

MINUTES

The meeting was called to order at 6:00 pm.

1. Roll Call

The meeting the to order by the Board President Mike Etchart at 6:02 pm at the District Office.

Present: Board President, Mike Etchart; Board Directors, James Kentosh, Mike Krumpschmidt, and Larry Harrold. Staff Present: General Manager, Mike Hollebrands, Board Secretary, Summer Ward and Attorney, Lindsay Nielson.

Absent: Diana Engle

2. Approval of the minutes

Approval of January 21, 2020, Regular Meeting minutes:

Mr. Kentosh made the motion to approve January 21, 2020, Regular Meeting minutes. Mr. Krumpschmidt seconded the motion.

No public comments.

Kentosh/Krumpschmidt
All Ayes
M/S/C

3. Public Comments

- Mr. Wyreck was present and shared a statement regarding the water rights adjudication, requested a policy position on a future agenda for discussion. He believes the City of Ventura is on the wrong side of history.
- Beth Von Gunten was present and provided a statement of attendance.
- Ms. Leiterman was present.
- Anonymous – stated that it appears two pumps are missing from the river bottom. Mr. Hollebrands explained that the old well 4 was abandoned last year, and the new well 4 pump was recently pulled to investigate mechanical issues.
- Bob Daddi – was present and offered the Ojai Valley News as a platform for communicating with customers; the paper is here to protect and inform the public and would like to run any related articles.

****Agenda change in order to accommodate public present for item 6d****

6. Board Discussion/Actions

d) Action – Approval of Resolution 20200218 MOWD Allocation Program.

Director Kentosh made a short presentation on the existing and proposed Allocation Programs. The Board fielded several questions from the public regarding the new method of calculating allocations and the intent for changing methods. The public expressed concern over-focus on penalties and not rewards for customers that remain below their allocation. Additionally, customers expressed concern regarding their ability to monitor their water use in real-time, to avoid potential over-allocation fees, no allowance for carryover of unused allocations, and changes to the parcel after the aerial footage was taken in 2016. The Board explained that the waiver process would remain in effect for any case by case scenarios. The public was eager to receive their new allocations and requested time after they are received before implementation in July. Mr. Hollebrands explained that bill stuffers and a tool on the District website would be provided to customers as soon as the data is finalized.

Public Comment:

Ms. Von Gunten stated that the Allocation Program does not address those over-users that can afford to pay the penalties and do not change their practices. Ms. Von Gunten requested that a copy of the PowerPoint presentation be made available, Ms. Ward to post on the District website on the meeting agenda page.

Directors Krumpschmidt and Kentosh noted that the resolution language item 3 regarding no new meters should be removed, as it is covered by the Expansion of Services and New Meters policy.

Mr. Kentosh made the motion to approve Resolution 20200218 Allocation Program with item 3 language removed. Mr. Krumpschmidt seconded the motion.

Roll Call: Etchart – Y Kentosh – Y Krumpshmidt – Y Harrold – Y Engle – A
Ayes – 4
Absent – 1
M/S/C

****Resume regular Agenda order****

4. Financial Matters

- **Approval of Payroll and Payables from January 16 to February 15, 2020, in the amount of:**

Payables -	\$ 98,887.48
Payroll -	<u>\$ 39,478.82</u>
Total -	\$ 138,366.30

Mr. Harrold requested an update

Mr. Krumpschmidt made the motion to approve the Payroll and Payables from December 16 to January 15, 2020. Mr. Kentosh seconded the motion.

Public Comment:

No Public Comments.

There was Board discussion regarding payables for the Quinn Rentals for \$115,967.53, the large generator staged at the MOWD yard, SWRCB annual fees for \$7,547.10, and WREA's work on the pipeline relocation project at Meiners Rd and Highway 33 for \$1,433.25. Mr. Hollebrands to clarify with Ms. Malone the payable descriptions to assist with the Board review process.

Krumpschmidt/Kentosh
All Ayes
M/S/C

6. Board Discussion/Actions

a) Election of Board Officers- The Board will elect President and Vice-Presidents of the Board

Mr. Kentosh nominated Mr. Etchart for President of the Board through to January 2021.

Mr. Kentosh made the motion to elect Mike Etchart to the position of Board President effective through to January 2021. Mr. Harrold seconded the motion.

Roll Call: Etchart – Y Kentosh – Y Krumpshmidt – Y Harrold – Y Engle – A
Ayes – 4
Absent – 1
M/S/C

Mr. Etchart nominated Mr. Kentosh for Vice President of the Board through January 2021.

Mr. Etchart made the motion to elect James Kentosh to the position of Board Vice President effective through to January 2021. Mr. Krumpschmidt seconded the motion.

