

**MINUTES OF THE REGULAR MEETING  
OF THE GOLETA WEST SANITARY DISTRICT  
UCSB CAMPUS, PARKING LOT 32, SANTA BARBARA, CALIFORNIA  
February 3, 2009**

**CALL TO ORDER**

President Lewis called the meeting to order at 7:15 p.m.

**BOARD MEMBERS PRESENT**

Dave Bearman, M.D.  
Craig Geyer  
Dr. David C. Lewis  
Gary L. McFarland  
Larry D. Meyer

**STAFF PRESENT**

Diane P. Powers, Secretary; Mr. Mark Nation, General Manager/Superintendent; Mr. Mr. Steven A. Amerikaner, General Counsel

**OTHERS PRESENT**

Ms. Alexandra M. Barnhill, Brownstein, Hyatt, Farber, Schreck; Mr. George W. Emerson and Mr. John R. Fox, Directors, Goleta Sanitary District, Mr. Ken Warfield and Mr. Roger Lagerquist, Isla Vista Association; Mr. Joshua Molina, Daily Sound

**APPROVE THE ORDER OF THE AGENDA**

There was no change to the order of the agenda.

**MINUTES**

(09-02-13)

Upon a motion by Director Meyer, seconded by Director Geyer the Board unanimously approved the minutes of the regular meeting of January 20, 2009 as written.

(09-02-14)

Upon a motion by Director Meyer, seconded by Director Geyer the Board unanimously approved the minutes of the Special Meeting of January 27, 2009 as amended.

**PUBLIC INPUT**

There was no public input presented at this time

**BUSINESS**

**1) Discussion of proposed Detachment of the City of Goleta from Goleta West Sanitary District**

Mr. Steven A. Amerikaner provided a report on the January 3, 2009 City of Goleta Council Meeting. He informed the Board that all those who addressed the Council members spoke against the proposal. Mr. Amerikaner went on to say that the Goleta City

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Council formed an Ad-Hoc Committee to meet with the District's Ad-Hoc Committee and to report back to the Council in two week's time. He reported that the City Council voted unanimously to proceed with their application to LAFCO for the detachment of the Goleta West Sanitary District. The LAFCO hearing is scheduled for sometime in March.

Director Geyer commented that the City believes the District's funds are safe with them. Director Bearman asked what would happen if the District were to propose merger with the Goleta Sanitary District to LAFCO at the same time that the City of Goleta submits their proposal for detachment. Ms. Barnhill replied that competing proposals would require LAFCO to prioritize one proposal. She explained that further research is required. Mr. Lagerquist pointed out that the City Manager does not believe that there will be any rate increase and that the District has been saving monies for 30 years when they only knew for 5 years that the funds would be needed for the treatment plant upgrade. The City Manager believes that the District has hoarded the monies and kept it from the public good and that the City would do a better job of managing the funds. Director Meyer mentioned that a treatment plant cannot operate for more than 20 years without some type of upgrade. Director Bearman responded that the Board has been committed for many years to go full secondary and that the City does not know what they are talking about. He added that the District should remain on its current path and make good government arguments.

Mr. Fox commented that the City Manager does not have a good understanding of Prop. 1A. Director Geyer pointed out that the City Manager said this is about the money. He recommended that the Board place the monies earmarked for the plant upgrade into a dedicated account that the City of Goleta would not be able to attach. Director McFarland stated that the City has a desperate need for our monies and wants a Closed Session scheduled to discuss the District's legal options. President Lewis concurred. Director Bearman replied that the Board should react reasonably and that legal options are crucial. Mr. Amerikaner reminded the Board that any arguments are not going to change the City's process. He further commented that his office will analyze the LAFCO application and asked the Board what issues they want the Ad-Hoc Committee to address.

Director Meyer remarked that the City believes that they will secure all the District's funds. Director McFarland stated that it is of great importance that the District educates its constituents. Director Bearman commented that another meeting should be scheduled for next week.

Mr. Amerikaner observed that the City is only interested in revenue enhancement and not in running a sanitary district or updating a treatment plant. He suggested that the District's Ad-Hoc Committee discuss alternatives to detachment when meeting with the City's Ad-Hoc Committee. Director McFarland responded that the City of Goleta should just dissolve as an alternative to LAFCO. Director Geyer asked if the District would consider surrendering its property tax in lieu of detachment.

Mr. Amerikaner stated that the District should deal with the detachment proceeding with LAFCO and litigate if necessary. For the sake of time, Mr. Amerikaner asked the Board what they are most interested in accomplishing.

Director McFarland: Do not negotiate forfeiting District funds. The City should look at alternatives rather than solving their problems by coming to the District.

Director Geyer: The District has reserves for a reason and he would entertain giving the City the District's property tax stream.

Director Meyer: Do not negotiate reserves; reluctant to give up property tax.

Director Bearman: Agrees with Director McFarland. District funds have been earmarked for sewer services. Put the detachment to a vote of the rate payers. The City of Goleta is a failed government entity. What are our responsibilities, what were we elected to do?

*The Board scheduled a Closed Session Meeting for Thursday February 5, 2009 at 7:15 p.m.*

## **2) Review FY 2008-2009 Second Quarter Financial Report**

(09-02-15)

Upon a motion by Director Geyer, seconded by Director Bearman the Board unanimously approved the FY 2008-2009 Second Quarter Financial Report as presented.

## **COMMUNICATIONS**

The communications were noted as received.

## **REPORTS**

### **Operating Report**

Staff provided a written report to the Board, which has been made a part of these minutes.

Mr. Mark Nation provided a brief review of said report.

### **Finance Committee**

The topic of the Finance Committee Meeting was addressed as an item under business.

### **Ad-Hoc Committee Meeting**

The topic of the Ad-Hoc Committee Meeting was addressed as an item under business.

### **Goleta Sanitary District Board Meeting**

Director Meyer provided a report on the February 2, 2009 Goleta Sanitary District Board Meeting.

## **ADJOURNMENT**

There being no further business, President Lewis adjourned the meeting at 8:40 p.m.

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Diane P. Powers, Secretary

**APPROVED**

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Dr. David C. Lewis, President