

Regular Meeting  
March 24, 2020  
6:00 pm – CLOSED SESSION  
8:00 pm – OPEN SESSION

Meiners Oaks Water District  
202 West El Roblar Drive  
Ojai, CA 93023-2211  
Phone 646-2114

## MINUTES

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

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### **1. Roll Call- Closed Session**

The meeting was called to order by the Board President, Mike Etchart at 6:02 pm via teleconference.

**Present:** Board President, Mike Etchart; Board Directors, James Kentosh, Mike Krumpschmidt, and Larry Harrold. Staff Present: General Manager, Mike Hollebrands, and Attorneys, Lindsay Nielson, Greg Jones and Jeanne Zolezzi.

**Absent:** None.

**\*\* The Board went into closed session at 6:01 pm \*\***

**2. 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 8:09 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.

### **3. Roll Call – Open Session:**

The Open Session was called to order by the Board President, Mike Etchart at 8:10 pm via teleconference.

**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:** None.

#### **4. Approval of the minutes**

##### **Approval of February 18, 2020, Regular Meeting minutes:**

Mr. Kentosh made the motion to approve the February 18, 2020, Regular Meeting minutes, with requested revisions. Mr. Krumpschmidt seconded the motion.

No public comments.

Kentosh/Krumpschmidt

Ayes – 4 No - 0

Abstain – 1 (Engle absent 2/18/20)

M/S/C

#### **5. Public Comments**

- Beth Von Gunten was present, provided a statement of attendance, and would not be able to stay on the for the entire meeting.

#### **6. Approval of Board Agenda**

Director Kentosh made the motion to approve the late addition of Agenda Item 6(f): COVID-19 Emergency Order & Safety Protocol. Director Engle seconded the motion.

##### **Roll Call Vote:**

Etchart – Y      Engle – Y      Harrold – Y      Kentosh – Y      Krumpschmidt – Y

All Ayes

M/S/C

#### **7. Financial Matters**

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

Payables -	\$ 104,571.67
Payroll -	<u>\$ 36,019.60</u>
Total -	\$ 140,591.27

Director Kentosh made the motion to approve the Payroll and Payables from February 16 to March 15, 2020. Director Krumpschmidt seconded the motion

##### Public Comment:

No Public Comments.

Director Engle requested clarification as to why the GSA fee is registered as no appropriated. Mr. Hollebrands explained that the pumping fees were not included in the original budget; it only reflected the loan money to the GSA. Director Engle

also asked if the SCE amounts were due to billing catch-up; Ms. Ward confirmed, yes, SCE was not able to provide actual bill last month; this month, they are making adjustments.

**Roll Call Vote:**

Etchart – Y      Engle – Y      Harrold – Y      Kentosh – Y      Krumpschmidt – Y  
All Ayes  
M/S/C

**8. Board Discussion/Actions**

**a) Allocation Program: Discussion of Implementing New A.P.**

Director Engle provided an overview of the process for reclassifying a select subgroup of customers. There are three subgroups that will require some outreach, including 12 COM to RES, 12 A.G. to RES, and 8 A.G. but not enrolled in VCAILG.

Director Kentosh supported sending simple form letters to notify the identified customers. This process will allow for true commercial businesses time to respond with evidence to support keeping their COM status.

The AG to RES customers showed no aerial agriculture acreage, and they are not enrolled in VCAILG. The last group of 8 A.G. customers have aerial agriculture acreage but are not currently enrolled in VCAILG; the Board agreed to allow those customers 90 days to enroll and keep A.G. status. Director Engle to work with Ms. Ward to get letters drafted and distributed.

**b) Approval of Rescinding Resolution 121509 Policy for Water Service and Approval of Revised Resolution 20200317 Policy for Water Service.**

Mr. Hollebrands introduced the proposed resolution updates, including rescinding the original Resolution 121509, Policy for Water Service, and replace it with an updated Resolution 20200317, Policy for Water Service.

Director Engle made the motion to rescind Resolution 121509, Policy for Water Service. Director Kentosh seconded the motion.

**Public Comments:**

None

**Roll Call Vote:**

Etchart – Y      Engle – Y      Harrold – Y      Kentosh – Y      Krumpschmidt – Y  
All Ayes  
M/S/C

Mr. Hollebrands added that the changes made were a result of the updates necessary to meet SB998, covered in Agenda Item 8(c). Ms. Ward recited the lines on Resolution 121509 that were revised to meet SB998.

Director Engle made the motion to adopt the (revised) Resolution 20200324-1, Policy for Water Service with the following changes: strike first whereas, strike list item No. 1, renumber Resolution and update signature dates to reflect March 24, 2020. Director Kentosh seconded the motion.

Public Comments:

None

**Roll Call Vote:**

Etchart – Y      Engle – Y      Harrold – Y      Kentosh – Y      Krumpschmidt – Y

All Ayes

M/S/C

**c) Approval of Resolution 2020017-1 in Compliance with SB998 Disconnecting Water Services.**

Mr. Hollebrands discussed the overlap between the previous Resolution and this proposed new Resolution 2020017-1, SB998 Disconnecting Water Service. Ms. Ward provided a presentation in the agenda packet that provides an overview of the new SB998 and the impact to MOWD's timing of disconnections and penalties.

Board discussed necessary revisions to the Resolution, including an amendment to section 5.

