

**MINUTES OF THE REGULAR MEETING
of the
BOARD OF DIRECTORS
of the
MONTECITO SANITARY DISTRICT**

August 13, 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 August 13, 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 Tom Bollay, Thomas Kern, Jeff Kerns, Dana Newquist, and Woody Barrett

Board Members Absent:

None

Also Present and Participating:

Diane M. Gabriel, MSD General Manager/District Engineer
Toni M. McDonald, MSD District Administrator
Carrie Poytress, MSD Engineering Manager
Alex Alonzo, MSD Operations Manager
Karl H. Berger, MSD Legal Counsel
Gregg Kovacevich, MSD Legal Counsel
Lindsay McDonough, Stantec consultant
Mike Weber, Stantec consultant
Ken Coates, Ratepayer
Leon Bartholomew, Ratepayer
Roberton Short, Ratepayer
Peter Candy, Attorney for Mr. Short
Dorinne Johnson, Ratepayer
Hilary Hauser, Heal the Ocean
Alison Thompson, Heal the Ocean
John Morris
Betsy Byrne
(2) Unnamed members of public

2. PUBLIC COMMENT

Mr. Leon Bartholomew addressed the Board during public comment.

Montecito Sanitary District
MINUTES – August 13, 2020

3. APPROVAL OF MINUTES

The minutes of the July 30, 2020 meetings were included in the agenda packet. On MOTION by Director J. Kerns and second by Director T. Kern, the Board approved the minutes of the July 30th meeting with the following vote

AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett
 NAYS: None
 ABSTAIN: None
 ABSENT: None

4. APPROVAL OF PAYABLES

On MOTION by Director Barrett and second by Director Newquist, the Board approved with a roll call vote these payroll and accounts payable expenses from July 25, 2020 through August 7, 2020:

Accounts Payable Expenses	\$ 64,550.31
Payroll and Related Expenses	<u>99,554.36</u>
Total Expenses	\$ 164,104.67

AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett
 NAYS: None
 ABSTAIN: None
 ABSENT: None

5. OLD BUSINESS

A. Approval of Minutes of July 9, 2020 Board Meeting

On MOTION by Director J. Kerns and second by Director T. Kern, the Board approved with a roll call vote the minutes of July 9, 2020.

AYES: Directors Kern, Newquist, Bollay, Kerns, Barrett
 NAYS: None
 ABSTAIN: None
 ABSENT: None

6. NEW BUSINESS

A. Administration & Operations (A&O) Committee Meetings - Report

The A&O Committee Meeting (Directors Bollay and J. Kerns) reported on its meetings of July 29th, August 6th, August 11th, and its joint meeting with Montecito Water District on August 4th.

At its joint meeting with MWD Strategic Planning Committee on August 4th, the Water District requested MSD prepare a letter requesting support on the recycled portion of the Coastal Development Plan. At its meeting on August 6th, the Committee directed staff to

Montecito Sanitary District
MINUTES – August 13, 2020

prepare a letter for review. At its meeting on August 11th, the Committee reviewed the letter and is recommending the Board approve the letter in agenda item 6C at today's meeting.

B. Resolution No. 2020-926 - Mitigated Negative Declaration and Mitigation, Monitoring and Report Program for a Development Plan consisting of the construction, operations, and maintenance of: (1) a recycled wastewater treatment system; (2) Essential Services Building and parking lot with a new driveway off Channel Drive; and (3) five solar structures with panels – Initial Study/Mitigated Negative Declaration

As the CEQA Lead Agency for the proposed Development Plan Projects, the Montecito Sanitary District retained an environmental consulting firm, Stantec, to conduct an Initial Study of the potential effects of the proposed Projects, and determined the proposed Projects would not result in a significant impact on the environment. However, the following issue areas require mitigation measures to reduce potential impacts to a less-than-significant level:

- Biological Resources
- Cultural resources
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Mr. Mike Weber and Ms. Lindsay McDonough, consultants from Stantec, made a presentation to the Board summarizing the work that was done, why this project is appropriately analyzed, and a general overview of the comments and responses.

Mr. Peter Candy made public comment.

After Board discussion and review of Resolution No. 2020-926, on MOTION by Director J. Kerns and second by Director Bollay, the Board adopted Resolution No. 2020-926 regarding the Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program for a Development Plan and authorized the General Manager to sign and file the Proposed Finding Document with the following vote:

AYES: Directors Kern, Bollay, Kerns,
NAYS: Directors Newquist, Barrett
ABSTAIN: None
ABSENT: None

C. Coastal Development Plan – Letter to Montecito Water District requesting support and Information Letter to the Community

Director Bollay read the letter to MWD drafted following direction from the joint meeting on August 4th, and stated the A&O Committee is recommending the Board approve the letter to be sent to the MWD Board. After discussion, on MOTION by Director Newquist and second by Director T. Kern, the Board approved the letter as presented and directed staff to send to MWD Board of Directors for their consideration at the August 25th Montecito Water District Board Meeting.

Montecito Sanitary District
MINUTES – August 13, 2020

District Administrator McDonald read a letter to all MSD Customers informing them of the CDP projects, prepared by District Public Relations firm Davies Public Affairs. This letter had been reviewed and recommended for Board approval by members of the Public Information Committee Directors Bollay and Newquist. After discussion by the Board, Director Newquist rescinded his recommendation for the letter as presented. On MOTION by Director J. Kerns and second by Director T. Kern, the Board authorized Director Bollay to sign the letter and have Davies mail it upon further review and agreement by Director Bollay and Newquist.

AYES: Directors Newquist, Bollay, T. Kern, J. Kerns
NAYS: Director Barrett
ABSTAIN: None
ABSENT: None

D. Review District COVID-19 Emergency Declaration

The Board reviewed the COVID-19 Emergency Declaration dated March 13, 2020, and discussed limiting the General Manager's purchasing authority. On MOTION by Director Barrett and second by Director Newquist, the Board failed to approve an amendment to the declaration capping purchasing authority at \$250,000 by the following vote:

AYES: Directors Newquist, Barrett
NAYS: Directors T. Kern, J. Kerns, Bollay
ABSTAIN: None
ABSENT: None

E. Recording of Committee Meetings

The Board reviewed the practice of not recording Committee meetings. After discussion, no motion was made and the practice of not recording these meetings will continue.

F. Information Items

None

G. Agreements to be Signed

710 East Mountain Drive – Dedication agreement for sewer facilities

7. OPERATIONS AND MAINTENANCE

The Board reviewed the information in the Board packet.

8. ITEMS FOR NEXT AGENDA

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

- Review of letter to Board from Leon Bartholomew dated August 11, 2020

Montecito Sanitary District
MINUTES – August 13, 2020

9. ADJOURNMENT

There being no other business, on MOTION to adjourn by Director Bollay and second by Director Newquist, the MOTION to adjourn passed unanimously without abstention at 4:52 p.m.

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Thomas Bollay

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Thomas Bollay, President

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Director Jeff Kerns

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Jeffrey Kerns, Vice President

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Ellwood T. Barrett II

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Ellwood T. Barrett, Secretary

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Tom Kern

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Thomas Kern, Treasurer

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Director Dana Newquist

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Dana Newquist, Director