

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

November 12, 2018

1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 1:15 p.m. on November 12, 2018 at 1042 Monte Cristo Lane, Montecito, California.

ATTENDANCE

Present: Directors Judith Ishkanian, Robert Williams, Thomas Kern and Jeff Kerns

Absent: None

Also Present: Diane M. Gabriel, MSD General Manager/District Engineer
Toni M. McDonald, MSD District Administrator
Carrie Poytress, MSD Engineering Manager
Janet McGinnis, MSD Legal Counsel
Ken Coates, Resident
Woody Barrett, Resident
Bob Hazard, Montecito Journal
Cori Hayman, Resident
Tom Bollay, Resident
Dorinne Lee Johnson, Resident
William P. MacKinnon, Resident
Bob Short, Resident
Don Eversoll, Resident

2. APPROVAL OF MINUTES OF THE LAST MEETING

The minutes of the October 29, 2018 meeting were included in the agenda packet.

On MOTION by Director Williams and second by Director Kern, the Board approved unanimously the minutes of October 29, 2018 as presented.

3. APPROVAL OF PAYABLES

On MOTION by Director Kern and second by Director Kerns, the Board approved unanimously these payroll and accounts payable expenses for October 29 to November 12, 2018:

Accounts Payable Expenses	\$ 57,130.16
Payroll and Related Expenses	<u>87,184.62</u>
Total Expenses	\$ 144,314.78

4. PUBLIC COMMENT

Ms. Cori Hayman and Mr. Bill MacKinnon addressed the Board requesting a delay of the appointment to the vacant Board seat until after new Board members are seated.

5. OLD BUSINESS

A. Montecito Water Reuse

Engineering Manager Carrie Poytress reported on her attendance at the Montecito Water District (MWD) Strategic Planning Committee meeting on November 5th with A&O Committee members Bob Williams and Jeff Kerns. She noted six areas of concerns that MSD staff has discussed with MWD, which are not addressed in the consultant’s report.

- 1) MSD effluent volume flows remain at 500,000 gallons per day (GPD), which should be reflected in the report for cost basis analysis.
- 2) At least 100,000 GPD of effluent is needed to flow through the outfall to meet the MSD National Pollutant Discharge Elimination System (NPDES) permit and maintain the operability of the MSD outfall.
- 3) The Reverse Osmosis treatment flow should be based on the chloride concentration in the MSD effluent.
- 4) Recycled water to the golf courses should occur over a 24-hour duration with a delivery pressure to storage at their sites that could be less than the assumed 60 psi.
- 5) A feasible and constructible project is needed to achieve the 2015 Urban Water Management Plan target delivery of 200 Acre Feet per Year (AFY) (178,000 GPD) by 2020.
- 6) Realistically MSD can only supply 448 AFY (400,000 GPD) of non-potable reuse water to the golf courses and other users whereas the report identifies 1,000 AFY goal by 2025.

Staff will continue to meet with MWD staff and its consultant to comment and collaborate on the water reuse study.

ACTION: Staff

6. NEW BUSINESS

A. Resolution No. 2018-913 Setting Procedure for the Appointment to Fill Board Vacancy

Resolution No. 2018-913 was included in the agenda packet as Exhibit A.

Legal Counsel asked for clarification in item 2 by inserting the words “the same”.

Messrs. Bob Short, Bill MacKinnon, Ken Coates, and Woody Barrett addressed the Board requesting a delay of the appointment until the new Board members are seated in December.

The MOTION was made by Director Kerns and second by Director Kern to adopt and execute Resolution No. 2018-913 as amended to insert “the same” in item 2.

After further discussion the MOTION passed with this roll call vote:

AYES: Kern, Ishkanian, Williams, Kerns

NAYS: None
ABSENT: None
ABSTAIN: None

B. Interim Committee Appointments

President Ishkanian stated that with the resignation of Director Owens, vacancies were created in the Personnel and Administrative & Operations (A&O) Committees. President Ishkanian appointed Director Kern to the Personnel Committee, and Director Kerns to the A&O Committee, both to serve until the organizational meeting in December.

ACTION: None

C. Closed Session Conference with Legal Counsel – Anticipated Litigation

The Board met in closed session with legal counsel to discuss the District's significant exposure to a lawsuit by the Committee for Montecito Water Security, supporting Coates, Goebel, Hayman for Montecito Water District and Barrett and Newquist for Montecito Sanitary District 2018. The Committee demanded District action to address an alleged illegal campaign mass mailing and related disclosure violation under the Political Reform Act, targeting District information published once in the *Santa Barbara News Press* on October 14, 2018 for \$536.37 and was issued as a press release to other media.

Ms. McGinnis reported out the Board's unanimous direction to respond to counsel for the Committee for Montecito Water Security, supporting Coates, Goebel, Hayman for Montecito Water District and Barrett and Newquist for Montecito Sanitary District 2018 and advise him that the Board authorized a zealous defense and disagrees there was any unlawful expenditure.

ACTION: Legal Counsel

D. Information Items

Director Ishkanian reported the next Santa Barbara Chapter CSDA meeting will be November 26th at Vandenburg Village.

E. Agreements Signed

None

7. ENGINEERING, OPERATIONS AND MAINTENANCE


The Board reviewed the information in the agenda packet.

8. ITEMS FOR NEXT AGENDA


The next scheduled Board meeting is November 14, 2018 to fill the Board vacancy.

9. **ADJOURNMENT**

There being no other business, on MOTION to adjourn by Director Williams and second by Director Kern, the MOTION passed unanimously without abstention and the meeting adjourned at 3:07 p.m.




Judith Ishkanian, President



Robert Williams Jr., Vice President



Jeffrey Kerns, Secretary



Thomas N. Kern, Treasurer