

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 7, 2009

BOARD MEMBERS PRESENT:

John R. Fox, John S. Carter, Steven T. Majoewsky,
George W. Emerson, Jerry D. Smith

BOARD MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Kamil Azoury, General Manager, Jeff Salt, Operations
Manager, Kathy Johnson, Office Manager, Richard
Battles, Legal Counsel from Howell Moore & Gough LLP

OTHERS PRESENT:

Bert Bertrando of Goleta Water District, Larry Meyer of
Goleta West Sanitary District

CALL TO ORDER:

President Fox called the meeting to order at 7:30 p.m.

APPROVAL OF MINUTES:

Director Carter made a motion, seconded by Director
Emerson to approve the minutes of the Regular Board
meeting of 11/16/09.

(09/12/724)

AYES: Fox, Carter, Majoewsky, Emerson, Smith

NOES: None

ABSENT: None

POSTING OF AGENDA:

The agenda notice for this meeting was posted 72 hours
in advance at the Goleta Sanitary District and at the
Goleta branch of the Santa Barbara County Library.

PUBLIC COMMENTS:

Mr. Bertrando advised the Governing Board of the presentation made to Goleta Water District
by Nancy Jones of PFM Asset Management LLC.

Mr. Azoury recommended that the Board add an item to the agenda because it had just come
to the District's attention that a response to the City of Santa Barbara regarding the proposed

detachment of property from Goleta Sanitary District was required by December 14, 2009. After further discussion, Director Carter made a motion, seconded by Director Majoewsky to add the item to the agenda as item number 5 on the basis that there is a need to take immediate action and that the need for action came to the District's attention subsequent to the agenda being posted for this meeting.

(09/12/725)

AYES: Fox, Carter, Majoewsky, Emerson, Smith

NOES: None

ABSENT: None

BUSINESS:

1. PUBLIC HEARING AND CONSIDERATION OF ADOPTION OF ORDINANCE NO. 73 INCREASING FEES FOR PLAN CHECKS, REVIEWS, PERMITS, INSPECTIONS AND DEPOSITS

Mr. Azoury advised the Board that at its November 2, 2009 meeting, the Governing Board acted to approve the publication of notice of public hearing and to schedule the hearing for December 7, 2009 at which time the Board may take action to adopt revised fees for plan checks, reviews, permits, inspections and deposits. President Fox announced that the public hearing was open at 7:40. He asked Mr. Azoury if any input had been received from the public. Mr. Azoury stated that, although the public notice had been published in the Santa Barbara News Press twice as required, no phone calls or other input had been received from the public. No members of the public wished to address the Board with respect to the matter. Mr. Azoury recommended that the Board approve Ordinance No. 73 regarding the new fees schedule. President Fox closed the public hearing at 7:45. After some discussion over revised language regarding Cost of Living Adjustments in the body of Ordinance No. 73, Director Carter made a motion seconded by Director Emerson, to approve Ordinance No. 73 Increasing Fees for Plan Checks, Reviews, Permits, Inspections and Deposits, subject to a clarification that cost of living adjustments will be calculated in the same manner that such adjustments are calculated for District staff.

(09/12/726)

AYES: Fox, Carter, Majoewsky, Emerson, Smith

NOES: None

ABSENT: None

2. CONSIDERATION OF APPROVAL OF ATTENDANCE AT THE MID-YEAR CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA) CONFERENCE FROM JANUARY 13-15, 2010 AT THE DESERT SPRINGS JW MARRIOTT IN PALM DESERT, CA

The Board members briefly discussed the CASA 2010 conference being held from January 13-15, 2010 in Palm Desert, California. After further discussion, Director Majoewsky made a motion, seconded by Director Emerson to approve the attendance of the Board members

and the General Manager at the mid-year California Association of Sanitation Agencies (CASA) Conference at the Desert Springs JW Marriott in Palm Desert, California.

(09/12/727)

AYES: Fox, Carter, Majoewsky, Emerson, Smith
NOES: None
ABSENT: None

3. CONSIDERATION AND ACTION TO RETAIN PFM ASSET MANAGEMENT LLC, TO CONDUCT AN ANALYSIS OF THE DISTRICT'S CURRENT INVESTMENTS OF ITS FUNDS
Mr. Azoury advised the Board that the District has been considering for some time hiring an outside consultant to analyze its policies and practices of investing its public funds. He advised the Board that the Finance Committee analyzed proposals from PFM Asset Management LLC, the Beacon Pointe and the Morton Capital management (a subsidiary of SBB&T). The costs of the proposals submitted were all under \$15,000. The Committee recommended that any firm selected to examine the District's investment portfolio should not be selling or marketing a product. Mr. Azoury advised the Board that after a review of the proposals, the Finance Committee recommends that the District retain PFM Asset Management to conduct the financial analysis of the District's investment policy. After further discussion, Director Majoewsky made a motion, seconded by Director Carter to contract with PFM Asset Management LLC for an amount not to exceed \$14,500 to conduct an analysis of the District's current investments of its fund.

