



## OJAI VALLEY SANITARY DISTRICT

A Public Agency

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### MINUTES OF SPECIAL MEETING OF BOARD OF DIRECTORS OJAI VALLEY SANITARY DISTRICT

The Special Meeting of the Ojai Valley Sanitary District Board of Directors was held at the District Office, 1072 Tico Road on December 18, 2006. The meeting was called to order by Chairman Curtis at 7:01 p.m. roll call taken as follows:

#### 2. **Seating of Newly Elected Directors**

Mrs. Krout, Clerk of the Board, administered the Oath of Office to 2 of the 3 incumbent Directors (Curtis & Greene) beginning new terms of office; incumbent Director Burg was absent from the meeting due to illness. Clerk of the Board will administer to the Oath of Office to Director Burg at the next Board meeting.

The newly sworn in Directors took their seats at the Board table.

Roll call taken as follows:

**DIRECTORS PRESENT:** Russ Baggerly  
William E. Lotts  
William M. Stone  
J.R. (Jack) Curtis  
Peter M. Kaiser  
Stan Greene

**DIRECTORS ABSENT:** Randy Burg

**STAFF PRESENT:** John R. Correa, General Manager  
Ronald E. Sheets, Operations Superintendent  
Brenda Krout, Clerk of The Board

**OTHERS PRESENT:** Mark A. Zirbel, District Legal Counsel

#### 3. **Pledge of Allegiance**

Chairman Curtis led the pledge of allegiance.

#### 4. **Additions or amendments to the Agenda (Special Meeting None Permitted)**

Special Meeting no additions or amendments are permitted.

5. **Public Concerns** (items not on the agenda - three minute limit).

This is an opportunity for members of the public to speak on items not on the agenda.

(The Ojai Valley Sanitary District Board of Directors encourages all interested parties to speak on any issue on this agenda in which they have an interest, or on any matter subject to the District's jurisdiction. It is the desire of the Board that its business be conducted in an orderly and efficient manner. All speakers are requested to fill out a Speaker's Card and submit it to the Clerk of the Board before the item is taken up for consideration. All speakers are requested to present their information to the Board as concisely as possible with a three (3) minute time limit. Allowing an individual to speak more than three minutes is at the discretion of the Chairman of the Board. Speakers are encouraged to refrain from restating previous testimony. No response will be given or action taken unless an emergency exists. Items requiring action will be referred to staff or placed on a subsequent agenda.)

None

6. **Board Concerns** (Items not on the agenda - three-minute limit)

Director Kaiser announced that County Supervisor Bennett's office had notified him that several individuals from the Ojai Villa Mobile Home park has been complaining to his office about the cost of sewer service from the District. It was anticipated that those individuals would be addressing the Board at this meeting. None of the individuals were present. Director Kaiser thanked Mr. Correa for the work he has done over the past few days communicating to these people and explaining to them the structure of the billing process.

Mr. Correa stated that the main issue with these people appeared to be lowering their service rates. Mr. Correa reported that he will continue investigating how other communities handle similar situations and will report his findings back to the Board. Mr. Correa stated that he will also continue to discuss the issue with these concerned individuals.

It was agreed that the issue of varied rates will be brought back to the Board to consider after Staff has more information about the available alternatives.

**CONSENT ITEMS:** - All consent items are considered in a single motion and voted on without discussion. Any item removed from the consent list at the request of a Board member or the public will be considered immediately following approval of the remaining consent items.

**ACTION**

Upon motion of Director Lotts, seconded by Director Kaiser and passed by a unanimous roll call vote Item Nos. 7-8 on the consent calendar was approved as submitted.

7. **Approval of Minutes** - Regular Meeting November 27, 2006 (a tape recording of each meeting is retained at the District Office for a minimum of 4 years)

8. **Approval of Checks and Warrants**

Approve the checks and warrants for payment as submitted.

**ACTION ITEMS:**

9. **Ventura Avenue Sewer Easements – Brooks Institute Property**

Mr. Correa explained the need to correct this easement description to properly reflect the location of the Ventura Avenue force main which crosses this property.

Mr. Zirbel, District Legal Counsel, advised the Board that in the future a current title report should be obtained on the subject property prior to re-doing any easement to insure that the District's new easement will not be subordinate to something else on the property.

**ACTION**

Upon motion of Director Kaiser, seconded by Director Greene and duly passed the new easement on the Brooks Institute Property was accepted and the General Manager was authorized to execute the quitclaim deed abandoning the old easement on this property with the condition that staff first confirms a clear title on this property.

10. **Resolution No. 2006-05 – Board Member Expense Reimbursement Policy**

The Board Member expense reimbursement policy was reviewed.

**ACTION**

Upon motion Director Baggerly, seconded by Director Kaiser and passed by majority 5 to 1 roll call vote, with Director Stone voting nay, Resolution No. 2006-05 was adopted.

11. **Strategic Plan Review Schedule**

Scheduling a Special Board Meeting to conduct a review of the Strategic Plan was discussed.

