

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



**LOS OLIVOS COMMUNITY SERVICES DISTRICT
REGULAR MEETING**

Posted: 1-4-2024

January 10, 2024, 6PM (PST)

**St Mark's in the Valley Episcopal Church, Stacy Hall
2901 Nojoqui 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:
St Mark's in the Valley Episcopal Church, Stacy Hall - 2901 Nojoqui 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/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 Fayram calls the meeting to order at: 6:01 PM

2. ROLL CALL

Present: President Fayram, Vice President Kennedy, Director Palmer, 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 Fayram opens the floor to public comment.

No requests to speak.

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.

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5. GENERAL MANAGER’S DISTRICT STATUS REPORT

General Manager Savage provides a brief status noting that Regen is on track to provide a 15% Design review at the February 14, 2024 meeting and likely will present the final 30% Design at the March 13, 2024 meeting. He comments that the three Groundwater Monitoring Wells are scheduled for construction beginning February 11, 2024. He adds that the residents of the three closest properties have been notified of the pending construction and that he will be following up with them as the construction gets nearer.

GM Savage comments that the Bylaws item was listed last on the agenda as he was not certain that the Project Management Subcommittee would be prepared to recommend a set of Bylaws when the agenda was originally published. He notes that, at the Board’s discretion, that item could be moved “up” on the agenda.

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 on 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. Public may comment on any of the items prior to the vote being taken by the Board.

6. CONSENT AGENDA

A. APPROVAL OF MEETING MINUTES

Meeting minutes of December 13, 2023.

B. APPROVAL PAYMENT OF INVOICES RECEIVED ON OR BEFORE DECEMBER 31, 2023.

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

No.	Invoice Date	Invoice #	Provider	Amount
1	11/21/2023	84418	MNS Engineering – Engineering and Support Srvc.	\$ 2,615.05
2	12/4/2023	1277	REGEN, LLC.	\$ 10,900.00
3	12/21/2023	85048	MNS Engineering – Engineering and Support Srvc.	\$ 1,321.25
4	12/29/2023	202312	Savage – General Manager Services	\$ 6,654.96

Project	Vendor	To Date (inc. above)	Remaining Authorization
Audit	Moss, Levy & Hartzheim, LLP	\$ 2,780.00	\$ 4,995.00
30% Hybrid Design	REGEN, LLC.	\$ 25,306.59	\$ 49,693.41
Groundwater Wells	Various	\$ 1,109.16	\$ 120,335.84

GM Savage notes that he has contacted Moss, Levy, Hartzheim about performing another year’s worth of audits. Alex Hom (MLH) is preparing the contract for Board approval, likely at the February meeting.

President Fayram opens the floor to public comment.

No comments.

Motion to approve Consent Agenda items A and B, as presented.

Motion by: Director Palmer, Second: Vice President Kennedy

Voice vote: 4-0

BUSINESS ITEMS:

7. CONSIDERATION OF ELECTION OF OFFICERS FOR CALENDAR YEAR 2024

Consistent with Resolution 23-02 (Selection of Board Officers), the Board will consider election of officers to fill the positions of President and Vice-President.

GM Savage provides a brief introduction to the item. As part of his introduction, he reminds the Board of current terms for each Director.

President Fayram opens the floor to public comment.

No comments.

President Fayram queries the Board regarding President and Vice President positions.

Motion to elect Director Kennedy as President.

Motion by: Director Palmer, Second: Director Parks

Under discussion, Directors Parks, Palmer, and Kennedy all thank President Fayram for his service as President.

Voice vote: 4-0

President Fayram opens the floor to public comment.

No comments.

Motion to elect Director Palmer as Vice-President.

Motion by: Director Parks, Second: Director Kennedy

Voice vote: 4-0

Following the election, newly elected President Kennedy assumes her role and begins presiding over the meeting.

8. CONSIDERATION OF APPOINTMENTS TO STANDING COMMITTEES (SUBCOMMITTEES) AND SETTING OF MEETING SCHEDULES

Consistent with Resolution 23-01 (Standing Committees), the Board will consider appointments to standing committees/subcommittees. Preliminary selection for meeting days and times may also be considered. Note that not all standing committees/subcommittees are scheduled to meet on a monthly basis.

