

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



LOS OLIVOS COMMUNITY SERVICES DISTRICT

Posted: 10-4-2024

REGULAR MEETING

October 9, 2024, 6PM (Pacific)

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 address above. 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 Kennedy called the meeting to order at: 6:03 PM

2. ROLL CALL

Present: President Kennedy, Vice President Palmer, Director Fayram, Director Stormo

Absent: Director Parks

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 Kennedy opens the floor to public comment.

No requests 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.

5. GENERAL MANAGER'S BRIEF DISTRICT STATUS REPORT

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

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GM Savage comments that both WSC, who has provided a draft TM and Carollo are on-target to complete their efforts prior to next month's meeting. He adds that he has posted to Facebook a couple of times and that the quarterly update/newsletter went out, just a little later than originally planned.

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 at 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. The 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 September 11, 2024.

B. APPROVAL PAYMENT OF INVOICES RECEIVED ON OR BEFORE SEPTEMBER 29, 2024.

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

No.	Invoice Date	Invoice #	Provider	Amount
1	9/12/2024	89707	A&W – Legal Services	\$ 1,938.00
2	8/31/2024	9919	WSC – City of Solvang Connection Engineering	\$ 8,409.75
3	9/3/2024	24040	REGEN – Collection Workshop	\$ 2,500.00
4	9/26/2024	20249	Savage – General Manager Services	\$ 6,020.00

Project	Vendor	To Date (inc. above)	Total Authorization
City of Solvang Connection	WSC – Treatment Infrastructure (pumps, pipes)	\$ 8,409.75	\$ 18,787.00
City of Solvang Connection	Carollo – Treatment Plant Impacts	\$ 0.00	\$ 40,240.00

GM Savage introduces the item noting that there is nothing special about the invoices.

President Kennedy opens the floor to public comment.

No requests to speak.

Motion to approve the consent agenda as presented.

Motion by: Director Palmer, Second: Director Stormo

Voice vote: 4-0

BUSINESS ITEMS:

7. CONSIDERATION OF TWO CONTRACTS THAT WOULD CREATE A WASTEWATER TRANSMISSION PIPELINE (FORCE MAIN) BETWEEN THE LOCSO AND THE CITY OF SOLVANG. CONTRACT #1 - STANTEC IN THE AMOUNT OF \$99,500 (NINETY-NINE THOUSAND AND FIVE HUNDRED DOLLARS) AND CONTRACT #2 - REGEN IN THE AMOUNT OF \$50,000 (FIFTY THOUSAND DOLLARS)

The Board of Directors will consider two submitted proposals for the creation of 30% engineering and design, plus costs for connecting the District to the City of Solvang. For the purposes of the contractor's proposals, they were instructed to estimate the roughly the 18,000 feet of distance involved. They were also instructed, pursuant to discussions with the City of Solvang, to include an equalization tank. Flows from the District were to be consistent with the Basis of Design documents each contractor used when creating their 30% engineering designs and based on the technology approach used. Stantec's proposal therefore assumes a gravity fed collection system, while REGEN's proposal focuses more heavily on effluent sewer collection. An item related to the contracts was discussed at the October 4, 2024 Technical Subcommittee meeting. The Subcommittee is not making a recommendation on the contracts at this time.

General Manager's recommendation: None.

GM Savage introduces the item. He notes that the Technical Subcommittee discussed the proposals and that updates were requested and made regarding the Stantec proposal. Importantly, the recommended changes proposed by the Technical Subcommittee, which involved using existing and available work products without reverification, lowered the cost of Stantec's proposal to \$54,000. He adds that should the District move forward, the work originally proposed by Stantec should be completed as part of a 60% design effort. GM Savage notes that

the updates were published according to Brown Act guidelines. GM Savage comments further that he and Counsel O'Neill discussed the contractual side of the proposal presented by Stantec. Given past practice, if the Board chooses to go with the Stantec proposal, he recommends that instead of using the Stantec proposed contract, that the Board direct Counsel and staff to finalize a contract using the District's template, and direct the President and/or GM to sign it as appropriate. GM Savage comments that as Stantec has signed a similar agreement in the past, he doesn't foresee it being an issue. He adds that if the Stantec contract is signed immediately, they would likely be complete by the end of the calendar year. GM Savage then comments there are not the same contractual issues with the REGEN contract. He adds that the REGEN proposal is \$4,000 less and is based on a 120-day effort, making the two similar in cost and timeline. He closes by restating that the Technical Subcommittee did not have a specific recommendation on the two proposals.

