

**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 **June 4, 2013**, at 5:30 p.m. at its District administrative office located at 5300 Sixth Street, Carpinteria, California.

Directors Present: Jeff Moorhouse – President
Mike Modugno – President Pro-Tem
Michael Damron – Treasurer
Lin Graf – Secretary
Gerald Velasco – Secretary Pro-Tem

Staff Present: Craig Murray – General Manager
Kim Garcia – Board Clerk

Legal Counsel Present: Anthony Trembley – Musick, Peeler & Garrett, LLP

Public Present: Doug Harris

President Moorhouse called the meeting to order and asked Director Graf to lead those present in the Pledge of Allegiance.

Board Approval of Agenda - President Moorhouse asked if there were any modifications and/or changes to the agenda. Hearing none, President Moorhouse said the agenda was approved as submitted.

Board Approval of Minutes of the Meeting of May 21, 2013 – Two corrections were noted.

p. 1, 2nd line from the bottom – insert *vote* after 4-0, to read ...*Director Graf seconded the motion, and the motion was approved by a 4-0 vote.*

p. 3, 3rd line from the bottom – remove *recommendations* and replace with *revisions*.
Director Graf made a motion that the Minutes of the May 21, 2013 Board meeting be approved as modified; Director Modugno seconded the motion, and the motion was approved by a 4-0-1 vote, with Director Damron abstaining from voting.

Public Forum – None.

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

Adizes Graduate Institute – General Manager said he participated in a meeting with Santa Barbara County Planning and Development staff, Environmental Health Services staff, LAFCO staff and representatives of the Adizes Graduate Institute. The Adizes school occupies space on Mark Avenue directly above the industrial park. The property has a barn and two residential units. In 1999 the District began serving the two residential units through an Out of Agency Service Agreement. The barn has been converted to accommodate the graduate school and currently uses an on-site septic system for wastewater management. Through an ongoing land use permit process, Environmental Health is requiring that the school connect to the sewer system. The District's position is that the parcel should be annexed if additional connections are proposed for this parcel. Both Environmental Health and LAFCO support the District's position regarding annexation and following the meeting the District was notified that County Planning and Development will support this approach as well.

AB885 Advisory Committee – General Manager said on May 22nd he attended the first meeting of an advisory committee put together by the Santa Barbara County Environmental Health Services related to AB 885 implementation. The State recently adopted an Onsite Wastewater Treatment System Policy which sets forth prescriptive standards for design, operation and maintenance of septic systems. Individual counties will have the option of adopting the State standards or developing alternative local standards. The advisory group will be working on development of a local program that complies with AB 885. General Manager said he was asked to participate in the group based on the District's recent experience with septic to sewer conversion projects.

Operations Update – General Manager said the treatment plant is operating well and in full compliance with our NPDES discharge permit. Staff replaced the wash rack bearing set on the rotary screw press and returned it to service. The collection system is operating well. A minor SSO occurred on Fiesta Drive. Root accumulation in the lower lateral caused an overflow of approximately 2 gallons into a planter area. Staff responded to the event, took remedial action and reported the SSO as required. The lateral inspection and inventory program is continuing as planned. Final budget development activities are being wrapped up.

Administrative Draft Initial Study West Padaro Lane Main Sewer Extension – General Manager introduced Mr. Doug Harris who is the representative for CalProp I, LLC, the owner of four contiguous parcels at the westernmost end of Padaro Lane.

General Manager said that CalProp I, LLC intends to extend public sewer service to that location. The project proposal includes construction of approximately 4,000 linear feet of 8-inch diameter sewer pipeline and appurtenant manholes, at the applicants sole cost. The main sewer extension will also make public sewers available to other properties between the District's existing system, near Beach Club Road, and the western end of Padaro Lane. The District has previously entered into a reimbursement agreement with CalProp I to provide a partial cost recovery mechanism when future users connect to the new main sewer.

General Manager said the applicant engaged Dudek, a local environmental consulting firm, to assist with CEQA compliance for this project. Attached was an administrative draft Initial Study for the West Padaro Lane Main Sewer Extension Project. This document is formatted to be consistent with Santa Barbara County guidelines and it is consistent with the State CEQA guidelines that the District has previously adopted. The draft Initial Study includes a detailed description of the project, and it evaluates potential environmental impacts that may result from project implementation.

General Manager said based on the consultant's independent analysis, the project would not have significant environmental impacts if a series of identified mitigation measures are incorporated into project design and execution. If approved, a Draft Mitigated Negative

Declaration would be prepared for public review. The MND would be the draft Initial Study, retitled with minor modifications to reflect input received from the District. District staff has reviewed the draft Initial Study document and provided comments.

General Manager said it was staff's recommendation that the Board authorize the following actions: a) finalization of the Draft Initial Study/Mitigated Negative Declaration for the West Padaro Lane Main Sewer Extension Project; and b) preparation and distribution of a Notice of Intent to Adopt a Draft Initial Study/Mitigated Negative Declaration for the West Padaro Lane Main Sewer Extension Project.

Director Graf made a motion that the Board authorize the following actions: a) finalization of the Draft Initial Study/Mitigated Negative Declaration for the West Padaro Lane Main Sewer Extension Project; and b) preparation and distribution of a Notice of Intent to Adopt a Draft Initial Study/Mitigated Negative Declaration for the West Padaro Lane Main Sewer Extension Project.; Director Damron seconded the motion. President Moorhouse asked if when the District is presented with actions associated with an LLC, should the District be aware of the owners. Legal Counsel said if there is potential for a conflict of interest, disclosure should occur. The motion was approved by a 5-0 vote.

