



OJAI VALLEY SANITARY DISTRICT

A Public Agency

1072 Tico Road, Ojai, California 93023

(805) 646-5548 • FAX (805) 640-0842

www.ojaisan.org

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Ojai Valley Sanitary District Board of Directors will hold a regular meeting at 7:00 p.m. on Monday September 28, 2009 at the District Office located at 1072 Tico Road, Ojai California.

If you require special accommodations for attendance at or participation in this meeting, please notify our office 24 hours in advance at (805) 646-5549. (Govt. Code Section 54954.1 and 54954.2(a).

The Ojai Valley Sanitary District Board of Directors encourages all interested parties to speak on any issue or subject 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.

PUBLIC INPUT:

All comments from the public are to be addressed to the Board of Directors, not to District Staff, Consultants or District Legal Counsel.

Items Not On The Agenda:

All speakers are requested to fill out a **Speaker Card (Green)** and submit it to the Clerk of the Board. All speakers are requested to present their information to the Board as concisely as possible with a three (3) minute time limit. This time limit may be modified by the Board Chairperson if necessary. If a member of the **public does not wish to speak** but wishes the Board to have benefit of their position on an issue, **they can present a Comment Card (Peach)** which will be acknowledged by the Chairperson. No response will be given or action taken unless an emergency exists as defined in subdivision (b) of the Government Code 54954.2. Items requiring action will be referred to staff or placed on a subsequent agenda.

Items On The Agenda:

All speakers are requested to fill out a **Speaker's Card (Green)** 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 Chairperson of the Board. Speakers are encouraged to refrain from restating previous testimony. If a member of the **public does not wish to speak** but wishes the Board to have benefit of their position on an issue, they can present a **Comment Card (Peach)** which will be acknowledged by the Chairperson.

AGENDA

The agenda is posted at the District Office no later than 5 p.m. on the Friday preceding the Board meeting, and contains all items on which Board action will be allowed pursuant to Government Code Section 54954.2. Action will be taken on unanticipated items only when an emergency (as defined in Section 54956.5) exists or as otherwise allowed under Section 54954.2(b). All Board meetings are recorded in their entirety (excluding authorized closed sessions).

The business to be transacted is as follows:

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Additions or amendments to the Agenda**
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.

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

PUBLIC HEARINGS:

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.

7. **Approval of Minutes** - Regular Meeting August 24, 2009 and Special Meeting September 10, 2009 (a recording of each meeting is retained at the District Office for a minimum of 4 years)
8. **Approval of Checks**
Approve the checks and warrants for payment as submitted.

ACTION ITEMS:

9. **Fiscal Year 2008/2009 Annual Independent Financial Audit**
 - a. Receive a verbal report by Mark Poindexter, CPA about the Fiscal Year 2008/2009 independent financial audit report,
 - b. Accept the audit report as meeting the contract requirements and authorize the payment of any fees due for its preparation,
 - c. Direct distribution of copies of the report to the State Controller, County Auditor-Controller and other interested parties.

10. **Resolution No. 2009-12 – Proposed Revised District Bylaws**

- a. Select either Alternative No. 1 or 2 revision of Article XI of the Bylaws; and
- b. Adopt Resolution No. 2009-12, Resolution For The Adoption Of The Ojai Valley Sanitary District Bylaws, (with the selected revision of Article XI), effective September 28, 2009.

11. **Replacement of Heater – Board Room**

- a. Accept Air Care' proposal to replace the heater and ductwork in the Board Room for a lump sum amount of \$7,050.00; and
- b. Adopt Budget Adjustment No. 2010-06 transferring \$7,050.00 from the Building Replacement Reserve into the Building/Grounds Maintenance account to cover the cost of the replacement of the heater unit and ductwork in the Board Room.

12. **Maintenance of Crew Building – Door Replacement**

- a. Accept Vortex Industries, Inc.'s proposal to replace one exterior door on the backside of the crew building, including all hardware, for a lump sum amount of \$3,258.00; and
- b. Adopt Budget Adjustment No. 2010-07 transferring \$1,629.00 from the Building Replacement Reserve into the Building/Grounds Maintenance account to cover the cost of the replacement of one exterior door on the crew building.

13. **Purchase of Replacement Treatment Plant Loader**

- a. Authorize the General Manager to purchase the new replacement John-Deere Loader JD524K from Coastline Equipment for \$102,981.68 including tax & delivery; and
- b. Authorize the purchase of the extended warranty for both the Powertrain and Hydraulics for the maximum 4,000 hours or 84 months for \$3,970; and
- c. Adopt Budget Adjustment No. 2010-08 transferring \$106,952 from Equipment Replacement Reserve into Major Expenditures – Treatment Plant.

14. **Incomplete Contracts & Purchases From FY 2008/09 Budget – Budget Adjustment No. 2010-05**

Adopt Budget Adjustment No. 2010-05 continuing outstanding expenditures from the prior fiscal year into the Fiscal Year 2008/2009 Budget in the amount of \$2,943,224.

15. **Concrete Driveway Repair**

Authorize the General Manager to sign the agreement with Leonard Whitley.

16. **Digital Agenda and Board Meeting Materials**

Direct staff as the Board deems appropriate.

17. **Schedule Special Board Meeting – October 12, 2009**

Schedule a Special Meeting for Monday October 12, 2009 at 7:00 p.m. to award construction contract for Unit 2 of the Ventura Avenue Sewer Improvement Project.

18. **Closed Session:**

a. Conference With Legal Counsel – Existing Litigation Government Code §54956.9(a) – Sedlak v. Ojai Valley Sanitary District, et al.; Case No. 56-2007-00285342-CU-PO-VTA

b. Conference With Legal Counsel – Anticipated Initiation of Litigation Government Code §54956.9(c) – 1 Case

INFORMATION ITEMS – FOR RECEIPT & FILE

19. **Monthly Financial Reports**

20. **Monthly Investment Report**

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

22. **Committee Reports**

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

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

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)
- b. Board Members
- c. General Manager

26. **Adjournment**

A staff report providing more detailed information is available for most agenda items, and may be reviewed in the District office during regular business hours (Monday through Friday from 8 a.m. to 5 p.m.). Copies of individual reports may be requested from the Clerk of the Board (646-5548).

ATTEST TO POSTING:

Brenda Krout – Clerk of the Board

**Date & Time Posted At
District Office**