

**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 **May 1, 2007**, at 5:30 p.m. at its District administrative office located at 5300 Sixth Street, Carpinteria, California.

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

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

Legal Counsel
Present: Anthony H. Trembley

Public Present: Giti White, Doug White, Jaleh White, Marilyn Ulvaeus,
Sandra Carradine

President Moorhouse was absent from the meeting due to his attending a CASA Conference on the District's behalf. President Pro-tem Graf called the meeting to order and led the Pledge of Allegiance.

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

Minutes of the April 17, 2007 Board Meeting: A correction was made on page two of the minutes, 4th paragraph. Cash Contract No. 343, third line should have said for *construction of the Collection System Rehabilitation Project – Phase 1 . . .* Director Damron made a motion to accept the minutes of the April 17, 2007 Board Meeting as modified; Director Horwitz seconded the motion, and the motion passed by a 4-0 vote. President Moorhouse was absent.

Public Forum. None

Resolution No. 192 - Resolution of Application of the Carpinteria Sanitary District Initiating Proceedings for the South Coast Annexation to the Carpinteria

Sanitary District. General Manager said a key component of the South Coast Beach Communities Septic to Sewer Project involved annexing the various communities into the District's service area boundary. General Manager said the procedure for modifying the District's service area boundary was a formal one managed and ultimately authorized by the Santa Barbara Local Agency Formation Commission in Santa Barbara. General Manager said staff prepared a Proposal Justification Questionnaire, which constituted the annexation application, and that was submitted to LAFCO on April 17, 2007. An application to modify the District's Sphere of Influence boundary was also prepared and submitted to LAFCO concurrently. Penfield and Smith prepared detail maps and legal descriptions of the proposed annexation areas. To optimize the administrative review process, and per the direction of LAFCO staff, a single annexation proposal was prepared that covered the four discrete communities. These communities are referred to as "Components" in the application and in the text of Resolution R-192. General Manager said Resolution R-192 was prepared and described the proposed annexation and the justification for pursuing it. The form of the resolution was provided by LAFCO. General Manager said it was staff's recommendation that the Board review and adopt Resolution R-192 which initiated proceedings for the South Coast Annexation to the Carpinteria Sanitary District.

Director Graf opened this item up for public comments. **Jaleh White** said it was interesting that Beach Club opted out of this project, and also Padaro Lane west of the Beach Club Road had also decided not to pursue annexation at this time. Ms. White asked why some homeowners at Rincon Beach could not opt out. Ms. White asked why the County Park and Bluffs III projects were not connecting and part of the annexation process; **Giti White** talked about the resolutions that were presented for the Board's review and adoption. Ms. White suggested that the Board defer approval. Ms. White talked about inclusion of the County Parks and Bluffs III Project in the Septic to Sewer Project. Ms. White urged the Board to plan for a safe and reliable system that would serve all of the projects in the Rincon area and to fairly apportion the costs of the project and to include the Bluffs III and the Parks. Ms. White also talked about preserving water quality in the Rincon Point area; **Doug White** said he'd like to supplement what had already been said. Mr. White also talked about including the Bluffs III project and the Parks in the assessment district. Mr. White said he would also like to underscore his concern that a formula for cost sharing would be more equitable and would avoid putting the burden entirely on Rincon homeowners for a system that would be used by the Bluffs III and Parks entities; **Sandra Carradine** said she wanted to substantiate what her fellow homeowners had previously stated. Ms. Carradine talked about a single annexation vs. multiple annexations and why Rincon property owners were expected to absorb the costs and privately maintain the systems. Ms. Carradine said she lived in Ventura County and was unsure which county to go to if she had a sewage issue. Ms. Carradine said she did not want to be part of the process, and asked how parts of Padaro Lane were excluded.

Director Damron asked General Manager or Legal Counsel if they had any responses to the comments from the public. General Manager said he'd like to reiterate again that his office door is always open to the public and that he is available to answer any questions from concerned individuals. General Manager said the decision to pursue a sewer system for Rincon Point was based on a request from a large group of homeowners in that area. A survey was conducted after the FEIR was certified in September 2004. At that time a majority of the responses from homeowners within Rincon Point were in favor of pursuing the septic to sewer conversion, and the Board elected to move forward. At that time the Beach Club Road residents responded with an overwhelming majority of homeowners in that

community that they did not want to pursue septic to sewer conversion, so they were eliminated from the project.

General Manager said in response to the questions raised regarding the County Parks and Bluffs III, those entities had not approached the District to ask for sewer service. They were not included in the EIR. The project that the Board approved did not include those parcels. General Manager said because those parcels were not included did not mean the District was not planning for the eventuality they might be connected to our system in the future, and they would at have to pay their fair share of the cost to obtain sewer service.

