



OJAI VALLEY SANITARY DISTRICT

A Public Agency

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MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS OJAI VALLEY SANITARY DISTRICT

The Regular Meeting of the Ojai Valley Sanitary District Board of Directors was held at the District Office, 1072 Tico Road on June 22, 2009. The meeting was called to order by Chairman Kaiser at 7:00 p.m. and roll call taken as follows:

- DIRECTORS PRESENT:** Peter M. Kaiser
John R. (Randy) Burg
John R. (Jack) Curtis
William E. Lotts
Russ Baggerly
George Galgas
Stan Greene
- DIRECTORS ABSENT:** None
- STAFF PRESENT:** John K. Correa, General Manager
Brenda Krout, Clerk of the Board
Ronald E. Sheets, Operations Superintendent
- OTHERS PRESENT:** Mark Zirbel, District Legal Counsel

3. **Pledge of Allegiance**

Chairman Kaiser led the pledge of allegiance.

4. **Additions or amendments to the Agenda**

None

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

PUBLIC HEARINGS:

7. **Ojai Valley Sanitary District Proposed Ordinance No. OVSD-59 Adopting Fees, Rates and Charges For Sewerage and Related Services**

Chairman Kaiser asked Mrs. Krout to conduct the second reading, by title only, of Ordinance No. OVSD-59, Adopting Fees, Rates, and Charges for Sewerage and Related Services. Mrs. Krout conducted the second reading.

Chairman Kaiser opened the public hearing for proposed Ordinance No. OVSD-59, at 7:03 p.m.

Mrs. Krout, Clerk of the Board, confirmed that no written communications had been received from the public.

Chairman Kaiser asked for public comment. No public comment was received.

Chairman Kaiser declared the public hearing closed at 7:04 p.m.

ACTION

Upon motion of Director Galgas, seconded by Director Burg and passed by unanimous roll call vote Ordinance No. OVSD-59, Adopting Fees, Rates, and Charges for Sewerage and Related Services, was adopted; with new rates effective July 1, 2009.

8. **Sewer Service Charges For Collection on Tax Rolls for Fiscal Year 2009/10 – Hearing**

ACTION

Upon motion of Director Lotts, seconded by Director Greene and passed by unanimous roll call vote Resolution No. 2009-09, Regarding Collection of Sewer Service Charges By The County of Ventura was adopted.

ACTION

Upon motion of Director Curtis, seconded by Director Greene and duly passed Exhibit A, the report listing parcels with the final amounts to be collected for Fiscal Year (FY) 2009-2010 for reentry on the general tax roll for collection in FY 2009-2010 was adopted.

Chairman Kaiser opened the public hearing at 7:05 p.m., written report from staff was received. Mrs. Krout, Clerk of the Board, confirmed that no written communications had been received from the public.

Chairman Kaiser asked for public comment. No public comment received.

Chairman Kaiser declared the public hearing closed at 7:05 p.m.

ACTION

Upon motion of Director Lotts, seconded by Director Greene and duly passed Exhibit B, the report listing parcels with the final amounts to be collected by FY 2009/2010 for initial entry on the general tax roll for collection in FY 2009/2010 was adopted; and Clerk of the Board was directed to file a certified copy of the adopted resolution with the Ventura County Auditor-Controller with a statement endorsed over her signature that the resolution was adopted by your Board; and staff was directed to coordinate collection of sewer service charges on the general tax roll of Ventura County with the County Auditor-Controller, Assessor, and Tax Collector.

9. **District Financing Costs and Charges For Collection on Tax Rolls For Fiscal Year 2009/10**

ACTION

Upon motion of Director Curtis, seconded by Director Galgas and passed by unanimous roll call vote Resolution No. 2009-10, Regarding Collection of Financing Costs and Charges By The County of Ventura was adopted.

ACTION

Upon motion Director Burg, seconded by Director Greene and duly passed Exhibit A, the report listing parcels with the debt installment payments to be collected for Fiscal Year (FY) 2009-2010 for reentry on the general tax roll for collection in FY 2009-2010 was adopted.

Chairman Kaiser opened the public hearing at 7:07 p.m., written report from staff was received. Mrs. Krout, Clerk of the Board, confirmed that no written communications had been received from the public.

Chairman Kaiser asked for public comment. No public comment received.

Chairman Kaiser declared the public hearing closed at 7:07 p.m.

ACTION

Upon motion of Director Galgas, seconded by Director Curtis and duly passed the Clerk of the Board was directed to file a certified copy of the adopted resolution with the Ventura County Auditor-Controller with a statement endorsed over her signature that the resolution was adopted by your Board; and staff was directed to coordinate collection of the bi-annual principal and interest installment payments, from several projects financed by the District, on the general tax roll of Ventura County with the County Auditor-Controller, Assessor, and Tax Collector.

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 Curtis, seconded by Director Greene and passed by unanimous roll call vote Item Nos. 10 & 11 on the consent calendar were approved as submitted.

