

**MINUTES OF THE REGULAR MEETING
OF THE GOLETA WEST SANITARY DISTRICT
UCSB CAMPUS, PARKING LOT 32, SANTA BARBARA, CALIFORNIA
January 20, 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. Steven A. Amerikaner, General Counsel

OTHERS PRESENT

Mr. Bert Bertrando, Director, Goleta Water District

ORDER OF THE AGENDA

There was no change to the order of the agenda.

MINUTES

(09-01-05)

Upon a motion by Director Meyer, seconded by Director Geyer the Board unanimously approved the minutes of the Special Meeting of January 13, 2009 as written.

PUBLIC INPUT

Mr. Bert Bertrando expressed appreciation to Director Geyer for offering his expertise to the Goleta Water District. Director Bearman wished that those present take notice of the inauguration of the 44th President of the United States.

BUSINESS

1) **Committees of the Board, Representatives of the District and 2009 appointments**

Director Geyer strongly recommended that the Board re-establish the representative to the Goleta Water District and reinstate the Ad Hoc Committee regarding the Wastewater Treatment Plant Upgrade Project and District contact with Goleta Sanitary District. He then asked Counsel for clarification concerning Section 6 of the Board Policy Handbook. Mr. Steven A. Amerikaner replied that the President of the Board can eliminate a District representative to attend the Goleta Water District Board Meetings or the Board can choose to amend Section 6 of the Board Policy Handbook. Director Geyer went on to

comment that an Ad Hoc Committee can only be dissolved once a final report has been furnished to the Board. Director Bearman claims that the presidential power is a courtesy and that he recalls at no time a President of the Board dissolving a Committee or removing a representative. He added that it is not in keeping with the intention of the Board to allow a single individual to have this discretion. Director McFarland remarked that when Kenneth Hendrickson was President there was no rotation of the Board President and that he was responsible for the current rotation process and that the Board could vote to have it otherwise. He doesn't understand why this is such an issue. Director Bearman stated that rotating the position of President is a good idea and that he believes it to be helpful to have someone represent the District at the Goleta Water District Board Meetings. Director McFarland acknowledged that he would be the appropriate choice since he is the most informed and an employee of the Goleta Water District. Director Bearman, on the other hand, believes that this might appear to be a conflict of interest. Director McFarland responded that there is no conflict of interest since he has consulted an attorney on the matter. President Lewis agreed that as long as Director McFarland works for the Goleta Water District it makes sense that he act as the District's representative.

(09-01-06)

Director Geyer motioned with a second by Director Bearman to re-establish the Goleta Water District representative and reinstate the Ad Hoc Committee regarding the Wastewater Treatment Plant Upgrade Project and District contact with Goleta Sanitary District. The motion failed (Ayes: Bearman, Geyer; Noes: Lewis, McFarland; Abstained: Meyer).

President Lewis queried the Board as to whether the Environmental Ad Hoc Committee should be made a standing committee or remains as an Ad Hoc Committee.

(09-01-07)

Upon a motion by Director Meyer, seconded by Director Bearman the Board unanimously approved to direct District counsel to prepare and present to the Board an amendment to Section 6 of the Board Policy Handbook as follows:

1. Establish the Environmental Committee as a Standing Committee of the District.
2. Authorize the President to appoint one or more Board members to serve as a liaison to another public agency, and to change or rescind any such appointment. A liaison to another public agency shall be authorized to (i) attend meetings of the governing board of that agency, and (ii) represent the District at such meetings. A liaison shall regularly report to the District board information and activities of the public agency to which he or she is a liaison.
3. Require that the President report to the Board any action to (i) create or dissolve an Ad Hoc Committee, (ii) appoint a Board member to a Standing Committee or Ad Hoc Committee or as a liaison to another public agency, or (iii) change or rescind any such

appointment. Any such report shall be in writing and, if practicable, shall be provided to the Board at least three days prior to the next regular meeting of the Board following any such action.

4. Authorize the Board, by majority vote, to veto any action by the President to (i) create or dissolve an Ad Hoc Committee, (ii) appoint a person to serve on a Standing or Ad Hoc Committee, or change or rescind any such appointment; (iii) appoint a person to serve as a liaison to another public agency, or to change or rescind any such appointment.

(09-01-08)

Upon a motion by Director McFarland, seconded by Director Meyer the Board unanimously approved to direct the Ad Hoc Committee regarding the Wastewater Treatment Plant at GSD to schedule another meeting and report back to the Board on its current status.

2) **Review Agreement between Goleta West Sanitary District and Dos Pueblos Partners Golf Course**

Mr. Mark Nation provided an overview of the Agreement and informed the Board that the Management Committee had directed staff to send a letter on an annual basis to the current property owner as a reminder of the terms of the Agreement. Director Meyer agreed.

(09-01-09)

Upon a motion by Director Meyer, seconded by Director McFarland the Board unanimously approved to direct staff to send a letter on an annual basis to the current property owner of said property as a reminder of the terms of the Agreement.

3) **Review bill analysis service by Utility Cost Management and information provided by Southern California Edison regarding utility cost savings**

Mr. Mark Nation reviewed his January 15, 2009 Memorandum. Director Geyer asked if Counsel would research whether savings can be retroactive and that he was shocked this cost savings issue was never addressed in the past. Director McFarland suggested approaching Utility Cost Management to determine if they might possibly obtain a more lucrative deal than what Southern California Edison was able to provide and that they would receive a percentage of the difference in savings. Director Meyer suggested first taking advantage of the new rates set by Southern California Edison and then approaching Utility Cost Management for potential additional savings.

(09-01-10)

Upon a motion by Director Geyer, seconded by Director McFarland the Board unanimously approved to take advantage of the savings offered by Southern California Edison. Director Meyer amended the motion to add that Southern California Edison further research the matter.

COMMUNICATIONS

The communications were noted as received and discussed.

REPORT

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.

ADJOURNMENT

There being no further reports or business, President Lewis adjourned the meeting at 8:27 p.m.

Diane P. Powers, Secretary

APPROVED

Dr. David C. Lewis, President