



## OJAI VALLEY SANITARY DISTRICT

A Public Agency

1072 Tico Road, Ojai, California 93023

(805) 646-5548 • FAX (805) 640-0842

[www.ojaisan.org](http://www.ojaisan.org)

### NOTICE TO THE OJAI VALLEY SANITARY DISTRICT BOARD OF DIRECTORS AND GENERAL PUBLIC

### REGULAR MEETING AGENDA- NOTICE ADDENDUM

The Ojai Valley Sanitary District Board of Directors will hold a Meeting **Monday February 28, 2022 at 6:00 pm, via Webex conference.**

**IN RESPONSE TO THE DECLARED STATE AND LOCAL EMERGENCIES DUE TO THE NOVEL CORONAVIRUS, AND IN ACCORDANCE WITH THE CALIFORNIA GOVERNOR'S RECENT ORDER TO LIMIT INDOOR OPERATIONS AS A PRECAUTIONARY MEASURE TO HELP SLOW THE SPREAD OF COVID-19, THE OVSD HEADQUARTERS FACILITY ON TICO ROAD IS CLOSED TO THE PUBLIC. TO FIND OUT HOW YOU MAY ELECTRONICALLY ATTEND THE BOARD MEETING AND PROVIDE PUBLIC COMMENT PLEASE REFER TO PAGE 2 OF THIS AGENDA**

**When it's time, join your Webex meeting here.**

[Join meeting](#)

**More ways to join:**

**Join from the meeting link**

<https://ojaisan.webex.com/ojaisan/j.php?MTID=mb4e140d04fa0271b7e56564c41b25d12>

**Join by meeting number**

Meeting number (access code): 2493 119 8566

Meeting password: NuzEC2uXJ84

**Tap to join from a mobile device (attendees only)**

[1-844-992-4726](tel:1-844-992-4726).,[24931198566##](tel:24931198566) United States Toll Free

[+1-408-418-9388](tel:+1-408-418-9388).,[24931198566##](tel:24931198566) United States Toll

**Join by phone**

1-844-992-4726 United States Toll Free

+1-408-418-9388 United States Toll

[Global call-in numbers](#) | [Toll-free calling restrictions](#)

**Join from a video system or application**

Dial [24931198566@ojaisan.webex.com](tel:24931198566)

You can also dial 173.243.2.68 and enter your meeting number.

**Join using Microsoft Lync or Microsoft Skype for Business**

Dial [24931198566.ojaisan@lync.webex.com](tel:24931198566)

Need help? Go to <https://help.webex.com>



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### NOTICE OF MEETING

**NOTICE IS HEREBY GIVEN** that the Ojai Valley Sanitary District Board of Directors will hold a regular meeting at 6:00 p.m. on Monday February 28, 2022 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) 646-5548. (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. **[Consideration and Adoption of OVSD Resolution No. 2022-04 Enabling Continued Use of Remote Teleconference Meetings in Accordance with Assembly Bill 361](#)**
4. **Pledge of Allegiance**
5. **Additions or Amendments to the Agenda**
6. **Public Concerns** (items not on the agenda – three minute limit).

This is an opportunity for members of the public to address the Board on any item not on the agenda but under the subject matter jurisdiction of the Ojai Valley Sanitary District.

**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 January 24, 2022 (a recording of each meeting is retained at the District Office for a minimum of 4 years)
8. **[Review of Disbursements/Checks for The Period of January 8, 2022 February 21, 2022](#)**

Review, receive and file the disbursements/checks as presented.

**PUBLIC HEARINGS:**

9. **[Public Hearing for Administrative Appeal to the Board of Directors of OVSD Violation No. 2021-0410 Pursuant to OVSD Code of Regulations Section 917 et Seq.](#)**  
**[Property Information: 30 La Cumbra Street, Oak View Ca 93022; APN 033-0-190-075](#)**  
**[Property Owner: The Vane Family Trust; Richard and Larissa V. Vane, Trustees](#)**
  1. Hold public hearing on administrative appeal of OVSD Violation No. 2021-0410 in accordance with OVSD Code of Regulations Section 917 in general and Section 917.4 in particular as follows:
    - A. Open Public Hearing
    - B. Appellant’s Opening Statement & Presentation of Appeal

- C. General Manager’s Opening Statement & Response to Appeal
  - D. Rebuttal from Appellant
  - E. Sur-Rebuttal from General Manager
  - F. Questions or Inquiry of Board of Directors to both Appellant and General Manager
  - G. Close Public Hearing
  - H. Board of Directors Deliberation on Appeal
2. Following Board of Director deliberation on the applicable law and facts in this matter, render a decision by motion with consideration of the following options:

**Option 1:**

- a. Affirm the General Manager’s November 29, 2021 ruling that the subject NOV was justified on the basis of applicable law and the facts;
- b. Affirm the General Manager’s decision to enforce collection of all applicable fees owed by the property owners to pay to the District capacity and sewer service fees as outlined in the General Manager’s ruling in the amount of \$12,653.08; and
- c. Authorize General Manager to enforce the NOV and collection of overdue sewer service fees.

