

**CARPINTERIA SANITARY DISTRICT
IN THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

MINUTES

These are the **minutes** of the **regular** meeting of the Governing Board of the Carpinteria Sanitary District in the City of Carpinteria, County of Santa Barbara, and State of California.

The Governing Board of the Carpinteria Sanitary District held a regular meeting on **February 5, 2008**, at 5:30 p.m. at its District administrative office located at 5300 Sixth Street, Carpinteria, California.

Directors Present: Lin Graf – President
Michael Damron – President Pro-Tem
Jeff Moorhouse – Secretary
Pat Horwitz – Secretary Pro-Tem
Doug Treloar – Treasurer

Staff Present: Craig Murray – General Manager
Judy Kirkman – Board Secretary
Hamid Hosseini – Finance Director

Legal Counsel
Present: Anthony H. Trembley

President Graf called the meeting to order, and Director Treloar led the Board, staff and public in the Pledge of Allegiance.

President Graf asked if there were any modifications and/or changes to the agenda. Hearing none, the agenda stood as submitted.

Approval of Minutes of January 15, 2008 - Director Treloar made a motion that the Board approve the January 15, 2008 minutes as submitted; Director Damron seconded the motion, and the motion was approved by a 4-0 vote. President Graf abstained from voting, since he was absent from the January 15, 2008 Board Meeting.

Public Forum. None

South Coast Annexation to the Carpinteria Sanitary District

(LAFCO 07-5) Status Update – General Manager said this was an informational item for the Board. General Manager said he wanted to give the Board an update with respect to the South Coast Annexation to the Carpinteria Sanitary District. General Manager said at the last Board Meeting he reported that the protest hearing results from the annexation protest hearing came in and it was determined by LAFCO's executive officer that an election was necessary based on the number of written protests received on the annexation that was approved by LAFCO. General Manager said the meeting agendas and staff reports for both the Ventura County and Santa Barbara County Boards of Supervisors were included in the Board Agenda packet and they were current as of last Thursday. General Manager said there

had been a few changes in the documentation that each Board of Supervisors considered. General Manager said he could report on the Boards of Supervisors hearings that occurred today. General Manager said he attended the Ventura County Board of Supervisors' hearing, and a staff report was made by both Norma Camacho of the County and Bob Braitman of Santa Barbara LAFCO. General Manager said the recommendation was to have Ventura County Board of Supervisors approve a special election by mail ballot to occur on April 22, 2008. General Manager said the Ventura County Board of Supervisors, in their resolution that was approved today, agreed to coordinate and contract with the County of Santa Barbara, Elections Division, to allow the Santa Barbara County Elections officials to conduct the mail ballot for the 39 parcels that are in Ventura County. General Manager said the Santa Barbara County Board of Supervisors considered a similar resolution and proposal today. The mail ballot election was also approved for April 22, 2008. Both Boards approved this resolution, calling for the election by unanimous vote today. General Manager said at the regular meeting of Santa Barbara LAFCO to be held on Thursday, February 7, 2008 at 2:00 pm, they would hear a report from their Executive Officer summarizing the status and updating them on the concept of conducting the mail ballot.

Director Treloar asked if the mail election could be handled by the District. General Manager said it had to be handled by the County Elections Office. Director Moorhouse asked what the cost of the election would be. General Manager said cost had been estimated by County staff to be around \$2-3,000.

President Graf opened this item up for public comments. The first speaker was Ned Quackenbush. Mr. Quackenbush said he had property at 501 SandPoint Road. Mr. Quackenbush said he had been attending meetings regarding the sewer project and been involved for almost seven years, and he'd like to commend each and every one of the Board members in seeing this thing through. Mr. Quackenbush said it was a vital project for everyone that has property close to the water's edge, in his opinion. Mr. Quackenbush said he'd also like to personally commend the Board and staff for their sense of sangfroid in the face of phalanxes of attorneys, perjurers, conspirators, and other yet to be indicted felons who will try to stuff the ballot box and steal the election. Mr. Quackenbush thanked the Board for their time.

