September 18, 2024, who introduced ESA lead staff. ESA has completed Coastal Hazards Monitoring Plans for neighboring districts. ESA can provide the District with proposals for phase 1 and for the phase 2 Life Expectancy Analysis. Administrative Manager M. Souza contacted Mr. Holloway from Maritime & Coastal, who was also recommended by Dudek to perform the study. Mr. Holloway advised contacting ESA.

The Board directed Management to request a proposal from ESA for the Coastal Hazard Monitoring Plan (phase 1) and for the Life Expectancy Analysis (phase 2).

**C. Ordinance No. 21: An Ordinance and Order of the Governing Board of the Summerland Sanitary District Adopting an Administrative Remedies Procedure for Challenges to Fees, Charges, and Assessments. [Action-Item]**

The Board was requested to review Ordinance No. 21 which will provide the Summerland Sanitary District with a policy for an administrative remedies procedure for challenges to fees, charges, and assessments after the adoption and publication date. The Board was asked to consider instructing the Clerk of the Board to publish and post a summary of Ordinance No. 21 as instructed and explained in the Staff Report.

At this point Director M. Tucker left the meeting.

Director G. Robinson made a motion to instruct M. Souza to publish a Summary of Ordinance No. 21 and to include Ordinance No. 21 for final adoption in the next regular 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, G. Robinson, J. Witmer
NOES:	0	None
ABSENT:	1	M. Tucker
ABSTAIN:	0	None

**D. License Agreement with licensee with the Regents of the University of California for the Placement and Operations of the UCSB Radar System at the District's Property [Action Item]**

The Board was requested to consider approving the presented license agreement for the installation and operation of the UCSB Radar System. The Radar System measures the speed

and direction of ocean surfaces in real-time. The system has been operated onsite for the last eight years without an agreement. The agreement was reviewed and approved by the District's legal counsel.

Director G. Robinson made a motion to approve the license agreement as presented. The motion was seconded by Director J. Franklin, and was carried by the following roll call vote:

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

At this point Director M. Tucker joined the meeting again.

X. FINANCIAL STATUS REPORT – SEPTEMBER 2024 [Action Item]

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

Director J. Franklin made a motion to accept the Financial Status Report as presented. The motion was seconded by Director M. Tucker and was carried by the following roll call vote:

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

XI. OPERATIONS MANAGER REPORT

Operations Manager D. Lewis informed the Board that the Jetter was returned due to a faulty gasket and was repaired under warranty. E.N. was approved to start working part-time again and his recovery process is going well.

XII. ADMINISTRATIVE MANAGER REPORT

Administrative Manager M. Souza provided a written and oral report and answered Board questions. Due to a scheduled trip abroad, M. Souza requested to move the regular board meeting date from November 14<sup>th</sup> to November 7<sup>th</sup>. No scheduling issues were identified and the meeting date was moved.

IX. BOARD COMMUNICATIONS

- A. Board Communications: none
- B. Items for future Board meetings: Climate Change Adaptation Plan Proposal Phase 1 & 2
- C. Next regular board meeting: Thursday, November 7, 2027

X. ADJOURNMENT

President J. Witmer adjourned the meeting at 3:59 p.m.

Respectfully submitted:

  
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Jolene Colomy  
Secretary

Date: December 12, 2024

Minutes prepared by M. Souza