GM Savage introduces the standing subcommittees and their related representation by the Board.

- Finance – Directors Kennedy and Palmer
- Project Management – Directors Palmer and Stormo
- Technical – Directors Fayram and Parks
- Grants – Directors Kennedy and Parks

He notes that the subcommittee assignments are made by the President, following input and commentary by the full Board of Directors, in an open public meeting such as this one.

President Kennedy queries Directors for their interest in continuing to serve on subcommittees as currently constituted. Director Palmer comments that she believes the current assignments are good. Directors Fayram and Parks echo the comment that they too like the assignments.

President Kennedy opens the floor to public comment.

Tom Nelson comments.

President Kennedy confirms the following subcommittee membership:

- Finance – Directors Kennedy and Palmer**
- Project Management – Directors Palmer and Stormo**
- Technical – Directors Fayram and Parks**
- Grants – Directors Kennedy and Parks**

9. CALENDAR PLANNING FOR 2024

The Board will discuss the current high-level project plan for the District. As part of its deliberations, the Board may consider additional dates for meetings, timing of actions to be taken, and provide direction to staff, as necessary. GM Savage walks the Board through the attached timelines and schedules.

President Kennedy opens the floor to public comment.

No commenters.

Director Fayram comments about the meeting scheduled for February 14. He suggests that a meeting be held February 21. Director Parks concurs that moving the meeting makes sense. President Kennedy comments that the following week is President's Day. Director Fayram suggests an earlier start on February 14, perhaps at 5:00PM.

Director Palmer asks about the suggested Siting workshop in May and suggests that hearing from the City of Solvang could be helpful. She adds that the Final Project Description may take more than just a workshop. She suggests perhaps a workshop in order to give the public and Board an opportunity to discuss and think about a Final Project Description, and then vote to finalize it in a separate meeting.

Director Fayram echoes the comments about having two meetings for the Project Description.

President Kennedy comments that she would like to see the meeting in April as early in the month as possible.

Direction to staff is to put together meetings according to the presented schedule, including an added workshop for Final Project Description in June.

10. CONSIDERATION OF A LETTER TO CITY OF SOLVANG REGARDING WASTEWATER TREATMENT

As noted at the December 2023 Regular meeting of the Board of Directors, General Manager Savage noted that he and President Fayram met with City of Solvang representatives to discuss the possibility of connecting to the City of Solvang's Wastewater Treatment Plant. The attached letter was written at the request of the City Manager for the City of Solvang and will primarily serve two purposes: (1) confirm interest by the current City of Solvang's City Council in having the LOCSO connect to their wastewater infrastructure and (2) express the LOCSO's interest in exploring connectivity. The attached is not a commitment by the LOCSO to connect. Instead, it serves to kick off efforts that will lead to a better understanding of the costs and implications of connecting the LOCSO and City of Solvang. GM Savage walks the Board through the attached letter to the City of Solvang. He notes that sending the letter is not a commitment by the LOCSO to connect to the City. Instead, it will kick off the work necessary to get something akin to a 30% design effort to better understand the costs and implications of connecting to the City of Solvang.

Director Fayram says that the responsible thing to do is to send the letter and help us understand the costs. He comments on issues that could be raised by building a line down Alamo Pintado, but that the costs and option of connecting need to be understood. Director Palmer concurs. Director Parks asks about what would be done to move wastewater to the City of Solvang. Director Fayram replies that the approach is probably a "force main" with booster station(s) as necessary. District Engineer Pike confirms that a force main type approach, with metering, is the correct approach should a connection to the City of Solvang be considered.

President Kennedy opens the floor to public comment.

Tom Nelson, Ken Zigler, and Kathryn Lohmeyer speak.

With the permission of the President, GM Savage responds some of the public commentary and questions.

Motion to approve the letter and send it to the City of Solvang.

