



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 May 26, 2009. The meeting was called to order by Chairman Kaiser at 7:00 p.m. roll call taken as follows:

DIRECTORS PRESENT: William E. Lotts
Russ Baggerly
Randy Burg
Peter M. Kaiser
Stan Greene
George Galgas

DIRECTORS ABSENT: J.R. (Jack) Curtis

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 Kaiser 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)

None

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 Burg, seconded by Director Greene and passed by unanimous roll call vote Item Nos. 7 & 8 on the consent calendar were approved as submitted.

7. **Approval of Minutes** - Regular Meeting April 27, 2009 and Special Meetings May 4, 2009, May 6, 2009 and May 14, 2009 (a tape recording of each meeting is retained at the District Office for a minimum of 4 years)

8. **Approval of Checks**

Approve the checks for payment as submitted.

ACTION ITEMS:

9. **Request For Relief of Sewer Service Fees – Kenton Property – 575 W. El Roblar**

Mr. Correa announced that the issue with the Kenton property has been temporarily resolved by staff by returning the billing on their property to the ERU count used in past years. This situation revealed that the manner in which the District administers the Capacity Maintenance or Stand-by charge needs to be re-evaluated. It was realized that this issue is directly related to the District's Collection System and Treatment Plant connection fees. These issues will be brought before the Board in the future to provide direction for the reformatting of these fees.

The Kenton's particular situation was discussed. Staff reported that the Kentons have agreed to pay the adjusted outstanding balance on their account prior to June 30, 2009.

ACTION

Upon motion of Director Lotts, seconded by Director Burg and duly passed staff was directed to obtain a written agreement with the Kentons establishing the amount owed on their account and the payment deadline of June 30, 2009.

10. **Proposed Ordinance No. OVSD-59 Adopting Fees, Rates And Charges For Sewerage And Related Services**

ACTION

Upon motion of Director Baggerly, seconded by Director Lotts and passed by unanimous roll call vote the District Sewer Service Rate as included in the Adopted Fiscal Year 2009-10 Budget was considered and the proposed fee revisions were found to be exempt from the California Environmental Quality Act (CEQA) and CEQA review is therefore not required;

Mrs. Krout, Clerk of the Board, conducted the first reading, by title only, of proposed Ordinance No. OVSD-59.

ACTION

Upon motion of Director Baggerly, seconded by Director Lotts and duly passed staff was directed to place Ordinance No. OVSD-59 on the June 22, 2009 agenda for the second reading, public hearing, and adoption.

11. **Sewer Service Charges For Collection on Tax Rolls for Fiscal Year 2009-2010 – Set Hearing**

ACTION

Upon motion of Director Baggerly, seconded by Director Galgas and duly passed the reports listing parcel numbers and the amounts of proposed charges to be placed on the tax roll for collection FY 2009-2010 (Exhibits A & B) were accepted; June 22, 2009 at 7:00 p.m. in the District Boardroom was set as the time and place for a hearing to be held to review parcels to be reentered and added for the first time; the Clerk of the Board was directed to notify by mail each person to whom any parcel listed on Exhibit B is assessed of (1) the District's intent to have service charges for FY 2009-2010 collected on the general tax rolls of Ventura County, and (2) the time and place of the hearing for the proposed assessment reports; and the Clerk of the Board was directed to publish a notice of the report filing and the time and place of the hearing. Publication of the notice shall be once a week for two successive weeks with five intervening days.

12. **District Financing Costs and Charges For Collection on Tax Rolls For Fiscal Year 2009/2010 – Set Hearing**

ACTION

Upon motion of Director Baggerly, seconded by Director Lotts and duly passed the report listing parcel numbers and the amounts of proposed charges to be placed on the tax roll for collection FY 2009-2010 (Exhibits A & B) was accepted; June 22, 2009 at 7:00 p.m. in the District boardroom was set as the time and place for a hearing to be held to review parcels to be added for the first time; and the Clerk of the Board was directed to notify by mail each person to whom any parcel listed on Exhibit B is assessed of (1) the District's intent to have principal and interest installment on their Loan for FY 2009-2010 collected on the general tax rolls of Ventura County, and (2) the time and place of the hearing for the proposed assessment report; and the Clerk of the Board was directed to publish a notice of the report filing and the time and place of the hearing. Publication of the notice shall be once a week for two successive weeks with five intervening days.

13. **Resolution No. 2009-06– Annual Adjustment To Collection Sewer Capacity Charge**

ACTION

Upon motion of Director Galgas, seconded by Director Baggerly and passed by unanimous roll call vote the proposed Resolution was found to be exempt from the California Environmental Quality Act (CEQA) and therefore it was determined that CEQA review is not required; and Resolution No. 2009-06 establishing the annual adjustment to the Collection Sewer Capacity Charge effective July 1, 2009 was adopted.

14. **Resolution No. 2009-07 - Annual Adjustment To Treatment Plant Capacity Charge**

ACTION

Upon motion of Director Baggerly, seconded by Director Greene and passed by unanimous roll call vote the proposed Resolution was found to be exempt from the California Environmental Quality Act (CEQA) and therefore it was determined CEQA review is not required; and Resolution No. 2009-07 establishing the annual adjustment to the Treatment Plant Capacity Charge effective July 1, 2009 was adopted.

15. **Appoint Ad Hoc Committee – Illegal Sewer Connections**

Establishing an Ad Hoc Committee to develop procedures and policies to address illegal sewer connections was discussed.

Chairman Kaiser appointed Directors Burg, Baggerly and Lotts to serve on the Illegal Sewer Connections Ad Hoc Committee.

INFORMATION ITEMS

16. **Monthly Investment Report**

Received and filed.

17. **Monthly Financial Reports**

Received and filed.

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

Received and filed.

19. **Committee Reports**

Received and filed.

Director Baggerly noted that the Real Property Ad Hoc Committee requested staff obtain an updated or second appraisal on the properties adjacent to the District Treatment Plant; Director Baggerly suggested the second appraisal be performed by a different appraisal firm from the one who performed the first appraisal and requested the completed appraisal be brought back to the full Board.

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

None

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

Received and filed.

22. **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

None

- c. General Manager

None

23. **Adjournment**

Chairman Kaiser adjourned the meeting at 7:57 p.m.

John R. (Randy) Burg, Secretary

APPROVED:

Peter M. Kaiser, Chairman