**Option 2:**

Grant the Appellant’s appeal of the General Manager’s November 29, 2021 ruling and thus overrule any enforcement of the NOV and collection of applicable fees owed by the property owners to pay to the District capacity and sewer service as outlined in the Notice of Violation issued on August 24, 2021. Make appropriate findings to support the grant of the appeal.

**Option 3:**

In accordance with OVSD Code of Regulations Section 1010, find that the alternative payment provisions set forth in District Code of Regulations Chapter 10 governing unpermitted connections is unwarranted in this case because of special circumstances unique to the property owner/appellant and that such circumstances are not common among other similarly situated property owners. This option is available only by the Board on its own motion. The relief available under this code provision is only available for the time period that such “special circumstances” exist. Make appropriate findings to justify this option.

**Option 4:**

Some other feasible resolution which may include parts of the above options.

3. Issue a Notice of Decision within the time period set forth in Section 917.
4. Inform Property Owner / Appellant of his/her rights under Section 917.6, if necessary.

**ACTION ITEMS:**

10. **Fiscal Year 2022-2023 Budget Preparation Schedule**
  - a. Adopt the budget schedule as presented.
  - b. Set Wednesday April 27<sup>th</sup> for a Special Meeting to conduct a budget study session
  - c. Set a Special Meeting to be held on Monday May 2<sup>nd</sup> for the adoption of the Final Budget
  - d. Direct Staff to cancel the regularly scheduled Board Meeting in June scheduled for June 24<sup>th</sup>
  - e. Set a Special Meeting to be held on Monday June 20, 2022 to conduct regular District business for the month of June and the 218 Hearing.
  
11. **Independent Audit Services – FY 2022, 2023 & 2024- Fechter & Company, Certified Public Accountants – Contract No. 2022-04**
  - a. Approve and award a three-year contract for the annual independent audit to Fechter & Company for the fiscal years ending June 30, 2022, 2023 and 2024; and
  - b. Approve and authorize the Chairman to sign Contract No. 2022-04 Between Ojai Valley Sanitary District and Fechter & Company to perform annual auditing services for the fiscal years ending June 20, 2022, 2023 and 2024, in an amount not to exceed \$71,800 for the 3-year term of the contract.

12. [Treatment Plant Filter Influent Pump Station Replacement Pumps – Budget Adjustment No. 2022-16](#)

- a. Approve and authorize the General Manager to purchase the Morrison pumps at a total price of \$219,600
- b. Adopt Budget Adjustment No. 2022-16 transferring \$219,600 from the Treatment Plant Replacement Reserve to Major Expenditures-TP to provide funding for the replacement of the filter influent pumps.

13. [Ultraviolet Disinfection \(UV\) System Replacement Lamps & Sleeves – Budget Adjustment No. 2022-15](#)

Adopt Budget Adjustment No. 2022-15 transferring \$29,550 from the Treatment Plant Replacement Reserve into the Major Expenditures-TP to provide funding for the purchase of replacement UV Lamps, Sleeves, O-rings, and C Washers.

14. [2022 Draft OVSD Rate Study Results- Raftelis](#)

This is an information and discussion item only. No board action is required

15. [Post COVID-19 Board Meeting Attendance Options](#)

- a. Review Board, Committee and Workshop attendance options A and B
- b. Determine Board preference of attendance format and appropriate effective date.
- c. Direct staff to move forward with implementation and corresponding notifications of attendance options.

**INFORMATION ITEMS – FOR RECEIPT & FILE**

16. [Annual Connection Charge Reserve Report](#)

17. [Mid-Year Financial Reports](#)

18. [Monthly Investment Report](#)

19. [Staff Reports - Operations, Administration and Management of the District](#)

20. **Committee Reports**

21. **Reports on Meetings, Seminars, or Conferences Attended**

22. **Items of Interest/Correspondence/Articles**  
23. **Board Member & General Manager Comment**

a. Board Member Comments

Opportunity for Board Members to briefly comment on matters they deem appropriate to the business of the District. A Board Member may ask a question of staff for clarification, make a brief announcement, or make a brief report on his/her own activities related to the District. A Board Member may also provide a reference to staff or other resources for factual information, or request staff to report back to the Board at a subsequent meeting concerning a matter related to the District business. The Board Member may also direct staff to place a matter of District business on a future Board agenda.

b. General Manager Comments

24. **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:

  
\_\_\_\_\_  
Alison Young – Clerk of the Board

**February 24, 2022 @ 12:00 p.m.**  
**Date & Time Posted At District Office**