

MONTECITO SANITARY DISTRICT

M I N U T E S

**of the
Board Meeting
December 10, 2020**

1. CALL TO ORDER/ROLL CALL

The Governing Board of the Montecito Sanitary District convened a regular meeting at 1:15 p.m. on December 10, 2020 using Zoom teleconferencing in accordance with State of California Executive Order No. N-29-20 issued on March 17, 2020.

ATTENDANCE

Board Members Present:

Directors Dana Newquist, Ellwood T. Barrett II, Gary Fuller, Dorinne Lee Johnson, and Director Donald Eversoll

Board Members Absent:

None

Also Present and Participating:

Jon Turner, MSD Interim General Manager
Carrie Poytress, MSD Engineering Manager
Alex Alonzo, MSD Operations Manager
Elizabeth (Betsy) A. Byrne, MSD District Administrator
Karl H. Berger, MSD General Counsel
Ken, Ratepayer
Keith Berry, member of the public
Bob Hazard
Tom Bollay – outgoing Director
Jeff Kerns – outgoing Director
Staff Member
Montecito Resident
Adam Kanold
Hulda Brown
Resident
Donna S

2. PUBLIC COMMENT

Member of the Public, Bob Hazard, addressed the board to congratulate newly elected directors. Stated that supervisor Greg Hart contacted him and would like a meeting with 2 directors of Sanitary board and 2 directors of MWD Board an 1 representative from Summerland Sanitary and if the districts agree, Carpinteria water board, and Carpinteria Sanitary Board. Discussion would include: there are 5 sanitary plants within 15 miles on the coast. Goleta 2, Montecito 1, Summerland 1, Carpinteria 1. There are areas of cooperation and coordination & consolidation; problems and issues to address from a regional perspective. How could the County fast-track operational changes that the Board may elect to make such as a merger. Would invite Das Williams. City faces a problem with their sanitary system; relocation required. Concerned with capacity and pipeline.

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3. (CEREMONIAL) SWEARING IN OF NEW DIRECTORS; BOARD REORGANIZATION.

Directors Elected to the office of Director for the Montecito Sanitary District in the Presidential General Election in Santa Barbara County on the 3rd day of November 2020 were sworn into office and affirmed their Oath of Office as administered by the County Clerk Recorder Assessor.

Comments from outgoing directors:

Outgoing Board President Tom Bollay offered his “Congratulations” to newly elected Directors; stated that is important to focus first on the duty to the District first, and to the Coast second. “Good Luck, and carry on”.

Outgoing Director Jeff Kerns said “thank you for the opportunity; I am grateful for the education and time I spent on the board. I relearned concepts, and the commonalities of all organizations: Capital and people. Everyone always had a smile. Gained an appreciation for special districts. I learned how important the depreciation schedules are. Mostly, I appreciate and thank you for the opportunity.

Director Barrett called for the election of the Board President. Director Johnson was nominated by Director Newquist. On MOTION by Director Dana Barrett and second by Director Don Eversoll, the Board Elected unanimously without abstention Director Johnson as President.

AYES: Directors Barrett, Eversoll, Fuller, Johnson, and Newquist
NAYS: None
ABSTAIN: None
ABSENT: None

Director Barrett was nominated as Vice President. On MOTION by Director Newquist and second by Director Eversoll, the Board elected unanimously without abstention Director Barrett as Vice President.

AYES: Directors Barrett, Eversoll, Fuller, Johnson, and Newquist
NAYS: None
ABSTAIN: None
ABSENT: None

Director Newquist was nominated as Secretary. On MOTION by Director Barrett and second by Director Johnson, the Board elected unanimously without abstention Director Newquist as Secretary.

AYES: Directors Barrett, Eversoll, Fuller, Johnson, and Newquist
NAYS: None
ABSTAIN: None
ABSENT: None

Director Eversoll was nominated as Treasurer. On MOTION by Director Johnson and second by Director Newquist, the Board elected unanimously without abstention Director Eversoll as Treasurer.

AYES: Directors Barrett, Fuller, Johnson, Newquist, and Eversoll.

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NAYS: None
ABSTAIN: None
ABSENT: None

On MOTION by Director Barrett and second by Director Eversoll, the Board voted to form a new Strategic Planning committee to focus on recycled water and long term planning.

AYES: Directors Barrett, Newquist, Johnson, and Eversoll
NAYS: Director Fuller
ABSTAIN: None
ABSENT: None

President Johnson made the following appointments:

- Finance Committee: Directors Don Eversoll and Director Gary Fuller
- Administrative & Operations (A&O) Committee: Directors Don Eversoll and Ellwood Barrett
- Personnel Committee: Directors Dorinne Johnson and Gary Fuller
- Public Information Committee: Directors Dana Newquist and Dorinne Johnson
- Strategic Planning Committee: Directors Dorinne Johnson and Ellwood Barrett

4. CONSENT CALENDAR

On MOTION by Director Newquist and second by Director Eversoll, the Board moved to approve the consent calendar with removal of the payables for separate discussion; Board approved with a roll call vote the following items:

- A. Approved the Minutes of the November 12, 2020 Board Meeting;
- B. Waived a second reading of Ordinance 16 and approved to adopt such Ordinance.
- C. Adopting Resolution No. 2020-931 acknowledging and establishing District Land Inventory as required by CA Government Code Section 50569.
- D. Approved and Directed Interim General Manager Jon Turner to sign the agreement Attorney General's Office (on behalf of the Governor's Office of Emergency Services) on the subrogation and assignment of claims arising out of Thomas fire etc.

