

TRIUNFO SANITATION DISTRICT
Minutes of the special meeting of September 30, 2009
Oak Park Library, 899 N Kanan Road, Oak Park, CA

1. Chair Orkney called the meeting to order at 5:15 p.m. Roll call (5 present).

Member-at-Large	Janna Orkney
Member-at-Large	Michael Paule
Ventura Regional Sanitation District	Dennis Gillette
County of Ventura	Linda Parks
City of Thousand Oaks	Tom Glancy

2. Pledge of Allegiance

3. Amendments to the Agenda – General Manager Lawler requested the Board remove Item 7 from the agenda. Director Paule requested Items 6 and 11 heard as action items.

District Manager Lawler introduced Matt Grieger, VRSD Water & Wastewater Division Manager. Mr. Grieger said he is happy to be on board and is looking forward to moving forward with the Conifer Tank Replacement Project for TSD. The Board welcomed Mr. Grieger.

4. Approval of Minutes – It was moved by Director Glancy, seconded by Director Paule, and duly carried that the Board approve the July 27 and September 14, 2009 meetings minutes.
5. Public Comments – none.

CONSENT ITEMS – (Items 6 through 11)

6. TSD Contract No. T09-001-1 – T-Mobil West Corp. (heard as action item) – Director Paule expressed his concern that TSD is being charged significant legal fees in relation to cell site agreements and suggested in the future legal fees be charged to the site lessees. It was moved by Director Paule, seconded by Director Glancy, and duly carried that the Board authorize the District Manager to sign TSD Contract No. T09-001-1 First Amendment and Restatement to Communications Site Lease Agreement for replacement of Exhibit B with revised Exhibit B-1.
7. TSD Contract No. T09-002 – Consultant Services Mark Capron – removed from agenda.
8. TSD Contract No. T09-003 – The PRD Group, Inc. – It was moved by Director Glancy, seconded by Director Paule, and duly carried that the Board authorize the Chair to sign Contract No. T09-003 with The PRD Group, Inc. for engineering & project management services for a not-to-exceed amount of \$10,000.
9. Tract No. 4192-3 – Lake Sherwood One-Year Warranty Acceptance – It was moved by Director Glancy, seconded by Director Paule, and duly carried that the Board pass, approve and accept the sanitary sewer system in Tract No. 4192-3 as part of the Triunfo Sanitation District; and direct the District Manager to begin the one-year warranty period, and at the end of that period authorize the District Inspector to perform the final inspection and notify Sherwood Development Company of the tract acceptance.
10. Assignment of Mainline Extension Developer Refund Agreement – It was moved by Director Glancy, seconded by Director Paule, and duly carried that the Board authorize the Chair to sign the Assignment of Mainline Extension Refund Agreements to transfer title and ownership of the Neptune Company Mainline Extension Refund Agreement to Utility Fund Investor, LLC, and then to Neptune Company Asset Holdings, LLC.
11. TSD Resolution No. T09-05 – Elections (heard as an action item) – It was moved by Director Paule, seconded by Director Parks, and carried by a 3 to 2 vote that the Board adopt TSD Resolution No. T09-05, Requesting Consolidation of the District Election with the Statewide General Election, Requesting the Ventura County Board of Supervisors Permit County Election Officials to Render Specified Services to

TSD and Establishing Post-election Procedures to Stagger Terms as amended that the three candidates with the highest number of votes receive a four-year term and the fourth candidate with the highest number of votes receive a two-year term. Directors Gillette and Glancy dissented.

ACTION ITEMS – (Items 12 and 13)

12. Ordinances Nos. TSD-66 & TSD-67 – Public Hearings and Adoption – Chair Orkney opened the public hearing on proposed Ordinance No. TSD-66, Establishing a Program for Prevention of the Waste of Water and Ordinance No. TSD-67, Establishing a Water Conservation and Water Supply Shortage Program and Regulations. Mr. Hovey reported that changes directed by the Board to the ordinances have been incorporated. He said only one written comment was received. Mr. David Ross addressed the Board regarding an appeal process and possible challenges to enforce the water restrictions. Chair Orkney closed the public hearing. Discussion ensued with the Board making minor changes to the ordinances, which legal counsel advised that the changes were not significant allowing the Board to conduct the second reading and adoption of the ordinances. It was moved by Director Glancy, seconded by Director Paule, and unanimously carried that the Board conduct the second reading, by title only, of Ordinance No. TSD-66, Establishing a Program for Prevention of the Waste of Water, and adopt Ordinance No. TSD-66, effective upon adoption; and conduct the second reading, by title only, of Ordinance No. TSD-67, Water Supply Shortage Program and Regulations, and adopt Ordinance No. TSD-67 as amended, effective upon adoption.
13. Metropolitan Water District Reinstates Conservation Rebate Program – It was moved by Director Glancy, seconded by Director Paule and duly carried that the Board to reactivate TSD's participation in the MWD rebate program; and approve a budget adjustment of \$1,120 to fund rebates at the levels previously approved for individual conservation devices.

INFORMATION ITEMS – (Items 14 through 18)

It was moved by Director Paule, seconded by Director Glancy, and duly carried that the Board receive and file the following items:

14. CASA Memo – Measure E Challenge
15. Investment Report – July & August 2009
16. Disbursements – July & August 2009
17. Revenue & Expense Report – June, July & August 2009
18. Future Meetings, Seminars and Conferences:
 - Joint Powers Authority October 5, 2009, 5 p.m., Las Virgenes
 - TSD Board October 26, 2009, 5:15 p.m., Oak Park Library

NEW BUSINESS – (Item 19 only)

19. Discussion
 - a. Board Members – Directors Paule and Parks asked the status of the RFP for review of VRSD overhead charges. District Manager said the RFP has not yet been prepared. Director Parks asked staff to research if any cell site leases exist at the Conifer Tank site and if any, what is the plan regarding cell sites when the tank is demolished. She also requested Board approval for cell site lease agreements.
 - b. District Manager – Mr. Lawler reported a significant increase in late payments from OPWS customers noting staff is working with those individuals and he will continue to keep the Board informed of this issue. Mr. Lawler distributed the recent bill stuffer indicating the usage of water, noting TSD is doing well. The Board thanked staff for the flyer, noting the water usage graph is excellent.

- c. Legal Counsel – none.
20. Future Agenda Items – Hold Regular Meeting in Thousand Oaks; Emergency Disaster Plan Review; Review of OPWS Policies & Procedures Ordinances; Website Redesign (including Board bios and photos); Investigate New Meeting Location; VRSD Billing Rates; VRSD Overhead Review; Oak Canyon Reservoir Update; Discussion regarding Stage 1 water supply shortage; Letter to VCSDA regarding representative on VRSD Board; Discussion at JPA regarding graphic identity/letterhead.
21. Reports on Outside Meetings/Conferences
22. Adjournment – the meeting was adjourned at 6:39 p.m.



Janna Orkney, Chair



Rhonda Catron, Clerk of the Board