



# Montecito Sanitary District

1042 Monte Cristo Lane A Public Service Agency  
Santa Barbara, CA 93108

Phone: (805) 969-4200  
[www.montsan.org](http://www.montsan.org)

## AGENDA

For the Regular Meeting of the Board on:

**May 13, 2026**

The regular meeting of the Governing Board will begin at **2:00 p.m. on May 13, 2026** in the District's Board Room at 1042 Monte Cristo Lane, Santa Barbara, CA 93108.

The public may attend the meeting in person or participate remotely via Zoom using the following virtual meeting details:

By visiting: <https://us02web.zoom.us/j/86118975917>

Or by calling: 1-669-900-6833

Meeting ID: 861 1897 5917

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1. **CALL TO ORDER**

A. **ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **PRESIDENT'S REPORT**

2. **PUBLIC COMMENT**

Public comment on items not on the agenda is **limited to 3 minutes** and is at the discretion of the Board President. For further instructions, please see [Instructions for Public Comment](#) on the District's website.

3. **APPOINTMENT HEARING**

It is recommended that the Board consider:

- i) Conducting brief interviews of the applications received for the vacant board position; and
- ii) Selecting and appointing a new Director.

4. **CEREMONIAL SWEARING IN OF NEW DIRECTOR**

District Staff will administer a ceremonial swearing in of the selected and appointed new Director.

5. **CONSENT CALENDAR**

- A. Meeting Minutes of the April 22, 2026 Regular Meeting (Page 3)
- B. Resolution 2026-989 – District Reserve Policy (Page 6)
- C. Resolution 2026-990 – Service Charge Hearing Date (Page 9)

**6. BUSINESS ITEMS**

**A. BOARD POLICIES AND PROCEDURES (PAGE 11)**

It is recommended that the Board:

- i. Adopt the draft set of policies and procedures on an interim basis, effective immediately, subject to further revision; and
- ii. Request each Board Member to review the draft policies and procedures and provide comments back to the General Manager no later than May 29, 2026; and
- iii. Direct the General Manager to work with Jacob Green and Associates and Legal Counsel to revise the draft policies based on Board Members' feedback; and
- iv. Return to the Board with a proposed final draft for adoption no later than June 24, 2026.

**B. DISCUSSION OF A SEWER RATE STUDY PUBLIC FORUM MEETING (PAGE 46)**

It is recommended that the Board discuss holding a public forum meeting regarding the District's sewer rate study.

**7. BOARD COMMUNICATIONS**

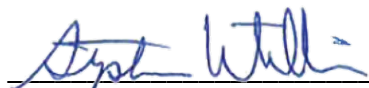
- A. Items for future Board meeting
- B. Next Board Meeting Date – May 27, 2026

**8. ADJOURNMENT**

The Montecito Sanitary District conducts its meetings in accordance with the Brown Act. The District also provides alternative methods of remote participation which permit members of the public to observe and address public meetings remotely via telephone or Zoom. These methods of participation can be accessed through the internet link provided at the top of this agenda.

This agenda was posted on the District website, and at the Montecito Sanitary District Bulletin Board in accordance with the requirements of the Brown Act.

Attested by:



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Stephen Williams

Business and Administrative Manager/Clerk of the Board

*ADA – The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's programs, services or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at 969-4200.*



# Montecito Sanitary District

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## MINUTES

For the Regular Meeting of the Board on:

**April 22, 2026**

### 1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:16 pm on Wednesday, April 22, 2026. The meeting was also broadcast using Zoom teleconferencing.

#### ATTENDANCE

##### Board Members Present:

Directors Barrett, Johnson, Ohlmann, and Rockenbach

##### Board Members Absent:

None

##### Also Present and Participating:

John Weigold, MSD General Manager

Stephen Williams, MSD Business and Administrative Manager/Clerk of the Board

Aleks Giragosian, District Legal Counsel

Bryce Swetek, MSD Engineering Manager

### 2. PUBLIC COMMENT

No members of the public addressed the Board.

### 3. COMMITTEE REPORTS

- A. Director Johnson gave a report on the Montecito Sanitary District Finance Oversight Committee meeting of April 17, 2026.

### 4. CONSENT CALENDAR

ON MOTION by Director Barrett, Seconded by Director Ohlmann, the Board voted to approve the following Consent Calendar items:

- A. Payables from March 1, 2026 through March 31, 2026
- B. Board Meeting Minutes of the April 8, 2026 Regular Meeting
- C. Fiscal Year 2025-26 Unaudited Financial Reports – March 31, 2026

AYES:	Directors Barrett, Johnson, Ohlmann, and Rockenbach
NAYES:	None
ABSTAIN:	None
ABSENT:	None

**5. GENERAL MANAGER’S REPORT**

The Board received a nonactionable update from General Manager John Weigold on relevant matters currently facing the District. Topics included:

- A. GM Meetings
- B. Montecito Sanitary District/Summerland Sanitary District Collaboration
- C. Permit and Private Sewer Lateral Programs
- D. District Financial Matters
- E. Information Technology
- F. Wastewater Treatment Plant Roadmap
- G. FOG Program Training Update
- H. Flow/Rain Comparison
- I. Capital Improvements Projects and Key Effort Status Updates

**6. BUSINESS ITEMS**

**A. 2025 SEWER MAIN CIPP LINING PROJECT – AMENDMENTS TO AGREEMENTS**

ON MOTION by Director Barrett, Seconded by Director Johnson, the Board voted to:

- i. Authorize the General Manager to approve additional expenditures of up to \$15,926.60 as an Amendment with Phoenix Civil Engineering for the Construction Management services for the District’s 2025 Sewer Main CIPP Lining (Project); and
- ii. Authorize the General Manager to approve additional expenditures of up to \$59,120.00 as an Amendment with On-Track Solutions for Railroad Coordination services for the District’s 2025 Sewer Main CIPP Lining (Project).

AYES: Directors Barrett, Johnson, Ohlmann, and Rockenbach  
NAYES: None  
ABSTAIN: None  
ABSENT: None

**B. DISCUSSION OF SOUTHLAND INDUSTRIES CONTRACT TECHNICAL MEMORANDUM NO. 2 – CONNECTION TO EL ESTERO WATER RESOURCE CENTER (PAGE 37)**

ON MOTION by Director Barrett, Seconded by Director Johnson, the Board voted to direct staff to proceed forward with Southland Industries Technical Memorandum No. 2.

AYES: Directors Barrett, Johnson, Ohlmann, and Rockenbach  
NAYES: None  
ABSTAIN: None  
ABSENT: None

**C. MEMORANDUM OF UNDERSTANDING BETWEEN MONTECITO SANITARY DISTRICT, MONTECITO WATER DISTRICT, AND SUMMERLAND SANITARY DISTRICT FOR COORDINATION AND COLLABORATION FOR THE ADVANCEMENT OF SPECIAL DISTRICT REORGANIZATION (PAGE 68)**

The Board considered two versions of a Memorandum of Understanding between Montecito Sanitary District, Montecito Water District, and Summerland Sanitary District for coordination and collaboration for the advancement of Special District reorganization. ON MOTION by Director Barrett, Seconded by Director Johnson, the Board voted to accept the Memorandum of Understanding that was voted on and approved by the Montecito Water District.

AYES: Directors Barrett and Johnson  
NAYES: Directors Ohlmann and Rockenbach  
ABSTAIN: None  
ABSENT: None

Motion does not carry.

**D. BOARD TRAINING REQUIREMENTS**

This item was not considered as it was no longer necessary.

**7. BOARD COMMUNICATIONS**

- A. Next Regular Board Meeting Date – May 13, 2026
- B. Items for future Board meeting

**8. ADJOURNMENT**

ON MOTION by Director Barrett, Seconded by Director Rockenbach, the meeting ended at 5:01 pm.

These minutes were presented for approval at the Regular Board Meeting on May 13, 2026.

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Rock Rockenbach, President

Minutes taken and prepared by:

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Stephen Williams  
Business and Administrative Manager/Clerk of the Board

**RESOLUTION NO. 2026-989**

**RESOLUTION OF THE GOVERNING BOARD  
OF THE MONTECITO SANITARY DISTRICT  
ADOPTING A RESERVE POLICY**

WHEREAS, the Governmental Finance Officers Association recommends that governments establish a formal policy on the level of unrestricted fund balance that should be maintained for Generally Accepted Accounting Principles (GAAP) and budgetary purposes; and

WHEREAS, such guideline(s) should be set by the appropriate policy body and articulate a framework and process for how the government would increase or decrease the level of unrestricted fund balance over a specific time period; and

WHEREAS, governments should provide broad guidance in the policy for how resources will be directed to replenish fund balance should the balance fall below the level(s) prescribed; and

WHEREAS, the District approved Resolution 2023-967 – District Reserve Policies on May 17, 2023; and

WHEREAS, the District desires to amend and restate the District’s Reserve Policy to add a new Emergency Reserve Fund.

