

Regular Meeting
May 18, 2021
6:00 pm

Meiners Oaks Water District
202 W. El Roblar Drive
Ojai, CA 93023-2211

Minutes

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

1. Call to Order

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

2. Roll Call

Present: Board President, Mike Etchart, Board Directors: James Kentosh, Diana Engle, Christian Oakland, and Larry Harrold. Staff Present: General Manager, Justin Martinez, Board Secretary, Summer Ward. Attorneys Present: Stuart Nielson, Jeannie Zolezzi (closed session only), Greg Jones (closed session only).

Absent: None.

3. Approval of the Minutes

Approval of April 20, 2021, Regular Meeting Minutes

Director Engle made the motion to approve April 20, 2021, regular meeting minutes. Director Oakland seconded the motion.

No public comment.

Engle/Oakland

Roll Call Vote:

Etchart - Y Engle- Y Harrold - Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

4. Public Comments

- Ms. Von Gunten was present, provided statement of attendance.
- Mr. D. Hill was present for items 7c and 7d, Meiners Road tank and antenna relocation.

****The Board went into closed session at 6:08 pm****

****G. Jones joined the meeting at 6:10pm****

****J. Zolezzi joined the meeting at 6:20pm****

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

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

****G. Jones left the meeting at 6:29 pm****

****J. Zolezzi left the meeting at 6:47 pm****

****The Board adjourned closed session at 6:52 pm****

Attorney S. Nielson stated that the Board discussed current ongoing litigation in closed session, and no actions were taken.

6. **Financial Matters**

Approval of Payroll and Payables from April 16 to May 15, 2021, in the amount of:

Payables:	\$101,752.83
Payroll:	<u>\$ 39,455.06</u>
Total:	\$141,207.89

Director Harrold made the motion to the Payroll and Payables from April 16 to May 15, 2021. Director Kentosh seconded the motion.

No public comment.

Harrold/Kentosh

Roll Call Vote:

Etchart - Y Engle- Y Harrold - Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

7. **Board Discussion/Actions**

a. Discussion and consider approval of an approach for the design of a replacement filtration plant. (Kentosh/Martinez)

Director Kentosh reviewed that the Board approved the sole source RFP for WREA in December 2020. Proposal received from Mr. Nagy but has been on hold during GM transition. Director Kentosh recommends revising the RFP to send out to additional engineering firms. Mr. Martinez supports the expanded RFP approach.

Director Oakland requested clarification on sole source bid process rather than setting a threshold for requesting three bids. Attorney Nielson stated that contract law allows for sole sourcing for special professional services, such as engineering work.

Director Kentosh and Mr. Martinez stated a video conference is scheduled for May 20 with WREA, will explain the expanded RFP process and provide an opportunity for WREA to submit a revised RFP.

No motion.

Public Comment:

Ms. Von Gunten agreed with Director Oakland, referred to existing MOWD policy on bid process, which may need updating.

b. Receive an update and discussion regarding the Nitrate Removal Grant. (Kentosh)

Director Kentosh had prepared an RFQ for the Nitrate Feasibility Study and sent to three firms. All firms initially expressed interest; however, one has since replied that they will not be able to submit an RFQ. The remaining two are highly qualified, virtual interviews will be conducted with each firm by Directors Kentosh and Oakland, as well as Mr. Martinez. The team will recommend a firm, along with the firm's proposal for Board approval.

Director Engle noted that each of the two firms are great and has worked with each through her firm; highlighting that each are a delight to work with.

Ms. Ward to set interview schedules.

No motion.

No public comment.

c. Discussion and consideration of customer letter regarding Meiners Road Tank site. (Martinez)

Mr. Martinez introduced Mr. Derek Hill, the new owner of the Meiners Road tank property. Mr. Hill stated he had the pleasure of meeting with Mr. Martinez at the property to discuss the easement layout and potential options for the removal of the tank and relocation of the antenna. Mr. Martinez explained that if MOWD chooses to not install a new tank, there are several options. Elevations and pump curves to maintain water pressure are being reviewed with Director Kentosh. Mr. Martinez noted that the water lines that were temporarily run-on top of the ground around the old tank have been buried and 47 psi measured at the customer meters. Director Kentosh and Mr. Martinez will report back to the board with additional information.

Mr. Hill stated he is appreciative of the discussion and willing to help any way that he can, to achieve the best outcome possible.

Attorney Nielson stated that if the option to relocate MOWD equipment is pursued, an easement transfer would need to be completed.

No motion.

