

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

**January 14, 2013**

**1. CALL TO ORDER**

The Governing Board of the MONTECITO SANITARY DISTRICT met in regular session on the 14<sup>th</sup> day of January 2013 at 1042 Monte Cristo Lane, Montecito, California, at 1:15 p.m.

**ATTENDANCE**

**Present:** Directors Deirdre M. Cannata, Judith M. Ishkanian, Tom Kern and Jeff Kerns

**Absent:** Edward P. McAniff

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

**Item 6.A:** Melissa Fassett, Legal Counsel, Price, Postel & Parma

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

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

Upon MOTION by Director Cannata, and seconded by Director Ishkanian, the minutes of December 10, 2012 were approved as submitted.

**3. APPROVAL OF PAYROLL AND PAYABLES**

Upon MOTION by Director Ishkanian, and seconded by Director Kern, the Board approved the PAYROLL AND ACCOUNTS PAYABLE EXPENSES for the District through December 10, 2012 as follows:

Online Payment (11/28/12)	\$1,164.01
Accounts Payable (12/12/12)	\$8,789.07
Accounts Payable (12/21/12)	\$66,609.92
Accounts Payable (01/09/13)	\$92,734.82
Accounts Payable (01/14/13)	\$242,397.43

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Payroll (12/13/12)	\$30,637.52
Payroll Related (12/13/12)	\$27,723.44
Payroll (12/27/12)	\$36,205.17
Payroll Related (12/27/12)	\$10,202.62
Payroll (01/10/13)	\$32,131.33
Payroll Related (01/13/13)	\$11,803.58

**TOTAL** **\$560,398.91**

**4. PUBLIC COMMENT**

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

**5. OLD BUSINESS**

**No Old Business**

**6. NEW BUSINESS**

**A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE OF DISTRICT EMPLOYEE**

The Board met in closed session with the District’s legal counsel to discuss Public Employee Discipline/Dismissal/Release of District Employee (Government Code Section 54957).

Upon returning to open session, Ms. Melissa Fassett, District Legal Counsel, stated that no reportable action was taken on the part of the Board during the closed session.

ACTION: None

**B. SELLING OF DISTRICT VEHICLE – 1999 FORD CCTV VAN AND EQUIPMENT**

Manager Gabriel reported at the September 24, 2012 meeting, the Board had determined that the District's 1999 Ford CCTV van and equipment were no longer needed and directed Staff to proceed with their sale. The auction company used by most California public agencies was contacted but could only guarantee \$8,000 if the District contracted with them. It was therefore determined to post the vehicle and equipment for sale on Craig’s List. After several weeks of listing and only a few inquiries, an offer was received from a plumber in Michigan for \$15,000 with delivery expenses “to be negotiated.”

Prior to the District listing the vehicle on Craig’s List, Summerland Sanitary District had expressed interest in purchasing the vehicle from MSD for a “fair price”. On November 29, 2012 the General Manager of Summerland Sanitary District was contacted and informed that MSD had just received an offer for \$15,000 with the potential of having to cover some delivery costs. Summerland’s General Manager had already been authorized by his Board of Directors to negotiate the purchase of the vehicle up to a certain dollar value and he immediately agreed to the \$15,000 sale price.

Following discussion, a MOTION was made by Director Cannata, and seconded by Director Kern, that the Board approve the sale of the 1999 Ford CCTV Van and equipment to Summerland Sanitary District in the amount of \$15,000 and authorize the General Manager to sign the required bill of Sale. The MOTION passed unanimously.

ACTION: General Manager

C. **LOCAL AGENCY FORMATION COMMISSION (LAFCO) EXECUTIVE OFFICE RESIGNATION**

The General Manager informed the Board that on December 19<sup>th</sup> the District received a letter from Bob Braitman, Executive Officer of LAFCO which was included in the agenda packets for Board review. The December 17<sup>th</sup> letter states that Mr. Braitman will be resigning as Executive Officer effective June 30, 2013.

The Board discussed the resignation of Mr. Braitman and requested that Manager Gabriel formally contact Jeff Moorhouse, Special Districts Representative to LAFCO, to request information about the process that LAFCO will be using to hire a new Executive Officer.

ACTION: General Manager

D. **QUARTERLY INVESTMENT POLICY STATEMENT –DECEMBER 31, 2012**

President Kerns stated that the District is required to make quarterly statements certifying that:

1. The investments made on behalf of the District by LAIF and the Santa Barbara County Treasurer’s office were made in accordance with the District’s current Investment Policy;
2. A complete and timely record of all investment transactions is maintained in the District office from reports supplied by LAIF and the Santa Barbara County Treasurer’s office, and
3. The Montecito Sanitary District is able to meet its pool’s expenditure requirements for the next six months.

The Board was in agreement that these statements are valid. The quarterly statement was signed by Director Ishkanian immediately following the Board meeting.

ACTION: Director Ishkanian

E. **BOARD VACANCY – RESIGNATION OF DIRECTOR MCANIFF**

Manager Gabriel reported that the District received, via email, a letter of resignation from Director McAniff dated January 7, 2013. The letter was included in the Board agenda packets. Mr. McAniff's resignation was accepted by the Board.

The General Manager informed the Board that the resignation of a Director dictates that a Notice of Vacancy and Affidavit of Posting be prepared. Additionally, the Board is required to make it publicly known that they intend to fill the vacancy by appointment and a date must be set for an Appointment Hearing. The Board has 60 days following the date of a resignation to appoint a new Director. District staff must notify the County Elections Office in writing of the resignation of Mr. McAniff.

In order to comply with the 60 day timeline, staff prepared a draft of the Notice of Vacancy (enclosed in the agenda packets for Board review) setting the Appointment Hearing date on February 25, 2013. After some discussion the Board determined that the Notice of Vacancy should be posted on the District's website and office and in three local locations: the Fire District, the Water District, and the Montecito Association.

Following discussion, a MOTION was made by Director Ishkanian, and seconded by Director Cannata, that with the acceptance of Director McAniff's resignation, the Board set February 15, 2013 as the final date for acceptance of applications for the vacancy, and that February 25, 2013 be set for the Appointment Hearing and direct staff to inform the community of the vacancy by posting a Notice of Vacancy on the District's website, in its office, and at three local locations (the Fire District, the Water District and the Montecito Association) and to prepare an Affidavit of Posting to be signed by the General Manager after the posting of the vacancy. The MOTION passed unanimously.

ACTION: General Manager & Staff

7. **OPERATIONS AND MAINTENANCE**

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

8. **FUTURE AGENDA ITEMS**

- Proposed 101 Freeway Project presentation
- Santa Barbara CSDA Chapter Meeting – officers slate – Voter authorization

9. **ADJOURNMENT**

There being no further business to come before the Board, it was MOVED by Director Cannata, and seconded by Director Ishkanian, that the meeting be adjourned. The MOTION carried, and the meeting adjourned at 2:40 pm.

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Jeff Kerns, President

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Judith M. Ishkanian, Vice-President

**R E S I G N E D**

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Edward P. McAniff, Treasurer

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Deirdre M. Cannata, Secretary

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Tom Kern, Director