

**SANTA YNEZ COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING
5:30 p.m.
1070 Faraday St., Santa Ynez, CA**

1. AGENDA

1.1. September 19, 2018 Agenda

Documents:

[REGULAR MEETING 9-19-18.PDF](#)

2. CALL TO ORDER/ROLL CALL - 5:30 PM

3. PLEDGE OF ALLEGIANCE

4. DIRECTOR COMMENTS:

Directors will give reports on any meetings that they attended on behalf of the District and/or choose to comment on various District activities.

5. PUBLIC COMMENTS:

Members of the public may address the Board on any items of interest within the subject matter and jurisdiction of the Board but not on the agenda today (Government Code - 54954.3).

6. CONSENT AGENDA: (ACTION-VOTE)

The following items are considered routine and non-controversial and may be approved by one motion if no member of the Board asks to have an item removed. If discussion is desired, the item may be removed from the Consent Agenda by any Board member and will be considered separately. Questions or clarifications may be made by the Board members without removal from the Consent Agenda. All individual items on the Consent Agenda are approved by a single vote that approves the entire Consent Agenda, unless an item is pulled for separate consideration. Members of the public may comment on the Consent Agenda items.

6.1. A. Approval Of Minutes Of The Regular Meeting Of August 15, 2018

Documents:

[REGULAR MEETING MINUTES 8-15-18.PDF](#)

6.2. B. Approval Of Disbursements From August 11, 2018 Through September 14, 2018

Documents:

[SEPTEMBER2018.PDF](#)

7. ACTION ITEMS: (ACTION-ROLL CALL VOTE)

7.1. 7A. Discussion And Possible Action Regarding Policy Relating To Board Member Use Of Personal Electronic Devices At Meetings

Documents:

[7A DISCUSSION AND POSSIBLE ACTION REGARDING POLICY RELATING](#)

TO BOARD MEMBER USE OF.PDF

8. INFORMATIONAL ITEMS:

8.1. No Items

9. REPORTS:

9.1. A. Manager's Report

Documents:

SEPT MANAGERS.PDF

9.2. B. Legal Counsel's Report

9.3. C. Secretary/Treasurer Report

9.4. D. Committee Reports

10. Tentative Agenda Items:

Sewer Code, Mainline Sewer Extension Agreement, Design Specifications, Revise water softener ordinance

11. ADJOURNMENT

Persons with disabilities who require any disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting are asked to contact the District's Board Secretary at least three (3)

days prior to the meeting by telephone (805) 688-3008 or by email to WENDY@SYCSD.COM

Any public records which are distributed less than 72 hours prior to this meeting to all, or a majority of all, of the District's Board members in connection with any agenda item (other than closed sessions) will be available for public inspection at the time of such distribution at the District's office located at 1070 Faraday, Santa Ynez, California 93460

**SANTA YNEZ COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS**

**REGULAR MEETING
September 19, 2018
5:30 P.M.
1070 Faraday, Santa Ynez, CA**

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **DIRECTOR COMMENTS:** Directors will give reports on any meetings that they attended on behalf of the District and/or choose to comment on various District activities.
5. **PUBLIC COMMENTS:** Members of the public may address the Board on any items of interest within the subject matter and jurisdiction of the Board but not on the agenda today (Government Code - §54954.3).
6. **CONSENT AGENDA: (ACTION-VOTE)**

The following items are considered routine and non-controversial and may be approved by one motion if no member of the Board asks to have an item removed. If discussion is desired, the item may be removed from the Consent Agenda by any Board member and will be considered separately. Questions or clarifications may be made by the Board members without removal from the Consent Agenda. All individual items on the Consent Agenda are approved by a single vote that approves the entire Consent Agenda, unless an item is pulled for separate consideration. Members of the public may comment on the Consent Agenda items.

A. Approval of Minutes of the Regular Meeting of August 15, 2018.

B. Approval of Disbursements from August 11, 2018 through September 14, 2018.

7. **ACTION ITEMS: (ACTION-ROLL CALL VOTE)**
 - A. Discussion and possible action regarding policy relating to Board member use of personal electronic devices at meetings.
 - B. Discussion and possible action regarding engaging Cannon Engineering to develop construction and bid documents for a sewer mainline extension down Horizon Drive.

