



**SANTA YNEZ COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS' REGULAR MEETING
Minutes of March 16, 2022**

NOTE: This meeting was held in person and via teleconference, pursuant to AB 361

1. CALL TO ORDER-5:30 PM OPEN SESSION

President Jones called the meeting to order at 5:30 pm.

2. ROLL CALL:

Secretary Berry called the roll. Directors Present Jones via zoom, Beard arrived 5:32 p.m., Redfern, D'Ambra. Director Van Pelt is absent. Staff Present: Mike LeBrun Interim General Manager, Rick Battles Legal Counsel, Wendy Berry Secretary/Treasurer

3. DIRECTORS COMMENTS:

No Comments

4. PUBLIC COMMENT:

No public in attendance

5. REPORTS:

A. General Manager – Interim General Manager presented the report and answered questions from the Board.

B. Legal Counsel – no report

C. Secretary/Treasurer - Conflict of interest forms are due by April 1, 2022

D. Committees – The Finance Committee met to review the draft budget for 22/23 and the 10-year CIP and Ad Hoc for labor negotiations has continued to meet.

6. CONSENT ITEMS:

A. Approval of Regular Meeting Minutes of February 16, 2022.

B. Approval of Finance Committee Meeting Minutes of March 11, 2022.

C. Approval of Disbursements from February 12, 2022 through March 11, 2022

Director Beard motioned to approve the consent agenda with a change to the Regular Meeting Minutes that Director Beard attended in person, Director D'Ambra seconded and the motion passed by a roll call vote:

AYES: Beard, Jones, D'Ambra, Redfern, Absent: Van Pelt

7. ACTION ITEMS:

A. Review and discussion of Horizon Drive warranty work. The Notice of Completion for the Horizon Drive sewer main project was approved on November 17, 2021.

During December 2021, the area received significant precipitation. Settlement along the sewer line easement south of Horizon Drive was identified during runoff from the rain events. During the week of February 14, the District's contractor (Specialty Construction Inc.) performed warranty work to address the settlement. The District paid its Construction Management Consultant to observe the work. On February 18, the Contractor declared the repair complete, and the District's CM Consultant agreed. The District Engineer stated the warranty work does not need compaction testing. Board consensus is to have staff bring back options at the next meeting with costs and options of compaction testing.

B. Santa Barbara LAFCO 2022 Special District Selection Election and Alternate nomination and Election Procedure. Ballot #1 is the ballot for the regular special district member seat on the S.B. LAFCO Commission and requires a vote for one of the candidates. Director Jones motioned to vote for Jay Freeman as the regular special district member, Director Redfern seconded and the motion passed by a roll call vote:

AYES: Redfern, Jones, D'Ambra, Beard Absent: Van Pelt

Ballot #2 is the ballot for approval of all mailed ballot processes for nomination and election of special district members on S.B. LAFCO and requires a yes or no vote to have future S.B. LACFO elections by mail. Director Redfern motioned to vote yes on the alternate and election procedure, Director Beard seconded and the motion passed by a roll call vote:

AYES: Beard, Jones, Redfern, D'Ambra Absent: Van Pelt

C. California Special Districts Association (CSDA) Board of Directors Call for nominations Seat B for 2023-2025 term. The CSDA is calling for nominations for the Central Coast Network Seat B. This item was tabled from the February board meeting to give the Directors more time to look into the requirements of the position. The CSDA leadership is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered three-year terms. Candidates must be affiliated with an independent special district that is a CSDA regular member in good standing and located within the geographic network that they seek to represent. No action was taken on this item.

D. Adoption of Resolution No. 22-05, Authorizing Remote Teleconference Meetings of the District's Legislative Bodies Pursuant to Government Code Section 54953(e). If the Board adopts Resolution 22-05, attending meetings by teleconference under AB 361 and Government Code 54953(e) will continue and expire on April 14, 2022 unless, on or before that date and every thirty (30) days thereafter, the Board adopts a subsequent resolution setting forth the findings required by Government Code section 54953(e)(3) to extend the timeframe that the district may continue conducting its public meetings via teleconference in compliance with government Code Section 54953(b)(3). Director Beard motioned to adopt Resolution 22-05, Director D'Ambra seconded and the motion passed by a roll call vote.