Director Graf said the District is a sewer district that provides a service for those in our District when asked and the District does not go out and solicit hookups from residences and commercial buildings. Director Damron said the District responds to requests and a large percentage of homeowners within the annexation area have indicated their desire to be hooked up to our system.

Director Damron made a motion that the Board adopt Resolution R-192 which initiates proceedings for the South Coast Annexation to the Carpinteria Sanitary District; Director Horwitz seconded the motion, and the motion passed by the following roll call vote: Director Treloar voted aye, Director Graf voted aye, Director Horwitz voted aye, and Director Damron voted aye. Director Moorhouse was absent.

Resolution R-193 – Clean Beaches Initiative Grant Funding Authorization.

General Manager said on behalf of property owners within the communities of Rincon Point, Sandyland Cove and Sand Point Road, the District submitted a grant funding application to the State Water Resources Control Board (SWRCB) in January 2007. In November 2002, voters approved the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Prop 50) authorizing the issuance of bonds to fund water quality improvement programs. General Manager said the 2005/06 Budget Act appropriated \$23 million of Prop. 50 funds for Clean Beaches Initiative projects (CBI). The CBI guidelines provide for 25% funding of construction and construction related costs for qualifying projects. The projects are selected on a competitive basis. General Manager said projects were submitted to the SWRCB, and a Recommended Project List (RPL) was developed. General Manager said the District's project was placed on the RPL and scheduled to receive approximately \$2.16M in grant funding. General Manager said staff was working with SWRCB staff to prepare a detailed grant application. As part of the grant funding process, one component of the application requirement from the State is that the District Board of Directors pass a resolution authorizing entering into a grant agreement with the State and designating the District General Manager as the authorized representative for the South Coast Beach Communities Septic to Sewer Project. General Manager said Resolution R-193 provides the necessary authorizations. General Manager said the Board was not adopting the grant agreement at this time, and that it would be brought back to the Board for review in its final format.

Director Graf opened this item up for public comment. **Giti White** said the EIR project objectives did not include improvement of water quality. Ms. White said a member of the Board at an earlier meeting stated that improving water quality was a political issue and not a CSD issue. Ms. White said she recommended that the Board delay approving Resolution R-193 and take the time to confirm the accuracy in the Prop. 50 grant

application; **Jaleh White** said she wanted to comment on Director Graf's statement that the District did not ever solicit for conversion to sewer. Ms. White said relating to Resolution R-193, this project had no connection to improving water quality and said the Prop. 50 grant funds were for improving the quality of water. Ms. White asked the Board not to approve Resolution R-193 until all information on the grant application has been determined to be accurate and to make sure all the necessary information is provided to the granting agency. Ms. White also talked about the legal fees for Rincon Point; **Sandra Carradine** said she questioned the fact that Heal the Ocean, a non-profit organization, could stand up and guarantee payment of a "for profit" entity's legal fees; **Doug White** talked about the heart of the process being clean water and said the Septic to Sewer Project was not about clean water but jeopardized water quality.

Director Horwitz said the District was not a for-profit entity, but a public entity. Director Horwitz said the Board was voted in and her duty as a Board Member was to carry out the mission to provide sewer service in the most economical and best way the District knows how. Director Horwitz said she found it strange that people who have previously said they wanted to cut project costs, are now opposing the District's pursuit of available grant funds which would lower the project costs for everyone involved. Director Horwitz said she finds this very hard to understand.

Director Horwitz asked if the District applied for the \$2M funding and the assessment district funding, and something happened to the \$2M funding, how will the District make up for that loss. General Manager said the grant commitment made by the State Water Resources Board agreement is still being finalized to address those concerns. Once that grant is in place, the District would operate on the assumption that those funds would be coming to the District and the cost of the assessment would be reduced by approximately 25%. Some of the items in the assessment would not be eligible for grant funds. Director Horwitz asked if the District could get full assessment funding and later use grant funds to decrease assessment funding. General Manager said that was an option. Director Graf asked if there was a timeline for applying for the grant funds. General Manager said there was a timeline. General Manager said there was some flexibility to determine whether homeowners would be assessed the full amount or their assessment decreased by 25% if the grant is funded prior to assessing. General Manager said the grant stipulates that the funds need to be spent by a certain date, depending on when the grant is initiated.

Director Horwitz said she would like to thank staff for going out and finding the grant and the effort in applying.

Legal Counsel said the terms of the grant agreement are not final, and it will be brought back to the Board. Legal Counsel said the Board was approving a document that the State Board needed to see so that staff could move forward and finalize the terms of the grant agreement.

