

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



**LOS OLIVOS COMMUNITY SERVICES DISTRICT**

**Posted: 7-8-2023**

**REGULAR MEETING**

**July 12, 2023, 6PM (PDT)**

**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/82515801920?pwd=VHFQd1VDZUVucFZXZEVEEdVhzVjhhkQT09>

By Phone:

Meeting ID: 825 1580 1920 Passcode: 378600

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

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**MEETING AGENDA**

**1. CALL TO ORDER**

**President Fayram called the meeting to order at: 6:00 PM.**

**2. ROLL CALL**

Attending: President Fayram, Director Kennedy, Director Palmer, Director Parks

Absent: Vice President Ross

**3. PLEDGE OF ALLEGIANCE**

**4. PUBLIC COMMENTS**

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 raise

**President Fayram opens the floor to public comment.**

Paul Rohrer, Mary Haden, Sam Marmorstein, Mark Herthel, and Mike Brady speak.

Anna Marie Gott was called upon, but the Board was unable to hear her due to a technical issue.

**5. PUBLIC HEARING: CONSIDERATION OF THE PROPOSED FISCAL YEAR 2023-24 BUDGET**

In keeping with Board Direction, the General Manager has developed a proposed budget for Board's consideration. The proposed budget for Fiscal Year 2023-24 (FY 2023-24) can be found online at:

<https://www.losolivoscscsd.com/fy-2023-24-proposed-budget>

The Board will:

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

[losolivoscscsd@gmail.com](mailto:losolivoscscsd@gmail.com), [www.losolivoscscsd.com](http://www.losolivoscscsd.com)

- Receive the report of the General Manager
- Open Public Hearing to receive Public Comment
- Close the Public Hearing
- Deliberate on the General Manager’s Proposed Budget Recommendation
- Adopt a Budget for Fiscal Year 2023-24

General Manager Savage introduces the FY 2023-24 budget as presented in the attached.

**President Fayram opens the Public Hearing to public comment.**

Anna Marie Gott, Sam Marmorstein, and Mark Herthel speak.

**President Fayram closes the Public Hearing.**

Director Park emphasizes getting the right studies completed as a top priority. He mentions the effort by the Technical Committee to develop potential collection solutions.

Director Kennedy would like to see some portion of budget allocated to continued studies. She asks GM Savage why he said there might be as much as \$50,000 additional funds to start the year. GM Savage responds that it is due to lower-than-expected expenses in FY 2022-23.

Director Palmer asks about additional grant funds will be coming in. District Engineer Pike responds that he anticipates the first half of the WRF grant (\$75,000) by the end of the calendar year.

President Fayram notes that the budget plan can, and does, change throughout the year. He adds that there is often a match for grants. Like the other three Directors, he notes that the offer by Preservation of Los Olivos (\$75,000) would be a welcome addition to the budget. He asks staff if such funds can be accepted by the District. Counsel Trindle responds that private individuals or organizations may donate funds to the District under specific conditions.

President Fayram calls a brief recess while staff attempted to address various technical issues related to Zoom. The recess started at 6:31PM and the meeting was reconvened at 6:36PM.

**Motion:**

**To approve the Fiscal Year 2023-24 budget as presented.**

**Motion by: Director Palmer, Second: Director Kennedy.**

**Roll call vote (4-0)**

**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 June 14, 2023.

**B. APPROVAL PAYMENT OF INVOICES RECEIVED BY JULY 1, 2023.**

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

No.	Invoice Date	Invoice #	Provider	Amount
1.	6/21/2023	83478	MNS – Engineering Services	\$ 1,277.50
2.	7/1/2023	20236	Savage – General Manager and District Services	\$ 4,050.00

Project	Vendor	To Date (inc. above)	Remaining Authorization
Audit	Moss, Levy & Hartzheim, LLP	\$ 2,500.00	\$ 8,055.00

General Manager Savage notes that there are a few invoices, particularly from Stantec, that are under review and were therefore not recommended for approval by the Finance Committee. He adds that he expects the invoices to be on the next agenda. GM Savage also notes that there were some delays in paying the May invoices and that both May and June will be paid together.

**President Fayram opens the floor to public comment.**

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No speakers.

**Motion:**

To approve item 6 as outlined in the agenda, including the approval of the meeting minutes and invoices received by July 1, as recommended by the Finance Committee.

Motion by: Director Kennedy, Second: Director Parks.

Voice vote (4-0)

**BUSINESS ITEMS:**

**7. CONSIDERATION OF RESOLUTION 23-01 - COMMITTEES**

Per direction given at the June 14, 2023 regular meeting of the LOCSD Board of Directors, staff has prepared the attached resolution, Resolution 23-01, which rescinds and replaces Resolutions 18-04 and 18-05, and declares all existing committees of the LOCSD to be standing committees as defined by the Brown Act.

General Manager Savage introduces Resolution 23-01 related to committees. He points out that when staff looked at existing Resolutions, that it made the most sense to rescind and replace both Resolution 18-04 and 18-05; whereas direction from the Board last month was to only rescind and replace Resolution 18-04.

