



Board of Directors:

JARED BOUCHARD, President  
MARCIA MARCUS Vice President  
KRISTINA BREWER, Director  
SEAN DEBLEY, Director  
BOB NAST, Director

PETER MARTINEZ  
General Manager

353 Santa Monica Drive · Channel Islands Beach, CA · 93035-4473 · (805) 985-6021 · FAX (805) 985-7156  
A PUBLIC ENTITY SERVING CHANNEL ISLANDS BEACHES AND HARBOR · CIBCSO.COM

# BOARD OF DIRECTORS REGULAR BOARD MEETING NOTICE & AGENDA

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**NOTICE IS HEREBY GIVEN** that the Board of Directors of the Channel Islands Beach Community Services District will hold a Regular Board Meeting beginning at 5:00 P.M. on Tuesday, September 13, 2022. In accordance with the Governor's Executive Order N-29-20 and the Ventura County Stay Well at Home Order resulting from the novel Coronavirus the Meeting will be held virtually using the Microsoft Teams platform.

**Join on your computer, mobile app or room device**

[Click here to join the meeting](#)

Meeting ID: 256 001 186 646

Passcode: pTXF2H

[Download Teams](#) | [Join on the web](#)

**Or call in (audio only)**

[+1 213-282-9788,464452021#](#) United States, Los Angeles

Phone Conference ID: 464 452 021#

The agenda is as follows:

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

**B. PUBLIC COMMENTS:**

1. Opportunity for members of the public to address the Board on matters under the purview of the District and which are not on the agenda. (Time limit 3 minutes per speaker)

**C. CONSENT CALENDAR:**

1. Approve the Agenda Order

2. Financial Reports:

- a. Cash Disbursal & Receipt Report – July 2022
- b. Cash Disbursal & Receipt Report – August 2022

3. Investment Policy, Investment Earnings Report

4. Minutes:

- a. July 26, 2022, Special Board Meeting

5. Authorize customer request for relief from water charges due to leaks on the property consistent with Resolution 16-06:

	<b>Account Number</b>	<b>Water Relief</b>	<b>Sewer Relief</b>	<b>Total Relief</b>
<b>a.</b>	00860-02	\$6.58	\$135.04	\$141.62
<b>b.</b>	00000117	\$15.13	\$39.12	\$54.25
<b>c.</b>	15880-05	\$34.73	\$84.75	\$119.48
<b>d.</b>	01880-01	\$50.40	\$118.61	\$169.01
				\$484.36

**D. SPECIAL PRESENTATION: CALPERS PREFUNDING RETIREMENT PRESENTATION**

**E. ACTION CALENDAR:**

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

Recommendation:

- 1) It is recommended the Board adopt Resolution No. 22-13 authorizing remote teleconference meetings of the Legislative Bodies of the Channel Islands Beach Community Services District for an additional 30 days through October 12, 2022.
- 2) Provide staff direction on how the Board wished to meet for upcoming Regular Board Meetings.

**5:15 P.M.**

**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**

Recommendation:

- 1) Conduct public hearing, receive staff report, public testimony and close the public hearing
- 2) Perform reading in title only and adoption of Amendment to Ordinance 96 - effective October 3, 2022.

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

Recommendation:

- 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.
- 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.

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

Recommendation:

- 1) Authorize General Manager to sign agreement with the City of Port Hueneme (CoPH) for use of the Cross Base Pipeline pending CoPH City Council approval.

**5. NOMINATIONS FOR VENTURA LOCAL AGENCY FORMATION COMMISSION**

Recommendation:

- 1) Board discretion to nominate candidate

**F. INFORMATION CALENDAR:**

1. Report from Board Members of any meeting or conference where compensation for attendance was received.
2. Community Cleanup - date change from September 10, 2022, to November 12, 2022

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

4. November 8, 2022 General Election Letter from County of Ventura County Clerk – Recorder, Registrar of Voters

**G. BOARD MEMBER COMMENTS:**

**H. GENERAL COUNSEL & GENERAL MANAGER COMMENTS:**

**AGENDA POSTING CERTIFICATION**

This agenda was posted Friday, September 9, 2022, by 5:00 PM. The agenda is posted at the District Office and two public notice bulletin boards, which are accessible 24 hours per day. The locations include:

- Hollywood Beach School, 4000 Sunset
- Corner Store, 2425 Roosevelt Blvd.
- District Office, 353 Santa Monica Drive

Agendas are also posted on the District’s website at [www.cibcsd.com](http://www.cibcsd.com).

*Peter Martinez*  
Peter Martinez  
General Manager

**REQUESTS FOR DISABILITY-RELATED MODIFICATION OR ACCOMMODATION, INCLUDING AUXILIARY AIDS OR SERVICES, IN ORDER TO ATTEND OR PARTICIPATE IN A MEETING, SHOULD BE MADE TO THE SECRETARY OF THE BOARD IN ADVANCE OF THE MEETING TO ENSURE THE AVAILABILITY OF REQUESTED SERVICE OR ACCOMODATION. NOTICES, AGENDAS AND PUBLIC DOCUMENTS RELATED TO THE BOARD MEETINGS CAN BE MADE AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST.**

Channel Islands Beach 2013

9/9/2022 11:12 AM

Register: 1002 · Checking Pacific Western

From 07/01/2022 through 07/31/2022

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
07/06/2022	7554	ACWA/Joint Powers...	2000 - Accounts Payable	Pr. Pd. 4-1-22 t...	3,415.63			733,657.43
07/06/2022	7555	Aflac	2000 - Accounts Payable		353.55			733,303.88
07/06/2022	7556	County of Ventura - ...	2000 - Accounts Payable	Enchroachment...	680.00			732,623.88
07/06/2022	7557	CUSI	2000 - Accounts Payable	Annual Cloud ...	8,120.00			724,503.88
07/06/2022	7558	Famcon Pipe and Su...	2000 - Accounts Payable		799.01			723,704.87
07/06/2022	7559	Hollister & Brace	2000 - Accounts Payable		5,487.50			718,217.37
07/06/2022	7560	ImageSource	2000 - Accounts Payable		178.60			718,038.77
07/06/2022	7561	LAFCO	2000 - Accounts Payable	Annual Apporti...	3,378.00			714,660.77
07/06/2022	7562	Michael K. Nunley ...	2000 - Accounts Payable		4,059.06			710,601.71
07/06/2022	7563	Miguel Zavalza	2000 - Accounts Payable		675.00			709,926.71
07/06/2022	7564	Pacific Couriers	2000 - Accounts Payable		276.69			709,650.02
07/06/2022	7565	Port Hueneme Marin...	2000 - Accounts Payable		386.55			709,263.47
07/06/2022	7566	Michael K. Nunley ...	2000 - Accounts Payable		14,301.56			694,961.91
07/07/2022	7567	Michael K. Nunley ...	2000 - Accounts Payable		5,578.23			689,383.68
07/08/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/6			1,045.53	690,429.21
07/08/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/6			6,496.04	696,925.25
07/08/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/6			643.21	697,568.46
07/08/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/1			540.00	698,108.46
07/08/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/8			5,373.60	703,482.06
07/08/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/8			682.58	704,164.64
07/08/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			9,367.32	713,531.96
07/08/2022	ACH	Frontier	6 - Administrative Exp...	7-1-22	165.35			713,366.61
07/08/2022	ACH	ACWA/JPIA Health ...	5 - Salaries & Benefits:...	7-5-22 0689206	1,113.62			712,252.99
07/08/2022	7568	CUSI	2000 - Accounts Payable		101.86			712,151.13
07/08/2022	7569	FGL Environmental I...	2000 - Accounts Payable		184.00			711,967.13
07/08/2022	7570	IVR Technology Gro...	2000 - Accounts Payable		103.12			711,864.01
07/11/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			5,894.44	717,758.45
07/12/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			5,044.51	722,802.96
07/12/2022	ACH	CalPers	5 - Salaries & Benefits:...	Annual Unfund...	840.00			721,962.96
07/12/2022	ACH	CalPers	-split-	pr pd 6-25-22 t...	3,985.61			717,977.35
07/13/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	3/4" Constructio...			15,440.00	733,417.35
07/13/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dp 7/11			19,345.42	752,762.77
07/13/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/12			12,600.92	765,363.69
07/13/2022	7571	ACWA/JPIA	2000 - Accounts Payable	Annual Propert...	4,971.27			760,392.42
07/13/2022	7572	FGL Environmental I...	2000 - Accounts Payable		244.00			760,148.42
07/13/2022	7573	Golden State Copier	2000 - Accounts Payable	Annual Folding...	2,532.00			757,616.42
07/13/2022	7574	Nationwide Retirement	2000 - Accounts Payable	pr pd 6/25/22 t...	3,326.17			754,290.25
07/13/2022	7575	Amazon Capital Serv...	2000 - Accounts Payable		336.42			753,953.83
07/13/2022	7576	ACWA/JPIA	2000 - Accounts Payable	FY 22-23 Diff i...	5,182.90			748,770.93
07/13/2022		QuickBooks Payroll ...	-split-	Created by Pay...	26,170.68			722,600.25

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9/9/2022 11:12 AM

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From 07/01/2022 through 07/31/2022

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment C	Deposit	Balance
07/13/2022	To Print	Carol J Dillon	-split-	Direct Deposit			722,600.25
07/13/2022	To Print	Casey D Johnson	-split-	Direct Deposit			722,600.25
07/13/2022	To Print	E.D. Brock	-split-	Direct Deposit			722,600.25
07/13/2022	To Print	Erika F Davis	-split-	Direct Deposit			722,600.25
07/13/2022	To Print	Keila E Wilson	-split-	Direct Deposit			722,600.25
07/13/2022	To Print	Mark A Espinosa	-split-	Direct Deposit			722,600.25
07/13/2022	To Print	Peter A. Martinez	-split-	Direct Deposit			722,600.25
07/13/2022	To Print	Jesus Navarro	-split-	Direct Deposit			722,600.25
07/14/2022	7581	PHWA	2000 - Accounts Payable		104,212.68		618,387.57
07/14/2022	7582	Ventura County Star	2000 - Accounts Payable		252.47		618,135.10
07/14/2022	7583	Sandcastle Realty	2000 - Accounts Payable	Refund for 120...	284.30		617,850.80
07/15/2022	ACH	AT & T	6 - Administrative Exp...	7-1-22	744.78		617,106.02
07/15/2022	RETCK	QB:Returned Item	1200 - Accounts Recei...	Newman	264.95		616,841.07
07/15/2022	7577	CIBCS-D-Petty Cash	2000 - Accounts Payable		434.67		616,406.40
07/15/2022	7578	City National Bank	2000 - Accounts Payable	Annual Payme...	84,806.54		531,599.86
07/15/2022	7579	CUSI	2000 - Accounts Payable		25.50		531,574.36
07/15/2022	7580	FGL Environmental I...	2000 - Accounts Payable		427.00		531,147.36
07/15/2022	7584	FGL Environmental I...	2000 - Accounts Payable		491.00		530,656.36
07/15/2022	7585	City of Oxnard	2000 - Accounts Payable	4-1-22 to 6-30-...	226,393.18		304,263.18
07/15/2022	7586	E.H. Wachs	2000 - Accounts Payable		253.38		304,009.80
07/18/2022	RETCK	QB:Returned Item	1200 - Accounts Recei...	Arnold	153.67		303,856.13
07/19/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/14		8,408.74	312,264.87
07/19/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/18		39,581.72	351,846.59
07/19/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	CUSI		24,925.79	376,772.38
07/19/2022	ACH	CalPers	-split-	7-14-22	11,223.68		365,548.70
07/19/2022	RETCK	QB:Returned Item	1200 - Accounts Recei...	Carson	162.56		365,386.14
07/19/2022	7587	Base Auto Parts and ...	2000 - Accounts Payable		84.40		365,301.74
07/19/2022	7588	FGL Environmental I...	2000 - Accounts Payable		322.00		364,979.74
07/19/2022	7589	net2phone	2000 - Accounts Payable		333.72		364,646.02
07/19/2022	7590	Raftelis Financial Co...	2000 - Accounts Payable		1,140.00		363,506.02
07/19/2022	7591	ShredRite Inc.	2000 - Accounts Payable		60.00		363,446.02
07/19/2022	7592	Wex Bank	2000 - Accounts Payable		1,018.33		362,427.69
07/20/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/20		420.00	362,847.69
07/20/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/20		8,408.74	371,256.43
07/20/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/20		39,581.72	410,838.15
07/20/2022	7595	EJ Harrison & Sons, ...	2000 - Accounts Payable	pr pd 6-1-22 to ...	51,206.84		359,631.31
07/22/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/22		26,897.14	386,528.45
07/22/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/22		2,042.01	388,570.46
07/22/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/22		507.04	389,077.50
07/22/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/22		260.00	389,337.50