President Kennedy opens the floor to public comment.

Anna Marie Gott and Tom Nelson speak.

Counsel O'Neill responds to public comment, noting that cost is a consideration, but not the deciding factor for this type of contract.

Director Fayram comments on the differences between the two contracts. He comments that in his experience, the Mini Brooks Act says you should not even consider cost. He adds that he is comfortable with the Stantec proposal due to their qualifications and them having several registered in California engineers. He notes that the completion timeline will slide to January or maybe later.

VP Palmer asks about the Stantec proposal noted an AECOM cost of \$13,000,000. She asks about timing of when this should be executed now, as opposed to waiting until after the Board hears from WSC and Carollo. President Kennedy continues this thinking saying she would be comfortable waiting until next month. Director Stormo concurs. Director Kennedy asks if Carollo or WSC could do this work as well. GM Savage responds that certainly WSC could do the work as they are doing similar work for the City of Solvang. Director Fayram notes that WSC may or may not be on the County's contractor list. Director Fayram suggests a more formal contracting approach may be worth looking at again. He too is fine tabling the discussion until next month. President Kennedy comments on the impact of delaying approving a contract until next month would push the potential January workshop out. VP Palmer suggests there could be a special meeting next month. The Board then discusses the best path forward. Director Fayram contemplates aloud a motion regarding direction to staff

Motion to direct the General Manager to pursue the revised Stantec proposal and bring back a contract in the LOCS District's standard contract language for the Board's consideration when the other reports come back in November.

Under discussion, the Board talks about having a special meeting. VP Palmer notes a concern about ensure the AECOM report goes through the Technical Subcommittee to make sure that all the AECOM information was properly considered. Director Fayram responds by agreeing but he has an interest in obtaining new cost numbers. GM Savage notes that the AECOM report is already posted on the District's website. Director Fayram attempts to amend his original motion.

Motion is seconded by VP Palmer.

GM Savage comments that he is unclear about the current motion. Director Fayram restates his motion as:

Move to direct the General Manager to work with Stantec to come back with a contract with their amended scope of work as amended for \$54,000 and the contract is in the LOCS District standard contract and that the GM work with Stantec to ensure there is no duplication of work and that any duplication is removed from their proposal. VP Palmer confirms her second.

Motion by: Director Fayram, Second: VP Palmer

Voice vote: 4-0

President Kennedy comments that REGEN has done great work for the District and she would like to see us tighten up our contracting process.

8. CONSIDERATION OF A CONTRACT FOR YEAR ENDING JUNE 30, 2024 (FY 2023-24) AUDIT SERVICES FROM MOSS, LEVY, & HARTZHEIM, IN THE AMOUNT NOT TO EXCEED \$3,500 (THREE THOUSAND AND FIVE HUNDRED DOLLARS)

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The Board of Directors will consider a contract regarding the proposal submitted by Moss, Levy & Hartzheim to perform audit services for the fiscal year ended June 30, 2024 (LOCS D fiscal year 2023-24). An item related to the contract was discussed at the October 4, 2024 Finance Subcommittee meeting. The Subcommittee recommends approval of the contract.

General Manager's recommendation: Approve and Direct the President and/or General Manager to sign.

GM Savage introduces the item. He comments that this will be the last year we can use MLH for auditing services.

President Kennedy opens the floor to public comment.

No requests to speak.

Motion to approve the contract for the year ending June 30, 2024 for the audit with Moss, Levy, & Hartzheim for the amount up to \$3,500.

Motion by: VP Palmer, Second: Director Stormo

Roll call vote: 4-0

9. CONSIDERATION OF A CONTRACT WITH GSI FOR BI-ANNUAL (TWICE A YEAR) SAMPLING AND TESTING OF THE LOCS D'S FIVE GROUNDWATER MONITORING WELLS, IN AN INITIAL AMOUNT OF \$14,300 (FOURTEEN THOUSAND, THREE HUNDRED DOLLARS)

The Board of Directors will consider a contract with GIS to perform twice a year sampling and testing of the District's five groundwater monitoring wells. The contract is structured as a three-year contract with two year possible extensions.