Mr. Al Clark said he had been a resident of 8102 Puesta del Sol for the last twenty years, and had been involved seven years in this project. Mr. Clark said he'd like to commend the District for their unbelievable attempt to keep this going. Mr. Clark said it has been, in his opinion, absolutely absurd. Mr. Clark said seven years ago the majority of people approved this sewer, and had it approved last year by a smaller majority. The larger minority of opposition was somewhat due to the increased cost, which has more than doubled in seven years. Mr. Clark said it was his understanding that if the project was delayed further, the present cost would be increased again. Mr. Clark said he would like to urge the opposition to really take a look at this. Mr. Clark said it was inevitable that there would be a sewer at some point because of the proximity to the water and the old tanks. Mr. Clark said he hoped the District would not give up on this project and get it satisfied as quickly as possible. Mr. Clark said there were many, many people who were opposed to the delays.

Dr. Judith Meyer said she was a resident of Rincon Point and also a teacher of microbiology. Dr. Meyer said she knew a lot about septic to sewers. Dr. Meyer said she truly believed that this project is a necessary thing for their community, and she said she wanted to thank the District for their perseverance and for supporting this. Dr. Meyer said the majority of homeowners at Rincon have voted in favor of this project on two occasions, and they didn't have a say in the annexation and LAFCO process. Dr. Meyer said for years there had been 97 voters in the Rincon community, and all of a sudden there were 147 voters, just specifically for the annexation vote. Dr. Meyer said she had a real problem with this, and she

came here tonight to tell the Board that many of the homeowners at Rincon had voted for this and they'd like to see it through. Dr. Meyer said there are homeowners whose septic systems are not working who have to take their laundry out of their homes to do their laundry. Dr. Meyer said she didn't think they should have to live in homes where they couldn't do laundry. Dr. Meyer said their septic systems were fifty years old, and they really need to get sewers, for no other reason but so they could live in their homes peacefully.

Hillary Hauser, Heal the Ocean. Ms. Hauser said Heal the Ocean was really glad that the Ventura and Santa Barbara County Boards of Supervisors did what they did today to move this project forward. Ms. Hauser said she'd like to say for the record that when proponents of the project, including Carpinteria Sanitary District, were given a clean water award by the Regional Water Quality Control Board, some of the opposition went all the way to San Luis Obispo to say to the Regional Board that Hilary Hauser is a fraud, that Heal the Ocean is committing illegal actions, and that she'd like to say that everything Heal the Ocean is doing has been checked and double checked by lawyers. Ms. Hauser said she'd like to tell this Board that Heal the Ocean has hired an elections lawyer and every name and every address and every registration will be checked from the December 3rd protest to see who is legal and who is not legal. Ms. Hauser said for the mail election, there would be a cleanout of names, so there would not be any ballot box stuffing. Ms. Hauser said she'd like to thank the Board for hanging in there.

Director Damron said there were a few new faces in the audience, and whether you're in favor or opposed to the sewer, Director Damron said he agreed with the two speakers that said inevitably somebody is going to make the beach communities go on sewer; whether it's by the homeowner's own choice or whether it's three or four years down the road and the State mandates sewers.

Director Moorhouse said he went to Sacramento with the General Manager in order to secure the \$2,000,000 grant to help with this project. What Director Damron just said was exactly what he heard from the State Water Control Board - the time has come and it will happen. Director Moorhouse said it was not just on the State level, the Federal Beach Act of 2007 is in the pipeline. Director Moorhouse said the time to act is now, and said it was unfortunate it had taken this long and the cost had doubled. Director Moorhouse said he was glad members of the public were looking into the registered voters. He said he found it suspicious that there were eleven new registered voters at one house.

Director Treloar asked if the mail balloting process in April would be registered voters or property owners. General Manager said only registered voters would vote in the election, and it would be a majority election. General Manager said the number of "yes" votes had to outweigh the number of "no" votes in order for the annexation to be confirmed. General Manager said the District did not have anything to do with this election, and the District was simply the applicant in this annexation proceeding.

Mr. Ned Quackenbush asked why the special election couldn't include one vote per homeowner. Mr. Quackenbush said if this was a special election, there should be special rules. Mr. Quackenbush said if it were left wide open, the same thing would happen as it did with the protest vote.

