

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 **August 1, 2006**, at 5:30 p.m. at its District administrative office located at 5300 Sixth Street, Carpinteria, California.

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

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

Legal Counsel
Present: Anthony H. Trembley

Public Present: None

President Moorhouse called the meeting to order at 5:32 p.m. and then asked Director Horwitz to lead the pledge of allegiance. Director Horwitz then did so.

President Moorhouse said he'd like to note for the records that Director Graf was absent.

President Moorhouse asked if there were any modifications and/or changes to the agenda. Hearing none, President Moorhouse then ordered the agenda approved as submitted.

Minutes of the July 18, 2006 Board Meeting. Director Damron made a motion that the July 18 2006 minutes be approved as submitted; the motion was seconded by Director Treloar and passed by a 4-0 vote. Director Treloar commented that he was very pleased with some changes made in summarizing the minutes, and thanked the Board Secretary for making the changes.

Public Forum. None

Resolution R-182 – Policies and Procedures for Providing Priority Service to Affordable Housing Projects Pursuant to Government Code Section 65589.7. President Moorhouse said this item was tabled at the last Board meeting until Legal Counsel could be present to answer questions and clarify some of the language in the resolution. General Manager said the staff report and Resolution R-182 had not changed from what was presented at the last meeting. President Moorhouse asked if the Board had any questions for Legal Counsel. Director Damron asked Legal Counsel what would happen if the Board decided not to adopt the resolution. Legal Counsel said this provision of the Government Code said the District shall adopt these policies and procedures. Legal Counsel advised the District to comply with state law. Legal Counsel said he was not aware of any penalty if the District did not comply. Legal Counsel said he planned on talking to the Attorney's Committee at the next CASA Conference about what the experience has been state-wide relative to implementation of these policies and procedures.

General Manager said that as a preliminary step in the planning and development review process the City requires applicants to get confirmation from the Sanitary District that sewer service is available. General Manager said if the applicant was told sewer service was unavailable, it would potentially impact their ability to obtain building permits.

General Manager said the District does not foresee any serious capacity limitations within the District's collection or treatment plant that would cause the District to have to decide between providing service between one proposed development or another. General Manager said the rate of development in Carpinteria historically seemed to be such that the District would rarely get into a position where there would be two competing interests for the same volume of available capacity. General Manager said the proposed resolution did not change the way the District normally conducts business. General Manager said the District allocates sewer service on a first-come, first-serve basis.

Director Horwitz said, in thinking about this item from the last meeting, the District does not have a mission or policy to control a choice of giving or not giving. Director Horwitz said the District's mission is to provide sewer service at a reasonable rate and a good quality. Director Horwitz said by signing the resolution it puts the District in a political issue. Director Horwitz said she thinks special districts don't have to get into political issues.

Legal Counsel said he would not argue from a policy viewpoint, but must advise the District from a legal viewpoint.

Director Treloar asked Legal Counsel who wrote the resolution. Legal Counsel said after looking at a number of sample resolutions sent from the CASA legal circuit, the one proposed was similar to one passed by the Goleta Sanitary District.

Legal Counsel said there are some agencies that would be impacted by this legislation, including agencies with limited hydraulic capacity in areas with an acute shortage of low income housing.

President Moorhouse asked if the statement on the second page of the resolution, item 5 meant that the District had to spend the District's resources, time and effort writing a policy statement within 5 years. Legal Counsel said the District would only need to reimplement the policy and procedure every five years. General Manager said the requirement was that the District develop policies and procedures by July 1, 2006, then every five years after. General Manager said the

Resolution R-182 represented the mandated policies and procedures, and in 2011 the Board would need to readopt the resolution.

Director Damron said from a practical matter passing the resolution would not affect the District. Director Damron said the Board may not agree with everything in the resolution, but he did not want to get into the position of choosing which laws the District would abide by.

Director Damron made a motion to adopt Resolution R-182 setting forth policies and procedures to provide priority service to affordable housing projects.

President Moorhouse said there was a motion on the table; Director Horwitz seconded the motion. Director Horwitz asked Legal Counsel if the District applied for a grant and this resolution was needed in order to obtain the grant, could the District reconsider adopting the resolution at that time, and how long would the process take. Legal Counsel said the resolution could be adopted in one Board meeting.

