

MINUTES
REGULAR MEETING OF THE GOVERNING BOARD
GOLETA SANITARY DISTRICT
A PUBLIC AGENCY
DISTRICT OFFICE CONFERENCE ROOM
ONE WILLIAM MOFFETT PLACE
GOLETA, CALIFORNIA 93117

December 21, 2020

CALL TO ORDER: President Rose called the meeting to order at 6:33 p.m.

BOARD MEMBERS PRESENT: Sharon Rose, Jerry D. Smith (joined zoom at 6:37 p.m.), Steven T. Majoewsky, George W. Emerson, Edward Fuller

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Steve Wagner, General Manager/District Engineer, Rob Mangus, Finance and Human Resources Manager/Board Secretary and Richard Battles, Legal Counsel from Howell Moore & Gough LLP.

OTHERS PRESENT: Larry Meyer, Director, Goleta West Sanitary District, Tom Evans, Director, Goleta Water District, and Adam Guise, Partner Moss Levy & Hartzheim LLP

APPROVAL OF MINUTES: Director Majoewsky made a motion, seconded by Director Fuller, to approve the minutes of the Regular Board meeting of 12/07/20. The motion carried by the following vote:

(20/12/2150)

AYES: 4 Rose, Majoewsky, Emerson, Fuller
NOES: None
ABSENT: 1 Smith
ABSTAIN: None

POSTING OF AGENDA: The agenda notice for this meeting was posted at the main gate of the Goleta Sanitary District and on the District's website 72 hours in advance of the meeting.

PUBLIC COMMENTS: None

BUSINESS:

1. **DISCUSSION AND PRESENTATION OF THE DISTRICT'S AUDIT REPORT AND FINANCIAL STATUS AS OF JUNE 30, 2020**
Mr. Wagner began the staff report and introduced Adam Guise, CPA, Partner with Moss, Levy & Hartzheim LLP who presented the audit report to the Board.

Director Smith made a motion, seconded by Director Majoewsky to approve and adopt the Audit Report and Financial Status as of June 30, 2020.

The motion carried by the following vote:

(20/12/2151)

AYES:	5	Rose, Smith, Majoewsky, Emerson, Fuller
NOES:		None
ABSENT:		None
ABSTAIN:		None

2. DISCUSSION AND ACTION RELATED TO DIRECTOR PARTICIPATION ON THE EXECUTIVE BOARD OF THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION'S SANTA BARBARA CHAPTER

Mr. Wagner gave the staff report.

Director Rose recused herself and left the meeting at 7:15 p.m. due to a potential financial interest in being approved to serve on the Santa Barbara County Chapter CSDA Executive Board and being compensated and receiving expense reimbursement.

Acting President Pro Tem Smith addressed the Board.

Director Fuller made a motion, seconded by Director Majoewsky to approve Director Rose to serve on the Santa Barbara County Chapter CSDA Executive Board for the coming year if selected.

The motion carried by the following vote:

(20/12/2152)

AYES:	4	Smith, Majoewsky, Emerson, Fuller
NOES:		None
ABSENT:	1	Rose
ABSTAIN:		None

Director Rose returned to the meeting at 7:17 p.m. and was informed of the vote.

Director Emerson recused himself and left the meeting at 7:17 p.m. due to a potential financial interest in being approved to serve on the Santa Barbara County Chapter CSDA Executive Board and being compensated and receiving expense reimbursement.

Director Majoewsky made a motion, seconded by Director Rose to approve Director Emerson to serve on the Santa Barbara County Chapter CSDA Executive Board, for the coming year if selected.

The motion carried by the following vote:

(20/12/2153)

AYES:	4	Rose, Smith, Majoewsky, Fuller
NOES:		None
ABSENT:	1	Emerson
ABSTAIN:		None

Director Emerson returned to the meeting at 7:18 p.m. and was informed of the vote.

3. CONSIDERATION AND ADOPTION OF RESOLUTION NO. 20-658 IN RECOGNITION AND APPRECIATION OF SERVICE OF ROBERT O. WAGENECK TO THE DISTRICT
Mr. Wagner gave the staff report.

Director Majoewsky made a motion, seconded by Director Smith to approve and adopt Resolution No. 20-658 in recognition and appreciation of service of Robert O. Wageneck to the Goleta Sanitary District.

The motion carried by the following vote:

(20/12/2154)

AYES:	5	Rose, Smith, Majoewsky, Emerson, Fuller
NOES:		None
ABSENT:		None
ABSTAIN:		None

By consensus of the Board, the closed session was moved to the end of the meeting.

4. CLOSED SESSION - ANTICIPATED LITIGATION

- a. PUBLIC COMMENTS ON CLOSED SESSION
No public comment.

The Board entered Closed Session at 8:00 p.m.

- b. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(3)
ONE POTENTIAL CASE

The Board entered Open Session at 8:18 p.m.

- c. OPEN SESSION REPORT ON CLOSED SESSION
CONSIDERATION AND APPROVAL

(20/12/2156)

There was a motion and a second in closed session to reject the claim and authorize the General Manager to send a letter of rejection to the claimant, that passed unanimously.

5. GENERAL MANAGER'S REPORT

Mr. Wagner gave the report.

6. LEGAL COUNSEL'S REPORT

Mr. Battles reported on a recent case involving both competitive bidding and a conflict-of-interest claim. The reverse validation action regarding the competitive bidding was moot because the project was complete. The Tax Payer action regarding the conflict of interest was allowed to be heard.

7. COMMITTEE/DIRECTORS' REPORTS AND APPROVAL/RATIFICATION OF DIRECTORS' ACTIVITIES

Director Majoewsky – No report.

Director Emerson – Reported that he would circulate an article of interest regarding water.

Director Smith – Reported he attended the Finance Committee meeting and discussed the audit draft.

Director Fuller – Reported he attended the Finance Committee meeting as an observer.

8. PRESIDENT'S REPORT

President Rose – Reported on the Goleta Water District meeting she attended and reminded the Board about the upcoming Santa Barbara County local chapter CSDA meeting in January.

9. ITEMS FOR FUTURE MEETINGS

No Board action was taken to return with an item.

10. CORRESPONDENCE

The Board reviewed and discussed the list of correspondence to and from the District in the agenda.

11. APPROVAL OF BOARD COMPENSATION AND EXPENSES AND RATIFICATION OF CLAIMS PAID BY THE DISTRICT

Director Emerson made a motion, seconded by Director Smith, to ratify and approve the claims, for the period 12/08/20 to 12/21/20 as follows:

Running Expense Fund #4640

\$ 345,284.38

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Depreciation Replacement Reserve Fund #4655	\$	23,943.48
Retiree Health Insurance Sinking Fund #4660	\$	597.28

The motion carried by the following vote:

(20/12/2155)

AYES:	5	Rose, Smith, Majoewsky, Emerson, Fuller
NOES:		None
ABSENT:		None
ABSTAIN:		None

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:21 p.m.

Sharon Rose
Governing Board President

Robert O. Mangus, Jr.
Governing Board Secretary

Jerry D. Smith

Steven T. Majoewsky

George W. Emerson

Edward Fuller