8. **INFORMATIONAL ITEMS:**

None

9. **REPORTS:**

- A. Manager's Report
- B. Legal Counsel's Report
- C. Secretary/Treasurer's Report
- D. Committee Reports

10. Tentative agenda items: Sewer Code, Mainline Sewer Extension Agreement, Design Specifications, revise water softener ordinance

11. **ADJOURNMENT**

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**SANTA YNEZ COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS**

REGULAR MEETING MINUTES

August 15, 2018

5:30 P.M.

1070 Faraday, Santa Ynez, CA

BOARD MEMBER MEMBERS PRESENT: David Higgins, David Seymour, Carl Maler, Frank Mueller

OTHERS PRESENT: Jeff Hodge-General Manager, Wendy Berry-Secretary/Treasurer, Rick Battles-Legal Counsel

1. **CALL TO ORDER:** Director Higgins called the meeting to order at 5:30 p.m.
2. **ROLL CALL:** Higgins, Maler, Mueller, Seymour Absent: Jones
3. **PLEDGE OF ALLEGIANCE:**
4. **DIRECTOR COMMENTS:** Director Seymour was elected as the alternate commissioner of Santa Barbara LAFCO.
5. **PUBLIC COMMENTS:** None
6. **CONSENT AGENDA: (ACTION-VOTE)**

The following items are considered routine and non-controversial and may be approved by one motion if no member of the Board asks to have an item removed. If discussion is desired, the item may be removed from the Consent Agenda by any Board member and will be considered separately. Questions or clarifications may be made by the Board members without removal from the Consent Agenda. All individual items on the Consent Agenda are approved by a single vote that approves the entire Consent Agenda, unless an item is pulled for separate consideration. Members of the public may comment on the Consent Agenda items.

- A. Approval of Minutes of the Regular Meeting of June 20, 2018.
- B. Approval of Special Meeting Minutes of June 20, 2018.
- C. Approval of Finance Committee Minutes of June 15, 2018.
- D. Approval of Disbursements from June 16, 2018 through August 10, 2018.

Director Seymour motioned to approve the consent agenda as presented above, Director Mueller seconded, and the motion passed by a roll call vote: ayes; Higgins, Maler, Mueller, Seymour Absent: Jones

7. **ACTION ITEMS: (ACTION-ROLL CALL VOTE)**
 - A. Approval of Resolution 18-07, Review Conflict of Interest Code and direct Secretary to submit the form to the County of Santa Barbara.

Director Higgins motioned to approve the Conflict of Interest Code and direct staff to file the 2018 Local Agency Biennial Notice with no amendment to the Santa Barbara County Clerk and to eliminate approval by resolution 18-07, Director Mueller seconded, and the motion passed by a roll call vote: ayes; Higgins, Maler, Mueller, Seymour Absent; Jones

- B. Approval of Resolution No. 18-08 adopting findings and ratifying and confirming approval of agreement with Teamsters Local 986 for Operators Unit.

Resolution 18-08 is changed to 18-07. Director Seymour motioned approve Resolution 18-07 adopting findings and ratifying and confirming approval of agreement with Teamsters Local 986 for Operators Unit, Director Higgins seconded and the motion passed by a roll call vote: ayes; Higgins, Maler, Mueller, Seymour Absent: Jones

- C. Approval of Resolution No. 18-09 adopting findings and ratifying and confirming approval of agreement with Teamsters Local 986 Administration Unit.

Resolution 18-09 is changed to 18-08. Director Higgins motioned to approve Resolution 18-08 adopting findings and ratifying and confirming approval of agreement with Teamsters Local 986 Administration Unit, Director Mueller seconded and the motion passed by a roll call vote: ayes; Higgins, Maler, Mueller, Seymour Absent; Jones

- D. Discussion and possible action regarding Board member use of electronic devices at meetings. **Board consensus to direct staff and legal counsel to draft sample policies and bring back the sample policies with highlights of policy as bullet points for discussion.**

- E. Discussion and possible action regarding recording and broadcasting of Board Meetings. **Board consensus to draft a policy that constitutes a persistent disruption and distraction with use of electronic devices.**