Channel Islands Beach 2013

9/9/2022 11:12 AM

Register: 1002 · Checking Pacific Western

From 07/01/2022 through 07/31/2022

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
07/22/2022	ACH	So. California Edison...	2 - Sewer System Expe...	7-15-22 7567	1,122.33			388,215.17
07/22/2022	ACH	So. California Edison...	2 - Sewer System Expe...	7-15-22 1451	725.40			387,489.77
07/22/2022	ACH	SCE- Office	-split-	2274 7-21-22	298.28			387,191.49
07/22/2022	ACH	Bay Alarm Company	4 - Maintenance Expen...	103152 1-8-22 ...	300.00			386,891.49
07/22/2022	ACH	Spectrum	6 - Administrative Exp...	7-16-22 cable	62.51			386,828.98
07/22/2022	7593	ShredRite Inc.	2000 - Accounts Payable		45.00			386,783.98
07/22/2022	7594	XIO, Inc.	2000 - Accounts Payable		1,095.00			385,688.98
07/26/2022	ACH	So. California Edison...	2 - Sewer System Expe...	7-18-22 7350	403.05			385,285.93
07/26/2022	ACH	Cardmember Service	-split-		9,886.97			375,398.96
07/26/2022	7596	Nationwide Retirement	2000 - Accounts Payable	Pay Period 7/9/...	3,312.92			372,086.04
07/26/2022	7597	Base Auto Parts and ...	2000 - Accounts Payable		321.60			371,764.44
07/26/2022	7598	ImageSource	2000 - Accounts Payable		449.31			371,315.13
07/26/2022	7599	Coastal Architects	2000 - Accounts Payable	New Building	8,151.50			363,163.63
07/27/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/26			300.00	363,463.63
07/27/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/26			15,887.74	379,351.37
07/27/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/26			4,302.44	383,653.81
07/27/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 7/26			828.25	384,482.06
07/27/2022	ACH	CalPers	-split-	Pr. Pd. 7-9-22 t...	4,049.62			380,432.44
07/27/2022	7600	A to Z Law, LLP	2000 - Accounts Payable		6,900.00			373,532.44
07/27/2022		QuickBooks Payroll ...	-split-	Created by Pay...	25,646.79			347,885.65
07/27/2022	To Print	Carol J Dillon	-split-	Direct Deposit		X		347,885.65
07/27/2022	To Print	Casey D Johnson	-split-	Direct Deposit		X		347,885.65
07/27/2022	To Print	E.D. Brock	-split-	Direct Deposit		X		347,885.65
07/27/2022	To Print	Erika F Davis	-split-	Direct Deposit		X		347,885.65
07/27/2022	To Print	Keila E Wilson	-split-	Direct Deposit		X		347,885.65
07/27/2022	To Print	Mark A Espinosa	-split-	Direct Deposit		X		347,885.65
07/27/2022	To Print	Peter A. Martinez	-split-	Direct Deposit		X		347,885.65
07/27/2022	To Print	Jesus Navarro	-split-	Direct Deposit		X		347,885.65
07/29/2022	7601	Famcon Pipe and Su...	2000 - Accounts Payable		540.54			347,345.11
07/29/2022	7602	Ferguson Waterworks	2000 - Accounts Payable		1,156.90			346,188.21
07/29/2022	7603	Elevated Entitlements	2000 - Accounts Payable	Building	150.00			346,038.21
07/29/2022	7604	Hollister & Brace	2000 - Accounts Payable		3,122.29			342,915.92
07/29/2022	7610	Get R Washed, Inc.	2000 - Accounts Payable	VOID:		X		342,915.92
07/29/2022	7611	Get R Washed, Inc.	2000 - Accounts Payable	VOID:		X		342,915.92
07/29/2022	7612	Get R Washed, Inc.	2000 - Accounts Payable	VOID:		X		342,915.92
07/29/2022	7613	Get R Washed, Inc.	2000 - Accounts Payable	VOID:		X		342,915.92
07/29/2022	7614	Get R Washed, Inc.	2000 - Accounts Payable		60.00			342,855.92

Channel Islands Beach 2013

9/9/2022 11:04 AM

Register: 1002 · Checking Pacific Western

From 08/01/2022 through 08/31/2022

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
08/01/2022	ACH	Spectrum	6 - Administrative Exp...	7-18-22 Internet	229.98			248,983.42
08/01/2022	ACH	ACWA/JPIA Health ...	5 - Salaries & Benefits:...	inv. 0690741	939.29			248,044.13
08/01/2022	ACH	Aflac	*2020 - Payroll Liabilit...	Inv. 222610	235.70			247,808.43
08/01/2022	7620	Amazon Capital Serv...	2000 - Accounts Payable		181.13			247,627.30
08/01/2022	7621	Badger Meter	2000 - Accounts Payable		1,732.83			245,894.47
08/01/2022	7622	Underground Service...	2000 - Accounts Payable		20.50			245,873.97
08/03/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/1			1,165.02	247,038.99
08/03/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/1			955.45	247,994.44
08/03/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/2			500.00	248,494.44
08/03/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/1			359.03	248,853.47
08/03/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/1			18,833.41	267,686.88
08/03/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/1			100.00	267,786.88
08/03/2022	DEP	QB:DEPOSIT	3120 Sewer Revenues:...	City			248,759.84	516,546.72
08/03/2022	7624	County of Ventura	2000 - Accounts Payable	New Building	8,275.32			508,271.40
08/04/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			2,351.62	510,623.02
08/04/2022	ACH	Arco	4 - Maintenance Expen...	8-3-22	957.34			509,665.68
08/04/2022	ACH	Tampa Hardware 2	2 - Sewer System Expe...	7-31-22	472.26			509,193.42
08/04/2022	7625	ACWA/JPIA	2000 - Accounts Payable	7-1-22 to 6-30-...	1,360.30			507,833.12
08/04/2022	7626	FGL Environmental I...	2000 - Accounts Payable		349.00			507,484.12
08/04/2022	7627	Miguel Zavalza	2000 - Accounts Payable		225.00			507,259.12
08/04/2022	7628	County of Ventura - ...	2000 - Accounts Payable		2,649.95			504,609.17
08/04/2022	7629	FGL Environmental I...	2000 - Accounts Payable		161.00			504,448.17
08/04/2022	7630	IVR Technology Gro...	2000 - Accounts Payable		103.37			504,344.80
08/04/2022	7631	Jarrod Lawrence	2000 - Accounts Payable		320.00			504,024.80
08/04/2022	7632	Jesus N. Navarro	2000 - Accounts Payable	Per Diem for T...	265.00			503,759.80
08/04/2022	7633	Michael K. Nunley ...	2000 - Accounts Payable		5,768.52			497,991.28
08/04/2022	7634	Mission Linen & Uni...	2000 - Accounts Payable		290.05			497,701.23
08/04/2022	7635	Oilfield Electric Motor	2000 - Accounts Payable	VOID: Void ck...		X		497,701.23
08/04/2022	7636	Pacific Couriers	2000 - Accounts Payable		276.69			497,424.54
08/04/2022	7637	Pete Martinez	2000 - Accounts Payable	Per Diem Tri S...	265.00			497,159.54
08/04/2022	7638	Plumbers Depot, Inc.	2000 - Accounts Payable		2,274.43			494,885.11
08/04/2022	7639	RICHARD FLUCKE	2000 - Accounts Payable	CUSTOMER ...	274.97			494,610.14
08/04/2022	7640	SUSAN KAUFMAN	2000 - Accounts Payable	CUSTOMER ...	42.00			494,568.14
08/04/2022	7641	TRICIA KLING	2000 - Accounts Payable	CUSTOMER ...	648.49			493,919.65
08/04/2022	7642	County of Ventura - ...	2000 - Accounts Payable		158.44			493,761.21
08/04/2022	7643	Mission Linen & Uni...	2000 - Accounts Payable		229.50			493,531.71
08/04/2022	7644	XIO, Inc.	2000 - Accounts Payable		1,095.00			492,436.71
08/05/2022	ACH	Cardmember Service	8000 - Suspense		4,189.24			488,247.47
08/07/2022	7645	ACWA/JPIA	2000 - Accounts Payable	Excess Crime I...	900.00			487,347.47
08/07/2022	7646	Famcon Pipe and Su...	2000 - Accounts Payable	Valve Project	13,159.16			474,188.31



Channel Islands Beach 2013

9/9/2022 11:04 AM

Register: 1002 · Checking Pacific Western

From 08/01/2022 through 08/31/2022

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
08/08/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			2,108.39	476,296.70
08/08/2022	7655	PHWA	2000 - Accounts Payable		70,824.04			405,472.66
08/08/2022		QuickBooks Payroll ...	-split-	Created by Pay...	25,583.36			379,889.30
08/08/2022	To Print	Carol J Dillon	-split-	Direct Deposit		X		379,889.30
08/08/2022	To Print	Casey D Johnson	-split-	Direct Deposit		X		379,889.30
08/08/2022	To Print	E.D. Brock	-split-	Direct Deposit		X		379,889.30
08/08/2022	To Print	Erika F Davis	-split-	Direct Deposit		X		379,889.30
08/08/2022	To Print	Jesus Navarro	-split-	Direct Deposit		X		379,889.30
08/08/2022	To Print	Keila E Wilson	-split-	Direct Deposit		X		379,889.30
08/08/2022	To Print	Mark A Espinosa	-split-	Direct Deposit		X		379,889.30
08/08/2022	To Print	Peter A. Martinez	-split-	Direct Deposit		X		379,889.30
08/09/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			5,032.26	384,921.56
08/09/2022	ACH	Frontier	6 - Administrative Exp...	8-1-22	167.41			384,754.15
08/09/2022	ACH	CalPers	5 - Salaries & Benefits:...	GASB 68- Cal...	350.00			384,404.15
08/09/2022	7647	CUSI	2000 - Accounts Payable		101.74			384,302.41
08/09/2022	7648	Pete Martinez	2000 - Accounts Payable	Replace ck.	63.80			384,238.61
08/09/2022	7649	Pat and Judy Campea	2000 - Accounts Payable	Customer Refund	1,000.66			383,237.95
08/10/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/4			1,789.77	385,027.72
08/10/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/8			7,704.13	392,731.85
08/10/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/9			16,936.66	409,668.51
08/10/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/8			607.05	410,275.56
08/10/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/10			259.19	410,534.75
08/10/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/10			3,146.31	413,681.06
08/10/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/4			625.52	414,306.58
08/10/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			7,887.62	422,194.20
08/11/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			6,196.71	428,390.91
08/11/2022	7650	CUSI	2000 - Accounts Payable		21.00			428,369.91
08/11/2022	7651	Erika Davis	2000 - Accounts Payable	Airline to CUS...	157.96			428,211.95
08/11/2022	7652	Ferguson Waterworks	2000 - Accounts Payable		7,814.53			420,397.42
08/11/2022	7653	Port Hueneme Marin...	2000 - Accounts Payable		809.21			419,588.21
08/11/2022	7654	SSBP	2000 - Accounts Payable		2,489.25			417,098.96
08/12/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/12			1,506.02	418,604.98
08/12/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/12			4,822.44	423,427.42
08/12/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			4,184.88	427,612.30
08/12/2022	ACH	CalPers	-split-	py pr 7-23-22 t...	4,049.62			423,562.68
08/12/2022	7656	VCSDA	2000 - Accounts Payable	22/23 VCSDA ...	150.00			423,412.68
08/15/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			3,809.16	427,221.84
08/16/2022	ACH	Cardmember Service	8000 - Suspense		8,000.00			419,221.84
08/16/2022	7657	net2phone	2000 - Accounts Payable		333.44			418,888.40
08/16/2022	7658	Pitney Bowes Inc.	2000 - Accounts Payable		109.37			418,779.03

Channel Islands Beach 2013

9/9/2022 11:04 AM

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From 08/01/2022 through 08/31/2022