NOW, THEREFORE, the Governing Board of the Montecito Sanitary District hereby resolves:

1. **Established:** The reserve funds set forth in Sections 3A, 3B, and 3C are hereby established. The General Manager shall maintain those Reserve Funds in accordance with this policy.

2. **Utilization:** The reserve funds so created will be utilized for the specific purposes set forth in this Resolution.

3. **Reserve Funds:**

**A. Operations and Maintenance (O&M) Reserve Fund**

**Purpose:** The Operations and Maintenance Reserve Fund is intended to provide a mechanism for the District to undertake immediately unanticipated operation and maintenance activities, including emergency repairs, for which funds are not otherwise immediately available.

**Funding:** The Operations and Maintenance Reserve Fund shall be funded by income from sources other than property tax. This fund should maintain a minimum balance of \$1,500,000. This amount is within the Government Finance Officers Associations recommended range of 3-5 months of Operating Expenditures.

**Administration:** The District shall hold the funds held in a separate, liquid account separate from the District’s business operating accounts and may make recommendations to the Board to move monies into more advantageous accounts with Board approval.

**Use of Funds:** Monies held in the Operations & Maintenance Reserve Fund may be expended only upon authorization by the Board of Directors for unanticipated operating and maintenance activities, including, but not limited to, the following: repair of natural

disaster-related damage to facilities (i.e. flood, earthquake, tsunami); unanticipated need to purchase chemicals; major emergency repair or replacement of equipment; unanticipated legal judgements; and any such matters that the Board deems reasonable. Upon request for use of funds the General Manager will detail the plan for replenishment.

**B. Capital Projects Reserve Fund**

Purpose: The Capital Projects Reserve Fund is intended to finance the reconstruction and replacement of the sanitation and sewerage facilities of the District which may be required from time to time due to wear, tear, and aging. It can also be utilized to fund the expansion/maintenance of the sanitation and sewerage facilities of the District to accommodate the demand for additional capacity.

Funding: The Capital Projects Reserve Fund shall be funded by income from property taxes and connection fees and may be funded with unrestricted sources of the Operations and Maintenance fund. This fund should maintain a minimum balance of \$750,000

Administration: The District shall hold the funds held in a separate, liquid account separate from the District’s business operating accounts and may make recommendations to the Board to move monies into more advantageous accounts with Board approval.

Use of Funds: Monies held in the Capital Projects Reserve Fund may be expended only upon authorization of the Board of Directors to ensure the strategic capital needs of the District are met. This includes, but is not limited to, repair to existing infrastructure, relocation of infrastructure, work completed towards a septic to sewer plan, unforeseen events, and any such matters that the Board deems reasonable. Upon request for use of funds the General Manager will detail the plan for replenishment.

**C. Emergency Reserve Fund**

Purpose: The Emergency Reserve Fund is intended to finance the repair and/or replacement of the sanitation and sewerage facilities of the District as a result of an unforeseen emergency, such as natural disasters, structural failures, and safety hazards, which may be required from time to time due to wear, tear, and aging.

Funding: The Emergency Reserve Fund shall be funded by income from property taxes and connection fees and may be funded with unrestricted sources of the Operations and Maintenance fund. This fund should maintain a minimum balance of \$1,000,000.

Administration: The District shall hold the funds held in a separate, liquid account separate from the District’s business operating accounts and may make recommendations to the Board to move monies into more advantageous accounts with Board approval.

Use of Funds: Monies held in the Emergency Reserve Fund may be expended only upon authorization of the Board of Directors to ensure the strategic capital needs of the District are met. This includes, but is not limited to, repair to existing infrastructure and/or relocation of infrastructure stemming from the result of an emergency. Upon request for use of funds the General Manager will detail the plan for replenishment.

**PASSED AND ADOPTED** by the Governing Board of the Montecito Sanitary District on the 13<sup>th</sup> day of May, 2026 by the following vote:

**AYES:**  
**NAYS:**  
**ABSTAIN:**  
**ABSENT:**

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Board President  
Rock Rockenbach

ATTEST:

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Clerk of the Board  
Stephen Williams

(SEAL)



**RESOLUTION NO. 2026-990**

**RESOLUTION OF THE GOVERNING BOARD OF  
THE MONTECITO SANITARY DISTRICT  
SETTING THE DATE, TIME AND PLACE FOR THE HEARING  
AND GIVING NOTICE OF ELECTION TO COLLECT SEWER  
SERVICE CHARGES ON THE COUNTY TAX ROLL**

**WHEREAS**, pursuant to the authority of sections 5473 and 6520.5 of the Health and Safety Code, the Governing Board of the Montecito Sanitary District has by its Ordinance No. 6, dated July 2, 1990, elected to collect certain of its sanitary sewer service charges by means of the County Tax Roll for the Fiscal Year 1990-91 and each subsequent year thereafter, and

**WHEREAS**, section 5473 of the Health and Safety Code requires that in the event of such an election the District shall cause a written report to be filed, which report shall contain a description of each parcel to be served and the charge therefore, and

**WHEREAS**, section 5473.1 of the Health and Safety Code requires a hearing on said report and for notice of said hearing to be by publication and mailing.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That a hearing shall be held at 2:00 p.m. on the 24<sup>th</sup> day of June 2026, for the purpose of hearing all objections and protests, if any, to said report on file in the Office of the District.
2. That notice of said hearing shall be given as follows:
  - a. by publication in the *Montecito Journal* on May 28 and June 4, 2026;
  - b. by mailing a notice in writing to each person to whom any parcel or parcels of real property in said report is assessed in the last equalized assessment roll available on the date said report is prepared and which parcel listed in the current report was not listed in the report for the previous Fiscal Year.
3. That the General Manager of this District is hereby authorized and directed to give said notice and to do all things necessary to hold said hearing.

**PASSED AND ADOPTED** by the Governing Board of the Montecito Sanitary District on the 13<sup>th</sup> day of May 2026, by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

(Seal)



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Rock Rockenbach, President of the  
Governing Board of the  
MONTECITO SANITARY DISTRICT

**ATTEST:**

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Ellwood T. Barrett II, Secretary of the  
Governing Board of the  
MONTECITO SANITARY DISTRICT



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## MONTECITO SANITARY DISTRICT STAFF REPORT – 6A

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**DATE:** May 13, 2026  
**TO:** Board of Directors  
**FROM:** John Weigold, General Manager  
**SUBJECT:** Board Policies and Procedures

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### RECOMMENDATION

It is recommended that the Board:

- i) Adopt the draft set of policies and procedures on an interim basis, effective immediately, subject to further revision; and
- ii) Request each Board Member to review the draft policies and procedures and provide comments back to the General Manager no later than May 29, 2026; and
- iii) Direct the General Manager to work with Jacob Green and Associates and Legal Counsel to revise the draft policies based on Board Members' feedback; and
- iv) Return to the Board with a proposed final draft for adoption no later than June 24, 2026.

### BACKGROUND

The Board approved Jacob Green and Associates to move forward with drafting an update to the Board Policies and Procedures Manual at its November 12, 2025 Regular Meeting. Jacob Green and Associates then incorporated work performed by the Board Policy and Procedure Manual Ad Hoc Committee, elicited feedback from Board Members, and reviewed policies from other California Special Districts and sample policies developed by the California Special Districts Association (CSDA) to construct the draft set of policies and procedures presented herein.

**FISCAL IMPACT:** None

### ATTACHMENTS:

1. Board Policies and Procedures Cover Memo
2. Draft Board Policies and Procedures Manual



To: Mr. John Weigold, General Manager  
Montecito Sanitary District

From: Steve Mermell, Special Advisor

Subject: Board Policies and Procedures Updated Draft

Date: April 29, 2026

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Jacob Green & Associates, Inc. (JGA) was engaged by the Montecito Sanitary District (District) to update the District's Board policies and procedures. As part of this effort, JGA conducted individual interviews with the General Manager and four Board members; reviewed the District's existing policies, as well as two sets of draft updates prepared by Board subcommittees, reviewed policies from other California special districts and sample policies developed by the California Special District Association (CSDA).