- F. Discussion regarding smoke testing. **Make changes to procedures to add smoke testing information to the website, hang door hangers two weeks prior to smoke testing and 2-3 days before smoke testing.**

8. INFORMATIONAL ITEMS:

- A. Treasurer Report – Submittal and review quarterly cash position pursuant to Government Code §61053 for quarter ending 06-30-18. **Staff reviewed the Treasurer's report with LAIF interest rate at 1.43% and Five Star Bank at 1.755% with a total of \$3,323,287.23 in all the accounts.**

9. REPORTS:

- A. **Manager's Report – July flows, membranes were replaced at the Chumash WWTP, four new tires were installed on the jetter trailer, staff is cleaning the lines and staff met with Sanja Cota motel about connecting to sewer.**
 - B. **Legal Counsel's Report – There was a recent case on Public Records Act to where a lawsuit was filed to prevent a City from releasing records and the City was not responsible for the legal fees because it wasn't a public records request.**
 - C. **Secretary/Treasurer's Report – Auditors will be here on September 27-28 for the final audit and there are 4 candidates running for the Board.**
 - D. **Committee Reports – The Joint WW Committee met in Solvang and the meeting went well with discussion of Solvang's WWTP upgrade with the District recommending the membrane option instead of clarifiers because of lower maintenance costs.**
10. Tentative agenda items: Sewer Code, Mainline Sewer Extension Agreement, Design Specifications, revise water softener ordinance
11. **ADJOURNMENT: The meeting was adjourned at 6:46 p.m.**

APPROVED:

David Higgins, President of the Board

Wendy Berry, Secretary of the Board

Santa Ynez Community Services District
Account QuickReport
 As of September 14, 2018

AQAAAkFA	Name	Amount	Tribe
08/16/2018 14520	Brenntag Pacific Inc.		\$ 1,199.14
08/16/2018 14521	Comcast	\$ 321.60	
08/16/2018 14522	Comcast Business	\$ 676.89	
08/16/2018 14523	County of SB Public Works	\$ 11.00	
08/16/2018 14524	Ecology Water Systems Tech		\$ 1,842.69
08/16/2018 14525	Fastenel		\$ 279.77
08/16/2018 14526	FGL Environmental	\$ 114.00	
08/16/2018 14527	Joe McCollum'	\$ 170.84	
08/16/2018 14528	RMC Water and Environment	\$ 3,341.50	
08/16/2018 14529	Steve's Wheel and Tire	\$ 936.47	
08/16/2018 14530	US Bank Voyager Fleet Sys.	\$ 158.61	
08/20/2018 14538	Comcast	\$ 197.84	
08/20/2018 14539	FGL Environmental	\$ 270.00	\$ 244.00
08/20/2018 14540	USA Blue Book		\$ 55.15
08/24/2018 EFT	Umpqua Bank	\$ 1,334.31	
08/27/2018 14557	USA Blue Book	\$ 255.09	
08/27/2018 EFT	PG&E	\$ 1,000.38	\$ 282.49
08/27/2018 14547	All Around Landscape Supply		\$ 103.92
08/27/2018 14548	All Star Heating and Air Conditioning	\$ 808.15	
08/27/2018 14549	Atkinson, Andelson, Loya, Ruud & Romo	\$ 196.51	
08/27/2018 14550	Christopher Scott Construction	\$ 1,000.00	
08/27/2018 14551	FGL Environmental		\$ 594.00
08/27/2018 14552	Frontier Communications		\$ 47.45
08/27/2018 14553	Santa Barbara Co. Special Districts Assoc	\$ 120.00	
08/27/2018 14554	Staples	\$ 32.33	
08/27/2018 14555	USA Blue Book		\$ 741.26
08/27/2018 14556	Wells Fargo Vendor Fin	\$ 160.55	
08/31/2018 14563	All Around Landscape Supply	\$ 78.73	
08/31/2018 14564	Brenntag Pacific Inc.		\$ 915.82
08/31/2018 14565	Coastal Copy	\$ 76.97	
08/31/2018 14567	Harrison Hardware		\$ 194.89
08/31/2018 14568	Jim Mainhardt	\$ 45.00	\$ 45.00
09/04/2018 EFT	PG&E	\$ 110.12	
09/07/2018 EFT	National Benefit Services, LLC	\$ 18.00	
09/10/2018 EFT	Frontier Communications	\$ 37.78	
09/10/2018 EFT	Verizon Wireless	\$ 222.80	\$ 53.91
09/14/2018 14585	All Around Landscape Supply		\$ 161.56
09/14/2018 14586	Brenntag Pacific Inc.		\$ 938.48
09/14/2018 EFT	Business Card		\$ 20.00
09/14/2018 14587	City of Solvang	\$ 18,000.00	
09/14/2018 14588	Comcast Business	\$ 676.89	
09/14/2018 14589	Crystal Springs Water Co.		\$ 29.89
09/14/2018 14590	FGL Environmental	\$ 294.00	\$ 5,500.00
09/14/2018 14591	Howell Moore & Gough LLP	\$ 4,670.00	
09/14/2018 14592	O'Conner Pest Control	\$ 85.00	
09/14/2018 14593	Petty Cash	\$ 10.00	
09/14/2018 14594	Ramsey Asphalt	\$ 5,281.52	
09/14/2018 14595	S.Y.R.W.C.D.	\$ 91.03	\$ 47.83
09/14/2018 14596	Santa Ynez Chamber	\$ 175.00	
09/14/2018 14597	void		
09/14/2018 14598	Stanley Convergent Security Solutions-HSM	\$ 87.20	
09/14/2018 14599	The Gas Company	\$ 20.22	
09/14/2018 14600	Underground Service Alert/SC	\$ 52.90	