General Manager's recommendation: Approve and Direct the President and/or General Manager to sign.

GM Savage introduces the item. He comments that based on his experience of best practice with such contracts, he structured the contract as a three-year contract, with two, one-year extensions possible with Board approval. He notes that GSI has already signed a Counsel reviewed contract and is preparing to start testing in November. GM Savage then notes that as part of his review for this evening, he noticed that November/April would make for a five and seven month testing period, not a six and six. Consequently, he recommends changing references noting April to read May. If the contract is approved, he requests that any motion include that modification.

President Kennedy opens the floor to public comment.

Jeannie Hollingsworth speaks.

Motion to approve the contract with GSI for bi-annual sampling and testing of the District's five groundwater monitoring wells, with the timing changed to be the months of November and May instead of November and April.

Motion by: Director Fayram, Second: Director Stormo

Under discussion, VP Palmer asks about the amounts proposed, which totals \$75,000 over five years. She asks about whether we can get the County or CCRWQCB to help with funding the effort. She emphasizes that the District is a solution, not a testing organization.

Direction is given to staff to go back to the EHS and CCRWQCB to see if funding to offset the costs is available.

Roll call vote: 4-0

INFORMATIONAL ITEMS:

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

10. REPORTS

A. SUBCOMMITTEE REPORTS

Finance Subcommittee (President Kennedy Chair) – President Kennedy comments that the subcommittee met and invoices and audit contract were recommended on this agenda.

Grants Subcommittee (President Kennedy Chair) – President Kennedy comments that the subcommittee did not meet, but is expecting to meet in next week or so.

Project Management Subcommittee (Vice President Palmer Chair) – Vice President Palmer comments that the subcommittee did not meet, but is working to set up later this month.

Technical Subcommittee (Director Fayram Chair) – Director Fayram comments that the subcommittee met

and action was taken 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.

Notable upcoming meeting items:

November – WCS and/or Carollo deliverables

GM Savage comments on the attachments, noting that the District currently has approximately \$310,000 in its checking account. He notes that the District received a Special Acknowledgement Award from SDRMA for having zero “paid” claims for the Property/Liability Program in the prior five years. He then walks through the summary status report noting that WCS has actually delivered a draft of their findings, which will be put on a Technical Subcommittee meeting agenda soon. He notes that Carollo appears on track to delivery their document in the next couple of weeks. He closes by commenting that Cloacina is preparing three quotes: (1) gravity fed ala the Stantec original design, (2) REGEN Option A with gravity downtown and effluent everywhere else, and (3) REGEN Option B with effluent everywhere.

Director Fayram notes that he thinks the Coffee with a Director is helpful and worthwhile.

11. 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 Fayram – none

Director Stormo – none

Vice President Palmer – none

President Kennedy – none

12. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL;; GOVERNMENT CODE SECTION 54956.9: POTENTIAL LITIGATION: ONE CASE

During the Closed Session with Legal Counsel, the meeting room will be cleared and the Zoom stopped or paused. Following Closed Session, the President or Legal Counsel will provide a brief report on any actions taken during Closed Session.

General Manager’s recommendation: None.

GM Savage notes that the Board will be going into closed session on one item. He reminds all attendees, that as was noted in the agenda, the room will be cleared and Zoom stopped during Closed Session. As is normal for Closed Session, the President or Counsel will report on any actions taken.

At 7:28 PM, the Board reconvened following Closed Session.

Following Closed Session, Counsel O’Neill reports that consistent with Government Code Section 54956.9, Potential Litigation, the Board of Directors met in closed session and no reportable actions were taken.

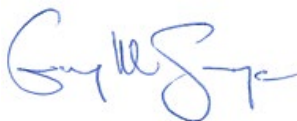
13. ADJOURNMENT

Motion to adjourn at 7:29 PM.

Motion by: Director Palmer, Second: Director Fayram

Voice vote: 4-0

Respectfully submitted:



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

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Approved:

President Julie Kennedy