

**MINUTES OF THE REGULAR MEETING OF THE  
CARPINTERIA SANITARY DISTRICT GOVERNING BOARD  
June 7, 2022**

These are the **minutes** of the **regular** meeting of the Governing Board of the Carpinteria Sanitary District in the City of Carpinteria, County of Santa Barbara, and State of California.

The Governing Board of the Carpinteria Sanitary District held a regular meeting on **June 7, 2022**, at 5:30 p.m. at its District administrative office located at 1110 Eugenia Place, Carpinteria, California.

The agenda notice for this meeting, including instructions for the public to provide comments, was posted in the front window of the administrative office of the Carpinteria Sanitary District and on the District's website at least 72 hours in advance of the meeting. The Carpinteria Sanitary District has determined this meeting to be an Essential Public Meeting that will be conducted pursuant to the provisions of Assembly Bill 361 and adoption of Resolution No. R-351. Please note that Board members may participate in person at 1110 Eugenia Place, Carpinteria, CA, or via video or teleconference.

**I. CALL TO ORDER**

President Graf called the meeting to order at 5:30 p.m. and noted that all Directors were present.

Directors Present:     Lin Graf– President  
                              Mike Modugno – President Pro-Tem (by Zoom video-conference)  
                              Michael Damron – Secretary  
                              Gerald Velasco – Secretary Pro-Tem  
                              Debbie Murphy – Treasurer

Staff Present:         Craig Murray – General Manager  
                              Kim Garcia – Board Clerk

Legal Counsel  
Present:                Karl H Berger – Hensley Law Group (by Zoom video-conference)

Public Present:        Donna Downs

**II. PLEDGE OF ALLEGIANCE**

President Graf led the Pledge of Allegiance.

**III. BOARD APPROVAL OF AGENDA**

President Graf asked if there were any modifications and/or changes to the agenda. Hearing none, the agenda was approved as submitted

**IV. BOARD APPROVAL OF MINUTES OF THE MEETING OF May 17, 2022**

Director Damron made a motion, seconded by Director Murphy that the Board approve the minutes of the May 17, 2022 Regular Board meeting as presented. The motion carried by the following vote:

AYES:	5	Graf, Damron, Velasco, Modugno, Murphy
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**V. PUBLIC FORUM**

There was one member of the public present.

**VI. CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One case – May 9, 2022 Letter Re: Violation of California Voting Rights Act

Legal Counsel led the Board into the above referenced closed session item at 5:32 p.m.

**VII. RECONVENE OPEN SESSION**

**A. CLOSED SESSION REPORT**

President Graf reconvened the open session at 5:57 p.m. and said that there was no action to report on the closed session item.

**VIII. MATTERS BEFORE THE BOARD**

**A. GENERAL REPORTS:**

**1. General Manager’s Status Report**

General Manager reviewed his written report regarding the following items:

- Administration Building Replacement Report
- Montecito Enhanced Recycled Water Feasibility Analysis
- Operations Update

**2. Continuation of Meeting Teleconferencing – Pursuant to Resolution No. R-351**

The Board considered continuing the allowance of teleconferencing of public meeting under an emergency proclamation due to the COVID-19 pandemic.

Director Damron made a motion, seconded by Director Velasco that the Board authorize the continuation of the emergency proclamation and allow teleconferencing of meeting pursuant to Resolution No. R-351. The motion carried by the following vote:

AYES:	5	Damron, Modugno, Graf, Murphy, Velasco
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**3. PUBLIC HEARING- Adoption of Ordinance No. 17 – Sewer Service Charge Rate Increase**

General Manager reviewed his staff report related to Ordinance No. 17 which, if adopted, would authorize an updated sewer service charge rate structure and incremental increases in residential and non-residential rates. The proposed sewer service charge for each residential dwelling served by the District is \$754.72 for the 12-month period beginning on July 1, 2022. The annual rate is proposed to increase by 3.0% each year for the following four years. A baseline non-residential rate

schedule is proposed to become effective on July 1, 2022 and, consistent with residential charges, the non-residential rates will escalate by a uniform 3.0% each year for the following four years. A low pressure sewer surcharge would also be authorized by Ordinance No. 17.

President Graf gave introductory comments about the public hearing being held In accordance with Section 6 of Article XIII D. of the California Constitution [known as Proposition 218] and associated adoption of Ordinance No. 17.

The Board Clerk called the roll. Directors Murphy, Modugno, Damron, Velasco and President Graf answered present.

President Graf opened the public hearing and asked General Manager to file the Proof of Mailing of Notice as required by Proposition 218 with the Board Secretary. President Graf noted there was one members of the public present. That member did not request to comment. General Manager reported that based on the number of written protests received both during the 45-day protest period and at tonight's meeting, there was no majority protest by the public. Two written protests were received in the mail or by facsimile during the 45-day protest period. A summary was included with the Staff Report in the agenda packet.