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
08/16/2022	7659	ROBERT CHADWI...	2000 - Accounts Payable	CUSTOMER ...	878.85			417,900.18
08/16/2022	7660	Exxon-Mobil	2000 - Accounts Payable		630.19			417,269.99
08/16/2022	7661	VRSD	2000 - Accounts Payable	4th of July Gen...	1,192.15			416,077.84
08/17/2022	ACH	QB:DEPOSIT	1200 - Accounts Recei...	Auto Draft			97,230.61	513,308.45
08/17/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/16			14,855.75	528,164.20
08/17/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/12			18,838.40	547,002.60
08/17/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/15			8,707.38	555,709.98
08/17/2022	7662	Wex Bank	2000 - Accounts Payable		630.19			555,079.79
08/17/2022	7663	Alejandro Martinez	2000 - Accounts Payable	Refund for Hy...	987.50			554,092.29
08/18/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	CUSI			28,593.86	582,686.15
08/18/2022	RETCK	QB:Returned Item	1200 - Accounts Recei...	Prachyl	183.55			582,502.60
08/18/2022	7664	CIBCS-D-Petty Cash	2000 - Accounts Payable		146.58			582,356.02
08/18/2022	7665	FGL Environmental I...	2000 - Accounts Payable		161.00			582,195.02
08/18/2022	7666	PrimeTimeElectric	2000 - Accounts Payable	Electrical at Hi...	1,155.00			581,040.02
08/22/2022	ACH	SCE- Office	-split-	8-19-22	289.18			580,750.84
08/22/2022	ACH	Bay Alarm Company	4 - Maintenance Expen...	6952 9-1-22 t...	112.74			580,638.10
08/22/2022	ACH	CalPers	-split-		11,233.68			569,404.42
08/22/2022	ACH	CalPers	-split-	pr pd 8-6-22 to ...	4,049.96			565,354.46
08/22/2022	7667	CED	2000 - Accounts Payable		227.69			565,126.77
08/22/2022	7668	Grainger	2000 - Accounts Payable		663.00			564,463.77
08/22/2022	7669	XIO, Inc.	2000 - Accounts Payable		1,095.00			563,368.77
08/22/2022	7670	Myra Rios	2000 - Accounts Payable		350.00			563,018.77
08/22/2022	7671	Grainger	2000 - Accounts Payable		42.92			562,975.85
08/22/2022	7672	WHITE CAP	2000 - Accounts Payable		799.45			562,176.40
08/23/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			3,007.97	565,184.37
08/23/2022	ACH	So. California Edison...	2 - Sewer System Expe...	7867 8/16/22	1,041.87			564,142.50
08/23/2022	ACH	So. California Edison...	2 - Sewer System Expe...	1451 8-16-22	749.12			563,393.38
08/23/2022	AH	AT & T	6 - Administrative Exp...	8-1-22	744.78			562,648.60
08/24/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/17			3,813.67	566,462.27
08/24/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/19			156.68	566,618.95
08/24/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/24			2,835.40	569,454.35
08/24/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/19			7,904.91	577,359.26
08/24/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/23			10,282.10	587,641.36
08/24/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/23			16,458.77	604,100.13
08/24/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/19			11,648.88	615,749.01
08/24/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/18			4,121.84	619,870.85
08/24/2022		QuickBooks Payroll ...	-split-	Created by Pay...	27,616.90			592,253.95
08/24/2022	To Print	Carol J Dillon	-split-	Direct Deposit		X		592,253.95
08/24/2022	To Print	Casey D Johnson	-split-	Direct Deposit		X		592,253.95
08/24/2022	To Print	E.D. Brock	-split-	Direct Deposit		X		592,253.95

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<b>Date</b>	<b>Number</b>	<b>Payee</b>	<b>Account</b>	<b>Memo</b>	<b>Payment</b>	<b>C</b>	<b>Deposit</b>	<b>Balance</b>
08/24/2022	To Print	Erika F Davis	-split-	Direct Deposit		X		592,253.95
08/24/2022	To Print	Jesus Navarro	-split-	Direct Deposit		X		592,253.95
08/24/2022	To Print	Keila E Wilson	-split-	Direct Deposit		X		592,253.95
08/24/2022	To Print	Mark A Espinosa	-split-	Direct Deposit		X		592,253.95
08/24/2022	To Print	Peter A. Martinez	-split-	Direct Deposit		X		592,253.95
08/25/2022	EDEP	QB:DEPOSIT	1200 - Accounts Recei...	Vanco			3,583.84	595,837.79
08/26/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/26			853.35	596,691.14
08/26/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/26			1,755.00	598,446.14
08/26/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/26			10,608.62	609,054.76
08/26/2022	DEP	QB:DEPOSIT	1200 - Accounts Recei...	Dep 8/26			13,540.39	622,595.15
08/26/2022	ACH	So. California Edison...	2 - Sewer System Expe...	8-16-22	378.21			622,216.94
08/26/2022	ACH	Spectrum	6 - Administrative Exp...	8-18-22 Internet	229.98			621,986.96
08/26/2022	ACH	Spectrum	6 - Administrative Exp...	8-16-22 cable	56.77			621,930.19
08/26/2022	ACH	SEIU, Local 721	*2020 - Payroll Liabilit...	July 2022 Dues	167.50			621,762.69
08/26/2022	7673	EJ Harrison & Sons, ...	2000 - Accounts Payable	7-1-22 to 7-31-...	51,317.42			570,445.27
08/26/2022	7674	Famcon Pipe and Su...	2000 - Accounts Payable		2,214.71			568,230.56
08/26/2022	7675	ImageSource	2000 - Accounts Payable		98.37			568,132.19
08/30/2022	7676	AWA	2000 - Accounts Payable	2022/2023	75.00			568,057.19
08/30/2022	7677	FGL Environmental I...	2000 - Accounts Payable		964.00			567,093.19
08/30/2022	7678	Staples	2000 - Accounts Payable		216.87			566,876.32

MINUTES OF THE  
CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT  
SPECIAL BOARD MEETING, July 26, 2022

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

President Bouchard called the virtual meeting to order at 10:00 A.M. In attendance, Vice President Marcus, Director Brewer, Director Debley, General Manager Peter Martinez, Clerk of the Board, Erika Davis, General Counsel, John Mathews, Office Manager, CJ Dillon, and Operations Manager Jesus (Chuy) Navarro.

**Director Nast was absent.**

**B. PUBLIC COMMENTS:**

None.

**C. CONSENT CALENDAR:**

Director Debley made the motion to approve the Consent Calendar. Vice President Marcus seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES Marcus: YES, Brewer: YES, Debley: YES 4 - Yes 0 -No

**D. ACTION CALENDAR:**

**1. CONSIDERATION OF RESOLUTION 22-12 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. General Counsel explained the different options for holding meetings. Board asked questions. There was no public comment. Vice President Marcus made the motion to adopt Resolution No. 22-12 Enabling continued use of remote teleconference meetings in accordance with Assembly Bill 361. Director Brewer seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES Marcus: YES, Brewer: YES, Debley: YES 4 - Yes 0 -No

**2. SOLICIT BID REQUEST FOR EASEMENT RISK MITIGATION PROJECT (CI 101)**

Using a PowerPoint presentation, General Manager Martinez explained that the project would help reduce liability to the District and minimize service interruptions. Board discussion ensued. There was no public comment. Vice President Marcus made the motion to authorize the General Manager to proceed with the advertisement of formal bid for the Easement Risk Mitigation Project CI 101 including a name title change that is more aligned with the project and with a modified construction schedule not to proceed until January 2023. Director Brewer seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES Marcus: YES, Brewer: YES, Debley: YES 4 - Yes 0 -No

**3. CHANGE ORDER TO VALVE REPLACEMENT PROJECT (CI 105)**

General Manager Martinez explained the change order #2 with Elite General Engineering Inc. not to exceed amount of \$132,874 for the Water Valve Replacement project would address the valves at Hollywood Beach, Channel Islands Boulevard and Peninsula Road. Director Brewer made the motion to approve Change Order #2 with Elite General Engineering Inc for a not to exceed amount of \$132,874 for the Water Valve Replacement Project CI 105. Vice President Marcus seconded the motion. The motion passed.

ROLL CALL VOTE:

Bouchard: YES Marcus: YES, Brewer: YES, Debley: YES 4 - Yes 0 -No

**E. INFORMATION CALENDAR:**

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

Director Debley reported that at the PHWA meeting the tolling agreement with the City of Oxnard was extended for 1 year. Water consumption was significantly less from year to year showing residents are conserving. President Bouchard mentioned the rest of the PHWA meeting was in closed session.

**F. BOARD MEMBER COMMENTS:**

Vice President Marcus said she was concerned about water waste she has witnessed from the temporary rental units.

Director Debley suggested that water conservation messaging could be handed out by property owners and managers to help with outreach.

Director Brewer will meet with General Manager to work on water conservation outreach efforts to the temporary rental units.

**G. GENERAL COUNSEL & GENERAL MANAGER COMMENTS:**

General Counsel had no comment.

General Manager said plans are in final plan check at the County of Ventura. By September it may be ready to come back to the Board requesting authorization to go out to bid. District Staff plans on staying in the current building while the new two-story building is being constructed.

The Board Meeting adjourned at 10.47 A.M.

---

Jared Bouchard, President

# CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT

## ANNUAL STATEMENT OF INVESTMENT POLICY

This policy shall direct the investment of the District's temporarily inactive money for all funds accounted for in the District's financial statements, unless specifically exempted. This policy will not direct the investment of bond proceeds which are specifically governed by the individual bond documents and trust indentures.

**Operational Funds** are used on an ongoing basis to cover the costs of the operating and maintenance budget of the fiscal year. Operating and maintenance costs are funded through the collection of water, sewer and trash service fees and collection of current and prior year secured taxes. Operational funds are authorized to be invested in the Ventura County Investment Pool and money market funds of qualified banks and savings and loans.

**Outside Restricted Cash Assets:** Cash and investments held and invested by fiscal agents on behalf of the District are pledged for payment of security of certain long-term debt issuances. Fiscal agents are mandated by bond indentures as to the types of investments in which debt proceeds can be invested. Also included in this category are customer deposits, which are authorized to be invested in the Ventura County Investment Pool

**Board Restricted Cash:** Cash restricted for the cost of the following District projects: Sewer unanticipated repairs and maintenance, water distribution unanticipated repairs and maintenance, a reserve for rate stabilization and a reserve for operations. An amount equivalent to one month's operating expenses is allocated in the Board Restricted Cash Reserve account to guarantee operating expenses. These funds are authorized to be invested in the Ventura County Investment Pool.

From the eligible securities permitted by Government Code **53607**, the District is authorized to invest in only the Ventura County Investment Pool and money market funds of qualified banks and savings and loans as set forth in Government Code **53607.5**.

The Ventura County Treasurer-Tax Collector manages pooled cash under the prudent investor rule which states that: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived" The county's portfolio is made up of a selection of investments that ensure diversification and availability of funds when needed. The basic objectives of these investments are safety of principal, maintenance of liquidity to meet cash flow need and to earn a competitive rate of return (i.e. yield) within the confines of the California Government Code.

This annual statement is submitted in compliance with Government Code **5346(a)(2)**. And, as specified in Government Code **53600.5** when investing or managing public funds, the primary objectives are safety, liquidity, and return on investments.

Submitted by:

Date:

CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT  
 Summary of Cash & Investments  
 Year Ending June 30, 2022

	QE 09/21		QE 12/21		QE 03/22		QE 06/22	
	Avg %	Balance	Avg %	Balance	Avg %	Balance	Avg %	Balance
County of Ventura	0.26%	7,897,660	0.25%	7,950,278	0.32%	7,956,569	0.65%	7,997,922
First California - Checking	0.00%	612,738	0.00%	170,610	0.00%	692,972	0.00%	815,471
Totals		8,510,398		8,120,888		8,649,541		8,813,393

I hereby certify the ability of the District to meet the expenditure requirements for the next twelve months as per Government Code 53646(a)(3).

This report is in compliance with CIBCSD's Investment Policy under Government Code 53646(b)(2).

Peter Martinez, General Manager

\_\_\_\_\_  
 Date





Board of Directors:

JARED BOUCHARD, President  
MARCIA MARCUS, Vice President  
KRISTINA BREWER, Director  
SEAN DEBLEY, Director  
BOB NAST, Director

PETER MARTINEZ  
General Manager

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**Regular Board Meeting, September 13, 2022**

**To: Board of Directors**

**From: Peter Martinez, *General Manager***

**Subject: CONSIDERATION AND ADOPTION OF RESOLUTION NO. 22-13  
ENABLING CONTINUED USE OF REMOTE TELECONFERENCE  
MEETINGS IN ACCORDANCE WITH ASSEMBLY BILL 361**

**Item No. E-1**

**RECOMMENDATION:**

1. It is recommended the Board adopt Resolution No. 22-13 authorizing remote teleconference meetings of the Legislative Bodies of the Channel Islands Beach Community Services District for an additional 30 days through October 12, 2022.
2. Provide staff direction on how the Board wishes to meet for upcoming Regular Board Meetings.

