

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

**August 27, 2012**

**1. CALL TO ORDER**

The Governing Board of the MONTECITO SANITARY DISTRICT met in regular session on the 27<sup>th</sup> day of August 2012 at 1042 Monte Cristo Lane, Montecito, California, at 1:15 p.m.

**ATTENDANCE**

**Present:** Directors Charles C. Arnold, Deirdre M. Cannata, Judith M. Ishkanian and Jeff Kerns

**Absent:** Director Edward P. McAniff

**Also Present:** General Manager Diane M. Gabriel; Debbie Hughey, Office Manager

**2. APPROVAL OF MINUTES OF THE LAST MEETING**

The minutes from the prior Board meeting were included in the agenda packets for Board review.

Upon MOTION by Director Cannata, and seconded by Director Arnold, the minutes of July 30, 2012 were approved as submitted.

**3. APPROVAL OF PAYROLL AND PAYABLES**

Upon MOTION by Director Ishkanian, and seconded by Director Arnold, the Board approved the PAYROLL AND ACCOUNTS PAYABLE EXPENSES for the District through August 27, 2012 as follows:

Accounts Payable (8/7/12)	\$31,118.16
Accounts Payable (8/10/12)	\$595.00
Accounts Payable (8/22/12)	\$41,056.61
Payroll (8/9/12)	\$38,065.63
Payroll Related (8/9/12)	\$39,871.90

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Payroll (8/23/12)	\$49,621.77
Payroll Related (8/23/12)	\$13,647.31

**TOTAL** **\$231,976.38**

**4. PUBLIC COMMENT**

No member of the public was present to address the Board on non-agenda items.

**5. OLD BUSINESS**

No old business

**6. NEW BUSINESS**

**A. 1514 EAST MOUNTAIN DRIVE – SEWER MAIN EXTENSION – DEDICATION AGREEMENT FOR SEWER FACILITIES WITH MR. IVAN FECAN**

Manager Gabriel reported that an agent for Mr. Ivan Fecan, owner of 1514 East Mountain Drive, approached the District about connecting to the District’s sanitary sewer system. Manager Gabriel explained that in order for the property to be connected to the collection system, it is necessary to construct approximately 680 feet of 8” sewer main. Once constructed the sewer main could also serve a neighboring property, 1512 East Mountain Drive (the owner of which is currently not interested in connecting.) The District’s “Dedication Agreement for Sewer Facilities” calls for Mr. Fecan to design the sewer main extension in accordance with District standards, obtain all permits, grant all necessary easements, construct the sewer and dedicate the sewer to the District.

Manager Gabriel shared an exhibit with the Board showing the proposed sewer main location. She stated that the agreement also requires Mr. Fecan to post a bond, deposit or check with the District in the full amount of the accepted construction bid amount which is \$122,860. Mr. Fecan’s septic system has failed and he is eager to begin construction of a sewer main extension.

After discussion, a MOTION was made by Director Cannata, and seconded by Director Ishkanian, that the Board approve the execution of the “Dedication Agreement for Sewer Facilities for the 1514 East Mountain Road Sewer Main Extension.” The MOTION passed unanimously.

ACTION: Staff

**B. 2012 CCTV VAN AND EQUIPMENT – ELXSI-CUES – NOTICE OF COMPLETION**

The General Manager reminded the Board that at their meeting on February 13<sup>th</sup> they voted to award a contract to ELXSI-CUES for the 2012 CCTV Van and Equipment. The new CCTV Van is a “mission critical” project approved by the Board in the Fiscal Year 2011 – 2012 Capital Improvement Budget funded by the COP proceeds. The contract with CUES was for \$170,245. Two change orders were issued resulting in a credit to the District with a final completed contract amount of \$169,405.13.

On July 17<sup>th</sup> the CCTV Van was delivered to the District. The Collections staff received training from CUES representatives August 7<sup>th</sup> through August 10<sup>th</sup>. District Collection crew members are now familiar with the van and equipment and completed a thorough inspection on August 7<sup>th</sup>. The Collections staff has determined that the CCTV Van and Equipment project is now ready for acceptance by the District.

Manager Gabriel invited the Board members to a tour of the van which was conducted at the conclusion of the Board meeting.

After discussion, a MOTION was made by Director Cannata, and seconded by Director Arnold, that the Board accept the CCTV Van and Equipment, as assembled and delivered by ELXSI-CUES for the final contract amount of \$169,405.13 and direct staff to issue a Notice of Completion.