AYES: Beard, Jones, Redfern, D'Ambra Absent: Van Pelt

E. Consider Acceptance of streetlights on Numancia Street. At the time the District took over the local street lighting district, the county increased the District's pass-through property tax share by .0017 (an amount equal to what the County Lighting District was receiving at that time). This increased the District's property tax share from .0248 to .0265. This tax share increments still apply today. As part of their project adjacent to Numancia Road, the Santa Ynez Band of Chumash Indians (Chumash) were required to install six (6) streetlights in the public right of way. The County planning department and Pacific Gas and Electric Company (PG&E) coordinated on the lighting placement and design. PG&E constructed the light standards. The lights were completed and energized in June of 2021.

The District received a letter application requesting the District take over the responsibility for these six new lights.

These lights, like the District's existing lights, are on a fixed rate schedule with PGE. The cost covers the lighting and maintenance of the lights. These new lights are a slightly higher wattage than our existing lights and therefore the fixed cost is slightly higher \$11.20/month/light versus \$8.76/light/month.

Director Beard motioned to accept the streetlights and direct staff to create a street light application, Director D'Ambra seconded and the motion passed by a roll call:

AYES: Beard, Jones, D'ambra, Redfern, Absent: Van Pelt

F. Review and discussion of Santa Barbara LAFCO Municipal Service Review (MSR) Survey and Questionnaire. Mr. Mike Prater, Executive Officer for Santa Barbara County LAFCO will provide an overview of LAFCO and the Municipal Services Review Process. Santa Barbara LAFCO is made up of two members from the Board of Supervisors, two members from incorporated Cities within the County, two members from Special Districts within the County, and one member from the public at large.

On February 3, 2022, the Commission directed its staff to prepare an updated services review for water, wastewater, stormwater, and recycled water services within the County. The update process is scheduled to culminate at a LAFCO hearing in April 2023.

To initiate the update process, LAFCO staff sent a questionnaire to all agencies involved. The majority of the questionnaire deals with facts and figures regarding current District status eg. number of staff, facilities, finances, types of services. However, Section B. Boundaries and Section L. "Other Information" deal with policy related topics such as plans for expanding or contracting services and/or boundaries.

The municipal services review and update process provides the Board an opportunity to outline a strategic plan for the District. Staff will summarize draft responses to LAFCO questionnaire and seek Board input and direction. Board consensus is to bring back the MSR to the next meeting to discuss latent powers and the direction of the district and to discuss forming a committee for discussion with the Chumash Tribe.

G. Review and approval of City of Solvang's final invoice for fiscal year 2020-2021.

Staff received the final invoice and back up documentation from the City of Solvang. The District's total flows for the year were 49.11 million gallons which equates to 21.180% of the WWTP total flow. The district is responsible for their share of 21.180% of total expenses, administrative fees, and project costs under \$50,000.00. The following are the amounts reflective of these obligated costs:

- Total annual expenditures, \$240,940
- Administrative Fee, \$51,036
- Capital costs under \$50k, \$1,448

For projects with capital costs over \$50,000.00 the District is responsible for 20% of the costs; the costs for this item were pertaining to the WWTP Phase 1 upgrade for the in the amount of \$170,635.00. The District pays \$20,000.00 per month to offset the costs, for a total of \$240,000. In August 2021, the District was billed and paid \$170,635 for the District portion of the WWTP upgrade. Total expenses, billed to the CSD, for the year were \$464,086.00, with the deposit of \$240,000.00, the CSD has a remaining balance of \$53,418.00. Director D'Ambra motioned to approve the final invoice from the City of Solvang, Director Beard seconded and the motion passed by a roll call vote:

AYES: Beard, Jones, D'Ambra, Redfern Absent: Van Pelt

8. INFORMATIONAL ITEMS:

Treasurer Report – Submittal and review quarterly cash position pursuant to Government Code §61053 for quarter ending 12-31-21. LAIF interest rate is .23% and money market was .21%. The District earned \$2,446.56 in interest and has \$5,423,118.28 on December 31, 2021.

9. CLOSED SESSION:

A. Closed session:

- 1) Public comments on closed session agenda items
- 2) Closed session conference with labor negotiators pursuant to Government Code Section 54957.6

Agency designated representatives: Nate Kowalski, Legal Counsel, Director Redfern, Director Jones

Employee organization: Teamsters Local 986

- 3) Closed session conference with legal counsel - anticipated litigation significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):
One potential case
- 4) Open session report on closed session agenda items

The Board entered into closed session at 7:09 p.m. The Board came out of closed session at 8:17 p.m. For labor negotiation the designated representatives were given direction by the Board and for anticipated litigation there was no reportable.

10. ADJOURNMENT: Director Redfern motioned to adjourn the meeting at 8:20 p.m., Director Beard seconded and the motion passed by a roll call vote:

AYES: Beard, Jones, D'Ambra, Redfern Absent: Van Pelt

