

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

September 04, 2007

- BOARD MEMBERS PRESENT:** Elbert W. Trantow, John R. Fox, Steven T. Majoewsky
- BOARD MEMBERS ABSENT:** George W. Emerson, John S. Carter
- STAFF MEMBERS PRESENT:** Kamil Azoury, General Manager; Jeff Salt, Operations Manager; Kathy Johnson, Office Manager, Richard G. Battles, Legal Counsel from Mullen & Henzell
- PUBLIC PRESENT:** Larry Meyer of Goleta West Sanitary District
- CALL TO ORDER:** President Pro Tem Trantow called the meeting to order at 12:20 p.m.
- APPROVAL OF MINUTES:** Director Fox made a motion, seconded by Director Majoewsky to approve the Minutes of the Regular Meeting of August 20, 2007.
- (07/09/467)
- AYES: Trantow, Fox, Majoewsky
NOES: None
ABSENT: Emerson, Carter
- POSTING OF AGENDA:** The agenda notice for this meeting was posted at the Goleta Sanitary District and the Goleta branch of the Santa Barbara County Library for 24 hours in advance of the meeting.
- PUBLIC COMMENTS:** Larry Meyer advised the Board that the next Goleta West Sanitary District Board meeting is scheduled for September 11, 2007 at 7:15 p.m.

BUSINESS:

1. **CONSIDERATION AND SUPPORT OF ASSEMBLY CONSTITUTIONAL AMENDMENT 8 AND A COMPANION STATUTORY MEASURE AUTHORED BY ASSEMBLYMAN HECTOR DE LA TORRE (D-SOUTHGATE)**
Mr. Azoury advised the Board of Eminent Domain Reform Amendment 8 prohibiting the use of eminent domain to take an owner-occupied home to convey to another private party, as well as provide new restrictions on the taking of small business properties for

conveyance to a private party. He advised the Board that CASA supports the amendment. Mr. Battles provided details and a brief history of events leading up to Amendment 8. Mr. Azoury advised the Board that they may wish to consider and provide direction to the District staff on supporting Assembly Constitutional Amendment 8. After further discussion, Director Majoewsky made a motion, seconded by Director Fox to support Assembly Constitutional Amendment 8, complete the attached form and return it to Californians for Eminent Domain Reform.

(07/09/468)

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

2. REVIEW AND APPROVAL OF LETTER TO GOLETA WEST SANITARY DISTRICT GOVERNING BOARD REGARDING UPGRADING OF GOLETA SANITARY DISTRICT WASTEWATER TREATMENT PLANT AND AMENDMENT TO EXISTING PLANT CAPACITY AGREEMENT

Mr. Azoury gave a brief history of the correspondence between Goleta Sanitary District and Goleta West Sanitary District regarding GSD's wastewater treatment plant upgrading project and the existing Plant Capacity Agreement. GSD has asked that GWSD advise GSD of its intention to participate in the upgrading project and pay its proportionate share of the associated costs. At this date, GWSD has not provided the requested information to GSD. Mr. Azoury advised the Board of the draft letter to GWSD Governing Board enclosed for their review and discussion. Mr. Battles recalled the commitment by GSD to meet with GWSD to address their concerns, but also said that there are certain conditions of the agreement that are not on the table for discussion such as plant ownership. Mr. Azoury answered questions from Mr. Meyer regarding the amendments to the capacity agreement and an ad hoc committee meeting. After further discussion and review of the draft letter, Director Majoewsky made a motion, seconded by Director Fox to make any changes deemed necessary and since President Emerson was not in attendance, to authorize Board President Pro Tem Trantow to sign and send the letter on behalf of the GSD Governing Board.

(07/09/469)

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

3. REVIEW AND APPROVAL OF RESOLUTION ESTABLISHING POLICIES FOR BOARD MEMBERS PERTAINING TO ATTENDANCE AT MEETINGS, COMPENSATION, TRAVEL EXPENSES AND ETHICS TRAINING

Mr. Azoury advised the Board of the separate policies and resolutions that have been amended over time pertaining to Board members travel expenses and meeting compensation. He explained that these various existing policies and resolutions have been

consolidated into the attached draft Resolution. In addition, Assembly Bill 1234, which became effective January 1, 2006, enacted a number of new legal requirements pertaining to director compensation and expense reimbursements. AB 1234 also enacted new requirements relating to ethics training for governmental officials. These new requirements are also reflected in the attached draft Resolution. Mr. Azoury recommended that the Governing Board review and approve the proposed Resolution with any changes deemed necessary. After further discussion and questions, the Governing Board requested that the Resolution be brought back to the September 17, 2007 Board meeting for further review and action.

4. CONSIDERATION AND DIRECTION OF THE BOARD TO SET THE MAXIMUM LODGING RATE FOR THE WEFTEC CONFERENCE IN SAN DIEGO AS PER THE DISTRICT'S POLICY AND THE REQUIREMENTS OF AB1234 AND THE STATUTORY REGULATIONS ESTABLISHED WITH AB1234

Mr. Azoury advised the Board that at a previous meeting they authorized attendance at the WEF conference in San Diego, California. He further advised the Board that District staff attending the conference will be residing at the Holiday Inn for this conference and as such the maximum rate is defined as that value published by WEF for the Holiday Inn; being at \$185 per night. However, should any member of the Board elect to stay at a different hotel, staff is looking for the Board's direction to define the maximum reimbursable lodging rate for this conference in accordance with the requirements of AB 1234. Director Majoewsky made a motion, seconded by Director Fox to establish the maximum reimbursable lodging rate for this conference at \$185 per night.

(07/09/470)

AYES: Trantow, Fox, Majoewsky

NOES: None

ABSENT: Emerson, Carter

5. CLOSED SESSION UNDER GOVERNMENT CODE SECTION 54957 PUBLIC EMPLOYEE DISMISSAL

The Board entered into a closed session at 2:20 p.m.

6. GENERAL MANAGER'S REPORT

Mr. Azoury reviewed the General Manager's Report. He advised the Board of the Environmental Safari Open House scheduled for October 27, 2007. After some discussion alternative dates for future Board meetings were suggested. The Treatment Plant Upgrading Workshop is scheduled for September 26, 2007. The October 1st Board meeting will be moved to September 27, 2007.

7. LEGAL COUNSEL'S REPORT

Mr. Battles advised the Board that on August 10, 2007, United States District Court Judge Gary A. Feess overturned a Kern County Initiative Ordinance which placed a ban on the land application of biosolids in unincorporated areas of the county. Mr. Battles further explained that the Judge ruled that the ban violates the Commerce Clause of the United

States Constitution and also that it is preempted by the California Integrated Waste Management Act (CIWMA).

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

Director Trantow brought an article from **Wastewater Professional** to the attention of the Board.

Director Majoewsky discussed the Wastewater Treatment Plant Upgrade Ad Hoc Committee meeting he attended.

Director Fox discussed various meetings he attended including the LAFCO Conference and Executive Board Meetings in Sacramento.

9. PRESIDENT'S REPORT

President Emerson was absent from the meeting.

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

Depreciation Replacement Reserve Fund #4655	\$ 125,182.62
Running Expense Fund #4640	116,502.02

(07/09/471)

AYES: Trantow, Fox, Majoewsky

NOES: None

ABSENT: Emerson, Carter

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:20 p.m.

George W. Emerson
Governing Board President

Kamil S. Azoury
Governing Board Secretary

Elbert W. Trantow

John R. Fox

John S. Carter

Steven T. Majoewsky