



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 September 22, 2014. The meeting was called to order by Chairman Murphy at 6:00 p.m. and roll call taken as follows:

DIRECTORS PRESENT: Russ Baggerly
William M. Stone
Peter M. Kaiser
William C. Murphy
William D. O'Brien
John R. (Randy) Burg
Stan Greene

DIRECTORS ABSENT: None

STAFF PRESENT: Jeff Palmer, General Manager
Brenda Krout, Clerk of the Board
Ronald E. Sheets, Operations Superintendent

OTHERS PRESENT: Robert S. Krimmer, District Legal Counsel

3. **Pledge of Allegiance**

Chairman Murphy 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.

None

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

Director O'Brien expressed his appreciation of the News of Note sent out by the General Manager between Board Meetings, noting that the most recent issue covering staff's response to a power failure at the plant was fantastic.

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.

ACTION

Upon motion of Director Kaiser, seconded by Director Baggerly and passed by unanimous roll call vote Item Nos. 7, 8 & 9 on the consent calendar were approved as submitted.

7. **Approval of Minutes** – Regular Meeting August 25, 2014 (a recording of each meeting is retained at the District Office for a minimum of 4 years)

8. **Deferred Payment of Capacity Charges Agreement & Cease Violation Agreements**

A. Approve the Agreements To Cease Violation as listed below:

- 017-0-153-320 Jose M & Alicia S. Diaz
- 028-0-100-090 Douglas K. & Donna L. Nelson

b. Approve the Agreements Affecting Real Property as listed below:

- 031-0-111-065 William D. & Gina L. Frisk
- 031-0-111-075 Diana Patricia Lopez

c. Authorize the Chairman to sign the approved Agreements; and

d. Direct staff to record the Agreements with the County of Ventura Recorder's Office.

9. **Approval of Checks**

Approve the checks for payment as submitted.

ACTION ITEMS:

10. **License Agreement For Radio Repeaters On Bureau of Reclamation Property – Lake Casitas**

The need to maintain radio repeaters on Lake Casitas property owned by the Bureau of Reclamation was discussed.

ACTION

Upon motion of Director Kaiser, seconded by Director O'Brien and passed by unanimous roll call vote the Chairman was authorized to sign the License Agreement Between the Ojai Valley Sanitary District and the United States Department of the Interior Bureau of Reclamation For the Installation, Operation, and Maintenance of Radio Repeaters on Reclamation's Right-of-Way For Casitas Reservoir Ventura River Project; and staff was directed to forward the executed License Agreement to the United States Department of the Interior Bureau of Reclamation; and staff was directed to continue working with the United States Department of the Interior Bureau of Reclamation and Casitas Municipal Water District to coordinate the installation of the two repeaters.

11. **Sewer System Infiltration & Inflow Issues – Proposed Private Lateral Ordinance Development**

Mr. Palmer reviewed the District's historical problem with infiltration & inflow (I&I) entering the sewer system. It was discussed that problems in private laterals, i.e. root intrusion, broken pipes, etc., are contributing sources to the I&I in the system.

Mr. Palmer explained that with the increased discharge requirements placed on the District by the Regional Water Quality Control Board, I&I in the system creates an increased risk for the District to have an expensive discharge violation. Consequently, the reduction of I&I entering the system is the driving force to developing a Private Lateral Ordinance.

Mr. Palmer noted that District Legal Counsel (DLC) recently completed an extensive research identifying sewer agencies throughout the State with operational Private Lateral Ordinances. Common components within these ordinances were discussed. It was agreed that such an ordinance needs to identify triggers (events) requiring a lateral to be inspected, carrots (incentives) to obtain a lateral inspection and penalties for not adhering to the ordinance.

The process to be used in developing a Private Lateral Ordinance for the District was discussed. The majority of the Directors favored the Ordinance/Public Relations/Newsletter/Webpage Committee working with staff and legal counsel to draft an ordinance which would then be presented to the Board for review and adoption.

Kathleen Richards, 1202 Ayers Ave Ojai, addressed the Board expressing her concerns about the proposed ordinance, noting the impact and expense it will have on residents. Ms. Richards had several questions about the information contained in the staff report regarding estimated lateral repair costs, leak detection methods & costs, etc. Mr. Palmer responded to these questions.