Director Horwitz made a motion that the Board adopt Resolution R-193 authorizing the District to enter into a grant agreement with the State Water Resources Control Board and designating the District General Manager as the authorized representative for the South Coast Beach Communities Septic to Sewer Project; Director Damron seconded the motion. Director Treloar said he had a question regarding work to be performed and did it mean removal of septic systems or abandonment of septic systems. General Manager said abandonment of septic systems would be in accordance with the requirements of the Santa Barbara County Environmental Health Department and the Ventura County Environmental Health Department.

Director Graf called for the roll call vote: Director Treloar voted aye, Director Damron voted aye, Director Horwitz voted aye and Director Graf voted aye. Resolution R-193 was adopted by a 4-0 vote.

Sewer Construction Agreement – 3960 Via Real. General Manager said the property located at 3960 Via Real currently obtains sewer service through a connection to the privately owned sewer system within the adjacent Sandpiper Mobile Home Park. The parcel contains four residential units at a substantially lower elevation than the Sandpiper Mobile Home Park. General Manager said on more than one occasion blockages in the privately owned systems in the mobile home park had overflowed and backed up and caused sewage spills at 3960 Via Real and have resulted in discharges to the Carpinteria Salt Marsh. Recently the property changed ownership and the new owners have proposed subdivision of the property into four discrete parcels. Through the Carpinteria City Planning Department review process, the District requested as a subdivision this new owner construct a new connection to an existing sewer main in Via Real and abandon the existing connection. The developers are have proposed to install a new 8-inch diameter sewer main and two sewer manholes to be dedicated to the District.

General Manager said the Agreement for Construction of a Sewer Main Extension sets forth the requirements for private party construction of District owned sewer infrastructure. It established the permitting and surety obligations, easement requirements, construction standards and procedures for project implementation. General Manager said the agreement was reviewed by District counsel and had been executed by the Developers.

General Manager said it was staff's recommendation that the Board review and approve the Agreement for Construction of a Sewer Main Extension between the District and the Developers for sewer system improvements proposed to serve the residential subdivision at 3960 Via Real.

Director Damron made a motion that the Board approve the Agreement for Construction of a Sewer Main Extension between the District and the Developers for sewer system improvements proposed to serve the residential subdivision at 3960 Via Real; Director Horwitz seconded the motion, and the motion was approved by a 4-0 vote.

General Manager's Status Report: General Manger reported on the following: **CWEA Annual Conference Report** – General Manager and the Operations Manager attended the CWEA Annual Conference held at the Ontario Convention Center from April 18-20, 2007. General Manager said some excellent technical papers were presented. General Manager said it was an opportunity to meet with vendors and equipment manufacturers to talk about future projects and existing projects with people that could answer the questions in one location; **Integrated Regional Water Management Plan Update** – A cooperating partners meeting was held on April 24th in Buellton at the Central Coast Water Authority office to kick off the process of developing an implementation grant for Prop 50 Round 2 IRWMP funding. Additional meetings will be held in the coming weeks to perform final project ranking. General Manager said there was \$64M eligible for round two funding; **Montecito Sanitary District Ocean Outfall Plume Study** – HTO is proposing to perform a study of Montecito Sanitary District's ocean outfall to assess plume dynamics and contaminate fate and transport. The study will be funded by a Prop 50 Clean Beaches Initiative Grant. General Manager said this study has implications for the CSD due to similarities in outfall design and outfall length; **Operations Update** – The WWTP is operating in full compliance with the District's NPDES Permit. The collection system is operating fine with no SSOs to report during the period. Electronic SSO reporting requirements go into effect in May 2007. The

District's odor scrubber media was replaced on April 19th. APCD inspector was on-site to observe media removal and replacement process. Modification to aerobic digester was completed to allow for polymer addition to control foaming under certain operating conditions. Pump repairs at Pump Station No. 1 have been completed. New pump controls at both pump stations No. 1 and No. 2 are functioning as designed. A communication issue with remote SCADA system is being addressed with the control system vendor and the District's SCADA integrator.

Board Committee Reports

Finance Committee. Did not meet.

Personnel Committee. Director Graf said the Personnel Committee did meet, but did not have anything to report back to the Board at this time.

Public Relations Committee. Did not meet.

General Manager said he'd like to schedule a Personnel Committee meeting and a PR Committee meeting.

Board General Items:

Future Agenda Items: General Manager's evaluation in Closed Session on May 15, 2007 agenda.

Adjournment. There being no further items to discuss, President Moorhouse adjourned the meeting at 6:50 p.m.

Michael Damron
Secretary

Lin Graf
President Pro-Tem

Patricia Horwitz
Treasurer

Jeff Moorhouse
President

Douglas Treloar
Secretary Pro-Tem