

**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 17, 2010**, at 5:30 p.m. at its District administrative office located at 5300 Sixth Street, Carpinteria, California.

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

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

Legal Counsel
Present: Anthony Trembley - **Absent**

Public Present: None

President Damron called the meeting to order and led the Board and staff in the Pledge of Allegiance.

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

President Damron noted for the record that Director Treloar was absent from the meeting.

Board Approval of Minutes of the Meeting of August 3, 2010 – Director Graf made a motion that the Minutes of the August 3, 2010 Board meeting be approved as submitted; Director Horwitz seconded the motion, and the motion was approved by a 4-0 vote.

Public Forum – none

General Manager's Status Report – General Manager reported on the following:
November 2010 General Election Update – Three individuals have filed papers to run for seats on the Carpinteria Sanitary District Board of Directors in November. Director Graf and Director Damron are pursuing reelection as incumbents. A third candidate, Michael

Modugno, also filed papers to run for an open seat; **Annual Audit Update** – Auditors from Teaman, Ramirez and Smith were at the District the first three days of last week. They completed their on-site work and are preparing the District’s audited financial statements for FY 2009/10. Everything went smoothly, and they will return to present their findings to the Board; **SAMA Meeting Report** – The August meeting of the Sanitation Agency Managers’ Association was held on August 9th at Lake Cachuma. There was discussion regarding an ongoing process at the Regional Board, called Total Maximum Daily Load (TMDL). During this process they look at a watershed for a specific pollutant to determine a source and how much a watershed can tolerate. In this area they are looking at night nutrients and pathogens and are pointing to sewer overflows as a source. The group did not feel sewer overflows were an ongoing source of these pollutants and felt this process would add to our administrative compliance burden. The District will host the September SAMA meeting, and a tour of the Ventura Regional Sanitary District’s Biosolids Heat Drying Facility is tentatively planned; **Public Compensation Disclosure Legislation** – A summary of the senate bill advanced by State Senator Correa, Public Compensation Disclosure Act of 2010, was attached for the Board’s information. General Manager said additional legislation, AB 1955-De La Torre, is moving forward that had additional disclosure requirements; **Engineering Department Update (Lance Lawhon, Engineering Technician)** – The Lagunitas mixed use development project is starting to move forward and will be split into two discrete projects – one 73 unit residential development and one 80,000 square foot commercial building complex. The District is negotiating the possible realignment of an existing sewer in the vicinity of the project. A proposed connection from an agricultural processing/warehouse facility on Foothill Road is moving forward. This parcel will be served by an “Out of agency Service Agreement” and has not been annexed to the District’s service area. Staff met with representatives from TYCO Kilovac about their operations and industrial waster permitting requirements. General Manager said TYCO had ramped up their production and their discharge volumes had gone up. The District will be looking at this going forward from a permitting standpoint. General Manager said the Engineering Technician, Lance Lawhon, had been conducting grease interceptor inspections and the food service establishments seem to be taking better care of their interceptors and grease control facilities. GIS updates are ongoing with the focus being the integration of recently acquired easement documents for parcels throughout the District; **Operations** - The treatment plant is operating well and in full compliance with our NPDES permit. A contracted electrical engineer placed ammeter/voltmeters at key locations within the WWTP to monitor load conditions in one critical area of the plant that recently experienced an overload or fault related trip. Data will be available this week. The collection system is operating well with no overflows to report. Annual service on the Vac-Con was completed and the high pressure hose was replaced as part of preventative equipment maintenance. The network server replacement project began on August 12th and will be completed this week.

Cash Contract No. 377 – Nossaman, LLP

Caltrans Encroachment Permit Advocacy Services – General Manager said this was an item that had previously been reported to the Board related to the Septic to Sewer Project. General Manager said one of the critical entitlements necessary for the project was in the right of way between Rincon Point and the District’s existing system. General Manager said staff met with Caltrans in 2005 and presented all the issues to them with the other alignments, and came up with an alignment in the US 101 corridor, pulled off to the shoulder within the onramp or offramp attached to the bridge and away from the travel lanes. General Manager said the other alignments that were looked at through the EIR process had geologic impacts that were unavoidable, had hazardous materials in one

corridor, and there were Union Pacific Railroad corridor alignments that were problematic. Costs to redesign the pipe would be significant as well.