Director Treloar asked how many dwellings could be added to the District's sewer system before the District was impacted. General Manager said approximately 2,000 units would need to be added before the District reached maximum rate capacity of the treatment plant.

Director Treloar reiterated what he said at the last Board meeting that he did not like the wording in the resolution. He said the first whereas said the District will grant priority and the fourth whereas said the District will not discriminate. Director Treloar said the resolution was saying two opposite things in the same statement. Director Treloar said he'd like to see a more general version stating the District would abide by all state laws.

Legal Counsel said he did not believe the resolution presented had conflicting statements. He said paragraph one said you grant priority and number four said you don't discriminate. Legal Counsel said the intent was that low cost housing be given a boost.

President Moorhouse said this was a roll call vote. The Board Secretary called for a vote. Director Treloar voted nay, President Moorhouse voted nay, Director Horwitz voted nay and Director Damron voted aye. Director Graf was absent. The motion failed by a 1-3 vote.

Integrated Regional Water Management Plan – Approval of MOU for Plan Preparation and Fund Contribution – General Manager said the staff report presenting this item to the Board was based on a model staff report provided to the District by the Santa Barbara Water Agency. General Manager said he thought it was a good overview of IRWMP and their requirements. General Manager said he had reported to the Board at earlier meetings regarding the IRWMP planning process in the County. Going back a year or so ago, the District elected not to participate in the grant application process with the County to provide funds for an IRWMP for Santa Barbara County. The County believes an approved IRWMP will be necessary to obtain future grant funding in the area of water quality. The County has selected a consultant to prepare the plan, and with the MOU presented to the Board, the County is soliciting participation from public agencies throughout the county. Participation in the management planning process involves participation at the staff level from each agency by providing documentation contributing to the plan development. It also involves sharing a portion of the plan development costs. The MOU for participation drafted by the County was presented to the Board. General Manager said on the last page, the cost breakdown for all the agencies was included. In the past three months, the

County Water Agency has petitioned the Board of Supervisors and the County agreed to pay 50% of the planning costs. General Manager said for the Carpinteria area the County is asking for a contribution of \$8,000. It was left up to the agencies within the geographic areas to determine who would pay what amount. General Manager said he met with the Water District Manager and the City Public Works Director. General Manager said the Water District's Board had already approved to pay one third of the share of the cost for Carpinteria. General Manager reported the Public Works Director said the City was behind this and felt he could get support from City decision makers. From the Water Agency, General Manager said he wanted to get some assurance that the planning process for grant funds would be a fresh start and the District would have the ability to participate in the process to lobby for the District's projects to be funded. General Manager said he felt the District would stand a chance to get a project on the regional priority list for future grand funding.

General Manager said one residual concern he had was if all the agencies in all the geographic areas did not put in their fair share and the County Water Agency came up short. General Manager said he attended the Montecito Sanitary District's Board meeting on Monday, July 31, 2006. That agency was considering this same item on their agenda. General Manager said he talked with the County Water Agency staff regarding his concern. General Manager said there was a possibility the District would make this commitment and the County Water Agency might have to request supplemental funding.

General Manager said what is recommended is that the Board approve the MOU for IRWMP development and authorize payment of \$2,667 to the County Water Agency for the District's contribution to the planning effort.

General Manager said he'd like to point out one item in the MOU – item IV. Scope of an IRWM Plan. General Manager said the question came up as to why the District would want to participate as wastewater treatment providers and collection systems if these issues are not in the mandatory plan elements. General Manager said he got the Water Agency's assurance that they would be considered if there were any agencies that said they wanted these items considered in the planning process.

Director Treloar asked if the District was looking for grant money, who would approve the grant. General Manager said the State Water Resources Control Board would probably have oversight and give out monies according to approved plans. General Manager said there was an opportunity for local agencies to be on the stakeholder's steering committee or there could be representation from a group of sanitary districts within the county. General Manager said it would be incumbent upon wastewater agencies to push for their projects and make sure they are on the priority list.

Director Damron asked if the District could submit the Bluffs Sewer Line Relocation. General Manager said yes, but it would have to be weighed in relation to other projects.