Motion by: Director Fayram, **Second:** Vice President Palmer

Voice vote: 4-0

11. CONSIDERATION OF WRDA FUNDING REQUESTS TO CONGRESSMAN CARBAJAL'S OFFICE (CA-24)

On Monday, December 11, 2023, the District was notified by Congressman Carbajal's office that a funding opportunity is available through the 2024 Water Resources and Development Act (WRDA). Consistent with LOCSO Resolution 23-07, the Grants Subcommittee considered options and submitted two grant requests on behalf of the LOCSO. The two grants, in priority order were:

1. \$300,000 to fund 60% Engineering Design activities
2. \$162,500 to fund Environmental Impact Report (\$150,000) plus one year of groundwater monitoring well costs (\$12,500)

Consistent with Resolution 23-07, the funding requests will be considered for ratification by the full Board of Directors.

GM Savage walks the Board through the process that led to the submittal of two funding requests through the 2024 Water Resources and Development Act (WRDA). He notes that the Grants Subcommittee met twice to discuss the submittals, on December 22, 2023 and January 2, 2024. GM Savage closes by saying he submitted the two funding requests on January 4, 2024, one day prior to the January 5, 2024 deadline.

Director Fayram comments that he did talk to the Congressman's staff a few weeks ago. He notes that these are essentially an "ear mark" funding, not a grant.

President Kennedy opens the floor to public comment.

No comments.

Motion to ratify the requests for 2024 WRDA.

Motion by: Director Fayram, Second: Director Parks

Voice vote: 4-0

12. THE BROWN ACT – AN OVERVIEW

District Counsel will provide an overview of the Brown Act to the Board of Directors, staff, and the public.

President Kennedy used her discretion to move this item to after the District Bylaws discussion.

District Counsel Steve O'Neill provides a presentation on the Brown Act (see attached).

President Kennedy opens the floor to public comment.

Anna Marie Gott speaks.

13. CONSIDERATION OF DISTRICT BYLAWS

As part of the discussion on item 12 at the Regular Meeting for the District Board of Directors on August 24, 2023, the Board of Directors decided that supplementing existing practice, policy, and resolution through the development and adoption of a set of Bylaws for the District would provide additional guidance to the Board, staff, and the public; while also increasing public transparency and District efficiencies. As part of the discussion, the Board directed the GM and Counsel to put together a draft set of Bylaws, review them with the Project Management Subcommittee, and then bring them back to the full Board of Directors for final adoption. The Project Management Subcommittee met on December 22, 2023 and January 8, 2024 to discuss the attached draft Bylaws. Note: Due to the timing of the Project Management Subcommittee's meeting on January 8, and the posting of the agenda for this meeting, an addendum may be published with updates made by the Project Management Subcommittee.

President Kennedy used her discretion to move this item to before the Brown Act.

GM Savage walks the Board through the revised Bylaws that he published as an addendum on January 9, 2024. As he walks through the Bylaws, he notes several sections that received comment at either the December 22, 2023 or January 8, 2024 Project Management Subcommittee meetings.

President Kennedy opens the floor to public comment.

Kathryn Lohmeyer and Anna Marie Gott speak.

Director Fayram raises the conversation about remote meetings and whether the Board is interested in shifting back to in-person meetings only. Director Palmer responds that she believes that maximizing public participation opportunities during this period is important. Director Parks concurs with Director Palmer about the importance of public participation. President Kennedy comments she supports.

Director Fayram motions that the Bylaws be changed to hold only in-person meetings. Motion fails due to a lack of a second.

Director Palmer comments that she believes this is a good set of Bylaws. Director Parks asks about adding an item for the public to add an item to a future agenda. Director Palmer comments that she doesn't believe it needs to be in the Bylaws. Director Fayram comments that the President often gets requests to add items to the agenda. He cautions that not all requests to add items are appropriate. President Kennedy comments on her experiences at the Los Olivos School Board.

Director Fayram asks about section 5.13. Counsel responds that he would anticipate changes to the document in the future.

Motion to approve the Bylaws, as presented.

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Motion by: Vice President Palmer, Second: Director Parks
Voice vote: 4-0

INFORMATIONAL ITEMS:

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

14. REPORTS

A. SUBCOMMITTEE REPORTS

Finance Subcommittee (Vice President Kennedy Chair)

Vice President Palmer (as Chair Kennedy was absent) comments that the Finance Subcommittee met.