Resolution No. R-261 – A Resolution of Application of the Carpinteria Sanitary District Initiating Proceedings for the West Padaro Lane Annexation to the Carpinteria Sanitary District and Related Actions – General Manager said there are six parcels, approximately 42 acres, which are located at the westernmost end of Padaro Lane that are currently within the Summerland Sanitary District service area. There has been discussion regarding the possibility of serving those parcels versus leaving them in the Summerland service area. From an engineering standpoint the most logical option is for our District to annex the Padaro Lane parcels.

General Manager said that through the LAFCO process the six parcels would be detached from Summerland Sanitary District and annexation of a total of twenty-one parcels, approximately 72 acres, into our service area. A modification of the District's Sphere of Influence boundary is also proposed. Attached for reference was a copy of the Proposal Justification Questionnaire for the annexation proposal and the sphere amendment proposal.

General Manager said there are a number of parcels adjacent to the District's current service area boundary that have been excluded from this annexation proposal, including residents within the Beach Club Road development and a group of parcels referred to as the Holloway tract. The property owners within these areas were surveyed and are essentially not interested in public sewer or annexation of their property into the District.

General Manager said the Summerland Sanitary District Board of Directors passed SSD Resolution 2013-2 on February 14, 2013 requesting that Santa Barbara LAFCO proceed with the detachment proceedings. A copy of their resolution was attached for review.

General Manager said it was staff's recommendation that the Board adopt Resolution No. R-261, as submitted.

Director Damron made a motion that the Board adopt Resolution No. R-261 requesting that Santa Barbara LAFCO approve the West Padaro Lane Annexation to the Carpinteria Sanitary District and related actions; Director Graf seconded the motion, and the motion was approved by the following 5-0 roll call vote: Director Graf voted aye, Director Damron voted aye, President Moorhouse voted aye, Director Modugno voted aye, and Director Velasco voted aye.

Agreement for Construction and Dedication of Sewer Main Extension in Padaro Lane Between District and CalProp I LLC – General Manager said attached for review is an Agreement for Construction of a Sewer Main Extension in Padaro Lane. This agreement is

between the District and CalProp I, LLC and sets forth the requirements for private party construction of District owned sewer infrastructure and clearly establishes requirements and obligations for environmental review, permitting, bonding/surety obligations, construction standards and procedures for project implementation. It also sets forth the financial obligations of the applicant, including payment of development impact fees and sewer service charges for the property under their ownership. General Manager said the agreement was review by District Counsel and noted several minor amendments included in the distributed version.

General Manager said that it was staff's recommendation that the Board approve the Agreement for Construction and Dedication of a Sewer Main Extension between the District and the CalProp I, LLC for sewer system improvements proposed to serve the residential area on West Padaro Lane.

Director Graf made a motion that the Board approve the Agreement for Construction and Dedication of a Sewer Main Extension between the District and the CalProp I, LLC for sewer system improvements proposed to serve the residential area on West Padaro Lane.; Director Modugno seconded the motion and the motion was approved by a 5-0 vote.

Cash Contract No. 411 – Earth Systems Southern California – Construction Phase Geotechnical Testing Services – General Manager said the Rincon Point Septic to Sewer Conversion Projects are moving into the construction phase. The project permit conditions require the District to engage a geotechnical firm to provide construction phase geotechnical testing services.

General Manager said staff solicited a proposal from Earth Systems Southern California, the firm that performed the geotechnical investigations for the project early in the design phase.

General Manager said attached for review is Cash Contract No. 411 and included as Exhibit "A" is Earth Systems' proposal. The proposed scope of services for the project includes specific tasks with an estimated cost of \$4,400. The agreement is a time and materials reimbursement based contract and includes materials testing and as-needed geotechnical support services with a not to exceed contract amount of \$8,000.

General Manager said District Legal Counsel has reviewed the contract and made several amendments.

Director Damron made a motion that the Board approve Cash Contract No. 411, including revisions from Legal Counsel, between the District and Earth Systems Southern California for Construction Phase Geotechnical Testing Services, with a not to exceed amount of \$8,000. Director Graf seconded the motion and the motion was approved by a 5-0 vote.

Finance Committee – Did not meet.

Personnel Committee – Did not meet.

Public Relations Committee – Director Graf reported that the committee met on Friday, May 24th. A presentation was given by an outside PR consulting firm.

CASA Legislative Committee Report – President Moorhouse reported on several active bills.

LAFCO Report – None.

SBCSDA Report – None.

CSRMA Report – None.

Board Member Vacation Dates – None.

Future Agenda Items – None.

CLOSED SESSION – 6:22 p.m.

Legal counsel led the Board in to closed session on the following agendized items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Per Government Code Section 54957. Title: General Manager.

CONFERENCE WITH LEGAL COUNSEL — ANITICIPATED LITIGATION: Pursuant to Government Code Section 54956.9(d)(2): one case. Concerning April 24, 2012 “Frac-out” incident in Carpinteria Creek as part of the Bluffs Sewer Relocation Project.

RECONVENE OPEN SESSION – 6:40 p.m. President Moorhouse reconvened the open session and stated that there was no action taken on the closed session items.

Adjournment There being no further items to discuss, President Moorhouse adjourned the meeting at 6:40 p.m.

Jeff Moorhouse
President

Lin Graf
Secretary

Mike Modugno
President Pro-Tem

Gerald Velasco
Secretary Pro-Tem

Michael Damron
Treasurer