Roll Call: Etchart – Y Kentosh – Y Krumpshmidt – Y Harrold – Y Engle – A
Ayes – 4
Absent – 1
M/S/C

The Board discussed the need to elect Board Secretary and Treasurer next month.

b) Approval of General Pumps proposal to restore well 4 in the amount of \$86,425.15

Mr. Hollebrands reviewed the findings from General Pump's evaluation of Well 4, he highlighted that the bowl shaft reflected wear at each bearing journal generally associated with abrasive or vibration wear. The recorded issue of vibration in this unit is likely to have come from the 10-stage pump assembly as the bowl shaft had some run out that exceed tolerances at .011 over the allowable .04. Combined with the improper lateral setting, allowing the rotating elements of the pump (Impellers and shaft) to rotate without adequate support, especially during the starting and stopping of the pump equipment. The bowl shaft is recommended for replacement. The planned start for repairs, if approved, would begin March 2.

The Board discussed legal options for cost recovery from Layne Christiansen, which was recently bought out by Granite. The Board requested Mr. Hollebrands provide Attorney Nielsen with the Layne contract and related correspondence for preparing a letter to Layne/Granite.

Mr. Kentosh made the motion to approve General Pump's Well 4 Restoration Proposal for \$86,425.15. Mr. Krumpschmidt seconded the motion.

Public Comments:

None

Ayes – 4

Absent – 1

M/S/C

c) Discussion – DRAFT Interim Policy on New Meters and Expansion of Services

Mr. Kentosh introduced the Draft Policy for New Meters and Expansion of Services. The Ad-hoc Committee met on Monday to discuss the policy and preparation of a response to Ted Moore regarding his proposed affordable housing project on E. El Roblar. Mr. Kentosh's position is to do our part to help with the housing crisis, by proposing new meters for multi-family affordable housing (5 or more units) with 100% of the units meeting CA Health & Safety Code. Additionally, Mr. Kentosh recommended creating a draft procedure for developers, with the list of required elements, and a limit of 1 new affordable housing multi-family development per year.

Mr. Krumpschmidt stated that this requires mindfulness about adding another allocation when current customers are asked to reduce; we need a net-zero program with sustainable efforts.

Attorney Nielson recommended requiring deed restrictions to be designated for affordable housing current and always.

The Board agreed to the creation of a "punch list" of required elements to complete prior to receiving a will-serve letter and before purchasing Casitas water.

Public Comments:

Ms. Von Gunten noted the Self-Help Association, a non-profit, encouraged finding a way to help people get housing.

The Board discussed revisions to the draft policy, specifically, page 4 item 7, add “from date of issuance” to the end of the second sentence. The Committee will continue to work through the policy.

No motion.

d) Action – Approval of Resolution 20200218 MOWD Allocation Program – (Discussed out of agenda order)

e) Discussion and Approval – DRAFT notice to MOWD customers

Mr. Krumpschmidt drafted the MOWD notice to customers regarding the water rights adjudication lawsuit. Attorney Nielsen has reviewed and approved the content. Ms. Engle requested the removal of “MOWD prefers using local experts and local water agency GMs to collaboratively work on solutions.” Mr. Kentosh noted an error in paragraph 3, “verses” rather than “versus.”

Public Comments:

None

Mr. Etchart made the motion to authorize staff to publish the notice to MOWD customers. Mr. Harrold seconded the motion.

Ayes – 4

Absent – 1

M/S/C

f) Discussion – Structure of Over-Allocation Fee while on MOWD wells vs. Casitas

Mr. Kentosh reported that the Committee has new proposed over-allocation fee rates. The Committee is working to simplify the rate structure by merging the MWAC and MCC charges into one fee determined by meter size. Mr. Krumpschmidt added that this is an easier concept to understand. The Committee has been discussing the option to have varied over-allocation rates for when the District is on its own wells versus receiving water from Casitas. Mr. Krumpschmidt stated that a sliding scale would create unnecessary work, the goal being to encourage conservation and to follow the Casitas WEAP.

Public Comments:

None

The Committee will bring for discussion at the March Regular meeting.

No motion.

g) Discussion – Preliminary Treatment Plant Design Report 35% Conceptual Level

Mr. Hollebrands reported that an enormous amount of work has already been completed in the design, the project cost estimate is on page 14, \$2,060,000.00; a CEQA exemption will be sought for “in-kind” project, it will require some earthwork and some mitigating factors due to the planned Matilija Dam removal. Mr. Hollebrands discussed the New Treatment Plant at the Dam removal meeting, and it is projected that there could be a 3-5 meter rise from the release of the silt, and could last for up to 10 years.