**BACKGROUND/DISCUSSION:**

In March 2020, amid concern surrounding the spread of the COVID-19 virus throughout communities in the state, California Governor Gavin Newsom issued a series of Executive Orders aimed at containing the novel coronavirus. These Orders modified or waived meeting requirements in the Brown Act Open Meetings Law for local agency public meetings so that the public health and safety of all attendees would be protected through teleconferenced or remote meetings.

On September 16, 2021, the Governor signed Assembly Bill 361 requiring an approved Resolution justifying the need to continue virtual meetings due to imminent risks to the health and safety of attendees. If approved, the attached Resolution 22-13 would become effective September 13, 2022, through October 12, 2022.

**ATTACHMENTS:**

1. Resolution No. 22-13



Board of Directors:

JARED BOUCHARD, President  
MARCIA MARCUS, Vice President  
KRISTINA BREWER, Director  
SEAN DEBLEY, Director  
BOB NAST, Director

PETER MARTINEZ  
General Manager

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RESOLUTION NO. 22-13

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR'S EXECUTIVE ORDER N-29-20 ON MARCH 17, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT FOR 30 ADDITIONAL DAYS UNTIL OCTOBER 12, 2022, PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Channel Islands Beach Community Services District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Channel Islands Beach Community Services District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically, ON MARCH 4, 2020 THE GOVERNOR’S OFFICE ISSUED A STATE OF EMERGENCY ORDER RELATED TO THE COVID-19 PANDEMIC AND THAT ORDER REMAINS EFFECTIVE AT THE TIME OF ADOPTION OF THIS RESOLUTION; and

WHEREAS, ON SEPTEMBER 17, 2021, ORDER OF THE VENTURA COUNTY HEALTH OFFICER EXTENDING THE AUGUST 20, 2021 ORDER REQUIRING ALL INDIVIDUALS IN THE COUNTY TO WEAR FACE COVERINGS IN ALL INDOOR PUBLIC SETTINGS AND BUSINESSES TO MINIMIZE THE SPREAD OF COVID-19; and

WHEREAS, the Board of Directors does hereby find that the continued risk of COVID-19 infection remains significantly higher than stated public health goals, and the Channel Islands Beach Community Services District Board Room is not sufficient in size to allow for appropriate social distancing has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the legislative bodies of Channel Islands Beach Community Services District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, all meetings will be conducted to ensure the ability for the public to continue to participate through publication of meeting agendas containing the meeting ID link and call in phone number of all remote meetings, which allow the public to listen and provide comment on any and all business being conducted before the legislative body.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and

Section 3. Re-ratification of Governor’s Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California’s Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of Channel Islands Beach Community Services District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of October 12, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Channel Islands Beach Community Services District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Channel Islands Beach Community Services District this 13th day of September 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:



Board of Directors:

JARED BOUCHARD, President  
MARCIA MARCUS, Vice President  
KRISTINA BREWER, Director  
SEAN DEBLEY, Director  
BOB NAST, Director

PETER MARTINEZ  
General Manager

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**Regular Board Meeting, September 13, 2022**

**To:** Board of Directors  
**From:** Peter Martinez, *General Manager*  
**Subject:** 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

**Item No.** E-2

**RECOMMENDATION:**

- 1) Conduct public hearing, receive staff report, public testimony and close the public hearing
- 2) Perform reading in title only and adoption of Amendment to Ordinance 96 - effective October 3, 2022.

**FINANCIAL IMPACT:** There is no financial impact to the District or its ratepayers included in this amendment.

**BACKGROUND/DISCUSSION:**

**Subject 1:** Reading and Adoption of Amendment to Ordinance 96: CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT RATES AND REGULATIONS FOR WATER, SEWER, AND REFUSE COLLECTION SERVICES

If approved, the effective date for new regulations to be implemented will be October 3, 2022.

**ATTACHMENTS:**

1. Amendment to Ordinance 96 – District Rates and Regulations

**AMENDMENT TO ORDINANCE 96**

**CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT  
RATES AND REGULATIONS  
FOR WATER, SEWER, AND REFUSE COLLECTION SERVICES**

Adopted on \_\_\_\_\_, 2022

Effective on \_\_\_\_\_, 2022

**RECITALS**

- A. Pursuant to California Government Code Section 61600(c), the District may provide for the collection and disposal of garbage and refuse. On June 14, 2022, the District adopted Ordinance 96 entitled “Channel Islands Beach Community Services District Rates and Regulations for Water, Sewer and Refuse Collection Services” hereinafter referred to as the “Ordinance”. The Ordinance governs the collection, removal, transportation and disposal of solid waste and refuse within the District.
  
- B. The District wishes to amend the Ordinance to implement procedures to comply with regulations set forth in Titles 14 and 27 of the California Code of Regulations (CCR). These regulations implement portions of California Senate Bill 1383 which was signed into law in September 2016. The regulations and place requirements on multiple entities to support achievement of Statewide Organic Waste disposal reduction targets.

NOW, THEREFORE, the Ordinance is hereby amended as follows:

- 1. **AMENDMENT.** Except as specifically set forth herein, all provisions of the Ordinance shall remain in full force and effect. In the event of any conflict between the provisions of this Amendment and the Ordinance, the provisions of this Amendment shall control.
  
- 2. **DEFINITIONS .** For purposes of this Amendment, the following definitions shall apply:
  - 2.1. "Amendment" means this Amendment to the Ordinance.
  
  - 2.2. “Blue Container” has the same meaning as in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials or Source Separated Blue Container Organic Waste
  
  - 2.3. “CalRecycle” means California's Department of Resources Recycling and Recovery, which is the Department designated with responsibility for developing, implementing, and enforcing SB 1383 Regulations on Jurisdictions (and others).
  
  - 2.4. “California Code of Regulations” or “CCR” means the State of California Code of Regulations. CCR references in this ordinance are preceded with a number that refers to the relevant Title of the CCR (e.g., “14 CCR” refers to Title 14 of CCR).

- 2.5. “Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multifamily residential dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this Amendment to the Ordinance.
- 2.6. “Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator. For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not Commercial Edible Food Generators pursuant to 14 CCR Section 18982(a)(7).
- 2.7. “Compliance Review” means a review of records by the District to determine compliance with this Amendment.
- 2.8. “Community Composting” means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).
- 2.9. “Compost” has the same meaning as in 14 CCR Section 17896.2(a)(4), which stated, as of the effective date of this ordinance, that “Compost” means the product resulting from the controlled biological decomposition of organic Solid Wastes that are Source Separated from the municipal Solid Waste stream, or which are separated at a centralized facility.
- 2.10. “Container Contamination” or “Contaminated Container” means a container, regardless of color, that contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR Section 18982(a)(55).
- 2.11. “C&D” means construction and demolition debris.
- 2.12. “Designee” means an entity that the District contracts with or otherwise arranges to carry out any of the District’s responsibilities of this ordinance as authorized in 14 CCR Section 18981.2. A Designee may be a government entity, a hauler, a private entity, or a combination of those entities.
- 2.13. “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this Amendment or in 14 CCR, Division 7, Chapter 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.
- 2.14. “Enforcement Action” means an action of the District to address non-compliance with this Amendment including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.
- 2.15. “Excluded Waste” means hazardous substance, hazardous waste, infectious waste, designated waste, volatile, corrosive, medical waste, infectious, regulated radioactive waste, and toxic

substances or material that facility operator(s), which receive materials from the District and its generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, State, or Federal law, regulation, or ordinance, including: land use restrictions or conditions, waste that cannot be disposed of in Class III landfills or accepted at the facility by permit conditions, waste that in District's, or its Designee's reasonable opinion would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose District, or its Designee, to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in Single-Family or Multi-Family Solid Waste after implementation of programs for the safe collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the California Public Resources Code.

- 2.16. "Food Distributor" means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).
- 2.17. "Food Facility" has the same meaning as in Section 113789 of the Health and Safety Code.
- 2.18. "Food Recovery" means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).
- 2.19. "Food Recovery Organization" means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to: (1) A food bank as defined in Section 113783 of the Health and Safety Code; (2) A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and, (3) A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code. A Food Recovery Organization is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7). If the definition in 14 CCR Section 18982(a)(25) for Food Recovery Organization differs from this definition, the definition in 14 CCR Section 18982(a)(25) shall apply to this ordinance.
- 2.20. "Food Scraps" means all food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells.
- 2.21. "Food Service Provider" means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).
- 2.22. "Gray Container" has the same meaning as in 14 CCR Section 18982.2(a)(28) and shall be used for the purpose of storage and collection of Gray container Waste.
- 2.23. "Gray Container Waste" means Solid Waste that is collected in a Gray Container that is part of a three-container Organic Waste collection service that prohibits the placement of Organic Waste



in the Gray Container as specified in 14 CCR Sections 18984.1(a) and (b), or as otherwise defined in 14 CCR Section 17402(a)(6.5).

- 2.24. “Green Container” has the same meaning as in 14 CCR Section 18982.2(a)(29) and shall be used for the purpose of storage and collection of Source Separated Green Container Organic Waste.
- 2.25. “Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).
- 2.26. “Hauler Route” means the designated itinerary or sequence of stops for each segment of the District’s collection service area, or as otherwise defined in 14 CCR Section 18982(a)(31.5).
- 2.27. “High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average Mixed Waste organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste received from the “Mixed waste organic collection stream” as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).
- 2.28. “Inspection” means a site visit where a Jurisdiction reviews records, containers, and an entity’s collection, handling, recycling, or landfill disposal of Organic Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).
- 2.29. “Jurisdiction Enforcement Official” means the General Manager of the District.
- 2.30. “Large Event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event. If the definition in 14 CCR Section 18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this ordinance.
- 2.31. “Large Venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue. If the definition

in 14 CCR Section 18982(a)(39) differs from this definition, the definition in 14 CCR Section 18982(a)(39) shall apply to this ordinance.

- 2.32. “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).
- 2.33. “Multi-Family Residential Dwelling” or “Multi-Family” means of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses.
- 2.34. “Non-Organic Recyclables” means non-putrescible and non-hazardous recyclable wastes including but not limited to bottles, cans, metals, plastics and glass, or as otherwise defined in 14 CCR Section 18982(a)(43).
- 2.35. “Notice of Violation (NOV)” means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR Section 18982(a)(45) or further explained in 14 CCR Section 18995.4.
- 2.36. “Organic Waste” means Solid Wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, Paper Products, Printing and Writing Paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).
- 2.37. “Prohibited Container Contaminants” means the following: (i) discarded materials placed in the Blue Container that are not identified as acceptable Source Separated Recyclable Materials for the District’s Blue Container; (ii) discarded materials placed in the Green Container that are not identified as acceptable Source Separated Green Container Organic Waste for the District’s Green Container; (iii) discarded materials placed in the Gray Container that are acceptable Source Separated Recyclable Materials and/or Source Separated Green Container Organic Wastes to be placed in District’s Green Container and/or Blue Container; and, (iv) Excluded Waste placed in any container.
- 2.38. “Recovered Organic Waste Products” means products made from California, landfill-diverted recovered Organic Waste processed in a permitted or otherwise authorized facility, or as otherwise defined in 14 CCR Section 18982(a)(60).
- 2.39. “Recovery” means any activity or process described in 14 CCR Section 18983.1(b), or as otherwise defined in 14 CCR Section 18982(a)(49).
- 2.40. “Recycled-Content Paper” means Paper Products and Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise defined in 14 CCR Section 18982(a)(61).