President Fayram asks how the next meetings of the committees will be set. Counsel Trindle and GM Savage respond by saying, the given committee just needs to set a date; while leaving staff sufficient time to post notices as required by the Brown Act.

**President Fayram opens the floor to public comment.**

Anna Marie Gott, Kathryn Lohmeyer, and Mike Brady speak.

President Fayram notes that the committees are subcommittees of the Board and will allow public input. He believes there is a good balance by having Board members and staff on the subcommittees and getting public input in the meetings.

Director Parks notes that he does not see anything in the Resolution that prevents the community from participating and volunteering. He believes the Resolution shows more openness.

**Motion:**

To adopt Resolution 23-01 – Committees, including rescinding Resolutions 18-04 and 18-05 and declaring all committees to be standing committees.

Motion by: Director Kennedy, Second: Director Parks.

Roll call vote (4-0)

**8. CONSIDERATION OF RESOLUTION 23-02 – SELECTION OF BOARD OFFICERS**

Per direction given at the June 14, 2023 regular meeting of the LOCSD Board of Directors, staff has prepared the attached resolution, Resolution 23-02, regarding the selection of Board Officers. The resolution effectively establishes the District’s annual organizational meeting. The annual organizational meeting is the regular meeting at which the Board of Directors selects its Board Officers (President and Vice President); and appoints membership to committees. Operationally, the annual organizational meeting will generally be the first meeting of the calendar year. However, in those years that immediately follow a general election of new Board members, the organizational meeting will be the first meeting of a newly elected and seated Board of Directors.

General Manager Savage introduces Resolution 23-02 related to the selection of Board Officers. He adds that by separate direction, the Board had requested staff additionally put together a policy related to appointments to subcommittees, also for the first regular meeting of the year. He offers three potential paths forward:

1. Accept that Resolution 23-02 effectively will establish an Annual Organizational Meeting as the Board will be selecting its President and Vice President, and that making Committee assignments is a typical action to happen at the same meeting.
2. Staff can go back and create a policy (or resolution) setting the first regular meeting as the Annual Organizational Meeting.
3. Should the Board choose to create Bylaws, include the action in the Bylaws as there may be other Organizational activities that should occur on an annual basis.

**President Fayram opens the floor to public comment.**

Tom Nelson speaks. Mr. Nelson points out that there is a minor error (use of an “and”) in the resolution and recommends it being fixed prior to adoption.

**Motion:**

**To adopt Resolution 23-02 – establishing a resolution for Selection of Board Officers, as amended.**

**Motion by: Director Palmer, Second: Director Kennedy.**

**Roll call vote (4-0)**

**9. CONSIDERATION OF THE SELECTION OF A DATE FOR THE AUGUST 2023 REGULAR MEETING**

As was noted at the June 14, 2023 regular meeting of the Board, it does not appear the Board will have a quorum for its regular meeting on August 9, 2023. Per Board direction, GM Savage queried Board members individually for potential dates to reschedule the meeting. Based on feedback, all Board members are available August 16 and the week of August 21 (21-25) to attend a regular meeting of the Board.

As part of its actions on this item, the Board will consider cancelling the August 9, 2023 meeting and selecting a new date for an August 2023 meeting of the Board of Directors.

General Manager Savage introduces the item by recapping the discussion at the June 14, 2023 meeting – essentially restating that there will not be a quorum on August 9, 2023. He offers the dates of August 16 or the week of August 21-25 as potential replacement dates. He notes that he will not be available on August 16. President Fayram notes that he will not be available until 8/24.

**President Fayram opens the floor to public comment.**

No speakers.

**Motion:**

**To cancel the August 9, 2023 regular meeting and schedule a regular meeting for August 24, 2023.**

**Motion by: Director Palmer, Second: Director Kennedy.**

**Voice vote (4-0)**

**10. DISCUSSION OF DISTRICT BYLAWS VERSUS RULES**

At the June 14, 2023 regular meeting of the Board, there was discussion about District Rules versus Bylaws. The LOCSD currently uses Rules; consequently, no Bylaws have been developed and adopted to date. During the June 14 meeting, no specific direction was provided to staff regarding the development or drafting of Bylaws. Should the Board wish to pursue the development of Bylaws, the General Manager recommends that:

1. Staff develop a draft set of Bylaws for consideration,
2. The draft Bylaws be delegated to a committee for further discussion and refinement, and development of a recommended set of Bylaws,
3. The full Board of Directors discuss and potentially adopt the committee’s recommended Bylaws.

General Manager Savage introduces the item by noting that the Board held significant conversation about Rules versus Bylaws at the June 14, 2023 meeting. He says he revisited both his notes and the recording of the meeting, and no motion related to Bylaws was made on June 14, 2023. GM Savage recommends that if the Board chooses to pursue Bylaws, that it be done by a committee (and then brought back to the full Board for full discussion).

**President Fayram opens the floor to public comment.**

Paul Rohrer and Mike Brady speak.

