

Julie Kennedy, President
Lisa Palmer, Vice President
Tom Fayram, Director
Greg Parks, Director
Nina Stormo, Director



**LOS OLIVOS COMMUNITY SERVICES DISTRICT
REGULAR MEETING**

Posted: 8-8-2024

August 14, 2024, 6PM (Pacific)

Los Olivos Grange Hall

2374 Alamo Pintado Ave, Los Olivos CA 93441

Please observe decorum and instructions from the President

This meeting will be held both in-person and electronically via Zoom meetings.

In-person the meeting will be held at the place and address listed above.

The public will also be able to hear and participate electronically by using the following links:

On Zoom:

<https://us06web.zoom.us/j/86135156557?pwd=4sl90bmVH88b51RlbLhlyUaGD52CFf.1>

By Phone:

Meeting ID: 861 3515 6557 Passcode: 157483

One tap mobile: +16699006833,,86135156557#,,,,*157483# US (San Jose)

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MEETING AGENDA

1. CALL TO ORDER

President Kennedy called the meeting to order at: 6:03 PM

2. ROLL CALL

Present: President Kennedy, Vice President Palmer, Director Fayram, Director Parks

Absent: Director Stormo

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

Members of the public may address the Board of Directors on any items of interest within the subject matter and jurisdiction of the Board but not on the agenda today (Gov. Code - 54954.3). The public may also request future agenda topics at this time. Speakers are limited to a maximum of 3 minutes. Due to the requirements of the Ralph M. Brown Act, the Board of Directors cannot take action today on any matter not on the agenda, but a matter raised during Public Comments can be referred to District staff for discussion and possible action at a future meeting.

President Kennedy opens the floor to public comment.

Mike Brady speaks.

INFORMATIONAL ITEM:

Per public request, a brief report from the General Manager that conveys District status and updates is being added at the beginning of the agenda. This status report may touch on key items in the project plan or schedule. The General Manager will leave other detailed reporting, including budgetary reporting until the end of the meeting.

This item is informational only, no action will be taken, and no public comment will be received.

Los Olivos Community Services District, P.O. Box 345, Los Olivos, CA 93441, (805) 500-4098

losolivoscscsd@gmail.com, www.losolivoscscsd.com

5. GENERAL MANAGER'S BRIEF DISTRICT STATUS REPORT

GM Savage reports that WSC and Carollo are on target for a November delivery of their engineering reviews related to potential connectivity to the City of Solvang. He adds that both REGEN and Stantec are in the process of providing proposals for the line that would travel down Alamo Pintado, terminating at Sunny Fields Park. He notes that both proposals should be ready for review at the next Regular meeting. In addition, District Counsel is reviewing pertinent law regarding such a line with an eye towards ensuring that no additional connections can be made. GM Savage adds that he has also been in contact with Cloacina representatives, who are prepared to update the cost figured based on current costs, plus costs for an effluent-only system.

GM Savage shifts to next week's Collections Workshop, noting that mailers and emails have been going out. Every property owner should receive at least one USPS mailing.

ADMINISTRATIVE ACTION ITEMS:

All matters listed hereunder constitute an administrative / consent agenda and will be acted upon by a single vote of the Board. Matters listed on the Consent Agenda will be read only at the request of a member of the Board, in which event the matter may be removed from the Consent Agenda and considered as a separate item. The public may comment on any of the items prior to the vote being taken by the Board.

6. CONSENT AGENDA

GM Savage provides a brief overview of the Consent Agenda, noting that there was only one invoice to be reviewed and paid (his), so consulted with President Kennedy and they agreed that holding a Finance Subcommittee meeting would be a waste of time and District funds.

A. APPROVAL OF MEETING MINUTES

Meeting minutes of July 10, 2024.

President Kennedy opens the floor to public comment.

No requests speak.

Motion to approve the

Motion by: Vice President Palmer Second: Director Parks

Voice vote: 4-0

BUSINESS ITEMS:

7. PRESENTATION ON PROPOSITION 218 (1996), INCLUDING RELATED NOTES REGARDING PROPOSITION 13 (1976) AND PROPOSITION 26 (2010)

District Counsel will provide an education overview of Proposition 218 (Property Owner Vote) and answer questions from the Board and public.

General Manager's recommendation: Receive and file.

President GM Savage introduces the item, noting that while this is the first Proposition 218 presentation in a while, he anticipates at least one more in the future, plus a likely workshop as we get closer to an actual vote. He also thanks Mike Prater, Executive Officer for the Santa Barbara Local Area Formation Commission (LAFCO) for joining the Zoom during the meeting.