Director Treloar said he felt like it put the District in the position like the oil companies in Santa Barbara County. They want to take monies from us because we operate here, but they want to use that money against our operation. Director Treloar said with the water quality issues, it may come back to bite the District. Director Treloar said he felt like the District should participate, and that it may not help the District personally, but it will help our sister agencies, and that is what the District needed to do in order for Santa Barbara County to get the money from the state. Director Treloar made a motion that the Board approve the MOU and authorize payment to the County Water Agency for the District's contribution to the County planning effort; Director Damron seconded the motion.

Director Horwitz said she was looking at this as a regional cooperative effort joining other agencies in the larger goal of improving water quality.

President Moorhouse said he would feel more comfortable if staff could guarantee that a representative from the District be on the decision-making board. President Moorhouse said this agency was a trendsetter in the region with what is being done with the Rincon area, and what the District is doing with water quality. The District is not only the trendsetter in this region, but also in the state. President Moorhouse said he felt strongly that everything should be done in every possible way, not only as a voting agency, but as a planning and participating agency, and the District is part of the board that helps create the matrix of the projects and determines what is important for water quality here on the south coast. General Manager said he agreed and would do what he could to be involved and participate.

President Moorhouse called for the vote. The motion passed by a 4-0 vote.

General Manager's Status Report. General Manager reported on the following: **Influent Pump Replacement / Primary Clarifier Rehabilitation Project** – Staff has completed replacement of sprockets and some flights and rehabilitation of some of the mechanical components of the primary clarifier. A change order was issued to the Contractor authorizing repairs to irregularities and defects in the existing PVC liner within the clarifier. There was one area where the liner had torn away from the wall – things that could not be seen until dismantling. General Manager said in the past week or so other issues were identified. General Manager showed the Board a stainless steel support that he said held the launders within the clarifier and was attached to a beam. General Manager said that 32 of the support brackets would need to be replaced because of corrosion; **South Coast Beach Communities Septic to Sewer Project Update** – Padre Associates drafted responses to comments and gave them to staff and legal counsel. General Manager said he sent his comments back to Padre to include in the final EIR that will come back to the Board for consideration; **Solids Handling Building Replacement Project** – This project has been advertised, and a mandatory pre-bid conference has been set for August 8. The bid opening is on August 24. A cost estimate was received from the consultant. General Manager said it came in at \$118,000. Director Treloar asked how many contractors had picked up plans, or how many would be expected at the pre-bid conference. General Manager said he would expect maybe seven contractors at the pre-bid conference; **Engineering Technician Recruitment Status** – General Manager said interviews were held after reviewing applications. General Manager reported there were some good candidates and staff is checking references for the highest ranking candidate; **CSDA Annual Conference** – General Manager said he wanted to give this information to the Board and if there was any interest the item would be on the agenda at the next meeting. Director Damron expressed interest in going; **Annual Independent Audit** – General Manager reported the District's auditor would be back in the District on August 7-8 to complete the FY 2005/06 audit; **Operations Update** – The Treatment Plant is in full compliance with the District's permit. While the District is in the middle of the clarifier project, all the flow is being diverted that normally goes to the primary clarifier into the aeration basins. Coupled with the hot weather, there has been some foaming problems, and staff has been working hard to control this problem. General Manager said staff is in the process of procuring some of the budgeted items in the capital equipment budget for FY 06/07. The Collections system is operating fine. Staff is continuing with some of the CCTV inspections performed for lines that Duke's Root Control treated for the District a couple of years ago. Reapplication will be scheduled

as necessary. Lift stations are operating fine, except for power outages and fluctuations. Hydrocleaning and routine sewer system maintenance activities are ongoing.

Board Committee Reports

Finance Committee. Did not meet.

Personnel Committee. Did not meet.

Public Relations Committee. Did not meet.

Board General Items

Future Agenda Items – Director Treloar said he would like staff to look into the JPA with Laguna Water Agency for financing of the plant initially, and since time the District has refinanced. Director Treloar said Laguna Water Agency did not refinance, and he would like staff to look into what it would take to dissolve that agreement.

Legal Counsel said he would look into whether or not the District has the ability to dissolve that agreement. General Manager said the item would come back to the Board at a future meeting.

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

Michael Damron
Secretary

Lin Graf
President Pro-Tem

Patricia Horwitz
Treasurer

Jeff Moorhouse
President

Douglas Treloar
Secretary Pro-Tem