

SANTA YNEZ COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS

Minutes of the Regular Meeting  
July 20, 2016  
5:30 P.M.

**BOARD MEMBERS PRESENT:** David Higgins                      Barry Marks  
Frank Mueller    David Seymour  
Carl Maler

**OTHERS**

**PRESENT:** Jeff Hodge, General Manager  
Wendy Berry, Secretary-Treasurer  
Rick Battles, Legal Counsel  
Barry C. White-Resident

1. **CALL TO ORDER:** President Higgins called the meeting to order at 5:31 p.m.
2. **ROLL CALL:** All Board members present.
3. **PLEDGE OF ALLEGIANCE:** President Higgins led the Pledge of Allegiance.
4. **DIRECTOR COMMENTS:** Director Seymour attended the monthly SBCSDA meeting and an FBI agent spoke about Infraguard. Infraguard is a program to train citizens on how to be aware of different threats. 80% of the tips to the FBI come from citizens.
5. **PUBLIC COMMENTS:** A resident from Samantha inquired about the annexation and connecting to sewer.
6. **PUBLIC HEARING ON PROPOSED INCREASES IN SEWER CAPACITY FEES.** In March 2016, the Board approved the Wastewater Rate Study completed by Tuckfield and Associates. The rate study recommended an increase in the monthly sewer fees and the capacity fees. The public hearing was opened at 5:37 p.m. and closed at 5:39 p.m. and there were no written protests or public protests filed.
7. **ADOPTION OF ORDINANCE O-16-04, ORDINANCE OF THE SANTA YNEZ COMMUNITY SERVICES DISTRICT AMENDING SEWER SERVICE CODE TO REVISE CAPACITY FEES, PERMIT AND INSPECTION CHARGE, NEW CONSTRUCTION LATERAL FEE AND PLAN CHECK FEE.** The rate study adopted in March of 2016 recommended the District continue its existing method of calculating the capacity fees by using the Engineer News Record Construction Cost Index National Average. A public hearing on the proposed increases for the capacity fees was held at 5:37 p.m. Director Marks motioned to adopt Ordinance O-16-04, Director Mueller seconded and the motion passed by a roll call vote: ayes; Marks, Mueller, Higgins,

Seymour, Maler.

8. **APPROVAL OF MINUTES:** Review for Board approval draft minutes of the Regular Meeting of June 15, 2016 and Special Meeting of June 15, 2016. Director Seymour motioned to approve the Regular Meeting Minutes of June 15, 2016 and the Special Meeting Minutes of June 15, 2016, Director Marks seconded and the motioned passed with five ayes.
9. **VOUCHER PAYMENTS:** Review for Board ratification payments made from June 16, 2016 through July 20, 2016. Director Seymour motioned to approve the voucher payments from June 16, 2016 through July 20, 2016, Director Higgins seconded and the motion passed with five ayes.
10. **ADOPT RESOLUTION 16-09, RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ COMMUNITY SERVICES DISTRICT APPROVING PRELIMINARY ENVIRONMENTAL REVIEW FORM, AUTHORIZING FILING NOTICE OF EXEMPTION, AND SETTING FORTH FINDINGS RELATING TO CAPACITY FEE INCREASE.** This Item was moved to Item 7. The Wastewater Rate Study was adopted by the Board at the March 2016 meeting and the wastewater rate study recommends the District continue its existing method of calculating the capacity fees. The Board of Directors Environmental Review Committee has concluded increasing the capacity fees is exempt from California Environmental Quality Act because the exemptions contained in Section 21080 (b) (8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations apply. Director Seymour motioned to adopt Resolution 16-09, Director Higgins seconded and the motion passed by a roll call vote: ayes; Seymour, Higgins, Maler, Marks, Mueller.
11. **APPROVE PAYMENT TO AYALA BORING FOR THE HWY 246 JACK AND BORE PROJECT.** Ayala Boring was awarded the contract for the Hwy 246 Jack and Bore Project 2016-01 on March 18, 2016. The project was completed on June 8, 2016. At the June 15, 2016 regular meeting the Board of Directors approved the Notice of Completion and it was recorded at the County of Santa Barbara on June 21, 2016. Director Mueller made a motion to approve payment to Ayala boring contingent upon no liens being filled by the end of the 35 day holding period, Director Higgins seconded and the motion passed by a roll call vote: ayes; Maler, Marks, Mueller, Seymour, Higgins.
12. **TREASURER'S REPORT.** Staff reviewed the quarterly cash position with the Board for the quarter ending June 30, 2016. Total cash was \$2,650,145.29. Laif's interest rate was .55% and interest earned in the CD's and Money Market account was \$1,457.79.
13. **STAFF REPORTS:**
  - A. Manager's Report
    - The Hwy 246 jack and bore project was finished and the manhole is in place.
    - The Golden Inn began installation of the pump station
    - I received the draft feasibility study today from RMC

- At the July 7<sup>th</sup> LAFCO meeting the commissioners voted to get a monthly update on the progress being made in Los Olivos.
- The Regional Board is sending a letter in support of the West SY annexation and sphere of influence to include Los Olivos.
- IRWMC – there is still 2 million available from the County and they are still brainstorming on how to spend it.
- The State hasn't come out with a direct potable water standard.
- The SBCSDA meeting is the 25<sup>th</sup> at the Santa Maria airport.
- Flows have increased to about 125,000 gpd. at the Chumash plant. They have a high salt level and the salts should be taken out of the water before going into the system

B. Legal Counsel Report

- A new court case has come up about when a Brown Act violation has occurred. A person can file a cease and desist letter to the Board and the Board has 60 days to respond. A person can only sue if that cease and desist letter has been filed.
- The Supreme Court has a case about gift of public funds. Any person responsible for spending public funds incorrectly is liable to pay those funds back to the District. Penal code 424 deals with the spending of the funds and it can be a misdemeanor if convicted.

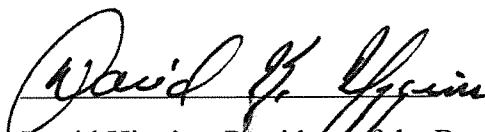
C. Secretary/Treasurer Report

- The preliminary audit has been completed, the final audit will be in October and the website design has been started so it should go live in late September.

D. Committee Report – None

14. **TENTATIVE AGENDA ITEMS FOR FUTURE MEETINGS:** Employee Handbook, Sewer Code, Design Specifications, Mainline Extension Agreement.
15. **ADJOURNMENT:** The meeting was adjourned at 6:29 p.m.

APPROVED:

  
 David Higgins, President of the Board

  
 Wendy Berry, Secretary of the Board