No further public comments.

d. Discussion and consider approval of Meiners Road Tank antenna relocation expense of \$16,000. (Martinez)

Mr. Martinez spoke with CIT, Oilfield Electric and Byrd Electronics regarding the relocation of the antenna and panel onto a new tower, which will need to be completed before the tank can be removed. The current antenna sits on top of the tank. The bids for the footing of the new tower are pending, estimated to be around \$5,000. Mr. Martinez estimates the total relocation cost to be approximately \$16,000.

Director Kentosh made the motion to approve the Meiners Road antenna relocation expense up to \$18,000. Director Oakland seconded the motion.

Director Engle requested clarification on why we need the antenna. Mr. Martinez explained that is used for the district's telemetry system and is stationed at the highest point in the district; the other towers bounce the signal off of that antenna, down to the office.

Director Etchart requested that Mr. Martinez have Byrd Electronics confirm the new antenna location is appropriate for signal strength. Additionally, Mr. Martinez is to determine if MOWD uses a public open frequency or if it maintains its own FCC license.

Public Comment:

Mr. Hill requested to meet onsite to discuss location of the antenna before final decisions are made.

Ms. Von Gunten asked if the district considered line of sight, FCC regulations, and reception/transmission strength with the new location.

Kentosh/Oakland

Roll Call Vote:

Etchart - Y Engle- Y Harrold - Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

e. Discussion and consider approval of SeCorp quote for Chlorine gas PPE, Fit-testing and training of up to \$5,500. (Martinez)

Mr. Martinez reviewed the discussion from last month's regular meeting regarding chlorine safety. Staff contacted other local GM's for references to local companies that supply chlorine safety PPE and training. SeCorp confirmed with MSA the necessary PPE for district's needs and will facilitate the operator fit-testing, training and ongoing maintenance.

Director Engle made the motion to approve the SeCorp quote for Chlorine gas PPE, Fit-testing and training up to \$5,500. Director Kentosh seconded the motion.

No public comment.

Engle/Kentosh

Roll Call Vote:

Etchart - Y Engle- Y Harrold - Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

- f. **Discussion and consider approval of the part-time, temporary Utility Helper position expense of \$19,000. Approval of GM's standby/over-time salary tentatively July – October 2021, due to staff military leave of absence. (Martinez)**

Mr. Martinez reported that Levi will be on military leave starting July 8 for up to 20 weeks. Mr. Martinez requested approval for one temporary, part-time utility helper position, with no health benefits for the months July through December 31. The temporary position will assist with daily maintenance work and project labor, Monday - Thursday 8-5 and Fridays 8-12. The estimated salary expense without benefits is \$19,000.

Director Engle made the motion to approve the part-time, temporary utility helper position for \$19,000, July – December 2021. Director Kentosh seconded the motion.

Director Etchart asked if it would be beneficial to have a permanent part-time position. Mr. Martinez stated it would be ideal to have a part-time Operator in Training position in the future.

The Board requested that the approval of GM standby/OT during staff military leave be tabled to June's closed session, to discuss personnel matters, after the Executive Committee can meet to discuss in more detail.

Public Comment:

Ms. Von Gunten noted that the Brown Act requires all compensation decision be made in open session for the public.

Engle/Kentosh

Roll Call Vote:

Etchart - Y Engle- Y Harrold - Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

g. Discussion and consider approval of Well #8 site clean-up contractor expense of up to \$13,200. (Martinez)

Mr. Martinez referenced last month's site assessment report regarding the poor status of the Well 8 grounds, including oversized spoils piles from previous leak repairs. Mr. Martinez reviewed the three quotes received to perform the site clean-up and recommended Evan's excavating, as the lowest bid of \$6,500.

Director Kentosh made the motion to approve the Well 8 site clean-up expense of \$6,500. Director Harrold seconded the motion.

Director Kentosh stated that the reference to the Nitrate Grant is unnecessary, as the in-kind funds will be used for staff hours, not for site clean-up.

No public comment.

Kentosh/Harrold

Roll Call Vote:

Etchart - Y Engle- Y Harrold - Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

8. General Manager's Report

Mr. Martinez reported that he spoke with Casitas GM, Mike Flood regarding the new water year MOWD allocation, previously about 1,000 AF. Mr. Martinez will be meeting to discuss the allocation with Mr. Flood in more detail. During the initial district site assessment, it was identified that several electrical panels were not locked, all new locks have been installed on district panels and gates. All stock inventory that approved last month has been received and is available for use. Mr. Martinez had Oilfield Electric onsite to conduct staff training on the generators. New SOPs are being drafted by the staff and will perform in-field SOP testing before finalized. Wells 1 and 2 production levels are concerning, being monitored closely.

Director Oakland offered to assist with the in-field testing of the generator SOPs.