Grants Subcommittee (Vice President Kennedy Chair)

President Kennedy comments that the Grants Subcommittee met twice with a focus on the WRDA grants. She notes that there were several items that were tabled for future meetings.

Project Management Subcommittee (Vice President Palmer Chair)

Vice President Palmer comments that the Project Management Subcommittee met twice with a focus on the Bylaws. She expects that future conversations will focus on the calendar.

Technical Subcommittee (President Fayram Chair)

Director Fayram comments that the Technical Subcommittee met.

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:

- February – REGEN 15% check in and direction setting
- March/April – REGEN 30% deliverable final presentation
- April – Fiscal Year (FY) 2024-25 Budget and Strategic Planning, GM's Annual Report
- May – FY 2024-25 Budget Workshop
- July/June – FY 2024-25 Budget Hearing, Gann Limit, Tax Assessment Authorization

GM Savage reviews attachments to the agenda. He notes that given earlier comment regarding 2024 schedules, some things in the attachment will change. He comments that there was a significant increase in District funds due to the Special Assessment. He adds that he has spoken to the State regarding the \$75,000 in grant funds, noting that the email he received on December 11 is an indication that a check will be mailed in 4-6 weeks, so the check should arrive in the next couple of weeks.

GM Savage reiterates that the three Groundwater Monitoring Wells are scheduled for construction beginning February 11, 2024. He adds that the residents of the three closest properties have been notified of the pending construction and that he will be following up with them as the construction gets nearer. He has received the signed contract from BC2, the drilling firm and has follow-up once with the County of Santa Barbara regarding the encroachment permits. GM Savage notes that he is still sending monthly updates to the CCRWQCB regarding the District's actions related to the monitoring wells.

GM Savage notes that he and Director Parks visited the Avila Beach MBR plant in December, adding that if additional Directors want to see the plant firsthand, Cloacina is willing to host a walkthrough.

GM Savage notes that he has been in regular contact with Mr. Tristian Bounds from REGEN. Mr. Bounds is travelling this evening, so unable to join the meeting. As of 1/9, the general project status includes:

- On target to present to the Technical Subcommittee the week of January 22, with a 15% design presentation target for the February 14, 2024 meeting, and potential full 30% design presentation at the March 13, 2024 meeting.
- Completed a draft Basis of Design, which will be part of the upcoming meetings
- Completing mapping updates, particularly as it relates to road and collection information
- Developing a series of scenarios, at least 5 or 6, for collection and treatment
- Using a three treatment location approach that mirrors what was done by Stantec, the difference being that he has added the elementary school as a possible location

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- Using a slightly modified flow calculation, with the calculation being a little lower for residential parcels
- Looking hard at water lines and smaller parcels on San Marcos, Alta, Stow, and Lucca avenues due to setbacks
- Confirmed that tank setbacks for community water lines is 25' and that for service water lines (those on your individual parcel) are 5'.

GM Savage closes his comments by stating he will immediately get the letter off to the City of Solvang.

DE Pike comments that in December, MNS helped put together the information for encroachment permits. Now that there is a schedule, he can begin work on the second 75,000.

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 - No comments.

Director Fayram - No comments.

Director Parks - No comments.

Director Kennedy – Comments about her professional relationship with Mr. Herthel. She assures the Board and public that there are no issues.

GM Savage – Adds that POLO is preparing to send the rest of their grant funds.

16. ADJOURNMENT

Motion to adjourn at: 8:18 PM.

Motion by: Vice President Palmer, Second: Director Fayram

Voice vote: 4-0

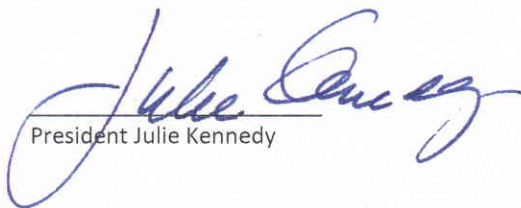
Respectfully submitted:



Guy W. Savage

General Manager – Los Olivos Community Services District

Approved:



President Julie Kennedy