

Tom Fayram, President
Brad Ross, Vice President
Julie Kennedy, Director
Lisa Palmer, Director
Greg Parks, Director



LOS OLIVOS COMMUNITY SERVICES DISTRICT

Posted: 8-20-2023

REGULAR MEETING

August 24, 2023, 6PM (PDT)

The 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 following location:

The Los Olivos Grange Hall - 2374 Alamo Pintado Ave, Los Olivos, CA 93441

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

On Zoom:

<https://us06web.zoom.us/j/82515801920?pwd=VHFQd1VDZUVucFZXZEVEEdVhzVjhhOT09>

By Phone:

Meeting ID: 825 1580 1920 Passcode: 378600

One tap mobile +16694449171,,82515801920#,,,,*378600# US

The Los Olivos Community Services District (LOCSD) is committed to ensuring equal access to meetings. In compliance with the American Disabilities Act (ADA), if you need special assistance to participate in the meeting or need this agenda provided in a disability-related alternative format, please call 805.500.4098 or email to losolivoscsd@gmail.com. Any public records, which are distributed less than 72 hours prior to this meeting to all, or a majority of all, of the District's Board members in connection with any agenda item (other than closed sessions) will be available for public inspection at the time of such distribution at a location to be determined in Los Olivos, California 93441.

MEETING AGENDA

1. CALL TO ORDER

Vice President Ross calls the meeting to order at 6:00PM – with President Fayram being absent.

2. ROLL CALL

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 District 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.

Vice President Ross opens the floor to Public Comment.

Mike Brady, Anna Marie Gott, and Paeter Garcia speak (note Mr. Garcia's comments were allowed by VP Ross, but were targeted at item 8). Rolf Ritcher speaks on behalf of the Preseveration of Los Olivos (POLO) - see attached for the POLO letter.

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 public comment not received.

5. GENERAL MANAGER'S DISTRICT STATUS REPORT

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

losolivoscsd@gmail.com, www.losolivoscsd.com

ADMINISTRATIVE 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 Administrative Agenda will be read only on the request of a member of the Board, in which event the matter may be removed from the Administrative Agenda and considered as a separate item.

6. APPROVALS

A. APPROVAL OF MEETING MINUTES

Regular Meeting Minutes of July 12, 2023.

B. APPROVAL PAYMENT OF INVOICES RECEIVED BY JULY 26, 2023.

The invoices below have been reviewed by the Finance Subcommittee and are recommended for approval.

No.	Invoice Date	Invoice #	Provider	Amount
1	5/15/2023	2081049	Stantec – Mapping Services	\$ 1,303.50
2	5/31/2023	36702	Moss, Levy & Hartzheim, LLP – Audit Services	\$ 280.00
3	6/5/2023	71662	Aleshire & Wynder – Legal Services (May)	\$ 1,716.00
4	6/8/2023	2088936	Stantec – Mapping Services	\$ 712.50
5	7/13/2023	77497	Aleshire & Wynder – Legal Services (June)	\$ 3,388.00
6	7/26/2023	20237	Savage – General Manager and District Services	\$ 6,393.74

Project	Vendor	To Date (inc. above)	Remaining Authorization
Audit	Moss, Levy & Hartzheim, LLP	\$ 2,780.00	\$ 7,775.00

Vice President Ross opens the floor to public comment.

No commenters.

Motion to approve items 6A and 6B.

Motion by: Director Palmer, Second: Director Kennedy

Voice vote 4-0

BUSINESS ITEMS:

7. CONSIDERATION OF A HYBRID WASTEWATER COLLECTION AND TREATMENT APPROACH FOR THE LOCSD – INCLUDING A REEXAMINATION OF IMPLEMENTATION ZONES

The Technical Subcommittee of the Board of Directors will present a hybrid approach they developed regarding the collection and treatment of wastewater. The hybrid approach includes the use of gravity-fed collection; Septic Tank Effluent Pump (STEP) collection and treatment; and advanced on-site collection, treatment and disposal. The approach used depends on the location of the parcel. The approach also includes a fresh look at implementation zones. The Technical Subcommittee developed approach was developed following the consideration and discussion of: (1) collection, treatment, and disposal options previously discussed or researched (2) secondary and tertiary treatment options and locations, (3) input from the public including the January public workshop, (4) input from individuals who have commented at the Board on specific approaches they believe would be best, (5) an examination of lot sizes, and (5) the work previously completed by consultants to the LOCSd (particularly work done by REGEN and Stantec, but including others such as AECOM, Confluence ES, and GSI).