District Counsel Steve O'Neill provides an overview presentation of the Proposition 218 (Property Owner Vote) process.

President Kennedy opens the floor to public questions, with Counsel responding.

Matt Loudan, Mike Brady, and Kathryn Lohmeyer all ask questions, with Counsel responding.

Director Fayram comments that some care should be taken as this is an agendized item of a Brown Act meeting, not a workshop.

Director Fayram asks questions about "no" votes (aka protest vote), with District Counsel O'Neill responding that the protest is a majority protest, not a majority of those returning ballots. He then comments on gravity versus effluent collection system, ownership of system components, and how that could affect assessment values.

Director Parks asks about whether there is a required minimum number of votes to "pass" a vote, with Counsel responding that there is no minimum. Director Fayram clarifies there is a difference between when the District was formed and when the Prop 218 vote is taken.

President Kennedy asks questions about timing of ballots sent and when ballots have to be received. Counsel clarifies that the hearing is the time when the protest must be received.

Vice President Palmer asks questions about potential phasing of a construction project. Counsel responds that a single vote, regardless of phasing, is a better approach. She then asks about when the District is “ripe” for a vote; meaning when the appropriate time is and what is needed to be ready to hold a Prop 218 vote. She then asks about capital costs versus projected O&M, and what is included. Counsel confirms that the vote includes both capital and O&M costs.

President Kennedy then asks about aligning ballot counting with a general election. Counsel responds that this vote can, and perhaps should, be done independent of a general election such as a Presidential election.

Director Fayram follows up on the O&M costs asked by Director Palmer. Counsel confirms that there is often a regular vote by the Board of Directors. Director Fayram then asks about whether you must go out for a new vote if bid costs exceed an engineer’s estimate. Director Fayram asks whether holding off until a bid is needed before the vote. Director Parks asks about whether both the capital costs and O&M costs are both proportional to the benefit received, with Counsel confirming.

8. DISCUSSION RELATED TO AUGUST 21, 2024 “COLLECTION” PUBLIC WORKSHOP

The Board of Directors will discuss the scheduled August 21, 2024 workshop on collection (gravity-fed and effluent). The General Manager will provide a brief status on activities completed to date and seek input on content, layout, notifications, and other related items in preparation for the workshop.

General Manager’s recommendation: Discuss and provide direction to staff as necessary.

President Kennedy reiterates that the meeting is being moved to the Grange due to construction at St. Marks.

GM Savage introduces the item. He adds that both REGEN and Stantec are expected to be here in person, while Cloacina and/or Orenco will be remote. He reiterates that the USPS mail and emails have been sent and that he anticipates sending one more email early next week. GM Savage adds that Brown Act noticing is complete and there are a few places on the District website where information is available. He concludes his comments by saying he believes the workshop is essentially ready to go, but wants to be sure that the Board and public have one more opportunity to weigh in on content and/or approach.

President Kennedy opens the floor to public comment.

Mike Brady speaks.

Director Fayram asks about noticing. Counsel and GM Savage confirm that the meeting will be renoticed with the new location.

9. DISCUSSION AND POTENTIAL RESCHEDULE OF THE SEPTEMBER 11, 2024 REGULAR MEETING FOR THE LOCSD BOARD OF DIRECTORS

Directors Fayram and Kennedy will be unable to attend the September 11, 2024 regular board meeting of the Los Olivos Community Services District. At this point in time, it is anticipated that all three other Board members will be able to attend the meeting as scheduled. This item is being placed on the agenda so that the Board of Directors can discuss and potentially reschedule the meeting.

General Manager’s recommendation: Discuss and provide direction to staff as necessary.

GM Savage notes that President Kennedy and Director Fayram will both be unavailable for the September 11, 2024 regular meeting of the Board of Directors. The item was agendized to ensure there was an opportunity to discuss the meeting, its date, and other details could be held. GM Savage reminds the Board that he does anticipate proposals from REGEN and Stantec, the final audit report from MLH, and an overview of the Social Media work to all be on the agenda.

President Kennedy opens the floor to public comment.

No requests to speak.

Director Parks suggests that having as many people as possible is better. Director Fayram asks whether any of the items are time sensitive. Director Palmer asks if the missing Directors can provide the General Manager with comments. GM Savage and Counsel O’Neill confirm that as long as the Brown Act (hub and spoke or serial meeting) is not violated, feedback can be provided. Director Fayram comments that he will be on the East Coast, and may be able to attend remotely.