The result of this effort is the attached draft set of board policies, which furthers the Board's strategic priorities. While each policy is important to support good governance, the following highlights are notable because they address specific issues raised by the General Manager and/or Board members during our interviews or represent changes from current practice.

- Policy 1005 establishes a clear process to adopt and amend Board policies. During our interviews, Board members mentioned instances wherein direction was given to amend policies; however, there was no follow-through. Additionally, policy 1030 sets for a process for regular (annual) review of the policies and procedures.
- Policies 1010, 1015 and 1020 clarify roles and responsibilities of the Board, Board Members and General Manager.
- Policy 1025 clarifies the role and use of legal counsel.
- Policy 2125 establishes a censure policy to provide a remedy for failure to adhere to District policies including but not limited to completing all required trainings.
- Policy 2145 commits the Board to strategic planning and annual goal setting.
- Policy 2205 sets forth charters for the existing Board subcommittees. It is recommended that the Administrative and Operations Committee be renamed Operations Committee, to reduce potential confusion regarding the role of the Committee and that of the General Manager. Furthermore, policy 2205.3 establishes

that each subcommittee be reviewed on an annual basis to determine whether to renew or terminate the committee.

- Policy 2210.3 establishes that Directors who fail to vote in the absence of a declared conflict of interest shall be counted as part of a quorum and, in effect, consent that a majority of a quorum shall determine the outcome of a vote.
- Policy 2245 updates the policy on Board Member Teleconferencing to be in compliance with changes in state law effective this past January.
- The policy requiring annual appointments of the General Manager and Legal Counsel has been eliminated in recognition of the fact that these engagements are governed by contract.

Please let me know if you have any questions or concerns regarding the draft policies. I will be present at the May 13<sup>th</sup> Board Meeting to provide an overview to the Board.



**Board of Directors**  
**Policies and Procedures**



**Montecito Sanitary District**

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## **SECTION 1000 GENERAL**

### **Policy 1000 Mission Statement**

1000.1 A community service commitment to protect public health and safety and to preserve the natural environment through the collection, treatment and disposal of wastewater in the most cost-effective way possible.

### **Policy 1005 Adoption/Amendment of Policies**

1005.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the General Manager. The proposed adoption or amendment shall be initiated by a Director or the General Manager by submitting a written draft of the proposed new or amended policy to the Board President and the General Manager. The General Manager shall place Board items on a future Board agenda when reasonable, based on the staff time and research necessary to prepare the item for Board consideration.

1005.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors in accordance with the District's state statutes regarding the constitution of a majority vote.

1005.3 Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ies) shall be made available to each Director for review at least 72 hours, per the Brown Act, prior to any meeting at which the policy(ies) are to be considered.

### **Policy 1010 Basis of Authority**

1010.1 The Board of Directors is the Legislative Body and unit of authority within the District. Power is centralized in the elected Board collectively and not in an individual Director. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

1010.2 Directors do not represent any fractional segment of the community but are, rather, a part of the Body that represents and acts for the community as a whole. Routine matters concerning the operational aspects of the District are delegated to District staff members.

## **Policy 1015 Role of the General Manager**

1015.1 The General Manager is an employee of the District and has an employment agreement which specifies his or her terms of employment. The General Manager is the administrative head of the District under the direction of the Board of Directors. He or she shall be responsible for the efficient administration of all the District's affairs which are under the General Manager's control. The General Manager plans, organizes, directs, coordinates and evaluates all District operations, programs, and resources in accordance with short- and long-range goals, policy statements, and directives from the Board.

### 1015.2 The General Manager's Duties

The District's General Manager shall be responsible for:

- a) The implementation of policies established by the Board of Directors for the operation of the District;
- b) The planning, direction, and coordination of the day-to-day operations of the District through the appropriate department heads or managers including administration, financing, maintenance, engineering, human resources, and others to effect operational efficiency;
- c) The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employment policies established by the Board of Directors;
- d) Attend and participate in District Board meetings, prepare and present reports as necessary, represent the Board before external organizations including other agencies, governmental and regulatory entities, business and community groups;
- e) The supervision of the District's facilities and services; and
- f) The supervision of the District's finances.

1015.3 The District's General Manager serves at the pleasure of the Board. The Board of Directors shall provide policy direction and instruction to the General Manager on matters within the authority of the Board during duly convened Board meetings. Directors shall deal with matters within the authority of the General Manager through the General Manager and not through other District employees. Directors shall refrain from making requests directly to District employees (other than the General Manager) to undertake analyses, perform other work assignments, or change the priority of work assignments. As members of the public, Directors may request non-confidential, factual information regarding District operations from District employees. If requesting public records, Directors must follow the District's Request for Public Records Policy.

## **Policy 1020 Board/Staff Communication**

1020.1 All requests for information or questions by the Board of Directors to staff outside of a Board or Committee meeting, shall be directed to the General Manager, Legal Counsel, or the Clerk of the Board as appropriate and shall include the desired time and

date for receiving the information. Staff shall confirm the date they can provide the information. So that all Board of Directors are equally informed, all written informational material requested by any Director shall be submitted by staff to all Directors with the notation indicating which Director requested the information. If a Director requests information from any other member of the staff, staff may either direct the matter to the General Manager or may ask the Director to contact the General Manager directly.

1020.2 Individual Directors cannot directly assign work to staff members. Board initiated projects shall follow organizational channels, through the General Manager. As no formal procedure will answer all cases, the following should be considered as a guide and used with restraint and judgment:

- a) Directors should clear all short-term requests of Staff with the General Manager prior to contacting individual members of the staff and, in most cases, the General Manager should direct and handle the request for the Director.
- b) For long-term, involved studies or where the matter includes confidential material, the General Manager should be contacted, and the subject matter discussed with the full Board at a Board meeting prior to staff working on the assignments.
- c) In the event that staff is a participant or representative of a committee or Work Group of the Board, the Board may contact the staff member directly to request or provide information or confer regarding matters of the Committee or Work Group.

1020.3 At Board and other public meetings, respectful communication is expected. Staff are encouraged to give their professional recommendations, and the Board should recognize that staff may make recommendations that could be viewed as unpopular with the public and with individual Directors. Directors may request clarification and ask questions of staff at public meetings, and Directors are encouraged to participate in healthy discussions amongst each other regarding items under discussion on the agenda. However, Directors should refrain from debate with staff at Board meetings about staff recommendations or other items being discussed. Staff must recognize that the Board, as the decision maker, is free to reject or modify a staff's recommendation and that the Board's wishes shall be implemented by staff even if it was contrary to a staff recommendation.

1020.4 Directors shall not attempt to coerce or influence staff, included in the making of recommendations, the awarding of contracts, the selection of consultants, the processing of any projects or applications, or the granting of permits. Directors shall not attempt to change or interfere with the operating policies and practices of any District department through interaction with staff. Individual Directors may discuss these items with the General Manager to get clarification or raise concerns.

1020.5 Directors should not make public comments critical of the performance of a District staff member. Any concerns by a Director over the behavior or work of a District employee during a Board meeting should be directed to the General Manager privately to

ensure the concern is resolved. All complaints about employees from Directors should be submitted privately to the General Manager or, if a complaint concerns the General Manager, to Legal Counsel.

1020.6 Staff shall respect the right of Directors to refuse to provide information or answers to staff and recognize that Directors may be bound by other rules of law or procedure that do not permit the Director to speak about the subject matter presented. If a Director violates any of the policies regarding communications as stated in this policy, any member of staff has the right to request that the Director speak directly with the General Manager about the subject matter presented without any fear of reprisal.

## **Policy 1025 Legal Counsel and Auditor**

1025.1 The Board of Directors shall appoint a Legal Counsel to assist the Board and District in all applicable issues and activities.

1025.2 Legal Counsel shall be the legal adviser of the District, including the Board as a whole, the General Manager and department heads. Legal Counsel shall perform such duties as may be prescribed by the Board of Directors. Such duties include, but are not limited to, providing legal assistance necessary for formulation and implementation legislative policies and projects; represent the District's interests, as determined by the District, in litigation, administrative hearings, negotiations and similar proceedings; and to keep the Board and District staff apprised of court rulings and legislation affecting the legal interest of the District. Legal Counsel is required to review and approve as to form District legal documents, i.e. contracts, agreements, etc. The Legal Counsel shall present and report on all legal issues and Closed Session items before the Board. The Legal Counsel shall serve at the pleasure of the Board and shall be compensated for services as determined by the Board.