09/14/18

Santa Ynez Community Services District
Account QuickReport
As of September 14, 2018

09/14/2018 14601	US Bank Voyager Fleet Sys.	\$	269.69		
09/14/2018 14602	USA Blue Book			\$	219.24
09/14/2018 14603	Wendy Berry'	\$	1,542.33		
09/14/2018 14604	Santa Barbara Co. Special Districts Assoc	\$	120.00		
09/14/2018 14605	SDRMA	\$	994.91	\$	1,521.32
		\$	44,066.16	\$	15,037.81
Total			<u>\$ 59,103.97</u>		

Signature

**SANTA YNEZ
COMMUNITY SERVICES DISTRICT
STAFF REPORT**

TO: Board of Directors

PREPARED BY: Richard G. Battles, Legal Counsel

FOR: Regular Board Meeting

DATE: September 19, 2018

ITEM: Discussion and possible action regarding policy relating to Board member use of personal electronic devices at meetings

SUMMARY: At the August meeting of the District's Board of Directors, District legal counsel reported on the legal requirements and other issues that pertain to the use of personal electronic devices by Directors at Board meetings. The Board directed legal counsel to bring back sample policies that restrict the use of personal electronic devices at meetings, together with a list of issues for the Board to consider in developing such a policy for the District.

RECOMMENDATION: Review the sample policies and the list of issues for discussion prepared by legal counsel and provide direction regarding the development of a policy for consideration and adoption at a future Board meeting.

ATTACHMENTS:

- Sample Policies
- Issues for Discussion

DEVELOPMENT OF POLICY REGARDING USE OF PERSONAL ELECTRONIC DEVICES AT BOARD MEETINGS

Issues for Discussion

Definitions:

“Personal electronic device” may be defined to include:

- Computers;
- Tablets; and
- Cell phones that have internet access and/or are capable of text and/or email messaging.

Are there other types of devices that should be included?

“Use” may be defined to include:

- Communications by text message, voice mail, email, social media or online forums
- Posting, sending, reading or listening to information
- Recording or broadcasting of meetings from the dais

Restrictions/Prohibitions:

If the Board wants to have a general policy without addressing specifics, it could either:

- (a) Prohibit all use of personal electronic devices at meetings. In that case the use of electronic devices could be allowed on a case by case basis by a majority vote of the Board. The authority to allow such use on a case by case basis could also be delegated to the Board President.
- (b) State generally that personal electronic devices may not be used in a manner that distracts from Board deliberations or causes a persistent disruption of Board meetings. This would require specific findings by a majority of the Board on a case by case basis. The authority to make such findings on a case by case basis could also be delegated to the Board President.