10. CONSIDERATION OF A NEW CONTRACT FOR THE GENERAL MANAGER

At the July meeting, following the June performance review of the General Manager, the Board of Directors directed the General Manager and District Counsel to develop a new contract for the General Manager and bring it back at the August meeting for consideration.

General Manager’s recommendation: None.

GM Savage comments that he always finds having to put his own contract on the agenda to be an awkward act. In this case, he followed Board direction and worked with District Counsel to provide a revised contract. He notes that it is essentially the same as his current contract – the key differences being (1) the hourly rate was increased to \$145 and (2) the term is a three-year contract with various one-year extensions that could take the contract to six years in total.

President Kennedy opens the floor to public comment.

No requests to speak.

Motion to approve item 10.

Motion by: Director Fayram, Second: Vice President Palmer

Roll Call vote: 4-0

INFORMATIONAL ITEMS:

These items are informational only, no action will be taken, and no public comment will be received.

11. REPORTS

A. SUBCOMMITTEE REPORTS

Finance Subcommittee (President Kennedy Chair) – President Kennedy notes that the subcommittee did not meet.

Grants Subcommittee (President Kennedy Chair) – President Kennedy notes that the subcommittee did not meet.

Project Management Subcommittee (Vice President Palmer Chair) – Vice President Palmer notes that the subcommittee did meet, mostly discussing the August 21 workshop.

Technical Subcommittee (Director Fayram Chair) – Director Fayram notes that the subcommittee did meet. The focus is now moving to discussion about local treatment options and expects to meet again next week, while REGEN is in town.

B. GENERAL MANAGER AND DISTRICT ENGINEER COMMENTS

The GM and DE will give reports on any meetings that they attended on behalf of the District, report on various District-related activities and/or provide status on projects. The GM may also review Budget Reports. See the packet for more details.

Notable upcoming meeting items:

August – (August 21) Collections Workshop – St. Mark’s Church – Stacy Hall

November – WCS and/or Carollo deliverables

GM Savage walks through various activities currently underway, including all the efforts related to treatment in Solvang, and locally. He adds that he is working with Valerie Cantella on a Social Media strategy and expects to have a full report next month. As the contract was within his spending limit, he went ahead and started the strategy based on prior Board comments and a desire to get, and keep, things moving forward as quickly as reasonably possible.

GM Savage comments that he has spoken with a number of jurisdictions, including Los Alamos, Goleta, Carpinteria, Kirkwood, Gold Mountain, Grizzly Ranch, Portola, and the City of Martinez. He also spoke with an engineer Bonneau Dickson who was believed to have experience with systems that are potentially like the one we are contemplating. Unfortunately, the three systems Bear Valley, Hornitos, and Mt. Bullion were all for very small communities and never built. He adds that there is likely a way Mr. Dickson can help us in the future, it is just a case of finding the right opportunity for both parties. He closes his comments by saying he also attempted to locate Dominickus “Nick” Weigel III from NorthStar. Unfortunately, Nick is no longer with NorthStar and outreach through his new organization and LinkedIn has been unsuccessful. Finally, he notes that he spoke with a number of people familiar with the legal side of ownership of components such as those

in an effluent system. He is still gathering data in the hopes of adding a list of pros/cons to the materials for next week.

District Engineer Pike has been in contact with the State to submit the draft report this week. He is also coordinating with ID#1 to ensure they have an opportunity to comment as it does involve recycled water.

Director Palmer asks (1) when does it get submitted and (2) when do we see the funding? DE Pike responds that it will be submitted this week and speculates that we will see funding by December. He further confirms that we are fine from a timeline perspective.

12. DIRECTORS COMMENTS

Directors will give reports on any meetings that they attended on behalf of the Board and/or choose to comment on various District-related activities. Directors may also request future agenda topics at this time.

President Kennedy – Comments on her presentation to LAFCO. She adds that she and Vice President Palmer met with Supervisor Hartmann engage on our behalf with the federal government appropriations committee. She adds that Coffee with the Director

Vice President Palmer – None

Director Fayram – None

Director Parks – None (Counsel O’Neill further clarifies the protest votes received exceed the total votes in support).

13. ADJOURNMENT

Motion to adjourn at 7:35 PM

Motion by: Director Fayram, Second: Director Parks

Voice vote: 4-0

Respectfully submitted:



Guy W. Savage

General Manager – Los Olivos Community Services District

Approved:

President Julie Kennedy