1025.2.1 The Legal Counsel reports to the full Board of Directors but is available to each Director for consultation regarding legal matters particular to that Director's participation. No Director may request a legal opinion of legal counsel without concurrence by the Board, except as such requests relate to questions regarding that Director's participation. The Legal Counsel shall be available to the District General Manager for consultation on applicable issues and activities.

1025.3 The District Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. The Auditor shall serve at the pleasure of the Board. The selection of the Auditor shall be done in a noticed public meeting and at least every five years.

1025.3.1 The Board may appoint a committee to oversee the work of an independent auditor, who shall report to the Board, to conduct an annual audit of the District's books, records, and financial affairs in accordance with state law and

the Finance Committee Charter for Audit Compliance. The Chief Financial Officer/ General Manager shall install and maintain an accounting system that will completely, and always, show the financial condition of the District.

## **Policy 1030 Annual Review of Policies and Procedures**

1030.1 These policies and procedures shall be subject to review and revision from time to time at the discretion of the Board. It is the intent of the Board that this policy be reviewed at least annually on or before the time for the rotation of Board officers. The failure to review this policy on such a regular basis shall not have any impact on the effectiveness of this policy and enforcement by the Board.

## **SECTION 2000 BOARD**

### **Section 2100 Board of Directors**

#### **Policy 2100 Director Eligibility, Terms and Vacancies**

2100.1 District is governed by a five-member Board of Directors. Each Director shall be a resident of the Montecito Sanitary District and a registered voter within its boundaries. These eligibility requirements must be maintained throughout a Director's service. Loss of eligibility at any time shall result in a vacancy as described in Section 2100.4.

2100.2 Directors serve four-year terms, except when appointed to complete the remainder of an unexpired term. Directors elected at the general district election shall assume office at noon on the first Friday in December following the election, or as otherwise required by law. Each four-year term concludes immediately prior to the assumption of office by the Director elected to succeed to that seat. Directors appointed to fill a vacancy shall serve from the date of appointment until the end of the term they were appointed to complete.

2100.3 Before performing any duties, each Director shall take and subscribe the oath of office and file all required statements of economic interest in accordance with state law. The oath shall be administered and filed consistent with applicable statutory requirements. A Director may not participate in Board meetings or exercise any authority of office until the oath has been administered and the Form 700 Assuming Office Statement has been filed.

2100.4 A vacancy on the Board of Directors shall occur under any circumstances defined by the California Government Code §1770, including but not limited to resignation, death, ineligibility, or unexcused absence as defined by law. When a vacancy occurs, the Board shall act in accordance with Government Code §1780 to fill the vacancy either by appointment or by calling a special election as required. A Director appointed to fill a vacancy shall hold office for the remaining balance of the unexpired term.

## **Policy 2105 Attendance at Meetings**

2105.1 The Board of Directors are expected to and shall attend all regular and special meetings of the Board unless there is good cause for absence. Directors are expected to attend in person unless otherwise permitted by law. To be counted as present for any meeting, Directors must be present for the duration of the meeting.

2105.1.1 Good cause for absence, including late arrivals or early departures, includes temporary illness or other unavoidable circumstances of which the President of the Board is notified prior to the meeting. Good cause also includes authorized meeting absences including, but not limited to, attendance at a conference directly related to the functions and interests of the District or at the meeting of another public agency to participate in an official capacity.

2105.1.2 A Director who will be absent for good cause may notify the President by electronic transmission (such as email), telephone communication, or letter. The President shall notify the General Manager and the Board of all absences that are excused for good cause prior to the meeting. The minutes shall indicate whether an absence was excused.

2105.2 Persistent or unexplained absences may impair the functioning of the District and, where applicable, may constitute grounds for declaring a vacancy as noted in section 2100.4.

## **Policy 2110 Officers of the Board**

2110.1 The officers of the Board shall consist of a President, Vice President, Secretary, and Treasurer. Each officer shall be a member of the Board of Directors. Officers serve at the pleasure of the Board and shall perform the duties set forth in these Policies and Procedures and any duties assigned by Board action, provided such assignments are consistent with law.

2110.2 Officers shall be elected by the Board at its annual organizational meeting held in January. Each officer shall assume office immediately upon election and shall serve until the conclusion of the next organizational meeting or until a successor is elected. A Director may serve successive terms in any office if so elected by the Board.

2110.3 Duties of the President

The President shall preside at all meetings of the Board, preserve order, and ensure that meetings are conducted in an efficient and lawful manner. The President shall establish the agenda in coordination with the General Manager and shall represent the District in official capacities when authorized by the Board. The President shall sign documents on behalf of the District when required or permitted by law or Board action. The President shall serve as

the primary liaison between the Board and the General Manager, without encroaching on the General Manager's administrative authority.

#### 2110.4 Duties of the Vice President

The Vice President shall perform the duties of the President in the President's absence or inability to act. When acting as President, the Vice President shall have all powers and responsibilities of the President. The Vice President shall perform any additional duties assigned by the Board.

#### 2110.5 Duties of the Secretary

The Secretary shall be responsible for ensuring that accurate minutes of all Board meetings are maintained and that all official records of Board actions are preserved. The Secretary shall authenticate official documents when required and shall ensure that meeting notices are issued as required by law. Clerical duties may be performed by staff, but the Secretary remains responsible for oversight of these functions.

#### 2110.6 Duties of the Treasurer

The Treasurer shall oversee the financial integrity of the District by monitoring financial reports, reviewing investment practices, and ensuring compliance with applicable financial policies and laws. The Treasurer shall not engage in day-to-day financial management, which is the responsibility of the General Manager and staff. The Treasurer shall perform any additional oversight responsibilities assigned by Board action.

#### 2110.7 Removal of Officers

Any officer may be removed from office by a majority vote of the Board at any regular or special meeting. Removal may occur with or without cause. Removal from an officer position does not constitute removal from the Board and does not affect the Director's elected term.

#### 2110.8 Officer Vacancies

An officer position becomes vacant upon the officer's resignation from the position, removal by the Board, or loss of eligibility to serve as an officer. A vacancy in an officer position does not constitute a vacancy in the underlying Board seat, which is governed by Section 2100.4. When an officer vacancy occurs, the Board shall elect a replacement at the next regular meeting or as soon as practical. The newly elected officer shall serve for the remainder of the existing officer term.

#### 2110.9 Presiding Officer in the Absence of the President and Vice President

The Secretary shall preside at any meeting of the Board in which both the President and Vice President are absent or unable to act. If the Secretary is also absent, the Treasurer

shall preside. When presiding, the Director so acting shall have all procedural authority necessary to conduct the meeting but shall not assume any additional authority of the President beyond the conduct of that meeting.

## **Policy 2115 Board of Directors Responsibilities**

2115.1 Directors shall thoroughly prepare themselves to discuss all agenda items at meetings of the Board of Directors. Directors may request information from staff before meetings.

2115.1.1 Requests by individual Directors for substantive information and/or research from District staff shall be channeled through the General Manager.

2115.1.2 The General Manager shall be responsible for providing the requested information and shall make all information equally available to all Directors.

2115.1.3 If writings are distributed to a majority of the Board in connection with an agenda item, those writings shall be made available to the public in the manner required by law.

2115.2 Meeting Decorum

2115.2.1 Directors shall always conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

2115.2.2 Directors shall defer to the presiding officer for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

2115.2.3 Directors may request for inclusion into the meeting minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

## **Policy 2120 Ethical Standards**

2120.1 The Board is committed to strictly following all Federal and State Laws and associated regulations governing open and transparent government processes and avoidance of conflicts of interest, including but not limited to:

- a) [California Government Code § 7920 et seq. \(Public Records Act\);](#)
- b) [California Government Code § 54950 et seq. \(Ralph M. Brown Act\);](#)
- c) [California Government Code § 81000 et seq. \(Political Reform Act\); and](#)
- d) [California Government Code § 1090 \(Financial Interest in Contracts\)](#)
- e) [Fair Political Practices Commission and all provisions of California Code of Regulations §18730 \(Conflict of Interest\)](#)

f) [California Government Code § 1099 \(Incompatible Offices\)](#)

2120.2 All Directors shall complete all required trainings, including but not limited to:

- a) [California Government Code § 53234 et seq. \(Ethics Training\)](#);
- b) [California Government Code § 53237 et seq. \(Sexual Harassment Prevention Training and Education\)](#); and
- c) [California Government Code § 53238 et seq. \(Fiscal and Financial Management\)](#)

2120.3 Statement of Economic Interest

As noted in the Fair Political Practices regulations, Directors shall file Statements of Economic Interest (Form 700) annually. If newly appointed or elected, a Director must file an Assuming Office Statement within thirty days of assuming office. Annual statements for all Directors covering the prior calendar year must be filed by April 1st. A Director must file a Leaving Office Statement within thirty days of leaving office.