Director Parks asks Counsel what he believes is the best path forward or easiest way to go. Counsel Trindle responds that the law says that the Board of Directors shall adopt Rules or Bylaws for its proceedings; where proceedings essentially means “for its meetings.” Counsel Trindle adds that no Bylaws will be 100% comprehensive as the issues facing the District will shift and change over time. As part of his commentary, Counsel Trindle notes that Rosenberg’s Rules of Order are the most common in California. He adds that Bylaws or Rules can be as simple or complex as the Board decides. As an example, he notes that the Board could just adopt a Resolution that says it will follow Rosenberg’s Rules of Order. Director Parks notes his desire to see something simple put together. Director Kennedy asks if the Board could stick with Rules for now and adopt Bylaws later. Counsel Trindle responds that the Board could take that approach. She echoes Director Parks’ comments that keeping it simple is a good approach. She asks Counsel if there is anything else he would recommend the Board adopt at this time. Counsel

Trindle responds the Board must adopt Rules or Bylaws for its proceeding, anything beyond that would be in the realm of policy.

President Fayram notes that if the Board formally adopted Rosenberg's Rules, it could adopt a policy for specific situations. Counsel Trindle notes a couple of areas, such as a "gifts policy" that the Board could adopt in the future to handle specific situations or issues.

Director Palmer says she is leaning towards formalizing Rules based on Rosenberg's. She is not interested in building a bigger juggernaut than is needed for the District.

**Motion:**

**Direct staff to prepare a Resolution proposing Rosenberg's Rules of Order or Rules to be adopted consistent with 61045(f).**

**Motion by: Director Palmer, Second: Director Parks.**

Under discussion, President Fayram asks if the Project Management Subcommittee could review Rosenberg's Rules as he is not currently familiar with all of their details. Director Palmer concurs the subcommittee could look at it to see if there are any holes that might be filled through policies.

**Director Palmer amends her motion to include: "and refer to the Project Management Committee for further review."**

**Director Parks confirms his second of the motion as amended.**

**Voice vote (4-0)**

**INFORMATIONAL ITEMS:**

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

**11. REPORTS**

**A. SUBCOMMITTEE REPORTS**

Note: Due to actions taken at the June 14, 2023 regular meeting of the Board of Directors for the LOCS D, no subcommittees met during the period between June 14, 2023 and July 7, 2023.

General Manager Savage notes that subcommittees did not meet.

**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 packet for more details.

General Manager Savage walks through the items he included in the budget. He adds that he met with Supv. Hartmann, he separately met with Supv. Hartmann's staff, WFX, and will be meeting with the General Managers of the Santa Ynez CSD and Vandenberg Village CSD.

District Engineer Pike has been helping with PRA requests and following the State Waterboard grant reimbursement process.

**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.

Director Parks notes that he attended the meeting with Water FX (WFX). He adds that the financial information discussed sounds really good. He adds that WFX has an established relationship with Tristian Bounds (Regen). He believes that the relationship could be very beneficial to us.

Director Kennedy notes she added the WFX meeting and that also performed some outreach with congressional representatives at both the State and local levels. She adds that part of her efforts was to find grants for a median household income (MHI) study. She notes that RCAC (Rural Community Assistance Corporation) would perform a census tract study to see if a full MHI study would make sense. Director Parks chimes in that RCAC also has a relationship with WFX, which is a good thing.

President Fayram comments that Director Ross has indicated that he will be moving out of the area. He has indicated that he would serve through the September meeting. He asks for clarification from Counsel about steps for replacing Director Ross when he departs. Counsel Trindle confirms that the Board has 60 days from the effective date of the resignation to determine whether the Board will fill the vacancy by appointment or by special election. He adds that should the Board choose to take the path of special election; all of the costs will be borne by the District. This is different than when a general election is held, as costs for a general election are spread across

all participating organizations. Counsel Trindle reminds the Board that there is a memo and staff report that outlines the steps and options the Board can take.

President Fayram notes that he, Director Palmer, and GM Savage met with Supervisor Hartmann to provide a general update on where the District is at and answer questions.

Director Palmer adds that the Supv. Hartmann discussion included conversation about the importance of funding. She adds that mentioned to Supv. Hartmann that she hopes the County will be a partner in helping the District find funding. She closes by saying she is glad that this meeting is done and happy that we were able to work through the procedural stuff. She is looking forward to attending the upcoming meeting of the Technical Committee.

### **13. ADJOURNMENT**

**Motion:**

**Adjourn at 7:36PM.**

**Motion by: Director Palmer, Second: Director Kennedy.**

**Voice vote (4-0)**

Respectfully submitted:



Guy W. Savage  
General Manager – Los Olivos Community Services District

Approved:

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Tom Fayram  
President – Los Olivos Community Services District

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**13. ADJOURNMENT**

**Motion:**

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**Motion by: Director Palmer, Second: Director Kennedy.**

**Voice vote (4-0)**

Respectfully submitted:



Guy W. Savage

General Manager – Los Olivos Community Services District

Approved:



Tom Fayram

President – Los Olivos Community Services District