

**MINUTES OF THE SPECIAL MEETING OF THE  
CARPINTERIA SANITARY DISTRICT GOVERNING BOARD  
October 1, 2014**

These are the **minutes** of the **special** 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 special meeting on **October 1, 2014**, at 2:30 p.m. at its District administrative office located at 5300 Sixth Street, Carpinteria, California. The agenda notice for this meeting was posted in the front window of the administrative office of the Carpinteria Sanitary District and on the District's website at least 24 hours in advance of the meeting.

**CALL TO ORDER**

President Modugno called the meeting to order at 2:30 p.m. and noted for the record that all Directors were present.

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

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

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

Public Present:         None.

**PLEDGE OF ALLEGIANCE**

President Modugno asked Director Damron to lead those present in the Pledge of Allegiance.

**BOARD APPROVAL OF AGENDA**

President Modugno stated that no modifications were allowed to the agenda as it was a special meeting.

Board Clerk confirmed for the record that the Special Meeting agenda was noticed in accordance with the Ralph M. Brown Act.

**I. PUBLIC FORUM**

None

**I. MATTERS BEFORE THE BOARD**

**A. GENERAL REPORTS:**

**1. Change Order Nos. 1 and 2 to Cash Contract No. 416 – Aerated Sludge Holding Tank Replacement Project**

General Manager reviewed his staff report related to Change Order Nos. 1 and 2 to Cash Contract No. 416 with Cushman Contracting Corporation for the Aerated Sludge Holding Tank Replacement Project.

Change Order No. 1 to Cash Contract No. 416 reflects a modified contractual approach related specifically to stone column soil densification. The cost associated with the contractual change is \$57,600.

Change Order No. 2 to Cash Contract No. 416, in the amount of \$13,957, addresses three extra work items resulting from unanticipated or changed field conditions.

If approved, Change Order Nos. 1 and 2 would increase the original contract price by \$71,557 making the revised total \$5,269,557. Backup information was attached for review.

After some discussion, Director Damron made a motion, seconded by Director Graf that the Board approve Change Orders No. 1 and 2 to Cash Contract No. 416 with Cushman Contracting Corporation as presented. President Modugno said that while he supports the motion, he would like the liability of Change Order No. 1 to be pursued further. The motion carried by the following vote:

|          |   |   |
|----------|---|---|
| AYES:    | 5 | Velasco, Graf, Modugno, Moorhouse, Damron |
| NOES:    | 0 | None                                      |
| ABSENT:  | 0 | None                                      |
| ABSTAIN: | 0 | None                                      |

## **2. Conflict of Interest Code Review**

General Manager said that this item was on the agenda to provide the Board with information related the required biennial review of the District's Conflict of Interest Code. Staff has reviewed the Code and found that no revisions were necessary.

Director Damron made a motion, seconded by Director Graf that the Board authorize staff to return the Biennial Notice to the County Clerk's Office indicating no changes were necessary to the current District Code. The amended motion carried by the following vote:

|          |   |   |
|----------|---|---|
| AYES:    | 5 | Velasco, Graf, Modugno, Moorhouse, Damron |
| NOES:    | 0 | None                                      |
| ABSENT:  | 0 | None                                      |
| ABSTAIN: | 0 | None                                      |

## **II. BOARD ITEMS**

### **A. COMMITTEE REPORTS**

#### Standing Finance Committee

None.

#### Standing Personnel Committee

None.

#### Standing Public Relations Committee

Director Graf said that the committee met and reviewed the new website.

#### Standing Utilities Committee

None.

#### Ad-Hoc Facilities Planning Committee

President Modugno said that the committee will be conducting architect interviews on October 22<sup>nd</sup>.

**B. GENERAL ITEMS**

CASA Legislative Committee Report

Director Moorhouse gave his report on various CASA items.

LAFCO Report (Jeff Moorhouse)

None.

SBCSDA (Santa Barbara California Special Districts Association) Report

None.

CSRMA Report (Jeff Moorhouse)

None.

Board Member Vacation Dates

None.

Future Agenda Items

District insurance coverages through CSRMA.

**III. CLOSED SESSION**

Legal counsel led the Board in to closed session at 3:16 on the following agendized items:

CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): one case. December 10, 2013 Notice of Violation from Central Coast Regional Water Quality Control Board

**IV. RECONVENE OPEN SESSION**

**A. CLOSED SESSION REPORT**

President Modugno reconvened the open session at 3:40 p.m. Legal Counsel stated that no action had been taken on the closed session item.

**V. ADJOURNMENT**

There being no further items to discuss, President Modugno adjourned the meeting at 3:41 p.m.

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Mike Modugno  
President

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Michael Damron  
President Pro-Tem

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Gerald Velasco  
Secretary

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Lin Graf  
Secretary Pro-Tem

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Jeff Moorhouse  
Treasurer