2120.4 A Director who has a disqualifying financial interest or other conflict of interest in a matter before the Board shall disclose the conflict as required by law and shall refrain from participating in the decision. Participation includes receiving confidential information about the matter beyond what is available to the public, taking part in discussions or deliberations, attempting to influence staff or other Directors, and voting on the item.

2120.5 A perceived violation of this policy by a Director should be referred to the President of the Board or the full Board of Directors for investigation, and consideration of any appropriate action as outlined in Policy 2125 Censure Policy.

## **Policy 2125 Censure Policy**

2125.1 Policy Statement – Minimum Behavior Requirements

2125.1.1 In order to promote the public’s trust in Board policies and to ensure the most effective and efficient delivery of District services, Directors shall abide by the District’s ethics statement of policy, conflict of interest code, and other applicable policies, procedures, laws and regulations. Such requirements include provisions relating to conflict of interest, the handling of legal matters, ethics training, and enforcement.

2125.1.2 The Customers served by the District are entitled to elected Directors who are transparent, fair, ethical, and accountable. Directors shall always reflect the following behaviors and qualities:

- a) Complying with both the letter and the spirit of all federal, state, Fair Political Practices Commission (FPPC), and District laws, regulations, rules,

resolutions, ordinances, and policies affecting operations of the District and performance of their duties as Directors;

- b) Exercising independent, impartial, and fair judgment and actions;
- c) Using the public office to which they were elected for the public good, not for personal gain; and
- d) Conducting public deliberations and processes openly, unless legally confidential, in an atmosphere of mutual respect, civility, and transparency.

2125.1.3 This policy documents the District's minimum requirements of behavior for elected and appointed officials of the District. The District's elected officials are required to be independent, impartial, and responsible to the people and to conduct themselves in a manner above reproach. Elected officials are expected to set an example, which always demonstrates respect, confidence, and trust between themselves and the community they serve. This policy establishes specific procedures on enforcement for any Director behavior, action or violation of District policies, which is outside of these minimum requirements of behavior.

#### 2125.2 Sanctions and Procedures for Violations of Minimum Behavior Requirements

2125.2.1 Directors who fail to observe the minimum behavior requirements referenced above may be reprimanded or formally censured, lose seniority or committee assignments (both within the District or with inter-government agencies), have official travel restricted, or be ordered to attend District Board meetings, if the Director is absent without justification. Infractions of these behavior requirements could lead to other sanctions as deemed appropriate by the Board, including, but not limited to, referral to the FPPC or to the Santa Barbara County District Attorney, including, if applicable, the public integrity unit and/or civil grand jury if the conduct is egregious or allegedly criminal in nature. Directors should point out to the offending Director any perceived infraction as it occurs. No Director shall be reprimanded, sanctioned, or censured for the exercise of his or her First Amendment rights. However, nothing herein shall be construed to prohibit the Board from individually or collectively condemning or expressing disapproval of behavior in violation of these rules.

2125.2.2 The President shall have the following authority and responsibilities. In the event the President is the subject of any request for action, the Vice President shall have the authority and responsibilities set forth herein. In that case, the references in this policy to the President shall instead apply to the Vice President. Responsibilities are:

- a) It is the responsibility of the President to initiate formal action if a Director's behavior may warrant reprimand, sanction, or censure.
- b) If no action is taken by the President, any Director may submit a written request to the President that such action be placed on a future agenda for consideration.

- c) A written request may also be submitted by a member of the public to the general manager. The General Manager shall then forward the request to the President. If the President determines that the public request meets the criteria set forth in this policy, then formal action shall be initiated. If the President determines that the public request does not meet the criteria for formal action, then the general manager shall provide written notice to the public complainant of that determination.
- d) It is the responsibility of Directors to self-report to the President any pending or completed enforcement actions by any enforcement agency, which could result, or has resulted, in disciplinary action under federal, state or local laws or regulations. The President shall then initiate formal action under this policy.

2125.2.3 Reprimand is the least severe form of action for a violation of these rules and may be issued by majority vote of the Board (reprimand). Any motion made to issue a reprimand shall include a statement of the reasons that the maker of the motion believes a reprimand should be issued. If the motion is seconded, then the Board shall vote on the motion. Reprimand is not considered a formal sanction or censure. Any motion that is adopted shall be documented in the Board minutes to memorialize that a reprimand was issued. The failure of a motion to pass shall also be documented in the Board minutes to memorialize that no reprimand was issued.

2125.2.4 Formal censure, loss of seniority, committee assignments, travel restrictions, or other sanctions deemed appropriate by the Board (collectively, censure/sanction) may be initiated by the President or upon a written request submitted to the President by any Director. The written request must set forth specific allegations of violations of state or federal law, FPPC regulations and/or penalty assessments, or District ordinances or policies, including this policy, upon which the proposed censure/sanction is based.

- a) The request for censure/sanction shall be placed on the agenda for consideration by the Board at the next regularly scheduled Board meeting. The President shall preside over the proceedings. The rules of evidence shall not apply, but the subject Director shall be allowed to respond to the allegations. A decision to censure or impose other sanctions with respect to the specific charges, based on substantial evidence, requires a majority vote of the Board. A formal censure/sanction of a Director shall be documented in the form of a Board resolution. In the event a censure/sanction fails to obtain a majority vote of the Board, then such failure of the vote shall be documented in the Board minutes to memorialize that no censure/sanction was imposed.
- b) At the time a censure/sanction request is first considered by the Board, the President may elect to establish an advisory committee to review the

censure/sanction request prior to consideration by the full Board. The advisory committee shall serve in an investigative and advisory capacity to the full Board. The following procedures apply if an advisory committee structure is used. The Brown Act requires that any discussion regarding the potential discipline of a Director must be conducted in open session at a duly noticed meeting.

- i. The President shall appoint two Directors to the advisory committee who are not the subject of the censure/sanction request. The General Manager and General Counsel shall serve as support to the advisory committee for purposes of information gathering and legal interpretation, but will not be deemed to be members of the advisory committee.
- ii. The advisory committee shall review all materials related to the censure/sanction request, including, but not limited to, the request document, any supporting documentation, and any response from the subject Director.
- iii. The advisory committee shall investigate and prepare a report for the full Board that will contain a recommendation on whether to proceed with consideration of a censure/sanction and, if so, whether a censure/sanction is recommended. If the two committee members cannot reach an agreement on a recommendation, then the committee members shall each provide their own reports to the full Board.
- iv. The advisory committee shall submit its report(s) at a subsequent regularly scheduled Board meeting at which time the procedures for consideration by the full Board shall be implemented as set forth in subsection (B)(4)(a) of this section.

### 2125.3 Procedure to Reverse Board Actions

If a censured or sanctioned Director takes the corrective actions necessary to fully resolve all violations of state or federal law, FPPC regulations and/or penalty assessments, or District ordinances or policies that led to loss of committee assignments (both within the District or with inter-government agencies) and restricted official travel, the President shall place on the agenda, for consideration by the Board at the next regularly scheduled Board meeting, a resolution to restore full privileges to that Director. If no action is taken by the President, any Director may request that such action be placed on a future agenda for consideration.

### 2125.4 Implementation

As an expression of the standards of conduct and decorum for Directors expected by the District, this policy is intended to be self-enforcing. It therefore becomes more effective when Directors are thoroughly familiar with it and embrace its provisions.

## **Policy 2130 Board Compensation Policy**

2130.1 Board compensation is governed by [Health and Safety Code §6489](#). Any update to the amount of Board compensation must be done by Ordinance with proper hearing and notification.

## **Policy 2135 Board Memberships**

### 2135.1 Appropriate Memberships

To benefit from policy updates, peer networking, advocacy, and access to industry best practices, the District may hold membership in industry-related associations. Directors and staff may attend meetings of national, state, and local associations directly related to the purposes and operations of the District. Decisions to continue, discontinue, or add new memberships shall occur through the annual budget process.