**ACTION**

Upon motion of Director Kaiser, seconded by Director Stone and duly passed a Special Board Meeting was scheduled for January 29, 2007 at 6:00 p.m. to review the Strategic Plan. This will be a dinner meeting.

12. **Acceptance of Mainline Extension Teen Challenge – Foster Park Area**

**ACTION**

Upon motion of Director Lotts, seconded by Director Baggerly and duly passed approximately 820 foot extension of the sewer mainline, including 4 manholes, constructed in the Foster Park area along Ventura Avenue, to District specifications, valued at \$205,760, was accepted into the District's sewer system and staff was directed to add the value of this extension to the District's records for future accounting purposes.

13. **Closed Session: Pending Litigation Government Code §54956.9(b)(3)(C) – 1 Case**

Chairman Curtis announced that the Board would be holding a closed session pursuant to Government Code §54956.9(b)(3)(C), Pending Litigation, 1 case.

Chairman Curtis convened the Board to closed session at 7:45 p.m. Mr. Sheets, Mrs. Krout and District Legal Counsel joined the Board in the closed session.

Chairman Curtis reconvened the meeting to opening session at 8:06 p.m. announcing that the Board received information from District Legal Counsel regarding the pending litigation and no action was taken during the closed session.

14. **Rejection of Sedlak Claim**

Sedlak claim was reviewed.

**ACTION**

Upon motion of Director Lotts, seconded by Director Greene and passed by unanimous roll call vote Mr. Sedlak's claim was reject in its entirety and the General Manager was directed to send Mr. Sedlak written notification that the District has rejected his claim to satisfy the requirements of Government Code §913.

**CHAIRMAN CURTIS ANNOUNCED THAT AGENDA ITEM NO. 16 WOULD BE ADDRESSED PRIOR TO ITEM NO. 15**

16. **General Manager Performance Evaluation Process**

Chairman Curtis noted that in the past the quarterly performance evaluation of the General Manager would be on the December Board Meeting agenda; Chairman Curtis explained that in response to the general consensus of the Board to eliminate the quarterly evaluations, it does not appear on this agenda.

Mr. Correa reported that staff has been working with an outside management consultant developing new forms to be used by the Board to evaluate the General Manager's performance annually. These forms will be discussed and reviewed with the Board's Personnel Committee.

**BACK TO ITEM NO. 15**

15. **Election of Officers & Appointment of Committees & Board Representatives**

Chairman Curtis announced that according to District Bylaws, the Clerk of the Board should conduct the Election of Officers.

Mrs. Krout conducted the election beginning with nominations for Chairman.

Mrs. Krout called for nominations for Chairman. Director Curtis was nominated for Chairman. Nominations were closed. Director Curtis was elected Chairman.

Mrs. Krout called for nominations for Vice-Chairman. Director Burg was nominated for Vice-Chairman. Nominations were closed. Director Burg was elected Vice-Chairman.

Mrs. Krout called for nominations for Secretary. Directors Stone and Kaiser were nominated for Secretary. Nominations were closed.

A written ballot election was held for Secretary; Mrs. Krout collected the ballots reading aloud each Director's vote; the vote was 4 to 2 in favor of Director Stone. Director Stone was elected Secretary.

Mrs. Krout called for nominations for Assistant Secretary. Director Baggerly was nominated for Assistant Secretary. Nominations were closed. Director Baggerly was elected Assistant Secretary.

Chairman Curtis retained leadership of the meeting following the conclusion of the elections.

Chairman Curtis announced that he would postpone the appointment of individual Directors to serve on Board Committees and as the Board's representative to outside boards, committees and agencies for calendar year 2007, until the January 2007 regular Board Meeting, giving time for Directors to notify him of their individual areas of interest.

### **INFORMATION ITEMS**

16. **General Manager Performance Evaluation Process**

Addressed earlier on agenda.

17. **Monthly Financial Reports**

Received and filed.

18. **Monthly Investment Report**

Received and filed.

19. **Staff Reports - Operations, Administration and Management of the District**

Received and filed.

20. **Committee Reports**

Received and filed.

21. **Oral Reports On Meetings, Seminars, or Conferences Attended**

None

22. **Items of Interest/Correspondence/Articles**

Received and filed.

23. **Discussion** (items not on the agenda - three-minute limit)

- a. Public - (Public is requested to present completed speaker's card to Clerk of the Board)

None

b. Board Members

Director Stone asked what staff had been able to find out about the status of the property next to the Treatment Plant. Mr. Correa reported that he had called the phone number on the sign on the property but has not been able to talk to anyone and no one has returned his call. Staff will continue to investigate the status of this property and report any findings back to the Board.

c. General Manager

Mr. Correa reported that he has submitted a request for pre-disaster mitigation grants for two potential projects; the initial application for both projects was approved. Mr. Correa explained that he has retained a consulting firm to assist him with the application process to move these requests along. The two potential projects were the relocation of the Ojai Trunk Sewer and the Oak View Trunk Sewer Bank Protection.

24. **Adjournment**

Chairman Curtis adjourned the meeting at 8:29 p.m.

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William M. Stone, Secretary

**APPROVED:**

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John R. Curtis, Chairman