AYES: Directors Eversoll, Fuller, and Newquist
NAYS: None
ABSTAIN: Directors Barrett, and Johnson
ABSENT: None

5. APPROVAL OF PAYABLES

On MOTION by Director Barrett and second by Director Eversoll, the Board approved these payroll and accounts payable expenses from November 7, 2020 and December 5, 2020.

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Accounts Payable Expenses	\$210,051.57
Capital Improvement Projects	\$23,909.46
Payroll and Related Expenses	\$187,082.68
Total Expenses	\$421,043.71

AYES: Directors Barrett, Fuller, Johnson, Newquist, and Eversoll.
 NAYS: None
 ABSTAIN: None
 ABSENT: None

6. OLD BUSINESS

None

7. NEW BUSINESS

A. Annual Organizational Decisions

On MOTION by Director Barrett, and second by Director Newquist, the Board approved unanimously without abstention the appointment of Jon Turner as Interim General Manager.

On MOTION by Director Newquist and second by Director Johnson, the Board voted to invite Requests for Proposals for new General Counsel and to maintain Karl Berger of Hensley Law Group as General Legal Counsel until such time the Board has attained a replacement local firm for General Legal Counsel.

On MOTION by Director Eversoll and second by Director Barrett, the Board approved unanimously without abstention the appointment of Melissa Fassett as Legal Counsel for Personnel matters.

The Board approved unanimously without abstention that the Regular Meetings of the Governing Board of the Montecito Sanitary District will be the second Thursday of each month, beginning at 1:30 p.m.

AYES: Directors Barrett, Fuller, Johnson, Newquist, and Eversoll.
 NAYS: None
 ABSTAIN: None
 ABSENT: None

The Board agreed to hold a closed session special meeting on Thursday January 7th at 1:30pm.

The organization procedures being complete: An updated Statement of Facts shall be filed with the Secretary of State and the Santa Barbara County Clerk. The Board will now continue with the regular meeting as set forth in today's agenda.”

ACTION: Staff

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Public Comment: Bob Hazard addressed the board and offered to meet via zoom with Dorinne Johnson and Gary Fuller to discuss Birnamwood golf club trying to get cheaper water. General Counsel Berger noted that so long as a committee meeting is not being held, two board members may have a discussion; if discussion is part of a committee meeting, posting requirements are necessary.

B. Resolution No. 2020-930 Approving District Holidays for 2021

On MOTION by Director Eversoll and second by Director Newquist, the Board voted to adopt Resolution 2020-930.

AYES: Directors Barrett, Eversoll, Fuller, Johnson, and Newquist
NAYS: None
ABSTAIN: None
ABSENT: None

C. Recruitment of a new District General Manager

The Personnel Committee will meet to review the proposals by the two recruiting firms, and may potentially seek a third and fourth proposal and will bring a proposal to the Board at a future meeting.

8. DISTRICT OPERATIONS AND MAINTENANCE

A. Information Items

The Interim General Manager Jon Turner, P.E. updated the Board as to informational, nonactionable, items regarding pending matters before the District.

B. Agreements to be Signed

None

C. Operation and Maintenance Reports

The Board reviewed the information in the Board packet.

9. ITEMS FOR THE NEXT AGENDA

The next regular Board meeting is set for January 14th, 2021.

The Board agreed to hold a closed session special meeting on Thursday January 7th at 1:30pm.

The Board discussed items for the next agenda and agreed to include the following items:

- Examine the District's COVID-19 Emergency Declaration of March 19, 2020
- Discuss taking the Essential Services Building off the table
- Discuss the emergency funding authorization rules currently in effect
- Discuss Montecito Water District's Appeal to the Montecito Planning Commission on their decision of Montecito Sanitary District's Coastal Development Plan
- Discuss the District's policies and procedures manual
- Director Barrett Directed staff to find out if the Montecito Sanitary District has made a request to LAFCO to incorporate the Santa Barbara Cemetery into the District.
- President Johnson suggested that Directors contact the Director on their respective committee teams

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- Director Barrett Directed staff to comply with the 24-hour noticing requirements for the January 7th, 2021 closed session special meeting.

10. ADJOURNMENT

The Meeting adjourned at 4:21 p.m.

DocuSigned by:

Director Dorinne Lee Johnson

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Dorinne Lee Johnson, President

DocuSigned by:

Ellwood T. Barrett II

6F90C29E773642A
Ellwood T. Barrett II, Vice President

DocuSigned by:

Dana Newquist

FF99A9D4BB6448C
Dana Newquist, Secretary

DocuSigned by:

Director Donald Eversoll

04D4CA25D94F439
Donald M. Eversoll, Treasurer

DocuSigned by:

Director Gary Fuller

305C04D9585D402
Gary Fuller, Director