### 2135.2 Appointment of Representatives

The President shall appoint Directors as representatives and alternates, as appropriate, to serve as contacts between the District, stakeholder groups, associations and others. Appointments shall be made during the annual organizational meeting or at such other times as circumstances require. The representatives and alternates shall report to the Board in a timely manner on their activities involving these associations. In some cases, Directors may be allowed certain expenses for travel and membership in such associations. This shall be determined and approved by the full Board within the budget adoption process.

### 2135.3 Scope of Authority

Directors appointed to external roles shall represent the District's interests and positions as established by the Board. They shall not take independent action, make commitments, issue statements, or otherwise act in a manner that binds the District unless expressly authorized by the Board.

## **Policy 2140 Training, Education and Conferences**

2140.1 Directors are encouraged to attend educational conferences, seminars, trainings, and professional meetings when the purpose of any such activity is beneficial to the District.

2140.2 It is the policy of the District to encourage Board development and excellence of performance by reimbursing actual expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations,

and attendance at local, state and national conferences associated with the interests of the District.

2140.2.1 Directors shall be reimbursed for conference tuition and registration expenses, and for reasonable per diem expenses. Reasonable per diem expenses, when appropriate, shall include meals, lodging, and travel. Reasonable per diem expenses shall not include additional costs incurred over the standard rate for upgrades in airfare, transportation, or lodging. Reasonable per diem expenses shall not include expenses incurred in taking a guest, such as a spouse or child. All expenses for which reimbursement is requested by Directors shall be submitted to the Finance Division Manager, together with validated receipts. All reimbursements shall be made in accordance with applicable State and federal law, including but not limited to Internal Revenue Service Guidelines.

2140.2.2 Attendance by Directors at seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to the District incurring any reimbursable costs.

2140.3 Upon returning from educational conferences, seminars, trainings, and professional meetings where expenses are reimbursed by the District, Directors shall either prepare a written or verbal report for presentation at the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District.

## **Policy 2145 Strategic Planning and Goal Setting**

2145.1 The Board of Directors is committed to proactive, goal-oriented planning to ensure the District fulfills its mission and remains accountable to the public. The purpose of this policy is to establish a formal process for identifying long-term strategic priorities and short-term annual goals.

### **2145.2 Adoption of a Strategic Plan**

The Board shall adopt a multi-year Strategic Plan (typically 3-5 years) that serves as the primary guiding document for District operations.

2145.2.1 **Mission, Vision, and Values:** The Board is responsible for establishing and regularly reviewing the District's Mission, Vision, and Core Values.

2145.2.2 **Needs Assessment:** The planning process shall include an environmental scan or SWOT analysis (Strengths, Weaknesses, Opportunities, Threats) to ensure the plan reflects community needs.

2145.2.3 Periodic Review: The Board shall review the Strategic Plan at least every three to five years to ensure it remains relevant to industry trends and community challenges.

### 2145.3 Annual Goal Setting (1-Year Horizon)

2145.3.1 Annual Plan Development: Each fiscal year, the General Manager shall present an Annual Plan with specific work items that advance the multi-year Strategic Plan.

2145.3.2 SMART Goals: District goals should be SMART (Specific, Measurable, Achievable, Relevant, and Time-bound) and include defined measures of success.

2145.3.3 Budget Alignment: The annual budget must be developed in alignment with the Board's adopted goals and priorities.

### 2145.4 Monitoring and Accountability

2145.4.1 Progress Reports: The General Manager shall provide regular reports (e.g., quarterly or annually) to the Board on progress toward achieving strategic targets.

2145.4.2 Performance Evaluation: The Board shall use the adopted strategic goals as a basis for the General Manager's annual performance evaluation.

2145.4.3 Annual Board Meeting: The Board and leadership team should meet at least annually, often in a retreat setting, to review progress and refine the upcoming year's priorities

## Section 2200 Board Meetings

### Policy 2200 Types of Board Meetings

#### 2200.1 Regular Meetings

Regular meetings of the Board of Directors shall be held on the second and fourth Wednesday of each calendar month at 2 p.m. at District Office, 1042 Monte Cristo Lane, Santa Barbara, CA 93108. The date, time and place of regular Board meetings may be reconsidered annually at the annual organizational meeting of the Board, or such other time as the Board may determine due to a change in District needs and circumstances.

2200.1.1 An agenda shall be prepared and posted at least 72 hours before the meeting.

2200.1.2 Notice of the meeting shall be provided to the local newspaper and any other media outlet or person who has requested to receive notices of meetings by serving a copy of the agenda at least 72 hours before the meeting.

## 2200.2 Special Meetings

Special meetings of the Board of Directors may be called by the Board President or by a majority of the Board.

2200.2.1 All Directors shall be notified of the special Board meeting and the purpose or purposes for which it is called. Notice of the meeting shall be in writing, received by them at least 24 hours prior to the meeting.

2200.2.2 An agenda shall be prepared and posted at least 24 hours before the meeting and shall be delivered with the notice of the special meeting to the Board of Directors.

2200.2.3 Notice of the meeting shall be provided to the local newspaper and any other media outlet or person who has requested to receive notices of meetings by serving a copy of the agenda at least 24 hours before the meeting.

2200.2.4 Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

## 2200.3 Emergency Meetings

In the event of an emergency situation involving matters upon which prompt action is necessary, the Board of Directors may hold an emergency meeting without complying with the 24-hour notice requirement. An emergency situation means either, as determined by a majority of the Board: (1) a work stoppage, crippling activity, or other activity that severely impairs public health or safety; or (2) a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses immediate and significant peril (a dire emergency).

2200.3.1 When possible, notice shall be provided to the media outlets by telephone at least one hour before the meeting.

2200.3.2 Actions taken during an emergency meeting shall be by roll call vote.

2200.3.3 The Board may meet in closed session if agreed to by 2/3 vote of the Directors present, or if less than 2/3 present, by unanimous vote.

2200.3.4 Following an emergency meeting, the minutes of the meeting, a list of persons notified or attempted to be notified of the meeting, and actions taken must be posted for ten (10) days in a public place.

## 2200.4 Adjourned Meetings

A majority vote of the quorum of the Board of Directors may adjourn any Board meeting at any place in the agenda to a time and place specified in the order of adjournment, except that if no quorum is present or no Directors are present at any regular or adjourned regular

meeting, the Board President or General Manager may declare the meeting adjourned to a stated time and place. Notice of the adjourned meeting shall be posted on or near the door of the meeting within 24 hours after the adjournment and the adjourned meeting shall be noticed in the same manner as a special meeting.

#### 2200.5 Annual Organizational Meeting

The Board of Directors shall hold an annual organizational meeting at its regular meeting in January. At this meeting the Board shall elect a President, Vice President, Secretary, and Treasurer from among its members to serve during the coming calendar year.

### **Policy 2205 Committees of the Board of Directors**

#### 2205.1 Standing Committees

The Board may form standing policy committees to advise the Board regarding certain routine items of business. The following shall be standing committees of the Board: Finance Committee; Operations Committee; Strategic Planning Committee; Personnel Committee; and Public Information Committee. The Board President shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's first regular meeting of the calendar year. Standing committees may be assigned to review District functions, activities, and operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board President, a majority vote of the Board, or on their own initiative. Any recommendations from standing committees shall be submitted to the Board via a written or oral report. All meetings of standing committees are subject to the requirements of all applicable open meeting laws, including but not limited to the Brown Act.

2205.1.1 The Finance Committee shall be concerned with the financial management of the District, including the review of the annual budget and other fiscal matters. The Committee shall perform the functions of an audit committee with respect to independent audits and internal audits as recognized by prevailing auditing practices.

2205.1.2 The Operations Committee shall be concerned with the operational and infrastructure needs of the District. The Committee shall review plans to meet the, operational, and infrastructure needs of the District, including but not limited to the Capital Improvement Program.

2205.1.3 The Strategic Planning Committee shall oversee the development, implementation and ongoing monitoring of the District's strategic plan and make recommendations to the Board concerning long-range strategic planning efforts and urgent District strategic issues.

2205.1.4 The Personnel Committee shall be concerned with the functions, activities, compensation, and welfare of District staff. The Committee shall review District provided insurance benefit programs including medical, dental, life insurance and workers' compensation. The Committee shall coordinate the annual performance evaluation for the General Manager and General Counsel.

2205.1.5 The Public Information Committee shall be concerned with the District's public communications engagement and strategy. The Committee shall review and recommend goals for how the District communicates with Customers and stakeholders; Assess whether messaging is clear, accurate, timely and aligned with Board priorities, and advise on the tone and accessibility of District communications and information.

