

**MINUTES OF THE REGULAR MEETING OF THE  
CARPINTERIA SANITARY DISTRICT GOVERNING BOARD  
June 21, 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 21, 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:       None

**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 June 7, 2022**

Director Damron made a motion, seconded by Director Murphy that the Board approve the minutes of the June 7, 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 5:31 p.m.

**VII. RECONVENE OPEN SESSION**

**A. CLOSED SESSION REPORT**

President Graf reconvened the open session at 5:48 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
- SCADA Server Project Update
- SCAP Meeting Report
- District Website Launch
- 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 Modugno 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. Resolution No. R-355 – Stating the Board of Directors’ Intent to Initiate Procedures for Establishing and Implementing District Based Elections for Board Directors**

General Manager reviewed his staff report related to Resolution No. R-355. The District received a letter dated May 9, 2022 from Frank Ochoa, an attorney for Fred Castro and Frank Gonzales, asserting that the District’s at-large method of electing Directors is in violation of the California Voting Rights Act (CVRA). District legal counsel advised the Board of the potential defense costs associated with litigation of a CVRA claim, and the low likelihood of prevailing even when there is no evidence of racially polarized voting in any past District elections.

After lengthy discussion, the Board considered adoption of Resolution No. R-355 which declares the Board of Directors’ intent to transition from an at-large election system to a district based election system and initiate proceedings to effect this change.

After Board discussion, Director Damron made a motion, seconded by Director Murphy that the Board adopt Resolution No. R-355 as presented. The motion carried by the following vote:

AYES:	4	Graf, Damron, Modugno, Murphy
NOES:	1	Velasco
ABSENT:	0	None
ABSTAIN:	0	None

**4. PUBLIC HEARING - Resolution No. R-357 – Sewer Service Charges on Assessor Rolls**

General Manager said that notice was published twice in the *Coastal View News* about tonight’s hearing and that Resolution No. R-357, according to state law, allows the District to place sewer service charges on the tax roll. A procedure text was provided to the Board President for conducting the hearing.

President Graf opened the hearing and asked General Manager to call the roll. Answering “present” were Directors Velasco, Damron, Modugno, Murphy and President Graf. General Manager said there were five Board members present, and that met the 2/3’s quorum required by State law to adopt the resolution setting rates on the County Assessor’s Rolls.

President Graf asked General Manager to file the Notice of Hearing and Proof of Publication of the hearing with the Secretary. General Manager delivered Proof of Publishing of the Notice of Hearing to Board Secretary, Director Damron. President Graf noted for the record there were no members of the public present who wished to speak on the item and no comments had been submitted electronically prior to the deadline. General Manager said there was no majority protest and President Graf declared the hearing closed.

President Graf asked for a motion on the resolution. Director Murphy made a motion, seconded by Director Damron that the Board adopt Resolution No. R-357 ordering the filing with the County Auditor of a report of sewer service charges for FY 2022/2023 to be placed on and collected by the County Assessor’s Rolls. The motion carried by the following roll call vote:

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

**5. Resolution No. R-358 – Adoption of the FY 2022/23 Annual Budget and Setting the Annual Appropriations Limit**

General Manager submitted for Board review and adoption the Fiscal Year 2022/23 Budget for the Carpinteria Sanitary District. General Manager thanked District staff and the Board Finance committee for their input. General Manager reviewed the proposed capital improvement projects for FY 2022/23 and provided the Board with an overview of the Budget document and highlighted key information.

If adopted, Resolution No. R-358 would adopt the Fiscal Year 2022/23 budget and set the annual appropriation limit at \$5,047,052.

Director Velasco made a motion, seconded by Director Modugno, that the Board adopt Resolution No. R-358 adopting the Fiscal Year 2022/23 Budget as submitted with operating and debt service expenditures totaling \$7,293,796 and setting the annual appropriations limit at \$5,047,052. The motion carried by the following roll call vote:

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

**6. 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 June 20, 2022.

Standing Personnel Committee

None.

Standing Public Relations Committee

None.

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 6:33 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