

**MINUTES OF THE SPECIAL MEETING  
OF THE GOLETA WEST SANITARY DISTRICT  
UCSB CAMPUS, PARKING LOT 32, SANTA BARBARA, CALIFORNIA  
February 16, 2010**

**CALL TO ORDER**

President Geyer 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  
Eva Turenchalk

**STAFF PRESENT**

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

**OTHERS PRESENT**

Mr. Ken Alker; Ms. Lisa Plowman

**APPROVE THE ORDER OF THE AGENDA**

President Geyer reported that the Embarcadero Municipal Improvement District (EMID) has requested that agenda item seven (7) be deferred to the next regular Board Meeting.

**PUBLIC COMMENT**

There was no public comment presented at this time.

**MINUTES**

(10-02-09)

Upon a motion by Director Meyer, seconded by Director Lewis the Board unanimously approved the minutes of the regular meeting of February 2, 2010 as written.

**ACTION ITEMS**

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

Mr. Mark Nation reported that Director Turenchalk had requested this item be revisited from the December 1, 2009 Board Meeting. Director Turenchalk remarked that the project in question may or may not be approved by the City of Goleta, however; by issuing an Availability Letter at this time would allow the applicant to begin the permitting process. She added that the Availability Letter should be amended to say that the parcel is not within District boundaries and that once the project has been approved the applicant must then annex the property to the District. Mr. Amerikaner explained that District Ordinance No. 60 authorizes the General

Manager to supply an Availability Letter for a period of up to one year from the date of issuance. He went on to say that Board policy delegates the decision to issue an Availability Letter to the General Manager. Mr. Amerikaner made it clear that the Availability Letter is not a commitment to provide service but rather to indicate to the applicant and the City of Goleta that there is sufficient capacity. President Geyer remarked that the District should not enter into discussions with any applicant whose property is outside District boundaries. Director Bearman agreed and added that if a parcel is outside the District then there should be some sort of contract with the applicant. Mr. Amerikaner replied that the Availability Letter acts as a contract. Ms. Lisa Plowman informed the Board that the City of Goleta is looking to determine if the agency has the capacity to provide service to the effected parcel. Directors Meyer and Lewis saw no problem in issuing an Availability Letter to the applicant.

(10-02-10)

Upon a motion by Director Lewis, seconded by Director Meyer the Board unanimously approved to issue an Availability Letter with corrections for the proposed 60-unit residential project "Kenwood Village" APN: 077-130-006.

## **2) Discussion of 2<sup>nd</sup> Quarter FY 2009-2010 Financial Report**

President Geyer reported that the Finance Committee recommends accepting the report.

(10-02-11)

Upon a motion by Director Lewis, seconded by President Geyer the Board unanimously approved to accept the 2<sup>nd</sup> Quarter FY 2009-2010 Financial Report as presented.

## **3) Discuss scheduling and meeting time for Board Meetings**

(10-02-12)

Upon a motion by Director Geyer, seconded by Director Turenchalk the Board unanimously approved Ordinance No. 10-79 as presented and to schedule a Public Hearing for March 16, 2010 prior to adoption of said Ordinance.

## **COMMUNICATIONS**

The communications were noted as received.

## **REPORTS**

### **Operating Report**

There were no questions with regards to the Operating Report.

### **Finance Committee Meeting**

Director Lewis provided a report on the February 4, 2010 Finance Committee Meeting.

### **Management Committee Meeting**

President Geyer provided a report on the February 8, 2010 Management Committee Meeting.

### **Goleta Sanitary District Board Meeting**

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

**City of Goleta**

There was no report provided.

**Goleta Water District Board Meeting**

Director Turenchalk provided a report on the February 9, 2010 Goleta Water District Board Meeting, the Goleta Water District Water Management and Long Range Planning Committee Meetings and the Goleta Water District Admin. Committee Meeting.

**IVR&PD Board Meeting**

Director Turenchalk provided a report on the February 11, 2010 IVR&PD Board Meeting.

**Special Districts Executive Board Meeting**

Director Meyer provided a report on the February 3, 2010 SBCSDA Executive Board Meeting.

**CLOSED SESSION: Real Property Negotiations (Gov't Code Sec. 54956.8)**

**Negotiator: Board President**

The Closed Session was postponed to the next regular meeting.

**CLOSED SESSION: Conference with District Counsel – Anticipated Litigation**

**Initiation of Litigation pursuant to subdivision (c) of Section 54956.9 (one case)**

A Closed Session was not necessary at this time.

**ADJOURNMENT**

There being no further business, President Geyer adjourned the meeting at 8:00 p.m.

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Diane P. Powers, Secretary

**APPROVED**

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Craig Geyer, President