

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

December 3, 2007

**BOARD MEMBERS PRESENT:** George W. Emerson, Elbert W. Trantow, John R. Fox,  
John S. Carter

**BOARD MEMBERS ABSENT:** Steven T. Majoewsky

**STAFF MEMBERS PRESENT:** Kamil Azoury, General Manager; Jeff Salt, Operations  
Manager; Kathy Johnson, Office Manager; Richard  
Battles, Legal Counsel from Mullen & Henzell

**PUBLIC PRESENT:** Larry Meyer of Goleta West Sanitary District, Bert  
Bertrando of Goleta Water District

**CALL TO ORDER:** President Emerson called the meeting to order at  
12:30 p.m.

**APPROVAL OF MINUTES:** Director Fox made a motion, seconded by Director  
Carter to approve the Minutes of the Regular Meeting of  
November 19, 2007.

(07/12/502)

AYES: Emerson, Trantow, Fox, Carter

NOES: None

ABSENT: Majoewsky

**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:** None

**BUSINESS:**

1. CONSIDERATION OF APPROVAL OF A LETTER TO GOLETA WATER DISTRICT IN  
SUPPORT OF THEIR PROPOSED GROUNDWATER BASIN MODELING PROJECT

Mr. Azoury advised the Board that the District had received a letter from Kevin D. Walsh, General Manager of Goleta Water District (GWD) requesting that Goleta Sanitary District send a letter of support for their proposed Goleta Groundwater Basin Modeling Project. Bert Bertrando answered questions from the Board and explained that GWD is preparing an application to the State Department of Water Resources for grant funds for this project. After further discussion, President Emerson recommended that District staff send a letter in support of Goleta Water District's proposed Goleta Groundwater Basin Modeling Project.

2. CONSIDERATION OF APPROVAL OF SURPLUS REAL PROPERTY REPORT

Mr. Azoury reviewed the surplus real property report, which indicated that the District has no surplus real property to report. Director Carter made a motion, seconded by Director Trantow, to approve the surplus real property report.

(07/12/503)

AYES: Emerson, Trantow, Fox, Carter

NOES: None

ABSENT: Majoewsky

3. DISCUSSION OF DISTRICT'S LEGAL SERVICE IN LIGHT OF DISTRICT COUNSEL'S DEPARTURE FROM MULLEN & HENZELL

At the November 19, 2007 Board meeting, Mr. Azoury advised the Board that Rick Battles, District counsel, was leaving Mullen & Henzell at year end and joining the law firm of Howell Moore & Gough located in Santa Barbara. Mr. Azoury advised the Board that he would bring this item for consideration at the next Board meeting. Mr. Battles gave a brief presentation to the Board of his future plans and provided further information on the law firm he is joining effective January 1, 2008. Mr. Battles explained that he planned to reduce the number of clients that he will represent in order to be more responsive and to concentrate on local government assignments. He further explained that the smaller structure of the law firm Howell Moore & Gough would allow him to restructure his workload in order to accomplish that goal. Mr. Azoury explained that if the Board chooses to remain with Mr. Battles as General Counsel for the District, he would advise Mullen & Henzell of this decision and that District legal files would follow Mr. Battles to his new firm with the exception of labor and employee benefits files. Mr. Thoits and Ms. Roberts would continue to handle these legal matters at Mullen & Henzell. President Emerson suggested the Board continue this discussion and excused Mr. Battles from the meeting. After a lengthy discussion, Director Carter made a motion, seconded by Director Fox for District staff to negotiate an agreement with Mr. Battles in order to continue legal services with him at the law firm of Howell Moore & Gough and to bring this contract back to the Board for consideration.

(07/12/504)

AYES: Emerson, Trantow, Fox, Carter

NOES: None

ABSENT: Majoewsky

4. GENERAL MANAGER'S REPORT

Messrs. Azoury and Salt reviewed the General Manager's Report. Mr. Azoury advised the Board of the Goleta West Sanitary District (GWSD) Board meeting he attended on December 4, 2007. At that meeting he answered questions regarding the GSD Treatment Plant Upgrade. He explained that one of the meeting's agenda items was to consider signing the 3<sup>rd</sup> amendment to the GSD contractual users agreement. Mr. Azoury advised the Board that the majority of the GWSD Board members approved the amendment and that all the contractual users have now signed the amendment.

5. LEGAL COUNSEL'S REPORT

Mr. Battles advised the Board of an initiative known as the Taxpayer Protection Act of 2008 introduced by the Howard Jarvis Taxpayers Association that would forbid local government associations such as CASA and CSDA from using their funds for campaign activities. If enough signatures are gathered, the initiative will most likely appear on the November 2008 ballot.

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

Director Trantow advised the Board of an article in Aqueduct Magazine on the Colorado River. He asked District staff to order copies of the magazine for the Board members.

Director Fox advised the Board of the CSDA Chapter meeting scheduled for that evening. He also advised the Board of the LAFCO meeting scheduled for December 6, 2007.

7. PRESIDENT'S REPORT

No report.

8. CORRESPONDENCE

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

9. CLAIMS

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

Plant Facilities Upgrade Fund #4670	12,340.38
Depreciation Replacement Reserve Fund #4655	10,115.00
Running Expense Fund #4640	183,780.09

(07/12/505)

AYES: Emerson, Trantow, Fox, Carter

NOES: None

ABSENT: Majoewsky

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**ADJOURNMENT**

There being no further business, the meeting was adjourned at 2:00 p.m.

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George W. Emerson  
Governing Board President

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Kamil S. Azoury  
Governing Board Secretary

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Elbert W. Trantow

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John R. Fox

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John S. Carter

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Steven T. Majoewsky