The Board discussed other potential sites and the rationale for the location of the Treatment Plant. The Dam Removal project has assured Mr. Hollebrands that mitigations will be implemented and funded by the project, possibly including a cement levee to deflect the flow of water and silt from impacting the plant and wells.

Mr. Harrold asked how long Mr. Hollebrands thinks the existing plant will last; Mr. Hollebrands stated every day we are grateful, replacement is critical. The Board also recommended trying to get a variance for the fixed generator requirement. Mr. Krumpschmidt requested a timeline be provided. Mr. Etchart asked Mr. Hollebrands to discuss the project with Regina Hirsch, for potential grant opportunities.

Public Comments:

None.

No motion.

7. General Manager’s Report

• **District Operations & Maintenance Report**

Mr. Hollebrands provided a summary of operations and maintenance activities. Mr. Hollebrands reported that he attended the Matilija Ecosystem Restoration meeting at the County Yard, they successfully drilled two-12 foot holes into the dam without impacting its integrity. A portable rig was brought out to take bore samples of the sediment, and values fell within safe levels for fish and humans. It will require 850-1200 cfs flow to carry the sediment downstream to the ocean; experts anticipate 6-16 ft of silt will deposit in the Cozy Dell area, which may last up to 10 years. This project will also require lengthening the Santa Ana bridge, set for September 2020. The plan includes 3 levees, in Meiners Oaks, Live Oaks, and Casitas Springs. The current timeline shows the EIR in May 2021, with a start 2026-2027.

8. Board Committee Reports

- **Upper Ventura River GSA** – No report, Ms. Engle absent.
- **Executive Committee** – The Committee met regarding the customer at 316 N. La Luna, request for remedy related to damaged pool equipment after a mainline leak in front of their property. Mr. Etchart left the Board Room during this discussion, due to potential conflict of interest. The Board discussed at

length the timeline, reports, findings from the pool servicemen and site visit with the homeowners. It was recommended by the District Counsel not to reimburse for homeowner labor, as it is not paid out in wages. The Board felt compelled to address some of the labor, as it was already discussed with the homeowners. The Board decided on a compromise of \$3,000.00 (\$2,000-equipment + \$1,000- labor) for total satisfaction of this occurrence, letter to homeowners to be drafted by Attorney Nielsen, and mailed by District staff.

- **Budget/Rate Committee** – Reported under item 6(f).
- **Allocation Program Committee** – Reported under item 6(d).
- **New Meters and Expansion Committee**- Reported under item 6(c).
- **Emergency Management Committee** – No report.

9. Old Business

- **State Water** – No update.
- **Ojai, Ventura Water Partnership** – Next meeting in March.
- **Matilija Dam Removal Update** – Reported under item 7.
- **Grant Projects: Nitrate Removal & Blending and Cold Water Formation** – Attorney Nielsen will review the agreement and will send it off to Regina Hirsch.

10. Board of Directors' Reports/Comments

Ms. Engle – Absent.

Mr. Harrold – No report.

Mr. Krumpschmidt – (1) Feasibility for berm at Well 4 site – Mr. Hollebrands will research; (2) Is the backhoe still available for purchase? Mr. Harrold stated it sold fast; (3) On-call rotation schedule – Mr. Hollebrands stated currently in a 3 man rotation, one-week on and two-weeks off. Mr. Krumpschmidt requested that Mr. Hollebrands create some alternate schedules that would reduce OT expenses for the District by restructuring the call schedule, bring to March meeting; (4) VRWD has implemented smart meters that have leak detection and can direct message homeowners and the District if it detects an issue. Mr. Krumpschmidt requested that Mr. Hollebrands evaluate the feasibility of converting MOWD meters to smart meters.

Mr. Kentosh – Wrote an op-ed on the History of the Steelhead, he would like to publish and requested opinion on if he should include his title as a MOWD Director, noting that the op-ed is his personal opinion and not that of the District.

Mr. Etchart – No report.

The Board went into closed session at 10:17 pm.

11. Closed Session: The Board of Directors held a closed session to discuss personnel matters or litigation, pursuant to the attorney/client privilege, as authorized by Government Code Sections 54957 & 54956.8, 54956.9 and 54957.

- **Conference with Legal Counsel – Personnel 54957 (b)(4) G.M. Review**

- **State Case: SBCK vs. SWRCB, San Francisco Superior Court, Case # CPF-14-513875**
- **Meiners Oaks Water District vs. Moll, Ostling and Ojai Vista Farms 56-2018-00515474-CU-OR-VTA/**

The Board adjourned closed session at 10:34 pm.

Attorney Nielson stated that in closed session, the Board discussed current ongoing litigation and personnel matters. No actions were taken, and no decisions were made during this closed session.

12. Meeting Adjournment

There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 10:36 pm.

President

Secretary