As there was no majority protest and no members of the public present who provided testimony, the hearing was declared closed. President Graf called for a motion and a second on the adoption of Ordinance No. 17.

Director Damron made a motion, seconded by Director Velasco that the Board approve an updated sewer service charge rate structure and incremental increases thereto, as proposed, through the adoption of Ordinance No. 17. The motion carried by the following roll call vote:

AYES:	5	Graf, Damron, Velasco, Modugno, Murphy
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**4. PUBLIC HEARING- Adoption of Ordinance No. 18 – Adopting a General Regulation Pertaining to Development Impact Fees and Repeal of Inconsistent Ordinances**

General Manager reviewed his staff report related to Ordinance No. 18 which, if adopted, would authorize an updated Development Impact Fee structure and repeal inconsistent ordinances. If adopted, Ordinance 18 would establish a baseline Development Impact Fee of \$6,230 per equivalent dwelling unit. The ordinance also set forth a process to annually adjust the Development Impact Fee based on an Engineering News Record Construction Cost Index.

Director Damron made a motion, seconded by Director Murphy that District Ordinance No. 18 pertaining to updated Development Impact Fees be adopted. The motion carried by the following roll call vote:

AYES:	5	Graf, Damron, Velasco, Modugno, Murphy
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**5. Resolution No. R-355 – Stating the Board of Directors’ Intent to Initiate Procedures for Establishing and Implementing District Based Elections for Board Directors**

Director Damron made a motion, seconded by Director Velasco that the Board table this item to the next regular meeting. The motion carried by the following vote:

AYES:	5	Graf, Damron, Velasco, Modugno, Murphy
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**6. Resolution No. R-356 – Resolution Authorizing the District Engineer to Approve Plans and Specifications for Public Works Projects and Authorizing the General Manager to Solicit Bids for Capital Improvement Projects**

General Manager reviewed his staff report related to Resolution No. 356 which if adopted would authorize the District Engineer (currently the General Manager) to approve plans/specifications and solicit bids for Capital Improvement Projects.

Director Velasco made a motion, seconded by Director Damron that the Board adopt Resolution No. R-356 as presented. The motion carried by the following roll call vote:

AYES:	5	Graf, Damron, Velasco, Modugno, Murphy
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**7. Cash Contract No. 484 – Change Order No. 10 - Administration Building Replacement Project**

General Manager reviewed his staff report related to Change Order No. 10 to Cash Contract No. 484. If approved, Change Order No. 10 would result in a net cost increase totaling \$3,913 increasing the contract price to \$3,923,728.

Change Order No. 10 covers owner directed changes to cabinetry and a credit for countertop material changes in the lobby area.

Director Murphy made a motion, seconded by Director Damron that the Board approve Change Order No. 10 to Cash Contract No. 484 with Newton as presented. The motion carried by the following vote:

AYES:	5	Damron, Modugno, Graf, Murphy, Velasco
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**8. Cash Contract No. 501 – Tierra Contracting, Inc. – Lift Station No. 6 Force Main Realignment**

General Manager reviewed his staff report related to Cash Contract No. 501. If approved, Cash Contract No. 501 would engage Tierra Contracting, Inc. to complete the force main realignment project within 30 working days of a Notice to Proceed and a not to exceed contract price of \$48,975.

Director Velasco made a motion, seconded by Director Damron that the Board approve and execute Cash Contract No. 501 between the District and Tierra Contracting, Inc. for the Lift Station No. 6 Force Main Realignment Project. The motion carried by the following vote:

AYES:	5	Damron, Modugno, Graf, Murphy, Velasco
NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

**9. 2022 CASA Annual Conference**

This item was on the agenda to provide the Board with an update of important dates regarding the upcoming CASA Annual Conference.

No Board action was taken on this item.

**10. Carpinteria Advanced Purification Project**

General Manager provided an update related to the Carpinteria Advanced Purification Project.

No Board action was taken on this item.

**IX. BOARD ITEMS**

**A. COMMITTEE REPORTS**

Standing Finance Committee

Director Murphy reported on the meeting held May 18, 2022.

Standing Personnel Committee

Director Velasco reported on the meeting held May 19, 2022

Standing Public Relations Committee

Director Velasco reported on the meeting held May 20, 2022

Standing Utilities Committee

None.

**B. GENERAL ITEMS**

SBCSDA (Santa Barbara California Special Districts Association) Report

None.

CSRMA Report

None.

Board Member Vacation Dates

None.

Future Agenda Items

None.

**X. ADJOURNMENT**

There being no further items to discuss, President Graf adjourned the meeting at 6:36 p.m.

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Lin Graf  
President

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Mike Modugno  
President Pro-Tem

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Michael Damron  
Secretary

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Gerald Velasco  
Secretary Pro-Tem

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Debbie Murphy  
Treasurer