



# Montecito Sanitary District

1042 Monte Cristo Lane  
Santa Barbara, CA 93108

*A Public Service Agency*

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

## MINUTES

For the Regular Meeting of the Board on:  
**September 23, 2021**

### 1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:00 pm on Thursday, September 23, 2021 using Zoom teleconferencing in accordance with the State Executive Order No. N-29-20 issued on March 17, 2020.

#### ATTENDANCE

##### *Board Members Present:*

President Dorinne Lee Johnson, Vice President Woody Barrett, Treasurer Don Eversoll, Director Gary Fuller, and Director Dana Newquist

##### *Board Members Absent:*

Director Johnson left the meeting at 3:28 pm  
Director Eversoll left the meeting at 4:10 pm

##### *Also Present and Participating:*

Carrie Poytress, P.E. MSD Engineering Manager  
Mark Manion, MSD General Counsel, Price Postel & Parma  
Betsy Byrne, MSD Clerk of the Board & District Administrator  
Rico Larroude, MSD Collections & Maintenance Supervisor  
Carole Rollins, MSD Laboratory & Pretreatment Manager  
Brad Rahrer, P.E., MSD General Manager (observing on Vacation)  
JMH  
Frank Blue  
iPhone  
Andy Salvesson  
Ken  
Nick Turner, MWD  
Montecito Water District

### 2. PUBLIC COMMENT

District Administrator read an email submitted by Michael Davenport: "My name is Mike Davenport and our family lives at 2110 Alisos Drive, Montecito. My understanding is that the closest sewer line link is at the end of Orchard Avenue. I have discussed with some of our neighbors who feel it would be beneficial and support the project. While our septic is currently working and was just serviced, it is nearing the point that significant repairs or replacement will be needed. We support extending the sewer line to our street and would like to move forward. Thank you,"

Member of the public, Frank Blue, addressed the Board: "I live on Alisos Drive, bracketed on East by Romero Canyon Road and on West by Oak Grove; lived here 8 years. Watched the sewer line come up Romero Canyon, there's a sewer line on Orchard Rd; at back fence

line at our property. Manhole cover at Orchard Road about 10 yds from our back fence. Contacted Brad and Carrie from the Sanitary District; came out and talked to us about a SME, they noted that we are interested in an extension. They said if we were interested in doing something like this, we should try to get as much neighborhood interest as possible. We've contacted 10/12 neighbors on street, two are absentee owners. ALL 10 are positive on the project, including Mr. Davenport. Enlist Board Support to see the sewer main extension happen.”

**3. APPROVAL OF MINUTES**

ON MOTION by Director Newquist, Second by Director Fuller, the Board voted to approve the Minutes from Board Meetings held on September 9, 2021 including the addition by staff of payables and total dollar amounts of contract(s) awarded.

AYES:	Directors Barrett, Eversoll, Fuller, Newquist, and Johnson
NAYS:	None
ABSTAIN:	None
ABSENT:	None

**4. APPROVAL OF PAYABLES**

ON MOTION by Director Newquist, Second by Director Barrett, the Board voted to approve the District payables for checks dated August 31, 2021 through September 10, 2021.

Accounts Payable	\$ 44,220.03
Capital Improvement Projects	\$ 100,575.00
Payroll	\$ 88,568.13
<b>TOTAL</b>	<b>\$ 233,363.26</b>

AYES:	Directors Barrett, Eversoll, Newquist, and Johnson
NAYS:	None
ABSTAIN:	Director Fuller
ABSENT:	None

**5. OLD BUSINESS**

**A. RECYCLED WATER PILOT PLANT OPERATION (MOVED FROM ITEM 5B TO 5A)**

No Board Action was taken; upon discussion and clarification that further Board action is required to authorize MSD Staff to re-start the Pilot Recycled Water process as part of the Optional task of the Contract; Director Johnson stated she will sign the contract. [Contract was executed by Director Johnson on Friday September 24, 2021.]

**B. AN ORDINANCE FOR THE COLLECTION OF CONSTRUCTION COSTS ON COUNTY TAX ROLL (MOVED FROM ITEM 5A TO 5B)**

General Counsel Mark Manion explained the draft ordinance and reviewed the District's current options for property owners to participate when the District installs a sewer main extension makes public sewer available. The ordinance

provides a new option for property owners to participate by paying for the costs over time through the County tax roll.

The Board received public Comment from Mr. Ken Coates: “Presumably your goal is to encourage homeowners to make connections to the sewer system, and in my view you want to make that as painless as possible, so the longer the term is, 30 years, and the lower the interest rate is, the more attractive it will be, so I would encourage you to think of terms 30 year term, and the LAIF or County interest rate, and prime rate: the prime rate in my judgement will discourage people from participating in this program. Thank you,”

ON MOTION by Director Fuller, Second by Director Newquist, the Board voted to adopt the ordinance as presented with the payment terms set to a 30 year period (removing language from the draft ordinance referring to 10 and 20 year terms).

Director Johnson left the meeting at 3:28pm.

