

**MINUTES OF THE REGULAR MEETING
OF THE GOLETA WEST SANITARY DISTRICT
UCSB CAMPUS, PARKING LOT 32, SANTA BARBARA, CALIFORNIA
May 5, 2009**

CALL TO ORDER

President Lewis called the meeting to order at 7:18 p.m.

BOARD MEMBERS PRESENT

Dave Bearman, M.D.
Craig Geyer
Dr. David C. Lewis
Gary L. McFarland
Larry D. Meyer (arrived 7:23 p.m.)

STAFF PRESENT

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

OTHERS PRESENT

Ms. Alexandra M. Barnhill, Brownstein, Hyatt, Farber, Schreck

APPROVE THE ORDER OF THE AGENDA

The Board agreed to address agenda item number 7 as first under Business.

MINUTES

(09-05-35)

Upon a motion by Director McFarland, seconded by Director Geyer the Board unanimously approved the minutes of the regular meeting of April 7, 2009 as written.

PUBLIC INPUT

There was no public input at this time.

BUSINESS

1) Reserve Fund Transfers

Mr. Mark Nation provided a report on the Finance Committee's recommendation to transfer monies from Fund 4910 to Fund 4935.

(09-05-36)

Upon a motion by Director Bearman, seconded by Director Geyer the Board unanimously approved to transfer \$840,000 from Fund 4910 to fund 4935.

2) Review Pump Station No. 1 Improvement Draft Basis of Design Memorandum From CDM

Mr. Nation provided a brief explanation of the study from CDM that evaluates the solutions for the increased problems associated with clogging of pumps in PS#1.

(09-05-37)

Upon a motion by Director Geyer, seconded by Director McFarland the Board unanimously approved to accept the study prepared by CDM and directed staff to request a proposal from CDM for engineering design and preparation of the final bid documents for the recommended option in the Pump Station No. 1 Improvement Draft Basis of Design Memorandum.

3) Consideration of CSDA Bylaws Amendments

Director Meyer requested that this item be tabled until the next regular Board Meeting at which time he will be prepared to discuss the amendments in greater detail.

4) Report on Proposed Detachment

Mr. Steven A. Amerikaner reported that he had met with Mr. John Baker (County of Santa Barbara) regarding the terms of the property tax negotiation agreement. He went on to say that he made presentations to both the Board of Supervisors that morning and the Goleta City Council that afternoon. Mr. Amerikaner commented that he was pleased to see that the County had toughened the agreement by setting aside 20 million of the District's reserves for the Goleta Sanitary District Plant Upgrade Project. He explained that the District asked for three additional contingencies that were not accepted by the Board of Supervisors. Mr. Amerikaner spoke of the predicted rate increases supported by the Raftelis Financial Consulting, Inc. study. He also discussed the repercussions of Proposition 218. Mr. Amerikaner suggested that the City set aside property taxes in a separate reserve account just in case rates did not cover general operating expenses. He remarked that the property tax split should be 52% - City/48% GWSD based on flow rather than real estate values. Mr. Amerikaner informed the Board that the final vote by the Board of Supervisor was 4-1 to approve the property tax exchange agreement including the 20 million set aside for the Goleta Sanitary Treatment Plant Upgrade Project.

Mr. Amerikaner reported on his presentation to the Goleta City Council. He explained that his focus was on the risks to the City of Goleta if they were to successfully detach from the Goleta West Sanitary District. Director Meyer replied that the City acts as though they have already overcome the risks. Mr. Amerikaner acknowledged that the City accused him of exaggerating the risks. Director Meyer responded that there is false optimism on the part of City staff as communicated to the Council members.

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.

Engineering Committee Meeting

A topic of the April 28, 2009 Engineering Committee was addressed as an item under business. Mr. Nation provided a report on the remaining topics.

Management Committee Meeting

Director Geyer provided a report on the May 4, 2009 Management Committee Meeting.

Ad-Hoc Committee Meeting

Director Geyer provided a report on the April 29, 2009 Ad-Hoc Committee Meeting.

Goleta Sanitary District Board Meeting

Director Meyer provided a report on the April 20, 2009 Goleta Sanitary District Board Meeting.

City of Goleta

There were no reports presented at this time.

Special District Association

Director Meyer provided a report on the April 27, 2009 Chapter Meeting.

**CLOSED SESSION: Conference with District Counsel – Anticipated Litigation
Initiation of Litigation pursuant to subdivision (c) Section 54956.9 (one case)**

The Board went into Closed Session at 8:05 p.m.

The Board returned to open session at 8:40 p.m.

*No action was taken.

ADJOURNMENT

There being no further business, President Lewis adjourned the meeting at 8:41 p.m.

Diane P. Powers, Secretary

APPROVED

Dr. David C. Lewis, President