

**MINUTES OF THE SPECIAL MEETING
OF THE GOLETA WEST SANITARY DISTRICT
UCSB CAMPUS, PARKING LOT 32, SANTA BARBARA, CALIFORNIA
August 17, 2010**

CALL TO ORDER

President Geyer called the meeting to order at 7:00 p.m.

BOARD MEMBERS PRESENT

Dave Bearman, M.D. (arrived 7:10 p.m.)

Craig Geyer

Dr. David C. Lewis

Larry D. Meyer (arrived 7:03 p.m.)

Eva Turenchalk

STAFF PRESENT

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

OTHERS PRESENT

Ms. Alexandra M. Barnhill, Counsel, Brownstein, Hyatt, Farber, Schreck; Mr. John R. Fox, Director, Goleta Sanitary District; Mr. Bert Bertrando, Director, Goleta Water District; Mr. Bruce Murdock; Mr. Dan Singer, City of Goleta; Mr. Roger Lagerquist, Isla Vista Association; Mr. John Bowman, EMID; Mr. Ken Warfield

APPROVE THE ORDER OF THE AGENDA

There was no change to the order of the agenda.

PUBLIC INPUT

There was no public input presented at this time.

MINUTES

(10-08-37)

Upon a motion by Director Lewis, seconded by Director Turenchalk the Board unanimously approved the minutes of the regular Board Meeting of August 3, 2010 as written.

ACTION ITEMS

1) **Report from Staff and General Counsel on City of Goleta's Detachment Proposal to LAFCO**

Mr. Amerikaner directed the Board's attention to the report that was distributed at the meeting regarding the City of Goleta Detachment Proposal. This Report was prepared in response to the City of Goleta's July 26, 2010 application to LAFCO. Mr. Amerikaner made it clear that in the August 16, 2010 letter to LAFCO the original application submitted by the City of Goleta has lapsed due to inactivity and as a result must now be treated as a new proposal. He added that the

District is asking LAFCO to rescind the Certificate of Filing and cancel the October 2010 hearing. The letter dated August 17, 2010 addresses the incompleteness of the City of Goleta's application. Mr. Amerikaner remarked that he does not know what action LAFCO will take in response to the letters, but hopes they will convene prior to the October hearing to address the concerns expressed in the letters.

Director Meyer observed that the Goleta Sanitary District proposal to the City of Goleta did not include all the necessary services. Mr. Amerikaner responded that the application must outline how all services are to be provided.

Mr. Amerikaner explained that the District will prepare for the October hearing using the same arguments as presented in the Report to the Board of Directors Regarding the City of Goleta Detachment Proposal unless LAFCO cancels the hearing and decides to schedule a special meeting to address the time and incompleteness issues.

President Geyer queried Counsel as to whether the District can request LAFCO hold a special meeting. Mr. Amerikaner replied that the District can, but the decision is ultimately up to LAFCO. Director Geyer stated that the transfer of wastewater to the plant was completely ignored in the City of Goleta's proposal. Mr. Amerikaner explained that the August 17, 2010 letter addresses the inadequacy not the accuracy of the proposal. He stated that the City made surprising assumptions regarding the Revenue Neutrality Agreement in that there were significant flaws in their analysis. Director Turenchalk asked if a report will be presented to LAFCO. Mr. Amerikaner replied that a brief will be prepared and submitted to LAFCO well in advance of the hearing. He pointed out that the City of Goleta did not approach the District to determine wheeling charges. The District had addressed the cost of these services in the report prepared by Raftelis Financial Consulting and believes that the numbers are accurate.

President Geyer requested that the Board forward any questions that they may have to Mr. Nation to be included for discussion at the next Board Meeting.

Mr. Bob Braitman requested that his office receive well in advance all materials concerning the Detachment Proposal. He added that any information should go by staff since it requires review and a staff report to be presented to the LAFCO Commissioners. Mr. Braitman explained that LAFCO is a quasi-legislative agency and is not judicial. Mr. Amerikaner informed Mr. Braitman that the Report to the Board of Directors was distributed that evening and was not available to the public at a prior time.

2) Updated District Injury and Illness Prevention Plan

Mr. Nation provided a brief explanation of the IIPP. He stated that both the Personnel Committee and staff recommend that the Board adopt the IIPP as presented.

(10-08-38)

Upon a motion by Director Turenchalk, seconded by Director Lewis the Board unanimously approved to adopt the District Injury and Illness Prevention Plan as presented.

COMMUNICATIONS

The communications were noted as received.

REPORTS

Operating Report

There were no questions regarding the operating report.

Personnel Committee Meeting

Director Lewis provided a report on the August 6, 2010 Personnel Committee Meeting.

Ad-Hoc Committee Meeting

President Geyer provided a report on the August 13, 2010 Ad-Hoc Committee Meeting.

Goleta Sanitary District Board Meeting

Director Meyer provided a report on the August 16, 2010 Goleta Sanitary District Board Meeting.

IVR&PD Board Meeting

Director Turenchalk provided a report on the August 5, 2010 IVR&PD Board Meeting.

City of Goleta Council Meeting

No report was provided.

Special District Executive Board Meeting

President Geyer provided a report on the August 4, 2010 Special Districts Executive Board Meeting.

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

The Board went into Closed Session at 7:47 p.m.

The Board returned to open session at 7:54 p.m.

*No action was taken.

ADJOURNMENT

There being no further business, President Geyer adjourned the meeting at 7:55 p.m.

Diane P. Powers, Secretary

APPROVED

Craig Geyer, President