



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 August 28, 2006. The meeting was called to order by Chairman Curtis at 7:03 p.m., and roll call taken as follows:

DIRECTORS PRESENT:	Russ Baggerly Stan Greene Randy Burg William M. Stone John R. Curtis William E. Lotts (arrived 7:06 p.m.)
DIRECTORS ABSENT:	Peter M. Kaiser
STAFF PRESENT:	John K. Correa, General Manager Brenda Krout, Clerk of the Board Ronald E. Sheets, Operations Superintendent
OTHERS PRESENT:	Mark A. Zirbel, District Legal Counsel Dennis McNulty, District Legal Counsel

3. **Pledge of Allegiance**

Chairman Curtis 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)

Director Baggerly reported on the CSRMA meeting he attended during the August CASA conference held in Monterey. Director Baggerly explained that CSRMA has added DMV's "Pull Program" to their policy requiring all employees of the participating agencies to be in the program. Director Baggerly noted that CSRMA's budget appears to be in good shape; CSRMA will soon be issuing dividends to all member agencies.

Director Lotts arrived at this point in the meeting.

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 Lotts and passed by unanimous roll call vote (with Director Curtis abstaining from the vote on approval of the July 24, 2006 minutes due to his absence from this meeting) Item Nos. 7-8 on the consent calendar were approved as submitted.

7. **Approval of Minutes** - Regular Meeting July 24, 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:

CHAIRMAN CURTIS ANNOUNCED THAT AGENDA ITEM NO. 18 WOULD BE ADDRESSED PRIOR TO ITEM NO. 9

18. **Teen Challenge Annexation (OVSD-2006-02)**

Mr. Correa reviewed the history of the proposed Teen Challenge Annexation stating that this property is zoned 'Open Space'. Mr. Correa noted that the District's request submitted to LAFCO to initiate this annexation only included the developed portion of the Teen Challenge property, not the full legal parcel. Mr. Correa explained that staff structured the request in this way in response to their understanding of the Board's position regarding 'Open Space' property. This approach has run afoul of the LAFCO policy. Mr. Correa announced that Mr. Millais and Ms. Uhlich, Ventura LAFCO staff, were in attendance to address LAFCO's policy on this type of situation.

Ms. Uhlich addressed the Board, providing the Board with a map comparing the proposed annexation boundaries on the Teen Challenge property as recommended by LAFCO staff versus the boundaries as requested by the District. Mrs. Uhlich explained that LAFCO staff's recommendation is to annex the full parcel of property instead of only a portion of the parcel; noting that the recommended boundary coincides with the District's Sphere of Influence boundary. Ms. Uhlich also provided the Board with a copy of the section of LAFCO's policy which addresses annexing complete parcels. Ms. Uhlich stated that the Ventura County Planning Department also supports the boundaries of this annexation being changed to include the whole parcel. Ms. Uhlich responded to questions from the Board.

ACTION

Upon motion of Director Baggerly, seconded by Director Lotts and passed by unanimous roll call vote it was agreed to allow the Teen Challenge Annexation (OVSD 2006-02) to proceed through the LAFCO process with boundaries consistent with the District's current Sphere of Influence boundary lines.

Mr. Millais and Ms. Uhlich thank the Board for their time and left the meeting.

CHAIRMAN CURTIS ANNOUNCED A RETURN TO ITEM NO. 9

9. **Proposed Ordinance No. OVSD-53 – Setting Board Member Compensation – First Reading**

The process for changing the Board Member's compensation rate and the allowable increase were discussed. The last time this compensation rate was adjusted was in 1997. The Executive Committee's recommendation to increase this compensation rate was reviewed.