- 2.41. “Renewable Gas” means gas derived from Organic Waste that has been diverted from a California landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recycle Organic Waste, or as otherwise defined in 14 CCR Section 18982(a)(62).
- 2.42. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption, or as otherwise defined in 14 CCR Section 18982(a)(64).
- 2.43. “Route Review” means a visual Inspection of containers along a Hauler Route for the purpose of determining Container Contamination, and may include mechanical Inspection methods such as the use of cameras, or as otherwise defined in 14 CCR Section 18982(a)(65).
- 2.44. “SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.
- 2.45. “SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this ordinance, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.
- 2.46. “Single-Family” means of, from, or pertaining to any residential premises with fewer than five (5) units.
- 2.47. “Solid Waste” has the same meaning as defined in State Public Resources Code Section 40191, which defines Solid Waste as all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semisolid wastes, with the exception that Solid Waste does not include any of the following wastes: (1) Hazardous waste, as defined in the State Public Resources Code Section 40141; (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the State Health and Safety Code); or (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the State Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in State Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the State Public Resources Code.
- 2.48. “Source Separated” means materials, including commingled recyclable materials, that have been separated or kept separate from the Solid Waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them

to the economic mainstream in the form of raw material for new, reused, or reconstituted products, which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4). For the purposes of the ordinance, Source Separated shall include separation of materials by the generator, property owner, property owner's employee, property manager, or property manager's employee into different containers for the purpose of collection such that Source Separated materials are separated from Gray Container Waste or other Solid Waste for the purposes of collection and processing.

- 2.49. "Source Separated Blue Container Organic Waste" means Source Separated Organic Wastes that can be placed in a Blue Container that is limited to the collection of those Organic Wastes and Non-Organic Recyclables as defined in Section 18982(a)(43), or as otherwise defined by Section 17402(a)(18.7).
- 2.50. "Source Separated Green Container Organic Waste" means Source Separated Organic Waste that can be placed in a Green Container that is specifically intended for the separate collection of Organic Waste by the generator, excluding Source Separated Blue Container Organic Waste, carpets, Non-Compostable Paper, and textiles.
- 2.51. "Source Separated Recyclable Materials" means Source Separated Non-Organic Recyclables and Source Separated Blue Container Organic Waste.
- 2.52. "State" means the State of California.
- 2.53. "Supermarket" means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR Section 18982(a)(71).
- 2.54. "Tier One Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following: (1) Supermarket; (2) Grocery Store with a total facility size equal to or greater than 10000 square feet; (3) Food Service Provider; Food Distributor; (4) Wholesale Food Vendor. If the definition in 14 CCR Section 18982(a)(73) of Tier One Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall apply to this ordinance.
- 2.55. "Tier Two Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following: (1) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet; (2) Hotel with an on-site Food Facility and 200 or more rooms; (3) Health facility with an on-site Food Facility and 100 or more beds; (4) Large Venue; (5) Large Event; (6) A State agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet; (7) A Local Education Agency facility with an on-site Food Facility. If the definition in 14 CCR Section 18982(a)(74) of Tier Two Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(74) shall apply to this ordinance.
- 2.56. "Uncontainerized Green Waste and Yard Waste Collection Service" or "Uncontainerized Service" means a collection service that collects green waste and yard waste that is placed in a pile or bagged for collection on the street in front of a generator's house or place of business for

collection and transport to a facility that recovers Source Separated Organic Waste, or as otherwise defined in 14 CCR Section 189852(a)(75).

2.57. “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR Section 189852(a)(76).

**3. REQUIREMENTS FOR SINGLE-FAMILY GENERATORS.** Single-Family Organic Waste Generators shall comply with the following requirements:

3.1. Shall subscribe to District’s Organic Waste collection services for all Organic Waste generated as described below in Section 3.2. District shall have the right to review the number and size of a generator’s containers to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Single-Family generators shall adjust its service level for its collection services as requested by the District. Generators may additionally manage their Organic Waste by preventing or reducing their Organic Waste, managing Organic Waste on site, and/or using a Community Composting site pursuant to 14 CCR Section 18984.9(c).

3.2. Shall participate in the District’s Organic Waste collection service(s) by placing designated materials in designated containers as described below, and shall not place Prohibited Container Contaminants in collection containers. Generator shall place Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container. Generators shall not place materials designated for the Gray Container into the Green Container or Blue Container.

**4. REQUIREMENTS FOR COMMERCIAL BUSINESS.** Generators that are Commercial Businesses, including Multi-Family Residential Dwellings, shall:

4.1. Subscribe to District’s three container collection services and comply with requirements of those services as described below in Section 4.2. District shall have the right to review the number and size of a generator’s containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Commercial Businesses shall adjust their service level for their collection services as requested by the District.

4.2. Participate in the District’s Organic Waste collection service(s) by placing designated materials in designated containers as described herein. Generator shall place Source Separated Green Container Organic Waste, including Food Scraps, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container. Generator shall not place materials designated for the Gray Container into the Green Container or Blue Container.

4.3. Supply and allow access to adequate number, size and location of collection containers with sufficient labels or colors (conforming with Sections 4.4.1 and 4.4.2 below) for employees,

contractors, tenants, and customers, consistent with District’s Blue Container, Green Container, and Gray Container collection service.

4.4. Excluding Multi-Family Residential Dwellings, provide containers for the collection of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials in all indoor and outdoor areas where disposal containers are provided for customers, for materials generated by that business. Such containers do not need to be provided in restrooms. If a Commercial Business does not generate any of the materials that would be collected in one type of container, then the business does not have to provide that particular container in all areas where disposal containers are provided for customers. Pursuant to 14 CCR Section 18984.9(b), the containers provided by the business shall have either:

4.4.1. A body or lid that conforms with the container colors provided through the collection service provided by District, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. A Commercial Business is not required to replace functional containers, including containers purchased prior to October 3, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.

4.4.2. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing October 3, 2022

4.5. Multi-Family Residential Dwellings are not required to comply with container placement requirements or labeling requirements in Section 4.4 pursuant to 14 CCR Section 18984.9(b).

4.6. To the extent practical through education, training, Inspection, and/or other measures, excluding Multi-Family Residential Dwellings, prohibit employees from placing materials in a container not designated for those materials per the District’s Blue Container, Green Container, and Gray Container collection service.

4.7. Excluding Multi-Family Residential Dwellings, periodically inspect Blue Containers, Green Containers, and Gray Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).

4.8. Annually provide information to employees, contractors, tenants, and customers about Organic Waste Recovery requirements and about proper sorting of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials.

4.9. Provide education information before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep Source Separated Green Container Organic Waste and Source Separated Recyclable Materials separate from Gray Container Waste (when applicable) and the location of containers and the rules governing their use at each property.

- 4.10. Provide or arrange access for District or its agent to their properties during all Inspections conducted in accordance with this Amendment to confirm compliance with the requirements of this ordinance.
- 4.11. Accommodate and cooperate with District's Remote Monitoring program for Inspection of the contents of containers for Prohibited Container Contaminants, which may be implemented at a later date, to evaluate generator's compliance with Section 6(b). The Remote Monitoring program shall involve installation of Remote Monitoring equipment on or in the Blue Containers, Green Containers, and Gray Containers.
- 4.12. Nothing in this Section prohibits a generator from preventing or reducing waste generation, managing Organic Waste on site, or using a Community Composting site pursuant to 14 CCR Section 18984.9(c).

**5. WAIVERS FOR GENERATORS.**

5.1. De Minimis Waivers. A District may waive a Commercial Business' obligation (including Multi-Family Residential Dwellings) to comply with some or all of the Organic Waste requirements of this ordinance if the Commercial Business provides documentation that the business generates below a certain amount of Organic Waste material as described in Section 8(a)(2) below. Commercial Businesses requesting a de minimis waiver shall:

5.1.1. Submit an application specifying the services that they are requesting a waiver from and provide documentation as noted in Section 5.1.2 below.

5.1.2. Provide documentation that either:

5.1.2.1. The Commercial Business' total Solid Waste collection service is two cubic yards or more per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 20 gallons per week per applicable container of the business' total waste; or,

5.1.2.2. The Commercial Business' total Solid Waste collection service is less than two cubic yards per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 10 gallons per week per applicable container of the business' total waste.

5.1.3. Notify District if circumstances change such that Commercial Business's Organic Waste exceeds threshold required for waiver, in which case waiver will be rescinded.

5.1.4. Provide written verification of eligibility for de minimis waiver every 5 years, if District has approved de minimis waiver.

5.2. Physical Space Waivers. District may waive a Commercial Business' or property owner's obligations (including Multi-Family Residential Dwellings) to comply with some or all of the recyclable materials and/or Organic Waste collection service requirements if the District has

evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance with the Organic Waste collection requirements. A Commercial Business or property owner may request a physical space waiver through the following process:

- 5.2.1. Submit an application form specifying the type(s) of collection services for which they are requesting a compliance waiver.
- 5.2.2. Provide documentation that the premises lacks adequate space for Blue Containers and/or Green Containers including documentation from its hauler, licensed architect, or licensed engineer.
- 5.2.3. Provide written verification to District that it is still eligible for physical space waiver every five years, if District has approved application for a physical space waiver.

## **6. REQUIREMENTS FOR COMMERCIAL EDIBLE FOOD GENERATORS.**

- 6.1. Tier One Commercial Edible Food Generators must comply with the requirements of this Section commencing October 3, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3
- 6.2. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024.
- 6.3. Commercial Edible Food Generators shall comply with the following requirements:
  - 6.3.1. Arrange to recover the maximum amount of Edible Food that would otherwise be disposed.
  - 6.3.2. Contract with or enter into a written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection of Edible Food for Food Recovery; or, (ii) acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
  - 6.3.3. Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a food Recovery Service.
  - 6.3.4. Allow District's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.
  - 6.3.5. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
    - 6.3.5.1. A list of each Food Recovery Service or organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).



- 6.3.5.2. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).
- 6.3.5.3. A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
  - 6.3.5.3.1. The name, address and contact information for the Food Recovery Service or Food Recovery Organization.
  - 6.3.5.3.2. The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
  - 6.3.5.3.3. The established frequency that food will be collected or self-hauled.
  - 6.3.5.3.4. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
- 6.4. Nothing in this ordinance shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

**7. REQUIREMENTS FOR FOOD RECOVERY ORGANIZATIONS AND SERVICES.**

7.1. Requirements for Haulers.

7.1.1. Haulers providing residential, Commercial, or industrial Organic Waste collection services to generators within the District’s boundaries shall meet the following requirements and standards as a condition of approval of a contract, agreement, or other authorization with the District to collect Organic Waste:

7.1.1.1. Through written notice to the District annually identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Green Container Organic Waste.

7.1.1.2. Transport Source Separated Recyclable Materials and Source Separated Green Container Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.

7.1.1.3. Obtain approval from the District to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1.

7.1.2. Requirements for Facility Operators and Community Composting Operations

7.1.2.1. Owners of facilities, operations, and activities that recover Organic Waste, including, but not limited to, Compost facilities, in-vessel digestion facilities, and publicly owned treatment works shall, upon District request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the District shall respond within 60 days.

7.1.2.2. Community Composting operators, upon District request, shall provide information to the District to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the District shall respond within 60 days.

**8. PROCUREMENT REQUIREMENTS FOR DISTRICT DEPARTMENTS, DIRECT SERVICE PROVIDERS, AND VENDORS.**

8.1. District department, and direct service providers to the District, as applicable shall comply with any Recovered Organic Waste Product procurement policy adopted by the District.

8.2. All vendors providing Paper Products and Printing and Writing Paper shall:

8.2.1. If fitness and quality are equal, provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber instead of non-recycled products whenever recycled Paper Products and Printing and Writing Paper are available at the same or lesser total cost than non-recycled items.

8.2.2. Provide Paper Products and Printing and Writing Paper that meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) Section 260.12.

8.2.3. Provide records to the Districts Recovered Organic Waste Product procurement recordkeeping Designee, in accordance with any District Recycled-Content Paper procurement policy(ies).

**9. INSPECTIONS AND INVESTIGATIONS BY DISTRICT.**

9.1. District representatives and/or its designated entity, including Designees are authorized to conduct Inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or Source Separated materials to confirm compliance with this ordinance by Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not allow District to enter the interior of a private residential property for Inspection.

- 9.2. Regulated entity shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the District's employee or its designated entity/Designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper placement of materials in containers, Edible Food Recovery activities, records, or any other requirement of this ordinance described herein. Failure to provide or arrange for: (i) access to an entity's premises; or (ii) access to records for any Inspection or investigation is a violation of this ordinance and may result in penalties described
- 9.3. Any records obtained by District during its Inspections and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.
- 9.4. District representatives, its designated entity, and/or Designee are authorized to conduct any Inspections, or other investigations as reasonably necessary to further the goals of this Amendment, subject to applicable laws.
- 9.5. District shall receive written complaints from persons regarding an entity that may be potentially non-compliant with SB 1383 Regulations, including receipt of anonymous complaints.