Public Comments:

No Public Comment

No motion. This item was tabled to the next Regular Board Meeting.

**d) Reorganization of Job Descriptions: Discussion and Approval**

This item was tabled to the next Regular Board Meeting.

**e) Election of Board Secretary & Treasurer: Discussion and Approval**

This item was tabled to the next Regular Board Meeting.

**f) COVID-19 Emergency Order & Safety Protocol: Discussion and Approval**

Mr. Hollebrands stated that Attorney Nielson provided the original framework for this document, tailored for MOWD; it provides a holistic approach.

Director Kentosh made the motion to approve the COVID19 Emergency Order & Safety Protocol. Director Krumpschmidt seconded the motion.

Public Comments:

None

**Roll Call Vote:**

Etchart – Y      Engle – Y      Harrold – Y      Kentosh – Y      Krumpschmidt – Y  
All Ayes  
M/S/C

**9. General Manager's Report**

• **District Operations & Maintenance Report**

Mr. Hollebrands provided a summary of operations and maintenance activities. Mr. Hollebrands reported that the staff has been discussing and actively preparing for COVID-19 accommodations and measures to remain compliant with all Executive, Health & Safety Orders. Mr. Hollebrands explained that this would be a marathon, not a sprint, and the goal is to keep everyone safe and healthy. Mr. Hollebrands stated that he had conversations with General Managers, Mike Flood, and Bert Rapp regarding Districts and coverage. The District Staff have made efforts to let customers know the water is safe; the display sign has been out front of the office, window signage, website updates, and social media posts also updated.

The well levels are coming up; the lake is currently at 42% of capacity; Mr. Hollebrands estimated a rise of about 1 ½ ft over the last three weeks. Well 4: Two rounds of chemical swabbing completed; next week, General Pump will set a new sole plate and plan to install by the end of week and pump test the following week. Director Kentosh asked if Mr. Hollebrands knew the specific capacity; Mr. Hollebrands replied that the test was not performed at that time. Layne Christiansen has still not responded, following correspondence from Attorney Nielson.

Director Krumpschmidt requested an update on the Customer Payment, 316 N. La Luna. The customer confronted Director Krumpschmidt regarding the letter from Attorney Nielson, while out on a walk. The customer stated that the letter was not what they had talked about and that the District would be hearing from their lawyer. The customer accepted the payment of \$3,000.00.

Handhelds for meter reading are nearing the end of life and in the process of receiving quotes from vendors. Itron, the current vendor, is moving an application-based system that has GIS mapping capabilities and can be loaded on any handheld device, cost estimate \$3-4,000.

**8. Board Committee Reports**

- **Upper Ventura River GSA:** Director Engle reported that Bryan and consultants are working on the non-controversial portion of the GSP (non-policy), discussions about surface water depletion, the first public workshop is

planned for May 7, however, may be changed. Director Engle added that legal services candidates for the GSA were reviewed by Attornies Nielson and Zolezzi, the GSA Special Meeting held yesterday selected Olivarez, Madruga, Lemieux and O'Neill, LLP.

- **Executive Committee:** No update.
- **Budget/Rate Committee:** Director Kentosh introduced the concept of simplifying the rate structure and that the Committee is working through whether to propose a different MWAC rate for a primary dwelling and a lesser MWAC rate for additional dwellings. Director Krumpschmidt expressed the opinion that everyone expects the water to be available; the rate should be the same. Mr. Hollebrands added that the timing of a rate change requiring a Prop 218 Rate Hearing and COVID-19, is not ideal. The Board agreed this should be discussed as a future agenda item.
- **Allocation Program Committee:** Discussed under Agenda Item 8(a).
- **New Meters and Expansion Committee:** Director Kentosh reported that the Committee met with Ted Moore. Director Kentosh is working on policy revisions for the next meeting. Mr. Hollebrands stated that Ted Moore reached out to Jeff Pratt, County of Ventura, to request special accommodations for the project, the County is open to having that conversation.
- **Emergency Management Committee:** COVID-19 Emergency Order & Safety Protocol & Discussed in G.M. Report.

## **9. Old Business**

- **State Water:** No update.
- **Ojai, Ventura Water Partnership:** No update.
- **Matilija Dam Removal Update:** Mr. Hollebrands reported that P. Shaydai is forwarding our new Treatment Plant design to the Mitigation Committee for consideration.
- **Grant Projects: Nitrate Removal & Blending and Cold Water Formation:** Mr. Hollebrands and Director Kentosh attended a meeting at Thatcher School with Regina Hirsch. There is potential for duplication of efforts and recommend moving this item out of "Old Business" into the "Board Action and/or Discussion" section for the next Regular Board Meeting.

## **10. Board of Directors' Reports/Comments**

**Mr. Harrold:** No report.

**Mr. Krumpschmidt:** I hope everyone is staying healthy.

**Mr. Kentosh:** He is enjoying staying home.

**Mr. Etchart:** Enjoying the rain and watching the diversion to the lake flow!

**Ms. Engle:** We need to address losing Attorney Nielson, requests that Lindsay provide the Board with an RFP template and recommendations for legal services. Mr. Nielson stated that the Board should be prepared to receive legal service rates much higher than they have been used to with his services. Mr. Nielson said he would stay on until we have new legal counsel on Board.

**12. Meeting Adjournment**

There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 10:14 pm.

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**President**

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**Secretary**