ACTION

Upon motion of Director Greene, seconded by Director Burg and passed by a majority 5 to 1 roll call vote, with Director Stone voting nay, it was agreed that Board Members Compensation rate will be set, and adopted by Ordinance, at \$150 per Board Meeting/Day of Service and \$75 per Committee Meeting or representative of the Board. The Clerk of the Board was directed to conduct the first reading, by title only, of Ordinance No. OVSD-53

Mrs. Krout, Clerk of the Board, conducted the first reading, by title only, of proposed Ordinance No. OVSD-53.

ACTION

Upon motion of Director Lotts, seconded by Director Baggerly and passed by majority vote 5 to 1 vote, with Director Stone voting nay, staff was directed to place Ordinance No. OVSD-53 on the October 2, 2006 agenda for the second reading, public hearing, and adoption.

10. **Resolution No. 2006-14 – Revised District Bylaws**

The revised draft of the District Bylaws was reviewed and discussed. Various corrections and changes were made as the Board reviewed the document.

FAILED MOTION

Director Greene made a motion to adopt the revised Bylaws as presented with the following modification: Article XII, Section 2 Legal Counsel – delete the wording “...with the consent of the Chairperson...” This motion failed due to the lack of a second.

ACTION

Upon motion of Director Greene, seconded by Director Stone and passed by unanimous roll call vote the revised Bylaws were accepted and Resolution No. 2006-14, For the Adoption of the Ojai Valley Sanitary District Bylaws was adopted, effective August 28, 2006.

11. **Employees Benefits – Health Insurance – Cafeteria Plan**

The increase of employees’ health insurance premiums was discussed. The Personnel Committee reviewed this issue and recommended an increase in the employees’ cafeteria plan.

ACTION

Upon motion of Director Baggerly, seconded by Director Burg and passed by unanimous roll call vote increasing the Cafeteria Plan monthly amount to \$1,102 for each employee to purchase health insurance coverage for themselves and their dependents was approved; and the increase to the Cafeteria Plan was authorized to be effective December 1, 2006 to cover new health insurance pre-

miums beginning January 1, 2007; and Budget Adjustment No. 2007-03 transferring \$852 into the health insurance expense accounts to cover the approved increase was adopted; and Resolution No. 2006-15, Fixing the Employer's Contribution, reflecting the changes to the Cafeteria Plan was adopted; and staff was directed to forward the executed Resolution No. 2006-15 to CalPERS notifying them of these changes.

12. **Root Control – Contract No. 2006-10 – Duke's Sales & Service, Inc.**

The need for a root control contract was discussed. Mr. Sheets reviewed the benefits of maintaining an appropriate root control program.

ACTION

Upon motion of Director Burg, seconded by Director Stone and passed by unanimous roll call vote Chairman Curtis was authorized to sign Contract No. 2006-10 Agreement For Root Control Services Between Ojai Valley Sanitary and Duke's Root Control, Inc., in the amount not to exceed \$28,907.

13. **Vehicle Replacements – Budget Adjustment No. 2007-02**

The need to replace the Collection System's crane truck was reviewed.

ACTION

Upon motion of Director Greene, seconded by Director Lotts and passed by majority 5 to 1 roll call vote, with Director Stone voting nay, staff was authorized to purchase a 2006 Ford F550 Supercab from Downtown Ford of Sacramento for a total price of \$40,084.58; and to purchase a utility body, crane, cabinets welder and accessories and have mounted onto the F550 truck from A-1 Truck & Equipment of Saticoy for a total price of \$39,721.55; and to purchase and have installed in the F550 truck a two way radio from Ventura County for a total price of \$1,160.00; and Budget Adjustment No. 2007-02 transferring \$80,967 out of the Equipment Reserve account to provide funding for this purchase was adopted.

14. **Purchase of Additional Portable Flow Meters**

The need to continue the District's aggressive pursuit of identifying I&I sources and the important role flow meters play in this pursuit was discussed.

ACTION

Upon motion of Director Baggerly, seconded by Director Lotts and passed by unanimous roll call vote staff was authorized to purchase three Marsh McBirney Flo-Dar flow metering units as quoted for \$35,428, including taxes and shipping; and Budget Adjustment No. 2007-04, transferring \$35,428 from Future Purchase Reserve into Major Expenditures – Collection System to provide funds for this purchase was adopted.

