

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

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

The Board went into Closed Session at 6:30 p.m.  
(Director Bearman arrived at 6:33 p.m.)  
The Board returned to open session at 7:22 p.m.  
No action was taken.

**CALL TO ORDER**

President Lewis called the meeting to order at 7:26 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**

Ms. Alexandra M. Barnhill, Brownstein, Hyatt, Farber, Schreck; Mr. George W. Emerson and Mr. John R. Fox, Directors, Goleta Sanitary District; Mr. Kamil Azoury, General Manager, Goleta Sanitary District; Mr. Jeff Salt, Goleta Sanitary District; Mr. Lou Ventura, EMID; Mr. Aaron Baker, Brownstein, Hyatt, Farber, Schreck; Ms. Ashley Flores; Ms. Danna McGrew, Bartlett, Pringle & Wolf LLP

**APPROVE THE ORDER OF THE AGENDA**

There was no change to the order of the agenda.

**MINUTES**

(09-03-20)

Upon a motion by Director Geyer, seconded by Director Meyer the Board unanimously approved the minutes of the Special Meeting of February 10, 2009 as written.

**PUBLIC INPUT**

There was no public input presented at this time.

**BUSINESS**

**1) Update regarding Goleta Sanitary District Treatment Plant Upgrade Project**

Mr. Kamil Azoury provided an update on the Treatment Plant Upgrade Project. He explained that the District is currently going through value engineering in addition to health assessments. In addition further archeological investigations are required. Mr. Azoury stated that 35% - 40% of the design phase has been completed. He informed the Board that the project has been shortened by one (1) year and that the Goleta Sanitary District should have a bid in hand by this time next year.

**2) City of Goleta Detachment Proposal to LAFCO: Future discussions; further delegation of contracting authority**

Mr. Steven A. Amerikaner reported that the District Ad-Hoc Committee and the City of Goleta Ad-Hoc Committee met on February 18, 2009. It was suggested at that meeting that the District's management and legal staff meet with the City's management and legal staff to continue the discussion. Director Geyer remarked that the District Ad-Hoc Committee should continue to meet with the City of Goleta and not solely with staff. Director Bearman replied that the District is looking for something to respond to. Mr. Amerikaner reminded the Board that the original agenda for the Ad-Hoc Committee was to discuss with the City of Goleta the Detachment Proposal. Director Bearman responded that the District invited the City to bring forth a proposal. Director McFarland commented that it is not the responsibility of the District to dictate to the City how to best provide sewer service. The Board agreed that the Ad Hoc Committee will participate in future discussions with the City.

Mr. Amerikaner informed the Board that as the District proceeds through the process they may require the expertise of additional consultants. He recommended that for the sake of efficiency that staff be authorized to engage the services of consultants and to report back to the Ad-Hoc Committee. Director McFarland asked should any consultants first be approved by the Board.

(09-03-21)

Upon a motion by Director Geyer, seconded by Director Bearman the Board unanimously approved to authorize staff and Counsel to directly engage consulting services as needed to address the City of Goleta Detachment Proposal to LAFCo.

**3) Consideration to participate in CalPERS CERBT for OPEB Pre-funding**

Mr. Mark Nation provided an explanation of the CalPERS CERBT for OPEB Pre-funding and mentioned that the July 1, 2007 GASB 45 Liability Information and Fiscal 2008 Annual required Contribution Estimated Results was the updated version prepared by RSM McGladrey. Director McFarland articulated some concern regarding the timeliness of the actuarial tables. Mr. Nation explained that the actuarial assumptions are updated every two (2) years.

(09-03-22)

Upon a motion by Director Geyer, seconded by Director Bearman the Board unanimously approved to prefund 100% of the Actuarial Accrued Liability and to direct staff to submit the following documents to CalPERS: Actuarial Valuation Report; Summary of Actuarial Information Required for CalPERS Financial Statements;

Agreement and Election to Prefund OPEB; Certification of OPEB Actuarial Information and Certification of Funding Policy.

(09-03-23)

Upon a motion by Director Geyer, seconded by Director McFarland the Board unanimously approved to adopt Resolution No. 09-715: Delegation of Authority to Request Disbursements and to direct staff to submit said Resolution to CalPERS.

**AYES:** Bearman, Geyer, Lewis, McFarland, Meyer

**NOES:** None

**ABSTAINED:** None

**ABSENT:** None

**4) Approval of annual Reserve Fund Transfers**

Mr. Nation provided an overview of the Reserve Fund Transfers.

(09-03-24)

Upon a motion by Director Geyer, seconded by Director Bearman the Board approved (Director McFarland had left the room and subsequently was not able to respond to said motion) the annual Reserve Fund Transfers as presented.

**5) Proposal from ICOMMM for new Computer Maintenance Management System**

Mr. Nation provided an explanation of the upgrade to the District's Computer Maintenance Management System.

(09-03-25)

Upon a motion by Director McFarland, seconded by Director Geyer the Board unanimously approved to accept Scenario #A1 in the proposal from ICOMMM at a cost not-to-exceed \$97,975.

**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**

Director McFarland and President Lewis provided reports on February 17, 2009 Engineering Committee Meeting.

**Finance Committee**

Director McFarland remarked that the topic of the February 19, 2009 Finance Committee Meeting was addressed as an item under business.

**Ad-Hoc Committee Meetings**

Director Geyer provided reports on the February 5, 13, 23 and March 2, 2009 Ad-Hoc Committee Meetings.

**Goleta Sanitary District Board Meetings**

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

**City of Goleta**

Director Geyer provided a report on the February 17, 2009 City of Goleta Council Meeting.

**Special District Association**

Director Meyer provided a report on the February 23, 2009 Special District Association Chapter Meeting.

**ADJOURNMENT**

There being no further business, President Lewis adjourned the meeting at 8:47 p.m.

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Diane P. Powers, Secretary

**APPROVED**

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Dr. David C. Lewis, President