Bob Daddi, Ojai resident, suggested the District offer to local plumbers certification training classes on the different non-evasive lateral repair/replacement methods that are now available. Mr. Daddi expressed his support of the District developing and implementing a Private Lateral Ordinance, noting that he feels the local realtors will support this type of ordinance once they recognize the cost saving benefits of identifying and repair/replacing problem laterals during the escrow process. Mr. Daddi stated he felt the District's allies in this quest to reduce I&I will be supporters of the local groundwater quality and quantity. Mr. Daddi urged the District to request the City of Ojai to adopt a policy requiring mandatory inspection of private laterals at the point of sale just like the City of Ventura recently enacted. Mr. Daddi expressed his opinion that public education will be an important factor in implementing a lateral program.

ACTION

Upon motion of Director Kaiser, seconded by Director Stone and duly passed staff was directed to work with District Legal Counsel to develop an outline of an appropriate Private Lateral Ordinance, presenting the outline to the Ordinance/Public Relations/Newsletter/Webpage Committee for them to use to develop a draft Private Lateral Ordinance to be presented to the Board at a future workshop meeting.

CHAIRMAN MURPHY ANNOUNCED THAT ITEM NOS. 12 & 13 WOULD BE MOVED TO BE ADDRESSED AFTER ITEM NO. 21

12. **[Closed Session: Public Employee Performance Evaluation Government Code §54957](#)**

Title: General Manager annual evaluation.

13. **[General Manager Compensation](#)**

Direct staff as the Board deems appropriate.

INFORMATION ITEMS – FOR RECEIPT & FILE

14. **[Preliminary Information – Fiscal Year 2013/2014 Annual Independent Financial Audit](#)**

Received and filed.

15. Monthly Financial Reports

Received and filed.

16. Monthly Investment Report

Received and filed.

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

Received and filed.

18. Committee Reports

None

19. Reports On Meetings, Seminars, or Conferences Attended

None

20. Items of Interest/Correspondence/Articles

Received and filed.

21. 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

Mr. Palmer updated the Board on various issues including the following:

- Pavement improvements at the plant are on schedule; concrete scheduled to be poured September 25th around 4:00 a.m.
- New brushes have been installed on the clarifier.
- Installation of the weight scale in the biosolids building is almost complete
- Collection system crew has installed several meters around the District in anticipation of the pending rainy season to measure I&I activity.
- Staff recently meet with consultants Raftelis to discuss performing a rate study for the District; a request to award a contract to Raftelis for a rate study will be on the October agenda.

- Contracted RootX application was completed on September 10th.
- Recent fatality accident on Interstate 101 involving a motorist running into a work vehicle in a construction zone, highlights the need for protective equipment for our employees working in the streets; in the future staff will be bringing a request to the Board to purchase a crash cushion for the GapVac to be used when the crew is working in the highway; this precautionary action will provide protection for employees and the public.
- The summer TMDL testing at the plant is finishing up; staff will be performing similar testing in the winter. This testing is a simulation aimed at reducing nitrates in the plant's effluent.
- An example of a limestone type material only being found in about 6 line segments around the Park Road area in the City of Ojai was shared; last week the GapVac nozzle became stuck in a line because of this material. Staff is waiting for laboratory results to completed identify the content of this material.

CHAIRMAN MURPHY ADJOURNED THE MEETING TO A SHORT RECESS AT 7:32 P.M.

Mr. Sheets, Mrs. Krout and District Legal Counsel and the public left the meeting.

CHAIRMAN MURPHY RECONVENED THE MEETING AT 7:40 P.M.

BACK TO ITEM NOs. 12 & 13

12. **Closed Session: Public Employee Performance Evaluation Government Code §54957 Title: General Manager annual evaluation.**

Chairman Murphy announced that the Board would be holding a closed session pursuant to Government Code §54957, Public Employee Performance Evaluation, Title: General Manager – annual evaluation.

Chairman Murphy convened the Board to closed session at 7:40 p.m.

Chairman Murphy reconvened the meeting to open session at 8:20 p.m. announcing that the Board conducted a performance evaluation with the General Manager and no action was taken during the closed session.

13. **General Manager Compensation**

The General Manager's compensation was discussed.

ACTION

Upon motion of Director Greene, seconded by Director Kaiser and passed by a majority 4 to 3 roll call vote, with Directors O'Brien, Burg and Stone voting nay, the salary for the General Manager position was increased to \$188,000 and staff was directed to develop an amendment to the General Manager's employment contract to reflect this change, Chairman Murphy was authorized to execute this amendment.

22. **Adjournment**

Chairman Murphy adjourned the meeting at 8:33 p.m.



William D. O'Brien, Secretary

APPROVED:



William C. Murphy, Chairman