Director Engle reported that there has been discussion in other setting that Casitas has implemented an Adjudication fee for certain customers only. Ms. Ward is to research and provide a follow-up regarding the MOWD bill statements from Casitas.

Public Comment:

Ms. Von Gunten stated it was a very good report.

9. **Board Secretary's Report**

Ms. Ward provided the monthly Board Secretary update. All Form 700s were submitted to the County of Ventura on-time. Several annual water reports have been completed and submitted including the Annual Water Report, eAR and quarterly PCI Control Scan. Staff attended additional Beacon meter reading training, AWA "Is your water supply safe from cyber-attack," and scheduled for the upcoming CSDA "Addressing cybersecurity risks." Directors that have not yet completed bi-annual Harassment and Ethics training, need to do so before June 30. Ms. Malone will be contacting Directors individually to complete the annual County of Ventura Auditor-Controller signature authorization form.

Work continues on the FY 19-20 Financial Audit. Accounts receivable report on delinquent customer accounts, continues to show 26 accounts with balances older than 4 months. The current CA state of emergency and CA Utility Commission continue to restrict disconnection for non-payment. The total outstanding delinquent balance for these accounts total approximately \$10,000. In April individualized customer letters were mailed to account holders, in May customer door hangers were placed, with requested contact to make payment arrangements. The door hangers made the most significant impact in reaching customers. No flow restrictors have been placed at this time.

Ms. Ward reviewed that Tyler Incode has not yet completed the billing system reconfiguration required to implement the new allocations. The changes that had been made were not accurate, specifically the required annual allocations for agriculture and commercial accounts. The annual Consumer Confidence Report is in progress with FGL data pending. The Nitrate Removal Grant progress report #3 will be due by July 10.

Service orders and monthly accounts receivable totals are consistent for the time of year. There was one customer complaint regarding water discoloration/sediment, field operator dispatched within 30 minutes, took water sample which showed no discoloration or sediment, when attempting to notify customer, they shut door on operator and did not wish to engage in further discussion. Field operator stated it likely came from a carbon filter in the refrigerator that had not been flushed properly.

10. **Board Committee Reports**

- Executive Committee: To be scheduled.
- UVRGA: Director Engle reported that the GSA continues to meet frequently as the technical work is being presented. The GSA has authorized staff to move ahead with the proposed sustainability criteria, including the proposed criterion for the effective pumping in the basin on surface water flows. Director Engle encouraged Directors to visit the UVRGA website to review the presentations, memos and reports, it all public information. The GSA has made its initial set of required decisions and staff is preparing a draft GSP report, which will have a 60-day public review period. As a reminder SGMA gives long time frames to meet the criteria, so the GSA will not be proposing any management criteria at this time, but has developed a glide path for when that would

start. GSA costs to member agencies will remain high, as the grant intended to cover the monitoring expenses was not received. The GSA will be looking at its long-term budget at the next month's meeting. Director Engle asked if the MOWD Budget Committee would be looking at including the GSA fees in the customer per unit cost, as this is a cost of producing water.

- Budget/Rate Committee: Ms. Ward reported that staff held a budget preparation meeting on May 13 and the draft budget will be shared with the Budget Committee for further consideration.
- Emergency Management Committee: No meeting.
- Staff Procedures Committee: No meeting. Director Kentosh surveyed Directors' opinion on returning to in-person meetings. The majority of the Board prefers the virtual meetings, as the ongoing COVID-19 situation is not certain.
- New Meters & Expansion of Services Committee: To be scheduled.

11. Old Business

- State Water: No update.
- Water Supplier Partnership: No update.
- Matilija Dam Removal Update: Director Engle noted that the deconstruction of the Santa Ana Bridge was slated to begin in April 2021, has anyone been by to see if it has begun? No attendees were aware of the deconstruction work beginning.
- Nitrate Removal: CA Wildlife Conservation Grant – Discussed under item 7b.

12. Director Announcements/Reports

- Director Engle: Attending 3-hour State Water Board meetings. To Larry, wishing you satisfaction in all that you do!
- Director Harrold: due to personal and work reasons he will be leaving the Board in June, after serving for 10 years.
- Director Oakland: Fair winds and following seas, Larry.
- Director Kentosh: asked if anyone is attending the Ventura Watershed Council meetings regularly? Diana, yes, every other month and she will be presenting on June 3. Ms. Ward to contact the Council to get Mr. Martinez added to the meeting invite and any necessary Council committees.
- Director Etchart: Really liking everything that Justin, Summer and Staff have been doing, pleased with how all is going. We will need to discuss the Director appointment process for Larry's seat.

13. **Meeting Adjournment**

There being no further business to conduct at this time, Board President, Mike Etchart adjourned the meeting at 9:00 pm.

Board Secretary

Board President