GM Savage introduces the item. He walks through the slides that were provided with the agenda packet. He walks through each of the zones put forth in the hybrid collection conceptual solution being put forth by the Technical Subcommittee. He comments that Mattei’s Tavern and Los Olivos Elementary were not included in a zone until additional conversations are had with representatives for each parcel. GM Savage notes that the slides are a little different from what had been previously seen as there were some minor updates to the slides that needed to be made. For example, he points out that not all parcels that “fronted” a sewer line were shown to be connecting to it. He notes that this was the case for St. Mark’s Church. Since St. Mark’s touches the gravity fed collection line in zone 1, it should be included in that zone.

VP Ross comments on getting some professional consultants to review and provide input on the design. GM Savage responds that it would be appropriate for an organization like Regen to perform a technical review of the design. He adds that this is the type of effort that Preservation of Los Olivos (POLO) has previously indicated they would be interested in funding.

Under Board comments, Director Palmer thanks the committee for their efforts and seeks confirmation that prior work performed by others such as AECOM and Stantec were considered in the design. GM Savage responds saying that prior work was considered and discussed, and comments that some of that work can be leveraged in this design. Director Palmer and GM Savage talk about next steps for “adopting” the design and then further analysis of the design, a 30% design, and budget estimating. Director Palmer asks about who would be responsible for replacing systems in zone 6, where advanced onsite is proposed to be used. GM Savage responds that no decision was made, but that it could be the responsibility of the property owner, as it is currently. Director Palmer and GM Savage then discuss the possibility of having Regen do a 30% design and cost analysis, coupled with a value engineering effort to ensure efficiencies. Director Palmer then asks about when the treatment part of the discussion will occur, as well as treatment plant siting. GM Savage responds that the Board can decide when and who should look at topics such as siting of a treatment plant.

Director Kennedy thanks the Technical Subcommittee and notes that the design review is something she has been looking forward to. She asks about monitoring wells and advanced onsite use (zone 6). GM Savage responds that the CCRWQCB does want to see what the data says parcels in zone 6 before providing a final answer on whether those parcels could use advanced onsite systems. As part of his answer, GM Savage reminds the Board and public that the monitoring wells are focused on the shallow groundwater table (about 100 feet below the surface) and that our drinking water comes from a much deeper groundwater table (several hundred feet below ground surface). Director Kennedy closes her comments noting that she would like to see Regen do a review, and that she is particularly interested in hearing what they have to say from a value engineering perspective, in order to create something comparable to the Stantec work.

Director Parks thanks the subcommittee. He notes his concerns that he does not want to be bound by the Technical Subcommittee’s design should someone like Regen offer a more effective approach. He asks how strongly the Board must stick to the subcommittee’s design. GM Savage responds that the subcommittee’s efforts should be viewed as a reasonable starting point as it includes considerations from what the Board has heard previously from the public. GM Savage adds that once a 30% design is completed, the Board and public can have discussion about what should be taken forward to a 60% design. He then notes cost differences between 30% design costs and 60% design costs. He comments that once you get to a 60% design, you are somewhat locked into a solution, unless you want to go back and start the process over, which could be expensive. Director Parks then notes he wants to look at maintenance and operations costs as well. VP Ross confirms that the subcommittee’s design should be viewed as a starting point for how to solve District wastewater treatment issues.

Director Palmer asks about the use of gravity collection in the downtown core and whether it is because the area cannot accommodate STEP. GM Savage responds that the smaller lots in zone 1 cannot, most likely, accommodate STEP and that the reason is the legally required 25’ setbacks from drinking water lines. He then comments that using public right-of-way for these areas is probably not an option either as you need to be able to ensure proper setbacks.

Vice President Ross opens the floor to public comment.

Tom Nelson, Mark Herthel, Mike Brady, Paul Rohrer, Anna Marie Gott, and Cecile Blancarte speak.

Vice President Ross notes that Mattei’s Tavern and Los Olivos School should be shown in the future as Zones 7 and 8.

Vice President Ross allows additional public commentary. Tom Nelson, Lisa Pongracic, Mike Brady, and Mark Herthel speak.

In response to public comment, Vice President Ross and GM Savage confirm that Mattei’s Tavern and Los Olivos School have not been assigned to a zone, but they are NOT being removed from the district.

Direction to staff to work on a contract, to include value engineering, recommendation on Mattei's Tavern and Los Olivos Elementary School from a treatment method perspective, drinking water lines, and costs for maintenance and operations.

Vice President Ross reopens public comment.

Vivi Ziegler and Tom Nelson speak.

8. DISCUSSION RELATED TO THE ENGAGEMENT OF WATER FINANCE EXCHANGE FOR EITHER RECEIPT OF FUNDS OR STAFF AUGMENTATION

Water Finance Exchange (WaterFX or WFX) will present two options to the Board of Directors for consideration. The presentation will describe WFX's approach to (1) providing "seed" funds for early technical study and (2) a staff augmentation approach. Direction to staff is being sought on which, if any, of the approaches should be pursued. Discussion may include how best to use seed funding from WFX, including additional examination of collection and treatment approaches.