10. **Approval of Minutes** - Special Meeting May 26, 2009. (a recording of each meeting is retained at the District Office for a minimum of 4 years)

11. **Approval of Checks**

Approve the checks and warrants for payment as submitted.

ACTION ITEMS:

12. **NAS Servers – Disk Drive Replacement – Budget Adjustment No. 2009-35**

ACTION

Upon motion of Director Baggerly, seconded by Director Curtis and passed by unanimous roll call vote the purchase of the 8 hard disk drives for replacement of the unstable disk drives in the two NAS servers was approved; and Budget Adjustment No. 2009-35 transferring \$2,737 out of the Equipment Replacement Reserve to fund the purchase of the hard disk drives for the NAS servers was adopted.

13. **Ventura Avenue Pump Station and Force Mains Project Related Costs – Budget Adjustment No. 2009-36**

ACTION

Upon motion of Director Baggerly, seconded by Director Burg and passed by unanimous roll call vote Budget Adjustment No. 2009-36 transferring \$73,445 out of the Collection System Replacement Reserve into appropriate accounts to reimburse costs for the Ventura Avenue Pump Station and Force Mains project was adopted.

14. **Purchase of Three Portable Flow Meters – Budget Adjustment No. 2009-37**

ACTION

Upon motion of Director Curtis, seconded by Director Baggerly and passed by unanimous roll call vote the General Manager was authorized to purchase three Marsh McBirney Flo-Dar flow metering units as quoted for \$35,863, including tax and shipping; and Budget Adjustment No. 2000-37, transferring \$35,863 from the Future Purchase Reserve into Major Expenditures–Collection System account to cover the cost of the flow meters was adopted.

15. **Funding For CASA Appeal of Trail Court Decision of the Vacaville NPDES Permit Case**

ACTION

Upon motion of Director Baggerly, seconded by Director Lotts and passed by unanimous roll call vote a contribution of \$2,500 to the California Association of Sanitation Agencies (CASA) to be used in support of the Vacaville Permit Appeal was approved.

Director Baggerly announced that former District Director Ted Cartee passed away on June 15, 2009; Director Baggerly requested this meeting to adjourn in Mr. Cartee's memory.

16. **California Special Districts Association – Board of Directors – Nominations For Seat A**

ACTION

Upon motion of Director Baggerly, seconded by Director Lotts and duly passed Director Curtis was selected to be nominated as a candidate to run for election to Seat A of Region 5 on the CSDA Board of Directors; and Staff was directed to complete the CSDA Nomination Form with the nominee's name and to return the form to the CSDA office prior to the deadline of July 15, 2009.

17. **Revised Speaker & Comment Cards & Public Comment Section**

The speaker & comment cards and the public comment section (which appears on the agenda for Board meetings) as revised by the Executive Committee was reviewed. The Board directed various changes and corrections.

ACTION

Upon motion of Director Greene, seconded by Director Burg and duly passed the submitted Comment & Speaker Cards and public comment section on the Board Meeting agendas were approved including the agreed changes and corrections; staff was directed to use these documents for all future Board Meetings.

18. **Policy On Receiving Public Comment – SET SPECIAL MEETING DATE**

The need to consider establishing a policy on the procedure to follow for receiving public comment during Board Meetings was discussed.

ACTION

Upon motion of Director Curtis, seconded by Director Greene and duly passed scheduling of a Special Board Meeting to receive a presentation on the Brown Act from District's Legal Counsel and to discuss policy items related to public comment and the running of meetings was approved; and Monday August 3, 2009 @ 7:00 p.m. was selected for the Special Board Meeting.

INFORMATION ITEMS – FOR RECEIPT & FILE

19. **Monthly Financial Reports**

Received and filed.

20. **Monthly Investment Report**

Received and filed.

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

Received and filed.

22. **Committee Reports**

Received and filed.

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

Director Galgas reported on the recent workshop he attending addressing the Brown Act, Conflict of Interest and ethics.

Director Baggerly reported on the CSRMA Executive Board meeting he recently attended; Director Baggerly stated that the pooled insurance group is in good financial shape.

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

Received and filed.

25. **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 Curtis reported that he is staying in contact with the Ventura County Special Districts Association (VCSDA) to coordinate the District's participation in the VCSDA booth at the County Fair in August. Director Curtis stated that he has requested the District be assigned Friday and Saturday, August 7 & 8th, to occupy the booth.

Chairman Kaiser inquired about the progress of the Ventura Avenue Improvement Project, questioning if the appropriate separation of the water lines in the area and the sewer lines was being maintained. Mr. Correa stated that the appropriate separation is being adhered to .

- c. General Manager

None

26. **Adjournment**

Chairman Kaiser adjourned the meeting at 8:16 p.m.

John R. (Randy) Burg, Secretary

APPROVED:

Peter M. Kaiser, Chairman