## 2205.2 Ad Hoc Committees

The Board President shall appoint ad hoc committees as may be deemed necessary or advisable by the President or the Board. The purpose of an ad hoc committee and the time allowed to accomplish that purpose shall be outlined at the time of appointment. An ad hoc committee shall be considered dissolved when its purpose has been accomplished or when the timeframe for its existence has expired, whichever occurs first.

2205.2.1 Ad hoc committees are not considered legislative bodies and are therefore not subject to the Brown Act, provided they operate within the limitations established by law. Ad hoc committees shall report their findings to the Board but shall not take independent action.

2205.2.2 Ad Hoc committees should be comprised solely of Directors and shall consist of less than a majority of the Board of Directors.

2205.2.3 Ad Hoc committees shall meet on an as needed basis and shall not have a meeting schedule fixed by charter, ordinance, resolution, or formal action of the Board.

## 2205.3 Review of Standing and Temporary Advisory Committees

At its first regular meeting of the calendar year, and prior to making any appointments, the Board shall review each currently existing Standing or Ad Hoc Committee and determine the need to renew or terminate the committee.

## **Policy 2210 Board Actions and Decisions**

2210.1 Actions by the Board of Directors include but are not limited to the following:

2210.1.1 Adoption or rejection of regulations or policies;

2210.1.2 Adoption or rejection of a resolution;

2210.1.3 Adoption or rejection of an ordinance;

2210.1.4 Adoption of the District's Annual Budget;

2210.1.5 Approval or rejection of any contract or expenditure as outlined in the adopted purchasing policy;

2210.1.6 Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

2210.1.7 Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.

2210.2 Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors of a five-member Board represent a quorum for the conduct of business.

2210.3 Abstentions and Failure to Vote

Directors should not abstain from the Board's decision-making responsibilities unless a personal or financial conflict of interest exists under the Political Reform Act or common law. Directors abstaining due to a disqualifying conflict of interest shall not be counted as part of a quorum and shall be considered absent for the purposes of determining the outcome of a vote on the matter. Directors who fail to vote in the absence of a declared conflict of interest shall be counted as part of a quorum and, in effect, consent that a majority of the quorum shall determine the outcome of a vote on the matter.

2210.4 The Board may give directions that are not formal action. Such directions do not require a formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

2210.4.1 The President shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the President, a voice vote may be requested.

2210.4.2 A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

2210.4.3 Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.

2210.4.4 Nothing in this policy prevents the Board from providing direction to the General Manager in response to public comments or under Director or General

Manager comments, as allowed under the Brown Act. No vote or action shall be taken

## **Policy 2215 Board Meeting Agenda**

### **2215.1 Agenda Preparation**

The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors in accordance with the Brown Act. Any Director may contact the General Manager and request an item to be placed on the agenda prior to agenda deadlines as set by the District.

### **2215.2 Agenda Descriptions**

All Board agendas shall include a clear and unambiguous description of each item on the agenda to be discussed, including closed session items. The General Manager shall ensure that the description gives notice to the public of the essential nature of business to be considered.

### **2215.3 Agenda Posting**

Agendas for regular meetings shall be posted 72 hours in advance of the meeting and agendas for special meetings shall be posted 24 hours in advance of the meeting. The posting must occur in a place that is freely accessible to the public and on the District's website. The internet posting shall occur on the District's primary website homepage through a prominent, direct link to the current agenda. The agenda shall also be accessible in an open format.

### **2215.4 Agenda Packages**

When distributing agenda packages and other materials to Directors, those materials should be provided to all Directors at the same time. Agenda packages, except for closed session materials, should also be made available to the public once distributed to the Board.

2215.4.1 When a closed session item is agendized on the grounds of anticipated litigation based on either: (1) a written threat of litigation; (2) an oral threat received outside of the public meeting setting; or (3) an issue of potential litigation where the facts and circumstances giving rise to the closed session are known to the potential plaintiff, a copy of the written record must be included in the agenda package or public announcement of same.

### **2215.5 Public Comment**

2215.5.1 For regular meetings the Board shall provide the public with an opportunity to address not only any item on the agenda but any item within the subject matter jurisdiction of the District.

2215.5.2 For special meetings, the Board shall provide the public with an opportunity to address any item on the agenda.

2215.5.3 The Board may not prohibit public criticism, but shall control the order of the proceedings, including placing reasonable time limits on public comment.

2215.5.4 The Board may not require members of the public to give names or sign a register as a condition of attendance or speaking.

2215.5.5 The Board may require public comment specific to items on the agenda be made at the time when the agenda item is considered.

#### 2215.6 Closed Sessions

The Board may conduct a closed session during a noticed meeting for certain matters, as identified on the agenda, where it is necessary to conduct business in private. Major reasons for permissible closed sessions, as authorized by the Brown Act, include real property transactions, labor negotiations, and pending litigation. The Board shall allow public comment on any closed session item before going into closed session.

#### 2215.7 Items Not on the Agenda

The Board shall not discuss or take action on any item that does not appear on the posted agenda except that the Board may act on items not on the agenda to address emergency situations, subsequent need items, and hold-over items from a continued previous meeting held within the prior five days. The Board may also respond to public comments and make announcements.

### **Policy 2220 Board Meeting Conduct**

#### 2220.1 Rules of Order

Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Policy No. 2240, "Rules of Order for Board and Committee Meetings," shall be used as a general guideline for meeting protocol.

#### 2220.2 Agenda Timing

All Board meetings shall commence at the time stated on the agenda and shall be guided by same. The placement of an item on the agenda shall not be deemed a requirement that the items proceed in any particular order. The Board President, with concurrence of a

majority of the Board, may alter the order in which agenda items shall be considered for discussion and/or action by the Board.

### 2220.3 Conduct of Meetings

The following concepts shall be applied to Board meetings:

2220.3.1 The meetings shall be conducted in an open and fair manner.

2220.3.2 Members of the public shall be given ample opportunity to participate in the meetings.

2220.3.3 Due process principles shall apply to quasi-judicial proceedings, or as otherwise required by law.

2220.3.4 The meetings shall proceed in a manner that enables the Board to consider problems to be solved and make wise decisions intended to solve the problems.

2220.3.5 The Board may receive, consider and take any needed action with respect to reports of accomplishment of District operations.

2220.3.6 Noticed public hearings shall be conducted in an orderly fashion, with the Board President establishing the order of the proceedings.

2220.3.7 The Board may weigh and determine the credibility of evidence and public comment.

### 2220.4 Public Comment

Public comment on items on the agenda, and general public comment at a regular Board meeting for matters within the jurisdiction of the Board of Directors, shall be as followed:

2220.4.1 Five minutes may be allotted to each speaker and a maximum of 20 minutes to each subject matter.

2220.4.2 The Board President may allow additional time per speaker and/or per subject when necessary for a full and fair proceeding.

2220.4.3 No disruptive conduct shall be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the Board President, of that person's privilege of address.

2220.4.4 The Board may require public comment specific to items on the agenda be made at the time when the agenda item is considered.

## 2220.5 Disruption of Meetings

Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is willful disruption of any meeting of the Board, he/she may do the following:

2220.5.1 Notify the disrupting individual or group to immediately stop the conduct or they will be asked to leave the meeting if the behavior continues.

2220.5.2 If the behavior continues after notice, order the disrupting individuals out of the room and conduct the Board's business without them present.

2220.5.3 In cases of extreme disruption, clear the room of all members of the public, and conduct the Board's business without them present.

2220.5.4 Duly accredited representatives of the news media, whom the President finds not to have participated in the disruption, shall be permitted to remain in the meeting.

2220.5.5 In some circumstances, an advance restrictive order may be obtained in order to place limitations on an individual's attendance at public meetings when there is a credible threat of violence from that person.

## Policy 2225 Brown Act Compliance – Open Meeting Requirements

### 2225.1 The Brown Act

The Legislature adopted the Brown Act, commonly referred to as California's "Open Meetings Laws" in 1964. The Brown Act is contained in Government Code section 54950 et seq. The Brown Act is broadly construed and compliance is constitutionally mandated.

### 2225.2 Compliance with Brown Act

All meetings of the Board of Directors shall comply with the Brown Act.

2225.2.1 Meetings occur whenever the majority of the Board of Directors meets to discuss District business.

2225.2.2 Directors include newly elected and appointed officials prior to assuming office.

2225.2.3 All Board meetings shall be open and freely accessible to the public, including those with disabilities.

2225.2.4 Meetings through the use of intermediaries, serial communications, or emails are prohibited.

2225.2.5 The Board shall only take action during a properly noticed meeting.

### 2225.3 Use of Social Media

A majority of the Directors are prohibited from using a social media platform to discuss District business of a specific nature among themselves.