Mr. Paeter Garcia spoke on this item during Public Comment. He was allowed to speak early due to a conflicting commitment. In response Mr. Garcia's commentary, GM Savage notes that the Board will not be considering the resolution that was attached to the item. Instead, the documents were include for transparency.

General Manager Savage briefly introduces the item. He notes that WFX previously presented to the Grants Subcommittee and that subcommittee wanted to see them present to the full Board.

Rogelio Rodriguez (WFX) walks through the presentation.

Director Palmer asks about the four projects in California. Mr. Rodriguez responds that he doesn't have information on those projects. Director Kennedy notes some concerns about the resolution. She notes that it would be good to have more help, particularly when it comes to technical issues. She also notes that we are trying to build a local solution, not necessarily a full regional solution. Mr. Rodriguez responds that sometimes regional solutions are more cost effective. He adds that of the 35 groups they are working with, only 4 are regional solutions. Mr. Rodriguez emphasizes that they are not going to drive the solution, they just want the District to be successful. Vice President Ross asks about costs and how WFX gets paid. Mr. Rodriguez clarifies that the District won't get an invoice. Instead, they look to the District help WFX get the technical assistance funds that are already available.

Vice President Ross opens the floor to public comment.

Paul Rohrer (speaks and asks questions of WFX – with Mr. Rodriguez responding), Mark Herthel, Anna Marie Gott, and Kathryn Rohrer speak.

Director Parks suggest that reworking the engagement letter would be beneficial. Director Palmer asks if the resolution is used to obtain funding.

Direction to staff is to work with the Grants Committee and WFX on the engagement letter and resolution and bring them back in September.

9. CONSIDERATION OF RESOLUTION 23-03 – APPROPRIATIONS LIMIT FOR FY 2023-24 (GANN LIMIT)

Consideration of a resolution that states the appropriations limit, also known as the Gann limit, for the fiscal year ending June 30, 2024. The Gann Initiative, also known as Article XIII B of the Constitution of the State of California, mandates the calculation and adoption of an annual appropriations limit on various units of government, including the Los Olivos Community Services District, by adjusting the prior year's appropriation limit for changes in inflation and population. The current LOCSD fiscal year (FY 2023-24) runs from July 1, 2023 to June 30, 2024.

GM Savage introduces the item noting that the resolution is similar to those passed in prior years.

Vice President Ross opens the floor to public comment.

No commenters.

Motion to approve Resolution 23-03 – setting the appropriation limit for FY 2023-24 (Gann Limit)

Motion by: Director Palmer, Second: Director Kennedy

Roll Call Vote (4-0)

10. CONSIDERATION OF RESOLUTION 23-04 – AUTHORIZING LEVY OF PROPERTY TAX ASSESSMENT AND CPI INCREASE

Consideration a resolution that authorizes a tax levy with consumer price index (CPI) increase and provides for collection via direct charge by the Santa Barbara County Auditor–Controller via placement on the secured tax bill of all parcels within the District, excluding exempt or partially exempt parcels pursuant to past action by the Board of Directors. Resolution 23-04 is an update to prior resolutions and District formation documents and will increase tax levies by three and two-tenths percent (3.2%) over the prior amount. Most parcels will experience an annual amount of \$645.93 on their property tax bill.

GM Savage introduces the item noting that the resolution is similar to those passed in prior years. He adds he has been working with the County on the item and that it technically should have been brought in July to meet their deadlines.

Vice President Ross opens the floor to public comment.

No commenters.

Motion to approve Resolution 23-04 – Authorizing a Levy of Property Tax Assessment and CPI Increase

Motion by: Director Kennedy, Second: Director Parks

Roll Call Vote (4-0)

11. CONSIDERATION OF RESOLUTION 23-05 – ROSENBERG’S RULES OF ORDER

At the July 12, 2023, your Board directed staff to prepare a Resolution that could be used to adopt Rosenberg’s Rules of Order, as a procedural approach for running LOCSD meetings. Resolution 23-05 adopts Rosenberg’s Rules of Order. A good summary of Rosenberg’s Rules of Order can be found on the League of California Cities website, at: <https://www.calcities.org/resource/rosenberg's-rules-of-order-simple-rules-of-parliamentary-procedure-for-the-21st-century>

GM Savage introduces the item, describing how and why the item is on the agenda. He adds commentary about the League of California Cities being a good resource for topics such as Rosenberg’s Rules of Order.

Vice President Ross opens the floor to public comment.

Tom Nelson speaks.