## **10. ENFORCEMENT.**

- 10.1. Violation of any provision of this Amendment shall constitute grounds for issuance of a Notice of Violation and assessment of a fine by a Jurisdiction Enforcement Official or representative. Enforcement Actions under this ordinance are issuance of an administrative citation and assessment of a fine. The District's procedures on imposition of administrative fines are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this ordinance and any rule or regulation adopted pursuant to this ordinance, except as otherwise indicated in this Amendment.
- 10.2. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. District may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. District may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of District staff and resources.
- 10.3. Enforcement pursuant to this Amendment may be undertaken by the Jurisdiction Enforcement Official, which may be the general manager or their designated entity, legal counsel, or combination thereof.
- 10.4. Process for Enforcement
  - 10.4.1. Jurisdiction Enforcement Officials and/or their Designee will monitor compliance with the Amendment randomly and through Compliance Reviews, Route Reviews, investigation of complaints, and an Inspection program.

10.4.2. District may issue an official notification to notify regulated entities of its obligations under this Amendment.

10.4.3. With the exception of violations of generator contamination of container contents addressed under Section 11.4.3, District shall issue a Notice of Violation requiring compliance within 60 days of issuance of the notice.

10.4.4. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, District shall commence an action to impose penalties, via an administrative citation and fine. Notices shall be sent to “owner” at the official address of the owner maintained by the tax collector for the District or if no such address is available, to the owner at the address of the dwelling or Commercial property or to the party responsible for paying for the collection services, depending upon available information.

10.4.5. Penalty Amounts for Types of Violations.

The penalty levels are as follows:

- (1) For a first violation, the amount of the base penalty shall be \$50 to \$100 per violation.
- (2) For a second violation, the amount of the base penalty shall be \$100 to \$200 per violation.
- (3) For a third or subsequent violation, the amount of the base penalty shall be \$250 to \$500 per violation

10.4.6. Factors Considered in Determining Penalty Amount.

The following factors shall be used to determine the amount of the penalty for each violation within the appropriate penalty amount range:

- (1) The nature, circumstances, and severity of the violation(s).
- (2) The violator’s ability to pay.
- (3) The willfulness of the violator's misconduct.
- (4) Whether the violator took measures to avoid or mitigate violations of this chapter.
- (5) Evidence of any economic benefit resulting from the violation(s).
- (6) The deterrent effect of the penalty on the violator.
- (7) Whether the violation(s) were due to conditions outside the control of the violator.

10.4.7. Compliance Deadline Extension Considerations

The District may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with Section 10 if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

- (1) Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters;
- (2) Delays in obtaining discretionary permits or other government agency approvals; or,
- (3) Deficiencies in Organic Waste recycling infrastructure or Edible Food Recovery capacity and the District is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

#### 10.4.8. Appeals Process

Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation. A hearing will be held only if it is requested within the time prescribed and consistent with District's procedures in the District's codes for appeals of administrative citations.

#### 10.4.9. Education Period for Non-Compliance

Beginning October 3, 2022 and through December 31, 2023, District will conduct Inspections, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance, and if District determines that Organic Waste Generator, hauler, Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this ordinance and a notice that compliance is required by October 3, 2022, and that violations may be subject to administrative civil penalties starting on January 1, 2024.

#### 10.4.10. Civil Penalties for Non-Compliance

Beginning January 1, 2024, if the District determines that an Organic Waste Generator, hauler, Tier One or Tier Two Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance with this ordinance, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action, as needed.



Board of Directors:

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 KRISTINA BREWER, Director  
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PETER MARTINEZ  
 General Manager

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**Regular Board Meeting, September 13, 2022**

**To:** Board of Directors  
**From:** Peter Martinez, *General Manager*  
**Subject:** Award of Contract for the Hollywood Beach Water Pipeline Improvement Project and Notice of Determination of CEQA Exemption  
**Item No.** E-3

**RECOMMENDATION:**

- A. Board to consider and approve a 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
- B. Approve a contingency of \$33,000 (7%); and
- C. Approve \$30,000 for engineering services during construction with MKN Engineering; and
- D. 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.

**FINANCIAL IMPACT:** \$460,000 has been allocated and approved as part of the FY 2022-23 Capital Improvement Budget. Staff is recommending adjusting the 2022-2023 CIP Projects resulting in a net zero financial impact on the CIP Budget. See the table below.

Capital Project	Original CIP Amount	Amount Adjusted	Revised Amount
CI 102 Wharf Head Removal	\$10,000	(\$10,000)	\$0
CI 103 PHWA Improvements	\$117,000	(\$38,272)	\$78,728

<b>CI 106 Water Supply Upgrades</b>	\$25,000	(\$25,000)	\$0
<b>CI 101 Easement Project</b>	\$460,000	\$72,272	\$533,272

**BACKGROUND/DISCUSSION:**

On July 26, 2022, the Board authorized the General Manager to proceed with the advertisement of the Hollywood Beach Water Pipeline Improvement Project (CI 101). On August 1, 2022, the District formally advertised a Request for Bid for this project over a four-week duration. A mandatory pre-bid meeting and optional job walk was held on August 15, 2022, to provide an overview of the project and to answer any questions from the prospective bidders prior to the bid opening. On August 29, 2022, at 2:00 p.m. the bids were opened for review by the District and the lowest responsible bid was from J. Vega Engineering, Inc. for a not-to-exceed amount of \$470,272.

Please see the bid results in the table below. A full spreadsheet of the bid results that were competitively bid can be found in Attachment 1 (Bid Results).

<b>Contractor</b>	<b>Bid Amount</b>
<b>J. Vega Engineering, Inc</b>	<b>\$470,272</b>
<b>Elite General Engineering, Inc</b>	\$511,560
<b>Cedro Construction</b>	\$545,783
<b>Sam Hill and Sons</b>	\$648,000
<b>Toro Enterprises, Inc</b>	\$788,171

The overall purpose of this project is to minimize risk to the District by abandoning a water pipeline that runs through a utility easement adjacent to residential homes on the southern end of the Hollywood Beach neighborhood. The newly proposed water main and services will be constructed the traditional way and connected on the street side of the residences.

## **CEQA**

This project is exempt from CEQA under the Class 1 categorical exemptions set forth in California Code of Regulations Section 15301. A Notice of Exemption will be filed with the Ventura County Clerk-Recorder after Board approval of the construction contract.

## **NEXT STEPS**

If approved, staff would issue a Notice of Award to J. Vega Engineering, Inc. for the Hollywood Beach Water Pipeline Improvement Project (CI 101) with an estimated start date of January 3, 2023. If all work goes as planned, project completion will likely occur prior to April 15, 2023.

## **ATTACHMENTS:**

1. *Bid Results*
2. *The Hollywood Beach Water Pipeline Improvement Project (CI 101) Conformed Contract Document is available at <https://www.cibcsd.com/capital-projects>.*



HOLLYWOOD BEACH WATER PIPELINE IMPROVEMENT PROJECT CI 101 (UNOFFICIAL BID RESULTS)

ITEM	QUANTITY	DESCRIPTION	Unit	1	2	3	4	5
				J. Vega	Elite Eng.	Cedro	Sam Hill	Toro
1	1	Mobilization, Permits, Cleanup, & Demobilization	Lump Sum	\$ 29,500	\$ 15,000	\$ 10,160	\$ 17,435	\$ 33,550
2	1	Record Documents	Lump Sum	\$ 1,500	\$ 5,000	\$ 22,242	\$ 564	\$ 2,270
3	17	Utility Potholing	E.A.	\$ 20,400	\$ 51,000	\$ 10,285	\$ 11,186	\$ 37,757
4	1	Sheeting, Shoring, Bracing and Excavation Safety Measures	Lump Sum	\$ 6,500	\$ 20,000	\$ 9,286	\$ 16,699	\$ 29,014
5	644	Install 6-inch PVC pipe	L.F.	\$ 141,036	\$ 141,680	\$ 142,324	\$ 161,000	\$ 123,004
6	98	Install 8-inch PVC pipe	L.F.	\$ 37,828	\$ 30,380	\$ 35,672	\$ 44,492	\$ 55,664
7	1	Pavement Removal and Restoration	Lump Sum	\$ 62,500	\$ 25,000	\$ 48,795	\$ 84,984	\$ 143,696
8	1	Pipe connection to Main line at Harbor Blvd.	Lump Sum	\$ 14,800	\$ 18,000	\$ 25,158	\$ 31,277	\$ 20,007
9	1	Pipe connection to Main line at Santa Cruz Ave.	Lump Sum	\$ 18,678	\$ 17,000	\$ 31,184	\$ 35,304	\$ 24,783
10	1	Pipe connection to Main line at San Clemente Ave.	Lump Sum	\$ 17,650	\$ 17,000	\$ 36,280	\$ 41,949	\$ 22,505
11	1	Pipe connection to Main line at Playa Ct. & Harbor Blvd.	Lump Sum	\$ 23,680	\$ 20,000	\$ 40,822	\$ 39,986	\$ 28,251
12	1	Cut, Plug, Abandon and Removal of Existing AC Pipeline	Lump Sum	\$ 5,000	\$ 12,000	\$ 16,516	\$ 35,464	\$ 57,556
13	1	Disinfection, Testing and Dewatering of piping	Lump Sum	\$ 7,500	\$ 10,000	\$ 17,093	\$ 36,037	\$ 18,230
14	8	Install New 1-inch water Service and Meter box	E.A.	\$ 28,000	\$ 56,000	\$ 20,688	\$ 23,640	\$ 88,208
15	1	Install New 4-inch Blow off Assembly	E.A.	\$ 10,500	\$ 10,000	\$ 17,634	\$ 15,011	\$ 25,358
16	1	Install New 2-inch Air-Vac Assembly	E.A.	\$ 8,000	\$ 10,000	\$ 11,631	\$ 14,988	\$ 20,295
17	1	Remove and Replace Landscape and Irrigation System in Kind	Lump Sum	\$ 4,000	\$ 10,000	\$ 7,336	\$ 1,749	\$ 13,236
18	1	Install New Fire Hydrant Assembly at Harbor Blvd.	E.A.	\$ 12,800	\$ 18,000	\$ 17,548	\$ 16,724	\$ 21,605
19	1	Relocate Existing Fire Hydrant at Santa Cruz Ave.	E.A.	\$ 12,900	\$ 18,000	\$ 17,629	\$ 12,011	\$ 15,682
SUB-TOTAL AMOUNT OF BID ITEMS 1 THROUGH 19				\$ 462,772	\$ 504,060	\$ 538,283	\$ 640,500	\$ 780,671
<b>Alternative Bid Item</b>								
20	1	Temporary Service	Allowance	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500
<b>TOTAL AMOUNT OF BID ITEMS 1 THROUGH 20</b>								

\$ 470,272   \$ 511,560   \$ 545,783   \$ 648,000   \$ 788,171



Board of Directors:

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## Regular Board Meeting, September 13, 2022

**To:** Board of Directors  
**From:** Peter Martinez, *General Manager*  
**Subject:** Cross Base Pipeline Agreement with the City of Port Hueneme  
**Item No.** E-4

### RECOMMENDATION:

1. Authorize General Manager to sign agreement with the City of Port Hueneme (CoPH) for use of the Cross Base Pipeline pending CoPH City Council approval.

### BACKGROUND:

In 1994, Kennedy Jenks delivered the Water Quality Improvement Program Concept Report outlining the establishment of a treated water pipeline supplying water to CIBCSD from Port Hueneme Water Agency (PHWA) as one of the recommendations to securing long-term reliability and water quality of water supplies. This pipeline would later come to be known as the Cross Base Pipeline (Pipeline). In 1996, the Water Sales Contract was established between PHWA and CIBCSD to allow for the 1997 construction of the Pipeline.

The Pipeline was constructed with an 18-inch diameter polyvinyl chloride (PVC) material and was designed for a 100-year useful life. Total construction cost was \$737,262 and was paid entirely by the District. The Pipeline extends from a connection to the PHWA system to the east of the NBVC to the west of the NBVC. Currently, the District exclusively uses the Cross Base Pipeline to provide water from PHWA to customers within the District service area.

The City intends to connect to the District turnout located on the NBVC-PH near Panama Drive and Santa Monica Drive. The city desires to use the Cross Base Pipeline to provide water service to the northwest portion of its geographical limits. To accomplish this, the City intends to construct at its sole cost and expense, an extension of the Cross Base Pipeline and ends approximately 6,500 feet near the intersection of Victoria Avenue and Channel Islands Boulevard, see Exhibit A.