AYES: Directors Barrett, Eversoll, Fuller, and Newquist  
NAYS: None  
ABSTAIN: None  
ABSENT: Director Johnson

Director Barrett requested Staff to send a letter to the outstanding deferral properties notifying them about the new option available to them through the ordinance.

**C. HIGHWAY 101 SEWER MAIN RELOCATION PROJECT**

ON MOTION by Director Fuller, Second by Director Eversoll, the Board voted to award a contract to MNS Engineers Inc. for \$194,127.

AYES: Directors Barrett, Eversoll, Fuller, and Newquist  
NAYS: None  
ABSTAIN: None  
ABSENT: Director Johnson

ON MOTION by Director Fuller, Second by Director Eversoll, the Board voted to authorize the General Manager to approve extra services of 10% of the contract for expenditures up to \$19,412 for necessary changes in the scope of work.

AYES: Directors Barrett, Eversoll, and Fuller  
NAYS: None  
ABSTAIN: Director Newquist  
ABSENT: Director Johnson

**D. BID RESULTS FOR THE LILAC/OAK GROVE SEWER MAIN EXTENSION PROJECT**

ON MOTION by Director Fuller, Second by Director Newquist, the Board voted to direct staff to send letters to the homeowners potentially served by the project,

including range of costs for options A, B, and C as applicable and make them aware of the new ordinance 19 allowing for payment over time on the tax roll.

AYES: Directors Barrett, Eversoll, Fuller, and Newquist  
NAYS: None  
ABSTAIN: None  
ABSENT: Director Johnson

Director Eversoll left the meeting at 4:10 pm.

**E. KIMLEY-HORN GRANT RESEARCH CONTRACT**

Staff informed the Board that the General Manager has requested scope, schedule and fee proposal before entering into contract.

**6. NEW BUSINESS**

**A. RESOLUTION 2021-934 FOR GRANT FUNDING**

ON MOTION by Director Newquist, Second by Director Fuller, the Board voted to adopt Resolution 2021-934 authorizing the General Manager to file on behalf of the District, a Financial Assistance Application for grant agreement with the State Water Resources Control Board.

AYES: Directors Barrett, Fuller, and Newquist  
NAYS: None  
ABSTAIN: None  
ABSENT: Director Johnson, and Eversoll

**B. FERNALD POINT EMERGENCY SEWER MAIN REPLACEMENT**

General Counsel Mark Manion informed the Board that there is a procedure in the public contract code that allows for emergency repairs, and that we'll have to follow those procedures by adopting a resolution by four-fifths vote of the board and includes findings that recognize why this emergency constitutes circumstances that would not withstand the competitive bidding process required by public contracting code.

The Board will hold a special meeting the week of September 27, 2021 prior to October 1, 2021 for purposes of adopting a resolution for emergency contracting for this project, and also to address CA AB 361 for continuing to meet remotely due to COVID-19.

**7. COMMITTEE REPORTS**

Director Barrett gave a summary of the Finance Committee meeting held on September 14, 2021 and the discussion related to the payment of Kimley Horn invoices dated July 15, and 31. Director Barrett informed the Board that the Committee directed staff to pay the undisputed charges on the two invoices and the discussion would be brought back to the board to clear up communication between the Board President and Tony Wong of Kimley Horn.

**8. DISTRICT OPERATIONS AND MAINTENANCE**

**A. INFORMATION ITEMS**

Engineering Manager Carrie Poytress P.E., provided informational, nonactionable updates regarding matters before the District.

- i. The Roofing Project Bid on August 31, 2021; only received one Bid and it was incomplete. MSD will re-bid the project. We are in the process of contacting more roofing companies to make them aware of re-bidding.
- ii. Electrical rehabilitation project, final review of specifications & plans. We will go out to Bid next week. Will advertise in the Santa Barbara News Press, it will be a 5-6 week bidding window beginning middle of October.

**B. AGREEMENTS TO BE SIGNED**

None

**C. OPERATIONS AND MAINTENANCE REPORTS**

For the period of August 30, 2021 through September 10, 2021.

Director Barrett asked staff about the 105 decrease in influent; staff said would need to research occupancy rates to understand the input but that we haven't made changes to the treatment operation.


**9. ITEMS FOR THE NEXT AGENDA**


- i) Special meeting before October 1, 2021:
  - a. Fernald Point Emergency Project Resolution
  - b. AB 361 Remote Meetings due to COVID-19
- ii) Next Regular Meeting on October 14, 2021
  - a. Alisos Drive Sewer Main Extension


**10. ADJOURNMENT**


The meeting adjourned at 4:44 pm ON MOTION by Director Newquist, seconded by Director Fuller.

These minutes were presented for approval at the Board Meeting on October 28, 2021.

DocuSigned by:  
  
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 Dorinne Lee Johnson, President

DocuSigned by:  
  
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 Ellwood T. Barrett II, Vice President

DocuSigned by:  
  
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 Dana Newquist, Secretary

DocuSigned by:  
  
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 Donald M. Eversoll, Treasurer

DocuSigned by:  
  
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 Gary Fuller, Director