Motion to approve Resolution 23-05 – Adoption of Rosenberg’s Rules of Order

Motion by: Director Palmer, Second: Director Kennedy

Roll Call Vote (4-0)

12. CONSIDERATION OF POLICY TO SUPPLEMENT ROSENBERG’S RULES OF ORDER

As part of the discussion at the July 12, 2023 Regular Board meeting, the Board asked the Project Management Subcommittee (PM) to review Rosenberg’s Rules of Order, with a special focus on areas where additional policy should be considered by the Board of Directors. The PM recommends that the Board consider adoption of policy, by the end of the current fiscal year (June 30, 2024), in the following areas:

- Agenda items
- General conduct
- Board behavior – being a good Board member
- Ethics, Conduct, Values, and Norms for Board members and staff
- Authority of individual Board members
- Attendance policy for Board members
- Electronic records and retention policy
- Public information
- Public comment (limits, bad conduct)
- Procurement

If the Board chooses to follow the recommendation of the PM, the GM further recommends that staff be given direction to create an initial draft of policy and then work with the PM to complete the develop a set of policies that can be brought back to the full Board of Directors for deliberation and final action.

GM Savage introduces the item. District Counsel Steve O’Neill adds to the commentary from GM Savage. Both the GM and Counsel note that they have samples for the policies that are listed and that neither believes the workload to be that significant.

Vice President Ross opens the floor to public comment.

Anna Marie Gott speaks.

Direction is given to staff to work with the Project Management subcommittee to put together policy in the above areas.

13. REPLACEMENT OF A RESIGNING DIRECTOR

Vice President Brad Ross has indicated he will be resigning from the Board of Directors for the Los Olivos Community Services District in September. Pursuant to Elections Code section 1780(c), the Board will deliberate and vote on whether to fill the pending vacant office by appointment or by election.

Vice President Ross announces that he will be leaving in roughly a month, after the September Regular Board meeting.

Counsel Steve O’Neill introduces the item. He describes Elections Code 1780(c) and the various steps and timing that need to be completed to fill an opening. He notes that there are statutory requirements that must be met. He adds that there are circumstances where the Santa Barbara County Board of Supervisors would have to make the appointment.

Vice President Ross opens the floor to public comment.

Mark Herthel, Paul Rohrer, Rolf Richter, Anna Marie Gott, and Tom Nelson speak.

Motion to appoint a replacement when Vice President Ross departs.

Motion by: Director Palmer, second: Director Kennedy

Voice Vote (4-0)

Direction is given to staff to take applications and setup an interview process for public meeting. Additional direction to staff is given to get a notice up on the District’s website by Monday, August 28. The Board notes a strong interest in seating someone at or by the October Regular Board meeting.

INFORMATIONAL ITEMS:

These items are informational only, no action will be taken, and public comment not received.

14. REPORTS

A. SUBCOMMITTEE REPORTS

Grants Subcommittee (Director Kennedy) – The committee met and discussed WFX presentations. The group also discussed the Preservation of Los Olivos (POLO) grant. Director Kennedy notes a desire to have staff put something together (policy or resolution).

Finance Subcommittee (Director Kennedy) - The committee met and one of the items discussed was having Counsel attend remotely as a cost saving measure.

Project Management Subcommittee (Director Palmer) – The committee met and Items 11 and 12 were a result.

Technical Subcommittee (Vice President Ross) – The committee met and the work was mostly demonstrated with the hybrid collection solution presented earlier this evening.

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.

DE Pike reports that he continues to work on getting our first reimbursement on the water recycling grant (\$75,000). He notes he met with the Regional Board today and walked through draft. They will be accepting the grant. DE Pike expects the funds prior to the end of the year. He adds that the State will not deem the report “final” until the Board narrows its potential solutions.

GM Savage walks through the attachments in the Board packet.

Counsel Steven O'Neill introduces himself and Keith Lemeux who will both serve us as District Counsel.

15. 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.

Director Palmer – passes.

Director Kennedy – thanks Director Ross for his service, then passes.

Director Parks – passes.

Vice President Ross – passes.

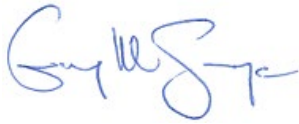
16. ADJOURNMENT

Motion to adjourn at 8:29 PM

Motion by: Director Kennedy, Second: Director Parks.

Voice vote (4-0)

Respectfully submitted:



Guy W. Savage

General Manager – Los Olivos Community Services District

Approved:

President Fayram

Director – Los Olivos Community Services District

15. 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.

Director Palmer – passes.

Director Kennedy – thanks Director Ross for his service, then passes.

Director Parks – passes.

Vice President Ross – passes.

16. ADJOURNMENT

Motion to adjourn at 8:29 PM

Motion by: Director Kennedy, Second: Director Parks.

Voice vote (4-0)

Respectfully submitted:



Guy W. Savage

General Manager – Los Olivos Community Services District

Approved:



President Fayram

Director – Los Olivos Community Services District