2225.4.1 Additionally, Directors may not respond directly to any communication from another Director on an internet-based social media platform regarding a matter within their subject-matter jurisdiction.

2225.4.2 Social media may be used for answering questions or providing information to the public as well as to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the Legislative Body.

2225.4.3 The use of “emojis” or interaction in a manner similar to using the “like” button could constitute discussion among the Board of Directors.

2225.4.4 A Director is not prohibited from commenting on, forwarding or “liking” a post made by a member of the public, as long as those comments do not become a discussion of District business “of a specific nature” among a majority of the Board of Directors.

## **Policy 2230 Minutes of Board Meetings**

### 2230.1 Duty to Keep Minutes

The Secretary or Clerk of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

2230.1.1 Copies of a meeting’s minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board shall consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in a fireproof vault or in a fire-resistant, locked cabinet.

2230.1.2 Unless directed otherwise, an audio tape recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept in a fire-proof vault or in fire-resistant, locked cabinet for a minimum of 60 days. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District.

2230.1.3 Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed. The motion makers, and individual votes will be recorded. A unanimous vote shall be recorded as a vote in favor by each Director.

2230.1.4 All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year.

2230.1.5 In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:

- a) Date, place, and type of each meeting;
- b) Directors present and absent by name;
- c) Call to order;
- d) Adjournment of the meeting;
- e) Record of receipt of advanced notice of special meetings;
- f) Record of items to be considered at special meetings;
- g) Approval of the minutes of preceding meeting, as may be amended;
- h) Information as to each subject of the Board's deliberation;
- i) All Board actions taken by motion, Resolution, and Ordinance by title and number;
- j) A record of all contracts entered into;
- k) A record of all bids awarded or rejected by the Board;
- l) A record by number of all obligations approved for payment;
- m) Adoption of the annual budget;
- n) A record of all important correspondence;
- o) A record of the General Manager's report to the Board;
- p) Approval of all policies and Board-adopted regulations; and,
- q) A record of all visitors and delegations who have identified themselves.

## **Policy 2235 Meeting Recordings**

2235.1 An audio or video recording of any regular or special meeting of the Board may be made, but it is not required. The President may announce the fact that a recording is being made at the beginning of the meeting.

2235.2 Recordings shall be kept for a period of time consistent with the District's Records Retention and Destruction of Documents Policy.

2235.3 Recordings shall not be made during closed sessions of the Board.

## **Policy 2240 Rules of Order for Conduct of Board and Committee Meetings**

2240.1 General

2240.1.1 Action items shall be brought before and considered by the Board by motion in accordance with this policy. The Board shall conduct its meetings using Rosenberg's Rules of Order as a procedural guide unless otherwise provided by Board action.

2240.1.1.1 If a Director believes order is not being maintained or procedures are not adequate, then he/she should raise a point of order - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board shall govern and determine the point of order.

## 2240.2 Obtaining the Floor

2240.2.1 Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.

## 2240.3 Motions

2240.3.1 Any Director, including the President, may make or second a motion. A motion shall be brought and considered as follows:

2240.3.1.1 A Director makes a motion; another Director seconds the motion; and the President states the motion.

2240.3.2 Once the motion has been stated by the President, it is open to discussion and debate. After the matter has been fully debated, and after the public in attendance has had an opportunity to comment, the President shall call for the vote.

2240.3.3 If the public in attendance has had an opportunity to comment on the proposed action, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be made, seconded, and approved by a majority vote of the Board.

## 2240.4 Secondary Motions

Ordinarily, only one motion can be considered at a time and a motion must be disposed of before any other motions or business are considered. There are a few exceptions to this general rule, though, where a secondary motion concerning the main motion may be made and considered before voting on the main motion.

2240.4.1 Motion to Amend: A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.

2240.4.2 Motion to Table: A main motion may be indefinitely tabled before it is voted on by motion made to table, which is then seconded and approved by a majority vote of the Board.

2240.4.3 Motion to Postpone: A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.

2240.4.4 Motion to Refer to Committee: A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.

2240.4.5 Motion to Close Debate and Vote Immediately: As provided above, any Director may move to close debate and immediately vote on a main motion.

2240.4.6 Motion to Adjourn: A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

#### 2240.5 Decorum

2240.5.1 The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings, and in accordance with Policy Number 2210.

2240.5.2 The President may also declare a short recess during any meeting.

2240.5.3 In some circumstances, an advance restrictive order may be obtained to place limitations on an individual's attendance at public meetings when there is a credible threat of violence from that person.

#### 2240.6 Amendment of Rules of Order

2240.6.1 By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting: a) temporarily suspend these rules in whole or in part; b) amend these rules in whole or in part; or, c) both.

### **Policy 2245 Board of Directors Teleconferencing**

#### 2245.1 Purpose

This Policy establishes the conditions under which the Board of Directors may participate in meetings remotely. Teleconferencing shall be conducted in compliance with the Ralph M. Brown Act ([Government Code §54953](#)) as amended January 2026.

## 2245.2 General Provisions

Non-Board participants (staff, consultants, vendors, and presenters) may attend meetings remotely at the discretion of the General Manager or Legislative Body.

Directors may participate remotely only under the following procedures:

- a) Standard Teleconferencing Procedures (Gov. Code §54953(b))
- b) Just-Cause Remote Participation Procedures (Gov. Code §54953(g))
- c) Emergency Teleconferencing Procedures during a proclaimed state or local emergency (Gov. Code §54953(e))
- d) Disability Accommodation Teleconferencing as required by state and federal law

A Director who does not meet the applicable requirements may not participate remotely.

## 2245.3 Requirements Applicable to All Remote Participation

Whenever any Director participates remotely, the Legislative Body shall:

- a) Take all votes by roll call
- b) Provide public access and public comment opportunities consistent with the Brown Act
- c) Protect the statutory and constitutional rights of the public and parties appearing before the Body
- d) Provide notice and post agendas as required by law

Remote Directors must participate by audio and video, unless remote attendance is granted as a disability accommodation.

## 2245.4 Standard Teleconferencing Procedures

A Director may participate remotely under the Standard Procedures if:

- a) A quorum participates from locations within the District's boundaries
- b) Each remote location is listed on the agenda
- c) Each remote location is accessible to the public and allows public comment

## 2245.5 Just-Cause Remote Participation Procedures (SB707)

A Director may participate remotely without making their location public if:

- a) A quorum meets in person at a single, publicly accessible location within the District boundaries
- b) The public can attend and provide real-time public comment remotely
- c) The Director has just cause as defined in Government Code §54953(g)
- d) The Director complies with statutory usage limits

Just cause includes:

- a) Caregiving obligations
- b) Contagious illness
- c) Physical or mental condition not otherwise accommodated
- d) Official travel
- e) Immunocompromised family member
- f) Physical or family medical emergency
- g) Certain military service obligations

Usage Limits:

A Member may use just-cause remote participation no more than:

- a) 2 meetings per year (if the Board meets monthly)
- b) 5 meetings per year (if the Board meets twice monthly)
- c) 7 meetings per year (if the Board meets three or more times monthly)

Directors must provide a brief description of the circumstance and disclose whether any adults are present in the remote location.

#### 2245.6 Emergency Teleconferencing Procedures

During a Governor-proclaimed or locally proclaimed emergency that prevents the Legislative Body from safely meeting in person, the Body may utilize the emergency teleconferencing provisions of Government Code §54953(e).

The Legislative Body must adopt findings every 45 days to continue using these procedures.

#### 2245.7 Disability Accommodation Teleconferencing

Nothing in this Policy prohibits remote participation as a reasonable accommodation for a disability, consistent with the Americans with Disabilities Act and Government Code §54953(h).

#### 2245.8 Statutory Control

This Policy is intended to comply with Government Code §54953. In the event of a conflict between this Policy and the Brown Act, the statutory provisions shall control.



# Montecito Sanitary District

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## MONTECITO SANITARY DISTRICT STAFF REPORT – 6B

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**DATE:** May 13, 2026  
**TO:** Board of Directors  
**FROM:** John Weigold, General Manager  
**SUBJECT:** Discussion of a Sewer Rate Study Public Forum Meeting

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### RECOMMENDATION

It is recommended that the Board discuss holding a public forum meeting regarding the District's sewer rate study.

### FISCAL IMPACT

None.

**ATTACHMENTS:** None