

**MINUTES OF THE REGULAR MEETING
OF THE GOLETA WEST SANITARY DISTRICT
UCSB CAMPUS, PARKING LOT 32, SANTA BARBARA, CALIFORNIA
December 1, 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
Larry D. Meyer (arrived 7:19 p.m.)

BOARD MEMBER ABSENT

Eva Turenchalk

STAFF PRESENT

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

OTHERS PRESENT

Mr. John R. Fox, Director, Goleta Sanitary District; Ben Preston, Independent; Martha Lannan

APPROVE THE ORDER OF THE AGENDA

There was no change to the order of the agenda.

MINUTES

(09-12-87)

Upon a motion by Director Bearman, seconded by Director Geyer the Board unanimously approved the minutes of the regular meeting of November 17, 2009 as written.

PUBLIC INPUT

There was no public input presented at this time.

1) **Request for Sewer Availability Letter for proposed 60-unit residential project
"Kenwood Village" APN: 077-130-006**

Mr. Nation explained that the parcel in question was not within the boundaries of the District and that the applicant has requested a Sewer Availability Letter in order to proceed with the City of Goleta's entitlement process. Director Bearman replied that he is directly opposed to providing sewer service for property not within the District. President Lewis agreed and stated that the applicant should first pursue annexation. Director Bearman motioned that this item be tabled until the property has been annexed to the District. Director Geyer commented that should detachment occur then the issue of annexation would become a moot point. He suggested that the applicant approach the City of Goleta and ask if they would consider his application without

a District Availability Letter. Director Geyer requested that the motion be withdrawn. Director Bearman agreed. President Lewis then withdrew the motion.

2) Discussion of City of Goleta Draft Report prepared by Bartle Wells Associates

Mr. Amerikaner explained that the District became aware of the report the day before Thanksgiving. He added that Raftelis Financial Consulting and Bartlett, Pringle & Wolf have both received a copy of said report and will begin their analysis. Mr. Amerikaner went on to say that he and Mr. Nation prepared a memorandum to the Board with a preliminary status report and that this issue will be brought back to the Board once it has been reviewed and commented on by Raftelis Financial Consulting and Bartlett, Pringle & Wolf.

President Lewis mentioned that it is very short-sighted of the City to take District funds due to the possibility of large capital projects occurring in the future such as tertiary treatment. Director Meyer questioned whether the City is prepared to pay huge fines should they not adequately maintain the system. Director Geyer remarked that the City is a bit confused on what property taxes can be used for and that the District has been judicious and planned for the future. He is proud of this fact and he knows of no other District that can boast the same. Director Bearman observed that the fiscal analysis completed at the time when the City was created indicated that the City would be broke and does it make for less government to go from two (2) to three (3) sanitary Districts. He believes that the detachment is an act of desperation on the part of the City and that they had been warned. Director Bearman added that the City never approached the District to discuss the allocation of property taxes.

No action was taken.

3) FY 2009-2010 First Quarter Financial Report

President Lewis reported that the FY 2009-2010 First Quarter Financial Report had been reviewed by the Finance Committee. Director Geyer added that the Committee had met with the financial consultant and that the Committee recommends the Board accept the report.

(09-12-88)

Upon a motion by Director Geyer, seconded by Director Meyer the Board unanimously approved to accept the FY 2009-2010 First Quarter Financial Report as presented.

4) Board Director Compensation

Director Geyer provided an explanation of the process and that the Committee is not ready at this time to support an increase in Director Compensation. No action was taken.

5) Election of Board President, Vice-President and Secretary for calendar year 2010

(09-12-89)

Upon a motion by President Lewis, seconded by Director Bearman the Board unanimously approved to elect Director Geyer as President of the Governing Board for 2010.

(09-12-90)

Upon a motion by Director Geyer, seconded by Director Bearman the Board unanimously approved to elect Director Meyer as Vice-President of the Governing Board for 2010.

(09-12-91)

Upon a motion by Director Meyer, seconded by Director Geyer the Board unanimously approved to elect Diane P. Powers as Secretary of the Governing Board for 2010.

COMMUNICATIONS

The communications were noted as received.

REPORTS

Operations Report from General Manager

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 Meeting

President Lewis provided a report on the December 1, 2009 Finance Committee Meeting.

Ad-Hoc Committee Meeting

Director Geyer provided a report on the November 23, 2009 Ad-Hoc Committee Meeting.

Special Districts Association

Director Meyer provided a report on the November 20, 2009 SBCSDA Chapter 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 8:21 p.m.

The Board returned to open session at 8:33 p.m.

There was no action taken at this time.

ADJOURNMENT

There being no further business, President Lewis adjourned the meeting at 8:34 p.m.

Diane P. Powers, Secretary

APPROVED

Dr. David C. Lewis, President