CoPH has issues meeting pressure demands in the distribution zone north of the NBVC-PH distribution zone. CoPH currently supplies this zone via distribution infrastructure to the east of NBVC-PH. CoPH can eliminate this pressure issue by utilizing CIBCSD's Pipeline and remaining infrastructure to supply water at a higher pressure from the west. Additionally, NBVC has expressed the desire to utilize water from the Pipeline to supplement fire flow scenarios

On July 13, 2021, District staff presented two different options for consideration of using available capacity in the Cross Base Pipeline. On February 8, 2022, the Public Works Director from the City of Port Hueneme presented to the Board on their proposed project that would involve connecting to the terminus of the Cross Base Pipeline with a pipeline extension project that would better position them to meet fire flow demands in the north area of the City of Port Hueneme. Subsequently, in collaboration with District counsel, staff began preparing an agreement that was fair for both parties. This agreement allows the District to recover its costs used to construct the Pipeline that is fair with the intended capacity to be used by the CoPH. For the calculation used to come up with the Base Charge, see Exhibit B. Highlights related to capacity, term, and payment can be found below.

**CAPACITY:**

During the term of this agreement the City shall have the right to a maximum capacity of 1,300 gallons per minute during peak hour demand. To ensure the District maintains regular operating pressure at 72 psi, a hydraulic analysis was performed. The results of the District hydraulic modeling indicates that during peak hour demand periods, the District will maintain its regular operating pressure of 72 psi.

**TERM:**

The initial term of this Agreement shall commence on October 1, 2022 and expire on June 30, 2036. This agreement shall automatically extend for successive ten (10) year periods, unless either party provides notice of termination to the other party no later than one year prior to the end of the then existing term.

**PAYMENT:**

Pending approval of the District Board of Directors and the City of Port Hueneme Council, the City shall pay an annual base charge to the District in the amount of \$35,000. The calculation used by both parties to determine the initial base charge can be found on Exhibit B. The City shall pay the first Base Charge within 30 days after the effective date of this agreement.

**ATTACHMENTS:**

1. **CROSS BASE PIPELINE AGREEMENT**
2. **EXHIBIT A**
3. **EXHIBIT B**

## CROSS BASE PIPELINE AGREEMENT

This Agreement (“**Agreement**”) is made and entered into effective as of October 3, 2022 (“**Effective Date**”), by and between the Channel Islands Beach Community Services District, a governmental entity formed pursuant to California Government Code Section 61000, et seq. (“**District**”) and the City of Port Hueneme (“**City**”), a California municipal corporation.

### RECITALS

**A.** In 1996, District constructed that certain water pipeline extending from the intersection of Pleasant Valley Road and San Pedro Street to the intersection of Santa Monica Drive and Panama Drive as more particularly depicted on Exhibit “A” attached hereto (the “**Cross Base Pipeline**”). Currently, District exclusively uses the Cross Base Pipeline to provide water from the Port Hueneme Water Agency (“**PHWA**”) to subscribers within the District’s geographical limits.

**B.** City desires to use the Cross Base Pipeline to provide water service to the northwest portion of its geographical limits. To accomplish this service, City intends to construct, at its sole cost and expense, an extension to the Cross Base Pipeline which connects at the current terminus of the Cross Base Pipeline and ends approximately 6,500 feet distant at the intersection of Channel Island Boulevard and Victoria Avenue, as more particularly depicted on Exhibit “A” (the “**Pipeline Extension**”).

**C.** Upon completion of the Pipeline Extension, District has agreed to permit City to use the Cross Base Pipeline for purposes of wheeling water to the Pipeline Extension on the terms and conditions set forth below.

NOW THEREFORE, in consideration of the premises and the mutual promises and covenants herein contained, City and District hereby agree as follows:

**1. Construction of Pipeline Extension.** City shall construct the Pipeline Extension at its sole cost and expense. The Pipeline Extension shall include the installation of a flow meters capable of recording peak and monthly flows. Flow meters shall be installed at a turnout located where the Pipeline Extension connects to the Cross Base Pipeline and any additional turnouts on the Pipeline Extension. City shall also install a turnout near the intersection of Victoria Avenue and Channel Islands Boulevard for potential future connection by District as set forth in Paragraph 7 below. Prior to commencing construction on the Pipeline Extension, City shall submit detailed plans and specifications to District and shall obtain prior District’s written approval, which shall not be unreasonably withheld. Without limiting its approval rights, District may withhold its approval if District determines the plans and specifications for the Pipeline Extension will impact the District’s operations, such as its turnout modifications, isolation valves, or ability to meet anticipated demands.

**2. City Use of Cross Base Pipeline.**

**a. Capacity.** During the term of this Agreement, City shall have the right to a maximum capacity of 1,300 gallons per minute during peak hour demand. If City exceeds this capacity, District shall promptly provide written notice of the violation. Should City receive

written notice of exceeding this capacity more than three (3) times during any 12-month rolling period, District may, in its sole discretion, elect one of the following remedies:

(1) District may install equipment or otherwise modify its existing Cross Base Pipeline infrastructure, at City's sole cost and expense, to prevent or mitigate further instances of City exceeding capacity limits. City shall reimburse District for such work within thirty (30) days after receipt of an invoice and reasonable documentation describing the work performed;

(2) District may adjust the next annual Base Charge based on the new peak hour demand factor during the prior year as set forth in the calculations attached hereto as Exhibit "B". District shall notify City of such increase in the annual Base Charge at least thirty (30) days prior to the next anniversary of the Effective Date. In the event there are no further capacity violations, During each subsequent year after an increase pursuant to this subparagraph (2), the Base Charge shall be decreased to the amount of the original Base Charge as adjusted by the CPI, under Paragraph 4 below.

**b. Pressure and Velocity Limits.** At all times during the term of this Agreement, City's use of the Pipeline Extension shall comply with the following conditions:

(1) City's use shall not reduce the water pressure available to District below 72 psi as measured at upstream side of the connection between the Cross Base Pipeline and Pipeline Extension.

(2) City's use shall not cause the water velocity in the Cross Base Pipeline to exceed 10 feet per second during fire flow conditions or 5 feet per second during non-fire flow operation.

If City exceeds the limits set forth in this subparagraph (b), District shall have the right to install equipment or otherwise modify its existing Cross Base Pipeline infrastructure, at City's sole cost and expense, to prevent or mitigate further instances of City exceeding such limits. City shall reimburse District for such repairs within thirty (30) days after receipt of an invoice and reasonable documentation describing the work performed.

**c. Monitoring.** City shall provide District with real-time data from the turnout at the connection between the Cross Base Pipeline and Pipeline extension as well as all future turnouts by means of remote connection. If City fails to maintain the flow monitoring equipment in good working condition, District may repair the same at City's sole cost and expense. City shall reimburse District for such repairs within thirty (30) days after receipt of an invoice and reasonable documentation describing the work performed.

### **3. Term.**

**a. Initial Term.** The initial term of this Agreement shall commence on the Effective Date and expire on June 30, 2036.

b. Extension Term(s). After the expiration of the initial term, this Agreement shall automatically extend for successive ten (10)-year periods, unless either party provides notice of termination to the other no later than one (1) year prior to the end of the then existing term. Each such ten-year extension shall be referred to herein as an “**Extension Term**.”

c. City’s Right to Terminate During Extension Term. During each Extension Term, City shall have a right to terminate this Agreement, for any reason, by providing District with 30 days’ advance written notice and the termination payment set forth in this Section. In the event such termination occurs at any time within the first five (5) years of an Extension Term, City shall pay a termination fee equal to the unpaid Base Charges remaining for the duration of the first five years of the Extension Term. In the event such termination occurs at any time after the first five (5) years of the Extension Term, City shall pay a termination fee equal to the remaining annual Base Charge payable for the duration of such Extension Term.

#### 4. Payment.

a. Base Charge. In consideration for the rights contained in this Agreement, City shall pay to District an annual amount of \$35,000.00 (“**Base Charge**”). The calculation utilized by the parties to determine the initial Base Charge is set forth on Exhibit “B” attached hereto. City shall pay the first Base Charge within thirty (30) days after the Effective Date. Each subsequent Base Charge shall be payable within 30 days after each annual anniversary of the Effective Date.

b. Escalation of Base Charge. For years commencing October 1, 2023 through the remainder of the term of this Agreement, the Base Charge shall be increased, but not decreased, by reference to the CPI Index. Such escalations shall be calculated by computing the percentage change in the CPI index for the twelve-month annual average period ending August 31 of each year, and multiplying the applicable amount to be escalated by 100% (one hundred percent) of that percentage change in the CPI. The Consumer Price Index (CPI) used shall be the Consumer Price Index-All Urban Consumers (CPI-U) for the Los Angeles-Long Beach-Anaheim, CA, not seasonally adjusted, all items index, annual average, as published by the United States Department of Labor, Bureau of Labor Statistics.

The Calculation to determine the CPI multiplier is as follows (Example):

1.	Current year CPI, Annual Average	224.6
2.	Previous Year CPI, Annual Average	221.4
3.	Change in Index (Line 1 minus Line 2)	3.2
4.	Percentage Increase	$(3.2/221.4) \times 100 = 1.44\%$

As defined, an annual average is comparing one (1) 12-month period against another 12-month period.

c. Nonpayment. In the event City fails to timely pay the Base Charge or any other amount payable under this Agreement, District shall provide City with written notice of such default. Such notice shall advise City that failure to cure the late payment within 30 days of such notice shall result in the termination of the Agreement. If City fails to cure the delinquency within such 30-day period, District shall have the right to terminate this Agreement and all of

City's rights to use the Cross Base Pipeline set forth herein.

5. **Maintenance.** City shall maintain, at its sole cost and expense, the Pipeline Extension, and all turnouts and flow monitoring equipment connected to the Pipeline Extension in good working condition. City shall ensure the flow monitoring equipment is maintained and calibrated in accordance with manufacturer recommendations.

6. **Alterations.** City shall not make any alterations or additions to the Pipeline Extension without District's prior written consent, which shall not be unreasonably withheld. Should City make and such alterations or additions without District's consent, District may require City to remove any or all of the same at City's sole cost and expense.

7. **District Connection.** District shall have the right to connect to the turnout to be installed by City at the intersection of Victoria Avenue and Channel Islands Boulevard. Any such connection shall be completed at District's sole cost and expense. In no event, shall such connection reduce the capacity of water provided to City.

8. **Indemnity.** City shall indemnify, defend, and hold City harmless from any and all claims, lawsuits, losses, damages, liens, judgments, penalties, reasonable attorney and consultant fees, expenses and liabilities to the extent involving, arising from or attributable to the construction or use of the Pipeline Extension. If any action or proceeding is brought against District by reason of the foregoing matters, City shall, upon written notice, defend the same at City's sole expense by counsel reasonably satisfactory to District, and District shall cooperate with City in such defense. District need not have first paid any such claim in order for the foregoing indemnification provisions to apply.

9. **Entire Agreement.** This Agreement contains the entire agreement between the parties relating to the subject matter hereof. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

10. **Counterparts/Electronic Signatures.** This Agreement may be executed in several counterparts and, as executed, shall constitute one agreement which shall be binding upon all the parties hereto, notwithstanding that all of the parties may not be signatory to the original or to the same counterpart. Any signature on this Agreement transmitted electronically, via facsimile or email shall have the full force and binding effect under the law as would an original signature.

IN WITNESS WHEREOF, District and City have caused this Agreement to be executed by their duly authorized representatives effective as of the day and year above written.