15. **California Special Districts Association – Board Elections**

ACTION

Upon motion of Director Greene, seconded by Director Lotts and duly passed John R. (Jack) Curtis was selected as the candidate on the CSDA ballot to vote for to fill Region 5's Seat A on the CSDA Board of Directors; and staff was directed to cast the ballot for the John R. (Jack) Curtis and to return the ballot to the CSDA office prior to the deadline of September 21, 2006.

16. **Election For Alternate Member – LAFCO Independent Special District Member**

ACTION

Upon motion of Director Baggerly, seconded by Director Stone and duly passed Chairman Curtis was authorized to sign the official ballot casing the District's vote for William E. Lotts for the Independent Special District Alternate member of LAFCO; and staff was directed to submit the executed ballot to Ventura LAFCO prior to the deadline of October 6, 2006.

CHAIRMAN CURTIS ADJOURNED THE MEETING TO A SHORT RECESS AT 9:02 P.M.

CHAIRMAN RECONVENED THE MEETING AT 9:07 P.M.

17. **Reduced Rates For Hardship Cases**

Mr. Correa explained that this item is on the agenda at the request of Director Greene.

Director Greene shared his ideas about developing a policy offering reduced rates for people who qualify under an established criterion. Director Greene suggested under such a program a person's eligibility would be based on an annual renewal procedure.

The viability of such a program was discussed. It was agreed that staff will poll other sanitary agencies to see if any of them have similar policies and will report their findings back to the Board at a future meeting.

18. **Teen Challenge Annexation (OVSD-2006-02)**

Addressed earlier on the agenda.

19. **District Picnic/Barbeque**

A date and location for the District Picnic/Barbeque was discussed. It was agreed that the Picnic/Barbeque would be held at the same place as last year, Sarzotti Park in the City of Ojai, and would be held on Saturday October 28, 2006.

Chairman Curtis appointed an Ad Hoc Committee to organize the event. The members of the Committee are: Directors Lotts, Burg and Curtis.

20. **Closed Session: Conference With Legal Counsel – Anticipated Litigation Government Code §54956.9 (b) – 1 case**

Chairman Curtis announced that a closed session would be held pursuant to Government Code §54956.9(b), anticipated litigation, 1 case.

Chairman Curtis adjourned the meeting to closed session at 9:38 p.m. Mr. Correa, Mr. Sheets, Mr. Zirbel, Mr. McNulty and Mrs. Krout joined the Board in closed session.

Chairman Curtis re-convened the Board into open session at 9:48 p.m. and announced there was not action to report.

INFORMATION ITEMS – FOR RECEIPT & FILE

21. **Treatment Plant Capital Improvement Plan**

The completed report was briefly reviewed. Chairman Curtis requested this item be on the next agenda where a more in-depth review and discussion can be conducted.

22. **Inflow & Infiltration (I&I) History & Update**

The report was received and filed. It was agreed that the Board's Ad Hoc Lateral Committee should meet to continue their work with staff to develop a Lateral Inspection Program for the District. Faulty laterals are known to be significant contributors to I&I.

A meeting of the Ad Hoc Lateral Committee will be schedule within the next couple of weeks.

23. **Monthly Financial Reports**

Received and filed.

24. **Monthly Investment Report**

Received and filed.

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

Received and filed.

26. **CASA August Conference – Monterey, California**

Mr. Correa and the Directors who attended the CASA August Conference in Monterey discussed the conference topics, noting that one of the most interesting topics was 'lateral inspection programs'.

27. **Committee Reports**

Received and filed.

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

Received and filed.

29. **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

30. **Adjournment**

Chairman Curtis adjourned the meeting at 10:25 p.m.

John R. Burg, Secretary

APPROVED:

John R. Curtis, Chairman