

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

March 7, 2016

CALL TO ORDER: President Rose called the meeting to order at 6:34 p.m.

BOARD MEMBERS PRESENT: Sharon Rose, Jerry D. Smith, John R. Fox, Steven T. Majoewsky

BOARD MEMBERS ABSENT: George W. Emerson

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 and Rick Merrifield, Director Goleta Water District

APPROVAL OF MINUTES: Director Majoewsky made a motion, seconded by Director Fox, to approve the minutes of the special Board meeting of 02/17/16. The motion carried by the following vote:

(16/03/1561)

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

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

PUBLIC COMMENTS: None

BUSINESS:

1. **CONSIDERATION OF REQUEST FROM MEG AND CHUCK JETTE TO ENTER INTO A REIMBURSEMENT AGREEMENT FOR COSTS ASSOCIATED WITH THE CONSTRUCTION OF A SEWER MAIN EXTENSION.**
Mr. Wagner gave the staff report.

Director Smith made a motion, seconded by Director Majoewsky, to deny request for reimbursement agreement.

The motion failed by the following vote:

(16/03/1562)

AYES:	2	Smith, Majoewsky
NOES:	2	Rose, Fox
ABSENT:	1	Emerson
ABSTAIN:		None

Board requested that this item be brought back with more detailed topographical mapping of the parcels in question.

2. CONSIDERATION OF SECOND AMENDMENT TO AGREEMENT WITH WESTERN EXPRESS FOR REMOVAL, TRANSPORTATION AND DISPOSAL OF BIOSOLIDS TO EXTEND TERM TO MARCH 7, 2019.

Mr. Wagner gave the staff report.

Director Majoewsky made a motion, seconded by Director Smith, to approve the second amendment to the agreement with Western Express, extending the term, and authorize the General Manager to sign on behalf of the District.

The motion carried by the following vote:

(16/03/1563)

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

3. REVIEW AND CONSIDERATION OF DESIGN SERVICES PROPOSAL FOR THE 2016 PIPELINE REHABILITATION PROJECT.

Mr. Wagner gave the staff report.

Director Smith made a motion, seconded by Director Majoewsky, to approve the Design Services proposal form Stantec for the 2016 Pipeline Rehabilitation Project.

The motion carried by the following vote:

(16/03/1564)

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

4. CONSIDERATION OF LAFCO LETTER DATED FEBRUARY 16, 2016 REGARDING SPHERE OF INFLUENCE UPDATE..

Mr. Wagner gave the staff report to the Board.

Director Smith made a motion, seconded by Director Majoewsky, to direct the General Manager to meet with the Santa Barbara LAFCO Director and discuss the Sphere of Influence issue and report back to the Board.

The motion carried by the following vote:

(16/03/1565)

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

5. GENERAL MANAGER'S REPORT

Mr. Wagner gave the report.

6. LEGAL COUNSEL'S REPORT

Mr. Battles reported on several items, the first being a recent case involving bidding requirements of public works projects as they relate to in house or force account as opposed to outside contractors. In the case cited, the court found that internal work of a Sanitary District was not subject to the \$15,000 limitation.

Mr. Battles reported on the Commission on State Mandates position that reimbursements by the state are not allowed if a District can raise rates or fees to cover the costs associated with the State mandate.

He brought to the Board's attention to provisions of AB 552 related to penalty clauses in public works construction contracts with respect to delays. Damages must be specified within the agreement.

A recent Public Records Act case involving Turf Rebates from a Water District was presented in which the Public Records Act generally protects customer lists provided the agency can show that there is a greater public interest in not releasing a customer list than releasing the list. In this case the court found that the agency did not demonstrate the greater interest in not releasing and was required to do so.

Mr. Battles closed his report with a hand out from the CSDA website regarding reporting of enterprise systems.

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

Director Majoewsky commented on the Engineering Committee meeting.

Director Fox reported on a Santa Barbara LAFCO meeting, his attendance at the Local Chapter CSDA meeting and that he attended a Goleta West Sanitary District meeting.

Director Smith reported on the Engineering Committee meeting and upcoming issues for the Committee.

8. PRESIDENT'S REPORT

President Rose reported on the CASA Washington D.C. Policy Forum held February 22-24, 2016 that she attended.

9. ITEMS FOR FUTURE MEETINGS

A request was retracted awaiting further information.

10. CORRESPONDENCE

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

11. CLAIMS

Director Majoewsky made a motion, seconded by Director Fox, to ratify and approve the claims, for the period 02/18/16 to 03/07/16 as follows:

Running Expense Fund #4640	\$	326,971.20
Plant Facilities Upgrade Fund #4655	\$	412,740.61
OPEB Fund #4660	\$	8,913.73

The motion carried by the following vote:

(16/03/1566)

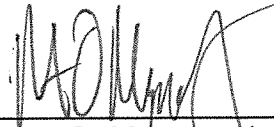
AYES:	4	Rose, Smith, Fox, Majoewsky
NOES:		None
ABSENT:	1	Emerson
ABSTAIN:		None

ADJOURNMENT

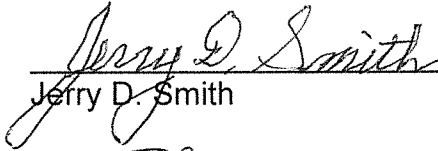
There being no further business, the meeting was adjourned at 9:12 p.m.



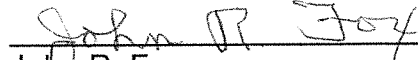
Sharon Rose
Governing Board President



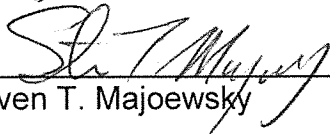
Robert O. Mangus, Jr.
Governing Board Secretary



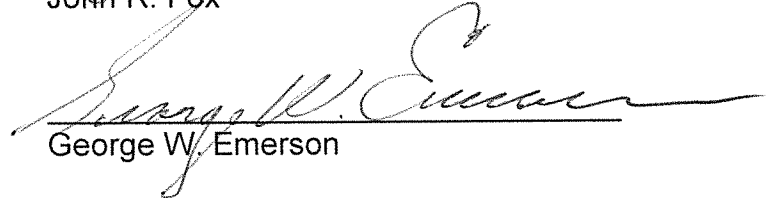
Jerry D. Smith



John R. Fox



Steven T. Majoewsky



George W. Emerson