General Manager said staff had maintained communications with Caltrans in San Luis Obispo since 2005. General Manager said the complete encroachment permit application was submitted with detailed plans the end of 2009, and a letter was received in March of this year denying the preliminary application without prejudice by Caltrans District Five in San Luis Obispo. General Manager said a resubmittal followed, incorporating modifications and recommendations from Caltrans staff, but this was also denied based on input from the Caltrans Office of Encroachment Exceptions in Sacramento. General Manager said he ultimately had a conversation with a higher up-staff level person in Sacramento and talked through the project with him and came to realize that the District would not ever get support for this project from Caltrans Sacramento staff. General Manager said conversations continue with the main person in the permits division of Caltrans in San Luis Obispo. General Manager said staff realized it was probably more of a political issue than a procedural or administrative issue. General Manager said the next step would be to file a formal appeal with the Director of District Five and that appeal is in the works.

General Manager said to get this entitlement done it would take a bigger, political effort than what was planned. With assistance from District Legal Counsel, several contacts were made with project advocacy firms in Sacramento to discuss opportunities to obtain strategic support and assistance getting the Caltrans permit approved. General Manager said Nossaman, LLP provided a proposal that outlined an approach and a team of professionals that best met the District's needs and objectives. Mr. Richard Harris, a Senior Policy Advisor in the firm, would be the lead consultant to the District and would draw on Nossaman's extensive contacts in Caltrans and the Governor's office for assistance. General Manager said Cash Contract No. 377 was drafted to engage Nossaman to provide the desired support services. General Manager said Nossaman was confident they could get the project through.

General Manager said Cash Contract No. 377 had been reviewed by Legal Counsel. Compensation would be on an hourly time and materials basis for services rendered, but would also include a \$5,000 true retainer payment, paying for their existing connections. General Manager said there was not a time and materials not to exceed amount in this contract, but the effort was not anticipated to be significant. General Manager said Mr. Harris, Legal Counsel and he agreed the District would know what was going on and how much was being spent per week. General Manager said he would report regularly to the Board regarding the progress. Discussion was held by the Board regarding the open-ended contract. Director Moorhouse said he was comfortable with the contract language that said Mr. Harris shall maintain direct communication with the General Manager.

General Manager said it was staff's recommendation that the Board approve and execute Cash Contract No. 377 between the District and Nossaman, LLP for professional advocacy services related to Caltrans encroachment permit procurement for the South Coast Beach Communities Septic to Sewer Project.

Director Moorhouse made a motion that the Board approve Cash Contract No. 377 between the District and Nossaman, LLP as presented; Director Horwitz seconded the motion, and the motion was approved by a 4-0 vote.

Finance Committee – Director Horwitz reported she participated in an exit interview following the audit. Director Horwitz said it was a good meeting with the auditors and that she liked the way the auditors were watching out for the grants and the Septic to Sewer Project, and they had some good suggestions. Director Horwitz reported the Finance Committee would be meeting on Monday, August 23rd.

Personnel Committee – did not meet.

Public Relations Committee – did not meet.

Board General Items

CASA and CSDA Legislative Committee Reports – Director Moorhouse said he would be leaving on Wednesday to attend the CASA Conference where there was a full agenda of legislative items to deal with. Director Moorhouse said the next SBCSDA meeting would be a good one with someone speaking from the LAO office. The meeting will be held at the Santa Ynez Marriott on August 23rd.

LAFCO Report – Director Moorhouse reported LAFCO had not met, but reported the City of Goleta had submitted their application to LAFCO and it had been accepted.

Future Agenda Items – None.

Adjournment. There being no further items to discuss, President Damron adjourned the meeting at 5:53 p.m.

Michael Damron
President

Pat Horwitz
Secretary Pro-Tem

Lin Graf
President Pro-Tem

Doug Treloar - **Absent**
Treasurer

Jeff Moorhouse
Secretary