Legal Counsel said that the Board of Supervisors' actions that the General Manager mentioned just occurred today, and he was sure there would be a great deal of interest in seeking clarity regarding the rules surrounding the election. Legal Counsel said this District was just the applicant, but he was hopeful that at a future date the ground rules would be clear to everyone.

Giti White said a number of 147 was cited from Dr. Meyer and asked if that was a cumulative number from all the communities, and not just Rincon Point. Director Graf said the District did not have an answer to that question.

CASA Washington D.C. Conference (March 10-12, 2008) – General Manager said this was an item that was requested to be placed on the Agenda regarding a CASA Conference to be held in Washington, D.C. on March 10 -12, 2008. General Manager said a conference brochure was included in the agenda packet. General Manager said this was an informational item for the Board in case any Board Member might be interested in attending. Director Moorhouse said he would not be able to attend, but for any of the other Board Members that might be interested, this was an opportunity to meet and talk with some of the policymakers who are in Washington, D.C. and don't come to California. Director Moorhouse said we have a congressperson that comes to California, but there were many representatives from the different agencies that the District deals with that create the laws that would be there. General Manager said CASA has a Federal lobbyist who looks out for California wastewater agency interests at the Federal level.

President Graf opened this item up for public comment, and hearing none he moved to the next item on the agenda.

Board Workshop Planning – General Manager said the Board and staff had talked about having another workshop similar to the one held in January 2005. General Manager said after receiving direction from the Board, he had worked with Mr. Charles Beesley and secured the date of February 27, 2008. General Manager said the plan was to have the workshop during the day, and it would be agendaized as a meeting of the Board of Directors. General Manager said the reason he wanted to bring this item back to the Board was to discuss with the Board potential topics. General Manager said he listed some of topics, but it was the Board's workshop and there might be other topics or issues that the Board or individual Board members would like to cover in a workshop setting.

Director Horwitz said the items she wanted to cover were on the list. Director Treloar said the Brown Act Update was on the list of topics, and he'd rather spend his time looking at other topics than discussing the Brown Act. General Manager talked about the Ethics Training (AB 1234) that the Board is required to take every two years and is due this year. General Manager said this training is for all elected officials, and he had talked with the City Manager about doing the same type of training at the City as was done in 2004. General Manager said this was the easiest and probably the cheapest way to get this done this year, and he would report back on the timing. General Manager said with respect to the Brown Act, he agreed that it was not a workshop item. General Manager said the District's legal counsel could update the Board on the Brown Act as a regular agenda item. Legal Counsel said there were very few changes to the Brown Act from the 2007 Legislative Session. One bill, which will take effect in July, 2008, will have limited impacts. Legal Counsel said he could cover the changes as a very brief information item on a future agenda.

Director Treloar talked about developing a welcome package for new Board Members with the policies and procedures for the District. General Manager said this was something that could be done in-house and he had discussed this with staff, and staff would be working on it over the next few months.

General Manager said he talked with Chuck Beesley and at the last workshop Mr. Beesley contacted each Board Member beforehand and had an independent conversation. General Manager said Mr. Beesley was willing to do that again, or he could talk directly to the Board President. It was agreed that Mr. Beesley should speak directly with the Board President and President Pro-Tem to prepare for the workshop.

President Graf asked if there were any items from the last workshop that needed to be addressed again. General Manager said he had a copy of the report from the last workshop and he would make sure it was available for Board Members.

President Graf opened this item up for public comment, and hearing none President Graf said the Board would move to the next item on the Agenda.