If the Board wishes to have a policy that addresses specific uses, it will need to decide whether the policy should include restrictions or prohibitions with respect to the following:

- Communications with other Board members
- Communications with a majority of other Board members

- Unrestricted use of personal electronic devices may cause a persistent disruption of Board proceedings.
- Members of the public may be deprived of their right to due process if Board members are distracted by the use of personal electronic devices and are not paying full attention to the proceedings.
- The use of personal electronic devices may create the perception that Board members are not paying full attention.
- Members of the public may be deprived of relevant information and the opportunity to address new information if Board members receive information using personal electronic devices during Board proceedings.

Other Issues

If Board members are permitted to use personal electronic devices at meetings, should the Board President make an announcement, or should the agenda include a statement explaining the purposes for which such devices may be used?

RESTRICTIONS ON USE OF PERSONAL ELECTRONIC DEVICES

Sample Policies

Orange County Board of Education

All persons present at board meetings must place their cellular devices in silent and/or vibrate mode (no ringing of any kind).

The board recognizes that the wealth of pertinent information on the Internet can provide benefits to discussion and decision making. During board meetings, board members, employees, and others may use electronic devices in the "silent" mode. Any use of electronic communications that constitutes a violation of open meetings laws is prohibited.

Board members must exhibit professional courtesy for each other, employees, and the public in the use of electronic devices. Use of electronic devices must not distract from board deliberations or interactions between board members.

There may be occasions to restrict use of electronic devices during board meetings. In such a case, the chairperson shall call for a vote to restrict such use, and a simple majority will prevail.

San Luis Obispo City Council Policies and Procedures Manual

Council Members and staff shall:

Work earnestly to preserve appropriate order and decorum during all meetings.

Discourage side conversations, disruptions, interruptions or delaying efforts.

Inform the Presiding Officer when departing from a meeting.

Limit the use of personal electronic devices to urgent personal matters while seated at the dais during Council meetings.

During a public hearing, correspondence between Council Members or between a member of the public and the Council regarding the public hearing matter being considered by the City Council must occur in the open and any communications outside of the noticed public meeting on which the Council Member's decision is based should be disclosed during the public hearing.

Novato City Council Policy Manual

During City Council meetings noticed and open to the public, the intent is that any electronic devices will be used to access the Council paperless agenda materials and other relevant information necessary for informed decision-making at the meeting. Examples of these uses are:

Accessing City email account to review messages sent by staff in response to Council agenda item questions

Visiting other local agencies' websites to view upcoming meeting agendas and materials

Posting, sending or reading communications regarding quasi-judicial issues via or to social media, where the Council acts in a manner similar to a judge; and

Posting or sending communications via or to social media that discuss matters that are attorney-client privileged or that are still confidential Executive Session matters.

C-TRAN's Board of Directors Conduct Policy

Board Members shall not send or receive electronic communications concerning any matter pending before Board during a Board Meeting.

Board Members shall not use electronic communication devices to review or access information regarding matters not in consideration before Board during a Board Meeting.

To ensure focus on the discussions during meetings, Board Members should only use the internet during meetings to access Board agenda packet information, board resource documents, including but not limited to Board Policies, C-TRAN Bylaws, Robert's Rules of Order, or other research relevant to the discussion.

In deference to the Board meeting at hand, Board Members should make every effort to refrain from sending or receiving electronic communication of a personal nature during Board Meetings, though it may sometimes be necessary to send or receive very urgent/emergency family or business communications during meetings.

**-SANTA YNEZ COMMUNITY SERVICES DISTRICT
MANAGER'S REPORT
September 19, 2018**

- Monthly Flows - Please see the charts.
- Update to GIS aerial base map – the GIS base map has been updated with a 3-inch resolution map.
- Chumash Pump Station upgrade- Hanley Construction has substantially completed the upgrades and rehabilitation to the reservation pump station.
- Santa Barbara CSDA monthly meeting – September 17th, 2018 at the Santa Maria Airport. Next meeting Oct 22, 2018. SYCSD will be hosting.