

**MINUTES OF THE
CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT
REGULAR BOARD MEETING, September 13, 2022**

A. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE:

President Bouchard called the virtual meeting to order at 5:00 P.M. In attendance, Vice President Marcus, Director Nast, General Manager Peter Martinez, Clerk of the Board, Erika Davis, General Counsel, John Mathews, General Counsel, Dennis McNulty, Office Manager, CJ Dillon, and Operations Manager Jesus (Chuy) Navarro.

Director Brewer and Director Debley were absent.

B. PUBLIC COMMENTS:

None.

C. CONSENT CALENDAR:

Vice President Marcus made the motion to approve the Consent Calendar. Director Nast asked to pull item C3 for discussion. Board discussion ensued. There was no public comment. President Bouchard restated the motion made by Vice President Marcus to approve the Consent Calendar. Director Nast seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES, Marcus: YES, Nast: YES 3 - Yes 0 -No

Item D was moved to after items E1 and E2.

E. ACTION CALENDAR:

1. CONSIDERATION OF RESOLUTION 22-13 ENABLING CONTINUED USE OF REMOTE TELECONFERENCE MEETINGS IN ACCORDANCE WITH ASSEMBLY BILL 361

This is a resolution required by law to continue teleconference meetings in accordance with Assembly Bill 361. There was no public comment. Vice President Marcus made the

motion to adopt Resolution No. 22-13 Enabling continued use of remote teleconference meetings in accordance with Assembly Bill 361. President Bouchard seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES, Marcus: YES, Nast: YES 3 - Yes 0 -No

2. PUBLIC HEARING ON AMENDMENT TO ORDINANCE 96 OF THE CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT RATES AND REGULATIONS FOR WATER, SEWER, AND REFUSE COLLECTION SERVICES TO INCLUDE PROVISIONS FOR COMPLIANCE WITH SENATE BILL 1383

At 5:19 P.M. President Bouchard opened and conducted the public hearing. Using a PowerPoint presentation, General Manager Martinez explained that this was an amendment to the Ordinance 96 which was approved June of this year. The amendment included provisions to comply with SB 1383. Clerk of the Board stated there were no written or oral communications. There was no public testimony and President Bouchard closed the public hearing. Vice President Marcus made the motion to adopt amendment to Ordinance 96 effective October 3, 2022. Director Nast seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES, Marcus: YES, Nast: YES 3 - Yes 0 -No

D. SPECIAL PRESENTATION: CALPERS PREFUNDING RETIREMENT PRESENTATION:

Jasper Jacobs, Outreach & Support Analyst for CalPERS prefunding programs, gave a brief overview on CalPERS Prefunding Retirement. Mr. Jacobs discussed reasons why to prefund CalPERS retirement and options on how to do this. Board consensus was to schedule a Special Board Meeting for the full and detailed presentation on CalPERS prefunding retirement.

After Board acted on Item E2 and after Item D was presented President Bouchard performed the reading of Amendment to Ordinance 96 in title only.

E. ACTION CALENDAR:

3. AWARD OF CONTRACT FOR THE HOLLYWOOD BEACH WATER PIPELINE IMPROVEMENT PROJECT AND NOTICE OF DETERMINATION OF CEQA EXEMPTION

Using a PowerPoint presentation, General Manager Martinez explained the Hollywood Beach Water Pipeline Improvement Project purpose, schedule, bid results, and the recommendations. Board asked questions. There was no public comment. Vice President Marcus moved to approve staff's recommendations 1) Board to consider and approve contract with the lowest responsible bidder, J. Vega Engineering, Inc. for a not-to-exceed amount of \$470,272 for the Hollywood Beach Water Pipeline Improvement Project (CI 101); and 2) Approve a contingency of \$33,000 (7%); and 3) Approve \$30,000 for engineering services during construction with MKN Engineering and 4) Authorize General Manager to file a CEQA Notice of Exemption under the Class 1 categorical exemption set forth in California Code of Regulations Section 15301. Director Nast seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES, Marcus: YES, Nast: YES 3 - Yes 0 -No

4. CROSS BASE PIPELINE AGREEMENT WITH THE CITY OF PORT HUENEME

General Manager Martinez used a PowerPoint presentation to explain the Cross Base Pipeline Agreement with the City of Port Hueneme. Board asked questions. There was no public comment. Vice President Marcus moved to authorize the General Manager to sign the agreement with the City of Port Hueneme for use of the Cross Base Pipeline pending the City of Port Hueneme City Council approval. Director Nast seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES, Marcus: YES, Nast: YES 3 - Yes 0 -No

5. NOMINATIONS FOR VENTURA LOCAL AGENCY FORMATION COMMISSION

No Board action taken.

F. INFORMATION CALENDAR:

1. Report from Board Members of any meeting or conference where compensation for attendance was received.

None.

2. Community Cleanup - date change from September 10, 2022, to November 12, 2022.

General Manager Martinez announced the date change for the Community Cleanup Event, it will now be on November 12, 2022.

3. October Regular Board Meeting – date change from October 11, 2022, to October 25, 2022

General Manager Martinez announced that the October 11, 2022, Board Meeting is cancelled. There will be a Special Board Meeting on October 25, 2022.

G. BOARD MEMBER COMMENTS:

Director Nast asked to agendaize on a future agenda for further discussion how the District's investment policy works. Board majority agreed to have this brought forward on a future agenda for discussion.

Director Nast asked General Counsel to please update the Board on United Conservation District vs. City of Ventura litigation in General Counsel comments.

Vice President Marcus thanked Directors Bouchard and Debley for continuing to serve on the Board and welcomed new Board member Lebow.

Vice President Marcus asked General Manager Martinez for an update on the building progress in General Manager comments.

President Bouchard and Director Nast asked that there be a plan for an event to recognize Vice President Marcus being that there are only 1 or 2 meetings left with her on the Board.

H. GENERAL COUNSEL & GENERAL MANAGER COMMENTS:

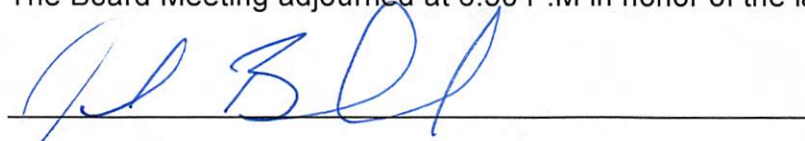
General Counsel wished everyone good health.

General Counsel briefly explained that the United Water Conservation District and City of Ventura case had a long history since 2013. It was basically a Prop 218 case. City of Ventura challenged United Water Conservation District on their groundwater pump charges, challenged them also under Prop 26 and Prop 13 and challenged the Government Code that allowed United Water Conservation District to charge municipalities a pump charge 3 to 5 times what the agricultural rate was. It was determined that in the most recent case the City of Ventura had the correct position. Primarily the Government Code was deemed unconstitutional and United Water

Conservation District was unable to show difference in the cost of service. United Water Conservation District asked for reconsideration, and it was denied. The pump charges will not be routinely the 3 to 5 times to 1 that they presently are.

General Manager Martinez stated he will be meeting with the architect regarding the building next Friday. General Manager Martinez said the County of Ventura is moving quickly on plan check. General Manager Martinez said he expects to ask the Board for authorization to go out to bid at the next board meeting. He also said it means possibly breaking ground in early spring.

The Board Meeting adjourned at 6:30 P.M in honor of the late Carmen Ramirez.



Jared Bouchard, Vice President