(09/12/728)

AYES: Fox, Carter, Majoewsky, Emerson, Smith
NOES: None
ABSENT: None

4. ADOPTION OF RESOLUTION NO. 09-493 AUTHORIZING GENERAL MANAGER TO SIGN TAX CERTIFICATE AND ADMINISTER STATE REVOLVING FUND LOAN ON BEHALF OF DISTRICT
Mr. Azoury advised the Board that the District has applied for a State Revolving Fund (SRF) loan in order to help finance the Treatment Plant Upgrading Project. He advised the Board that the District is required to sign and submit to the State Water Resources Control Board (SWRCB) a Tax Certificate establishing the purpose and use of the proceeds from the SRF loan. He advised the Board that a number of resolutions relating to this loan have been adopted by the Board, none of which gives the General Manager the authorization to sign the required Tax Certificate or administer the loan on behalf of the District. After further discussion, Director Smith made a motion, seconded by Director Carter to adopt Resolution No. 09-493 Authorizing the General Manager to Sign the Tax Certificate and Administer the State Revolving Fund Loan on Behalf of the District.

(09/12/729)

AYES: Fox, Carter, Majoewsky, Emerson, Smith

NOES: None

ABSENT: None

5. CONSIDERATION AND ACTION TO RESPOND TO CITY OF SANTA BARBARA ON POTENTIAL DETACHMENT OF PROPERTY FROM GOLETA SANITARY DISTRICT

Mr. Azoury advised the Board of a letter from the City of Santa Barbara regarding the potential annexation of property at 4151 Foothill Road and 675 Cieneguitas Road. Mr. Azoury advised the Board that the request for annexation also included detachment from Goleta Water District, Goleta Sanitary District and the County Fire Protection District. The Board had a number of questions regarding the reasoning behind the request for detachment. Mr. Azoury advised the Board that he had not been provided with enough information to sufficiently answer their questions. After further discussion the Board determined that there were too many unanswered questions and took no action on this item. In order to consider the detachment request and respond accordingly to the City of Santa Barbara the Board requested that Mr. Azoury request further information from the City of Santa Barbara regarding this potential annexation.

6. GENERAL MANAGER'S REPORT

Messrs. Azoury and Salt reviewed the General Manager's Report.

7. LEGAL COUNSEL'S REPORT

Mr. Battles advised the Board of a case regarding government land records maintained in electronic format. He advised the Board that the County of Santa Clara was providing its GIS basemap to the public in compliance with the California Public Records Act but was charging huge fees, sometimes in excess of \$100,000. The Court determined that the County was in violation of the public records law that requires that public agencies may not charge more than the direct cost of reproduction of the records, such as the nominal cost of a blank disk or CD, despite the cost to the agency of the expensive software and technology necessary to produce the GIS basemap data.

8. COMMITTEE/DIRECTOR'S REPORTS AND APPROVAL/RATIFICATION OF DIRECTORS' ACTIVITIES

Director Emerson advised the Board of the Santa Barbara Chapter CSDA meeting he attended.

Director Smith advised the Board of the Finance Committee meetings he attended.

9. PRESIDENT'S REPORT

President Fox advised the Board of the CSDA Executive Board Planning Session he attended.

10. CORRESPONDENCE

The Board reviewed correspondence to and from the District in the agenda and made a part hereof as Exhibit "A".

11. CLAIMS

Director Emerson made a motion, seconded by Director Majoewsky to approve the claims as follows:

Plant Facilities Upgrade Fund #4670	199,308.22
Depreciation Replacement Reserve Fund #4655	15,371.29
Running Expense Fund #4640	433,348.05

(09/12/730)

AYES: Fox, Carter, Majoewsky, Emerson, Smith

NOES: None

ABSENT: None

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:50 p.m.

John R. Fox
Governing Board President

Kamil S. Azoury
Governing Board Secretary

John S. Carter

Steven T. Majoewsky

George W. Emerson

Jerry D. Smith