

**MINUTES OF THE REGULAR MEETING OF THE  
CARPINTERIA SANITARY DISTRICT GOVERNING BOARD  
December 21, 2021**

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 **December 21, 2021**, 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 Murphy called the meeting to order at 5:30 p.m. and noted that Director Damron would be absent from tonight's meeting, all Directors were present at tonight's meeting.

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

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 Murphy led the Pledge of Allegiance.

**III. BOARD APPROVAL OF AGENDA**

President Murphy 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 December 7, 2021**

Director Graf made a motion, seconded by Director Modugno that the Board approve the minutes of the December 7, 2021 Regular Board meeting 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

**V. PUBLIC FORUM**

None

**VI. MATTERS BEFORE THE BOARD**

**A. GENERAL REPORTS:**

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

General Manager reviewed his written report regarding the following items:

- December 13-14 Rain Event
- Lift Station No. 4 Improvements
- Administration Building Replacement Project
- Rate and Fee Study
- 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. Annual Board Reorganization**

President Murphy said this was the time the Board established officers, meeting place, meeting time and other housekeeping functions required annually by law. President Murphy called for nominations for the positions of the Board.

After Board discussion, the following determinations were made:

**BOARD AND COMMITTEE DETERMINATIONS:**

Director Graf as President.

Director Modugno as President Pro-Tem.

Director Damron as Secretary.

Director Velasco as Secretary Pro-Tem.

Director Murphy as Treasurer.

The gavel was passed to President Graf, who presided over the remainder of the meeting.

Finance Committee: **Chair** - Director Murphy; **Member** – Director Modugno

Personnel Committee: **Chair** - Director Damron; **Member** – Director Velasco

Public Relations Committee: **Chair** - Director Velasco; **Member** – Director Graf

Local Utilities Committee: **Member** - Director Graf; **Member** – Director Modugno

Coastal Districts Financing Authority: **Member** - Director Modugno; **Member** – Director Graf

Director Modugno made a motion, seconded by Director Graf that the Board approve the Board and Committee determinations. The motion carried by the following roll call vote:

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

The Board discussed and affirmed/reaffirmed the following:

- The Board reaffirms Karl H. Berger of Hensley Law Group as Legal Counsel.
- The Board reaffirms Craig Murray, P.E. as General Manager.
- The Board affirms 1110 Eugenia Place as the place of regular meetings of the Board. In response to the COVID-19 pandemic and pursuant to the provisions of the Governor’s Executive Order participation may be via video or teleconference.
- The Board affirms the first and third Tuesday of each month as the days of the regular meetings of the Board, unless the first and third Tuesday falls on a national holiday.
- The Board affirms 5:30 p.m. as the time of the regular meetings of the Board.
- The Board reaffirms that Section 54956 and 54956.5 of the Government Code are designated as the manner by which special and emergency meetings respectively shall be called.
- The Board reaffirms compensation to Directors as established by Board Resolution for attendance at regular, special or adjourned meetings of the Board of Directors, for committee meetings, seminars, conferences and other meetings as established by Board Resolution.

Director Modugno made a motion, seconded by Director Graf that the Board approve and adopt the organizational provisions as presented in this staff report and orders the Secretary to file a Statement of Facts with the Secretary of State and the County Clerk Recorder’s Office. The motion carried by the following roll call vote:

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

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

General Manager reviewed his staff report related to Change Order No. 7 to Cash Contract No. 484. If approved, Change Order No. 7 would result in a net cost increase totaling \$7,092 increasing the contract price to \$3,881,855.

Change Order No. 7 covers an elective change to the counter top material and a required change in light fixture type.

Director Murphy made a motion, seconded by Director Modugno that the Board approve Change Order No. 7 to Cash Contract No. 484 with Newton as presented. The motion carried by the following vote:

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

**5. Reimbursement Request for Overpayment of Sewer Service Charges – 3504 Via Real (APN 005-430-061)**

General Manager reviewed his staff report related to a reimbursement request for overpayment of Sewer Service Charges for APN 005-430-061. A review of District file information revealed that the SSC calculated for the 2020/21 and 2021/22 fiscal years errantly included an agricultural water meter which is not returned to the sewer. Therefore, a refund to the parcel owner is being requested.

After discussion, Director Velasco made a motion, seconded by Director Murphy that the Board authorize an SSC refund of \$28,003.26 for FY 2020/21 and a billing adjustment of \$29,308.02 for FY 2021/22 for APN 005-430-061. The motion carried by the following vote:

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

**6. Laboratory and Break Room Improvements Project, Adopting Resolution No. R-352 and Approving Cash Contract No. 497 with Newton Construction and Management**

General Manager reviewed his staff report related to the Laboratory and Break Room Improvement Project.

Resolution No. R-352, if adopted, makes the finding that competitive bidding of the project would be unavailing and waives the competitive bidding requirement consistent with State law and find the project to be categorically exempt from CEQA.

Cash Contract No 497, if approved, would engage Newton to perform the project improvements based on their cost proposal, with a total cost of \$167,532.

After discussion, Director Murphy made a motion, seconded by Director Modugno that the Board 1) adopt Resolution No. R-352 waiving competitive bidding requirements and making certain related findings for the Laboratory and Break Room Improvements Project; 2) approve Cash Contract No.

497 between the Carpinteria Sanitary District and Newton Construction and Management, Inc.; and  
3) increase the authorized budget for the project to \$175,000. The motion carried by the following roll call vote:

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

**7. Carpinteria Advanced Purification Project**

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

No Board action was taken on this item.

**8. Employment Contract – General Manager**

Legal Counsel said the Board is receiving a copy of the form of employment agreement between the District and Craig Murray as General Manager. The agreement was unchanged from what had been discussed by the negotiating parties and reviewed by the Board in a prior closed session. If approved, the contract will be in effect December 3, 2021 and will replace and supersede the previous contract.

Director Murphy made a motion, seconded by Director Modugno that the Board approve the employment agreement with the General Manager, Craig Murray, 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

**VII. BOARD ITEMS**

**A. COMMITTEE REPORTS**

Standing Finance Committee

None

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

**VIII. ADJOURNMENT**

There being no further items to discuss, President Graf adjourned the meeting at 6:30 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