General Manager's Status Report: General Manager reported on the following:

Dewatering Building Construction – We are making headway on the building. The electrical modifications are done and a lot of cleanup and removal of obsolete equipment has been done. A junction box that was very badly corroded was replaced. All the footings are in place, so erection of the building should start today or tomorrow. Director Treloar asked if there was one solid wall. General Manager said there was one solid wall facing the condominiums and one short sound wall on the south side; **Digester Blower Project Update** – This project is moving along. The aeration piping has been powder coated and is ready for startup. The District's contract instrumentation engineer has completed the SCADA improvements and startup is expected next week; **Santa Barbara Beaches TMDL Development Process** – General Manager said he attended a meeting in Santa Barbara where the Central Coast Regional Water Quality control Board (RWQCB) kicked off the process of developing Total Maximum Daily Loads (TMDLs) to address bacterial contamination of beaches on the southern Santa Barbara County coastline, including Rincon Beach and Carpinteria State Beach. General Manager said this process looked at all sources coming into the body of water in an attempt to control sources of pathogens such as heavy metals, pesticides or bacteria that are believed to be contributing to water quality impairment; **Operations Update** - The treatment plant is operating in full compliance within our NPDES Permit. The Annual Report was submitted to the Regional Water Quality Control Board and EPA. No effluent violations occurred in the last year! The Hazardous Materials Business Plan was updated and submitted to the Santa Barbara County Fire Dept. A site inspection was conducted by County Fire staff during the week of January 28th. Our sprinklers at the plant and administration building were tested to meet a five-year testing requirement. The Collection System is operating fine. One sewer overflow occurred on January 26th from a manhole across from the District office. This overflow was not directly related to the recent rainfall events, but was due to grease accumulation in the 8-inch pipeline that serves the Singing Springs condominium complex and a few other local users. The overflow was fully contained and did not reach any storm drain or State waters. Director Horwitz said it might be a good time to educate the public and distribute the grease flyer to the residents at Singling Springs. General Manager said staff was looking into this, but the District's Operations Manager said this was less about the concentrations of grease discharged and more about the hydraulics of when the flow is slow it allows the grease to float to the top and accumulate. General Manager said the District's inspector is doing a lot of work on the District's grease control program for the restaurants and other areas of outreach. The collection system and pump stations continue to handle the recent rain events without major problems or incidents. Congratulations to Judy Kirkman for passing the State Notary Exam in January, which is good for four years. The District's Engineering Technician is continuing efforts as we talked about earlier to monitor the District's grease control program. Plan review efforts are ongoing for several large projects including the Lagunitas Development and the Vons supermarket. A letter was sent to several Mr. Rooter franchises reminding them of District permitting requirements. Director Horwitz said she'd like to say for the record that she's had two clients comment about employees of the Carpinteria Sanitary District and how polite and understanding they were, and Vickie was one of those employees. General Manager said he attached a memo from CASA regarding the proposed revisions to the water quality enforcement policy.

Board Committee Reports

Finance Committee – Director Treloar reported the Finance Committee met on January 23rd and had some public present. The Committee reviewed the monthly budget report, quarterly report and had discussion related to a policy to waive fees between different governmental agencies.

Personnel Committee – did not meet.

Public Relations Committee – did not meet.

Board General Items

CASA Mid-Year Conference Report – Director Moorhouse said he attended CASA’s Mid-Year Conference from January 9-12, 2008 and got a lot of information. Director Moorhouse said he was able to sit in on a Legislative Committee meeting in person for the first time, rather than participating via a conference call. Director Moorhouse said a topic of the committee was force accounts or governmental agencies having to go out to bid if certain limits are reached. Director Moorhouse said there was a lot of good background information and discussion, but in the end it was felt the construction lobby would bury this issue. Director Moorhouse talked about the HR2537 or the testing beach water and clean water initiative and a session he attended on Smart covers. Smart covers are manhole covers that monitor flow and send out an alarm once it reaches certain levels. Director Moorhouse said he and General Manager had a discussion regarding the covers and the possibility of creating a couple of test sites at the District in the future. Director Moorhouse said overall there was a lot of good information, and he filed a report with the Secretary to the Board with handouts from the conference.

Future Agenda Items – Director Moorhouse said he’d like to discuss the possibility of getting the same type of state-issued credit cards for Directors to use for conferences and trainings that the District employees use when attending trainings.

Adjournment. There being no further items to discuss, President Graf adjourned the meeting at 6:23 p.m.

Lin Graf
President

Pat Horwitz
Secretary Pro-Tem

Michael Damron
President Pro-Tem

Doug Treloar
Treasurer

Jeff Moorhouse
Secretary