ACTION: Staff

**C. CONFLICT OF INTEREST CODE – BIENNIAL REVIEW – RESOLUTION NO. 2000-780**

Manager Gabriel reported that the District is required, during even numbered years, to review its Conflict of Interest Code, Resolution No. 2000-780 (enclosed in the agenda packet for Board review). The current Code was adopted in August 2000 and has not been amended since adoption. According to County guidelines and state law, a Conflict of Interest Code must contain certain language and information. Staff has reviewed Resolution No. 2000-780 and finds that it contains all required information, including:

- Language that incorporates Title 2 of the California Code of Regulations, section 18730, as it may be amended from time to time, and satisfies provisions of section 87302 of the California Government Code;
- An identification of the designated positions whose duties include making or participating in making governmental decisions on behalf of the District; and
- The specific disclosure categories specifying financial interests (investments, interests in real property, income, and business positions) which filers in designated positions must disclose.

Additionally, Manager Gabriel informed the Board that District Counsel reviewed Resolution 2000-780 (the District's Current Code) and identified numerous amendments to Title 2, CCR, § 18730 since August 2000, but all are incorporated by reference by the terms of the Resolution. Counsel is aware of no need to amend Resolution No, 2000-780.

Two options were presented to the Board for consideration. The first option is for the Board to determine that no amendments are needed in the Current Code, completing and filing the 2012 Local Agency Biennial Notice with the County Clerk of the Board of Supervisors. If, as a second option, the Board elects to amend the existing policy, staff will send the amended Code to the County Board of Supervisors for their approval. The District needs to file an amended Code or the completed form indicating that no amendment is required no later than October 1, 2012.

After some discussion, a MOTION was made by Director Ishkanian, and seconded by Director Cannata, that Resolution No. 2000-780, upon advice of Counsel, remain unchanged and that the box titled “No amendment is required” be checked on the 2012 Local Agency Biennial Notice which is then to be mailed to the County Clerk of the Board of Supervisors. The MOTION was approved unanimously.

ACTION: Staff

**D. RESOLUTION NO. 2012-875 – HONORING MR. CHARLES M. MCCALED UPON HIS RETIREMENT FROM THE DISTRICT**

Manager Gabriel reported that Mike McCaleb informed the District of his retirement effective August 17, 2012. Mr. McCaleb was employed by the District for nearly ten years. The original document was signed by the Board on July 30<sup>th</sup> for presentation at Mr. McCaleb’s retirement party.

After discussion, a MOTION was made by Director Ishkanian, and seconded by Director Arnold, that the Board recognize Mr. McCaleb for the longevity and dedication of his service to the District. The MOTION passed with the following roll call vote:

AYES: Arnold, Cannata, Ishkanian, Kerns  
NAYS: None  
ABSENT: McAniff  
ACTION: None

**E. INFORMATIONAL ITEMS**

Director Ishkanian prepared and handed out a report to each Board member on the CASA conference attended by herself and Director Cannata in Monterey, August 9<sup>th</sup> through 11<sup>th</sup>.

7. **OPERATIONS AND MAINTENANCE**

The Board reviewed the Operations and Maintenance information included in the agenda packets.

8. **FUTURE AGENDA ITEM**

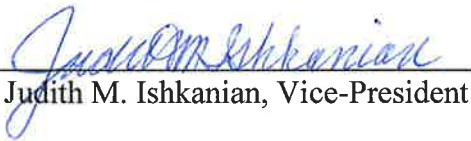
Discussion of options for the disposition of the retired CCTV van which has been replaced by the new ELXSI-CUES CCTV van.

9. **ADJOURNMENT**

There being no further business to come before the Board, it was MOVED by Director Arnold, and seconded by Director Cannata, that the meeting be adjourned. The MOTION carried, and the meeting adjourned at 2:20 pm.



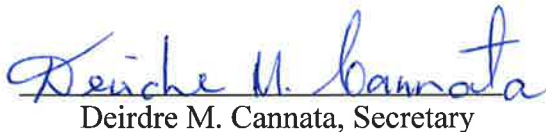
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Jeff Kerns, President



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Judith M. Ishkanian, Vice-President

A B S E N T

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Edward P. McAniff, Treasurer



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Deirdre M. Cannata, Secretary



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Charles C. Arnold, Director