**DISTRICT:**

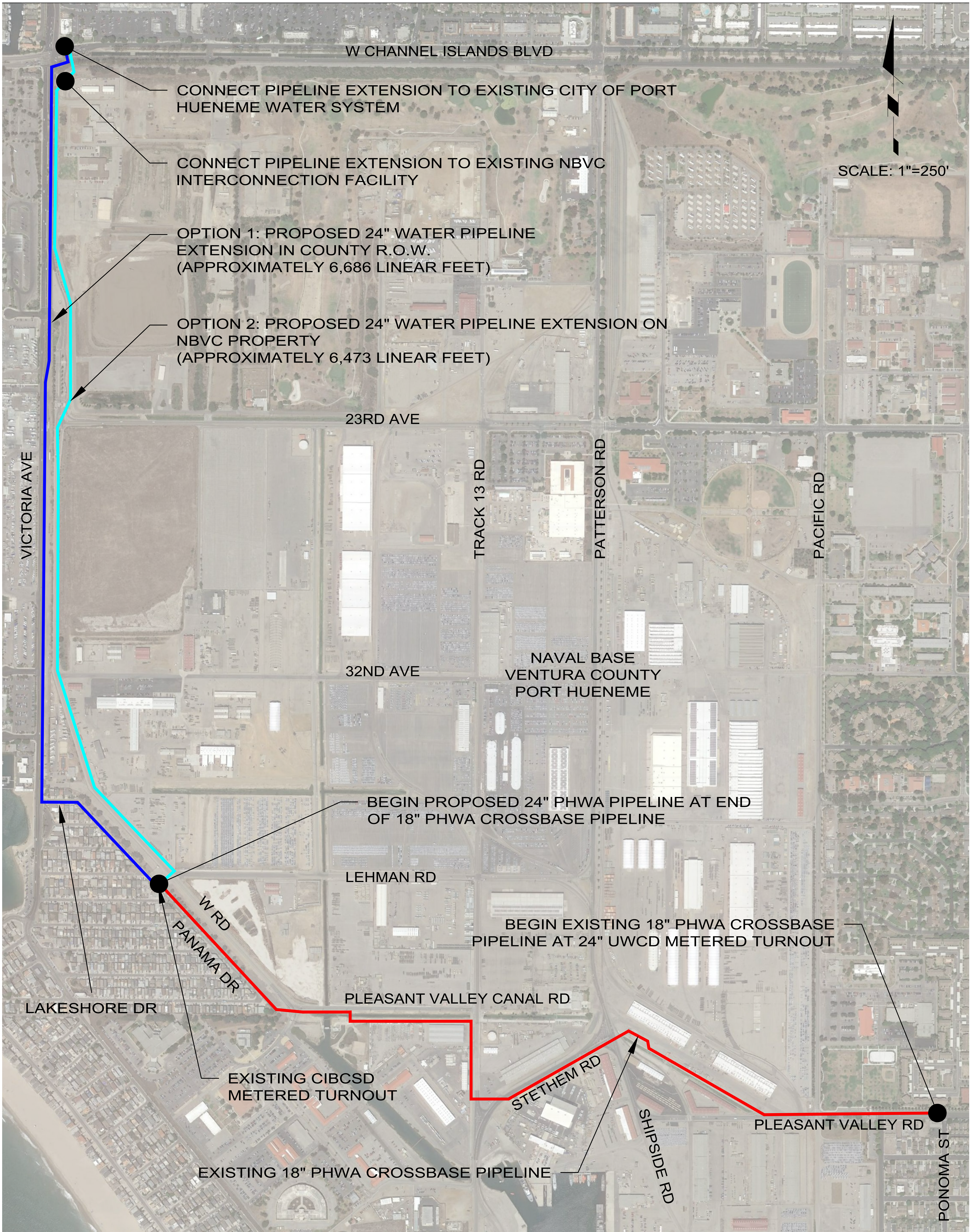
**CITY:**

CHANNEL ISLANDS BEACH  
COMMUNITY SERVICES DISTRICT

THE CITY OF PORT HUENEME

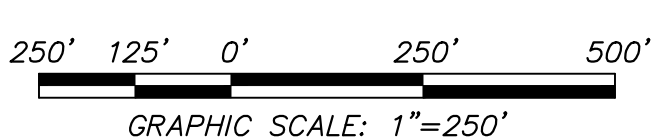
By: \_\_\_\_\_

By: \_\_\_\_\_



# CONCEPTUAL CROSSBASE PIPELINE EXTENSION EXHIBIT

SCALE: 1" = 250'



PREPARED BY: **WREA**  
 WATER RESOURCE ENGINEERING ASSOCIATES  
 2300 ALEXANDER DR, SUITE 210, SANTA CLARA, CA 95050  
 • 408.553.7000 • 408-255-8478 • FAX: 408.553.8100

CONCEPTUAL CROSSBASE PIPELINE  
 EXTENSION PLAN

CITY OF PORT HUENEME  
 PORT HUENEME, CA  
 CROSS BASE PIPELINE EXTENSION

JOB NO. 3332

DATE 4/23/2020



## Exhibit "B"

### Initial Base Charge Calculation

#### Asset Valuation

Calculation	[A]	[B]	[C]	[D] = [B]/[C]	[E]	[F] = [E]-[A]	[G] = [B]-[D]x[F]
	Original Install Year	Installed Cost in 1997	Asset Useful Life	Yearly Depreciation	Current Year	Asset Age	Replacement Cost Less Depreciation
	1997	\$737,262	100	\$7,000	2022	25	\$563,000

#### Calculation Inputs

Rate of Return	7.9%	[H]
COPH PHD (gpm)	1300	
CIBCSD PHD (gpm)	644	
COPH % Total	67%	[I]
CIBCSD % Total	33%	[J]

#### COPH Annual Payment Calculation

Calculation	[K]=[G]x[I]	[L]=[K]x[H]	[M]=[D]x[I]	[N]=[L]+[M]
	Share of Asset	Asset Return	Depreciation	Total Annual Payment
	\$377,000	\$30,000	\$5,000	<b>\$35,000</b>



**Board of Directors:**

JARED BOUCHARD, President  
 MARCIA MARCUS, Vice President  
 KRISTINA BREWER, Director  
 SEAN DEBLEY, Director  
 BOB NAST, Director

PETER MARTINEZ  
 General Manager

353 Santa Monica Drive · Channel Islands Beach, CA · 93035-4473 · (805) 985-6021 · FAX (805) 985-7156  
 A PUBLIC ENTITY SERVING CHANNEL ISLANDS BEACHES AND HARBOR · CIBCS.D.COM

**Regular Board Meeting, September 13, 2022**

**To:** Board of Directors  
**From:** Peter Martinez, *General Manager*  
**Subject:** Nominations for Ventura Local Agency Formation Commission  
**Item No.** E-5

**RECOMMENDATION:**

1. Board discretion to nominate candidate

**FINANCIAL IMPACT:** No Impact.

**BACKGROUND/DISCUSSION:**

The Ventura Local Agency Formation Commission (LAFCo) is an independent agency which governs matters relating to boundary changes for cities and most special districts, including spheres of influence, incorporations, annexations, reorganizations and other changes of organization. The LAFCo Board is comprised of seven members as shown in the table below:

<b>Commissioner</b>	<b>Representing</b>	<b>Agency</b>
Linda Parks	County of Ventura	Board of Supervisors
Carmen Ramirez	County of Ventura	Board of Supervisors
Claudia Bill - del la Pena	Cities	City of Thousand Oaks
Janice Parvin	Cities	City of Moorpark
Elaine Freeman	Special Districts	Rancho Simi Rec & Park
Mary Anne Rooney	Special Districts	Oxnard Harbor District
Pat Richards	Member at large	Public Member

Among the four groups represented (County, Cities, Special Districts, and Member at Large), each has exactly one alternate. The alternate serves as the backup to both commissioner seats for their group. The alternate member for special districts is John R. (Jack) Curtis from Ojai Valley Sanitary District.

The Commission seat held by Elaine Freeman is up for re-election and other elected officials from special districts can file for candidacy. Potential candidates must state whether they are running for a Commissioner Seat or an Alternate Seat. The attached resolution must be approved by the agency’s Board of Directors for any candidate wishing to run.

**ATTACHMENT:**

1. Resolution approving Board member for LAFCo Candidacy



## VENTURA LOCAL AGENCY FORMATION COMMISSION

801 S. Victoria Avenue, Suite 301, Ventura, CA 93003

(805) 654-2576

ventura.lafco.ca.gov

### CALL FOR NOMINATIONS LAFCO SPECIAL DISTRICT REGULAR MEMBER AND SPECIAL DISTRICT ALTERNATE MEMBER

August 24, 2022

Chair of the Board  
Channel Islands Beach Community Services District  
353 Santa Monica Drive  
Channel Islands, CA 93035-4473

**RE: CALL FOR NOMINATIONS – Ventura LAFCo Special District Regular Member and Special District Alternate Member**

Dear Chair of the Board:

The terms of LAFCo special district regular member Elaine Freeman and alternate member John R. (Jack) Curtis will expire on December 31, 2022. As such, an appointment for each seat must be made for the subsequent four-year terms (January 1, 2023 through December 31, 2026) (Govt. Code § 56334). Pursuant to state law, LAFCo special district members are appointed by the independent special district selection committee, which consists of the presiding officer of the legislative body of each independent special district in the county (Govt. Code § 56332).

Pursuant to Govt. Code 56332(f), I have determined that a meeting of the committee for the purpose of selecting a regular member to LAFCo is not feasible due to the likelihood that a quorum will not be achieved. Thus, both the nominating process and the election itself will be conducted by mail (most special districts have consented to conducting the election via electronic mail).

If your district wishes to nominate an individual to be a candidate for either the regular member or alternate member on LAFCo, please submit a nominating resolution (attached is a sample resolution for your use) and a candidate's statement or resume of no more than one page to Kai Luoma, Executive Officer, at Ventura LAFCo either by mail or via email (for those districts that have previously consented to email – see attached list).

**The deadline for submitting nominating resolutions and candidate statements/resumes is 5:00 p.m., Friday, October 14, 2022.** Any nomination submitted after the deadline will not be considered.

Chair of the Board, Channel Islands Beach Community Services District  
CALL FOR NOMINATIONS – Ventura LAFCo Special District Regular Member  
August 24, 2022  
Page 2

If at the end of the nominating period only one candidate for either position is nominated, that candidate shall be deemed appointed. If two or more candidates are nominated, LAFCo staff will prepare and deliver a ballot and voting instructions to each eligible district. For the election to be valid, a quorum of the 29 independent special districts must submit valid ballots.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kai Luoma', written in a cursive style.

Kai Luoma  
Executive Officer

c: General Manager

**RESOLUTION OF THE [DISTRICT NAME]**

**NOMINATING [NAME OF BOARD MEMBER] TO FILL THE TERM OF 1/1/2023 – 12/31/2026 FOR THE [REGULAR or ALTERNATE] SPECIAL DISTRICT MEMBER OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION**

WHEREAS, the Executive Officer of the Ventura Local Agency Formation Commission (LAFCo) has notified the District of an anticipated vacancy on LAFCo for [A REGULAR or AN ALTERNATE] member appointed by the independent special districts in Ventura County to fill the term from 1/1/2023 to 12/31/2026, and has issued a call for nominations to be submitted in writing pursuant to California Government Code Section 56332(c); and

WHEREAS, at the time and in the manner required by law, the [NAME OF DISTRICT] met on [DATE] to consider the call for nominations by the LAFCo Executive Officer.

NOW THEREFORE BE IT RESOLVED by the [NAME OF DISTRICT] as follows:

- 1) [NAME OF BOARD MEMBER] is hereby nominated to fill the anticipated vacancy in the term beginning 1/1/2023 and expiring 12/31/2026 as the [REGULAR or ALTERNATE] member of the Ventura LAFCo appointed by independent special districts in Ventura County.
- 2) The General Manager shall transmit a signed copy of this Resolution and a copy of the resume or candidate statement for [NAME OF BOARD MEMBER] to the Ventura LAFCo Executive Officer.

This resolution was adopted on [DATE].

AYES

NOES

ABSTAINS

Dated: \_\_\_\_\_

Chair, [NAME OF DISTRICT] \_\_\_\_\_



**County of Ventura  
COUNTY CLERK-RECORDER,  
REGISTRAR OF VOTERS**

**MARK A. LUNN**  
County Clerk-Recorder,  
Registrar of Voters

August 30, 2022

Peter Martinez, General Manager  
Channel Islands Beach Community Services District  
353 Santa Monica Drive  
Oxnard, CA 93035

**Re: November 8, 2022 General Election**

Dear Mr. Martinez:

The number of candidates that filed nomination papers did not exceed the number of offices to be filled in the Channel Island Beach Community Services District. Therefore, no election will be held your district.

The following persons nominated shall be seated at the organizational meeting of your board pursuant to Section 10505 of the California Elections Code:

JARED BOUCHARD, 360 Cahuenga Dr, Oxnard, CA 93035

SEAN BEBLEY, 3450 Ocean Dr, Oxnard, CA 93035

MICHAEL LEBOW, 317 Hollywood Blvd, Oxnard, CA 93035

These terms shall commence on December 2, 2022 and expire on December 4, 2026.

Please feel free to call me at (805) 654-2700 if you have any questions.

Sincerely,

**MIRANDA L. NOBRIGA**  
Assistant Registrar of Voters

**MICHELLE ASCENCION**  
Assistant County Clerk and Recorder

**MIRANDA L. NOBRIGA**  
Assistant Registrar of Voters

**MARTIN E. COBOS**  
Operations Manager

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