

Regular Meeting
September 21, 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 6:00 pm via teleconference.

2. Roll Call

Present: Board President, Mike Etchart, Board Directors: James Kentosh, Diana Engle, Christian Oakland, and Loni Anderson. Staff Present: General Manager, Justin Martinez. Attorney Present: Stuart Nielson, and Jeanne Zolezzi, Greg Jones (closed session only).

Absent: None.

3. Approval of the Minutes

Approval of August 17, 2021, Regular Meeting Minutes

Approval of September 14, 2021, Special Meeting Minutes

Director Anderson made the motion to approve the August 17, 2021, regular meeting minutes; September 14, 2021, special meeting minutes, with revision to Director Anderson's attendance at the special meeting. Director Oakland seconded the motion.

No public comment.

Anderson/Oakland

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y Anderson - Y

All Ayes – M/S/C

4. Public Comments

- (6:50 pm) Mr. Allen Connell, of Redemption Church, was present. Mr. Connell presented the opportunity for the District to engage with the Church regarding three items: (1) Church vote on October 3, 2021 to sell 44 acres to the land conservancy; (2) possible use of old water well on church property; (3) water service at Lomita & Rice. The Board requested that Redemption Church be on the next Board agenda for discussion.

****The Board went into closed session at 6:04 pm****

****J. Zolezzi & G. Jones joined the meeting at 6:04 pm****

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/
- Personnel matters

**** J. Zolezzi left the meeting at 6:21 pm & G. Jones left the meeting at 6:40 pm ****

****The Board adjourned closed session at 6:43 pm****

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

6. **Financial Matters**

Approval of Payroll and Payables from August 16 to September 15, 2021, in the amount of:

Payables: \$ 95,852.62

Payroll: \$ 41,718.02

Total: \$137,570.64

Director Engle made the motion to the Payroll and Payables from August 16 to September 15, 2021. Director Anderson seconded the motion.

Director Engle requested clarification on why there is no income in the 3rd column. Ms. Ward stated that data is pending the Budget Committee.

No public comment.

Engle/Anderson

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y Anderson - Y

All Ayes – M/S/C

7. **Board Discussion/Actions**

a. **Authorize staff to issue an RFP to qualified engineering firms for the design of a replacement water filtration plant. (Kentosh)**

Director Kentosh presented the request for proposal for the design of a replacement water filtration plant. Director Kentosh reviewed that previously this was issued as a sole source to WREA. After consideration, Director Kentosh revised the RFP and is requesting approval to send the revised RFP out to at least three firms (WREA, MKN Associates and WCS).

Director Anderson made the motion to approve the issuance of the revised RFP to qualified engineering firms for the design of a replacement water filtration plant. Director Kentosh seconded the motion.

No Public Comment.

Anderson/Kentosh

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y Anderson - Y

All Ayes – M/S/C

b. **Discuss and consider selection of a firm and approve expense for tank cleaning and inspection based on submitted bids. (Martinez)**

Mr. Martinez stated that bolted tanks are to be cleaned every three years, and inspected every five years. The last documented cleaning and inspection on file is from 2008, although he is confident it has been performed more recently than 2008. In 2010 the rings on Tank 1 were repaired. Mr. Martinez provided three bids for tank cleaning and inspection from CSI Services, Catalyst Diving Inc. and Pittsburg Tank & Tower Group. Mr. Martinez recommends CSI Services, the company comes highly recommended by Speiss Construction. CSI Services is local and the bid includes up to 30 patches, which will most likely be required. The bid cost for CSI Services is \$7,950.00; the budgeted amount was \$6,000. Mr. Martinez noted that Pittsburg Tanks is out of Kentucky and Catalyst is relatively new and small in size. Mr. Martinez noted that during the cleaning the water discharge will run down the creek and under the highway.

Director Kentosh made the motion to approve CSI Services bid for tank inspection and cleaning for \$7,950.00. Director Engle seconded the motion.

No Public Comment.

Kentosh/Engle

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y Anderson - Y
All Ayes – M/S/C

c. Approve Resolution 2021921: AB 361 – Brown Act: Remote Meetings During a State of Emergency. (Ward)

Ms. Ward presented Resolution 2021921: AB 361 – Brown Act: Remote meetings during a state of emergency. Ms. Ward reported that in March 2020, the CA Governor issued executive order N-29-20, modifying the Brown Act rules to accommodate teleconference meetings. The order N-29-20 is set to expire on September 30, 2021, despite the ongoing public health and safety emergency. The CA Governor signed into law CA AB 361, effective immediately, which will allow Meiners Oaks Water District to pass a 30-day resolution to continue the modified Brown Act rules for teleconference meetings. Resolution 2021921, if passed, will allow MOWD to continue meeting by teleconference and remain in compliance with the Brown Act. This resolution would expire in 30 days and a subsequent resolution, should the state of emergency continue, would be presented for approval.

Director Kentosh made the motion to approve Resolution 2021921: AB 361- Brown Act: Remote Meetings During a State of Emergency. Director Anderson seconded the motion.

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y Anderson - Y
All Ayes – M/S/C

d. Discuss Draft Financial Audit FY 2019 – 2020, provide direction to staff. (Ward)

Ms. Ward presented the draft Financial Audit for FY 2019-2020, prepared by Fanning & Karrh, CPAs. Ms. Ward noted that this is an opportunity for review and comment, prior to the presentation of the final audit by Ms. Fanning at the next regular meeting. Ms. Ward reviewed the financial highlights section of the draft report. Ms. Ward noted that the findings state there were no identified internal control deficiencies and no instances of non-compliance.

Director Engle made the observation that the operations revenues were similar between 2019 and 2020. No other Director comments or questions were discussed.

No Public Comment.

No Motion.

e. Discuss and consider options for Director Compensation, provide direction to staff. (Etchart)

Tabled to October regular meeting.

f. Approve revised MOWD Substance Use and Abuse Policy. (Martinez)

Mr. Martinez presented the revised MOWD policy, from the employee handbook, on Substance Use and Abuse, as recommended by the District Labor Attorneys, Light & Gabler. The recommended language changes and additions were reviewed. The revised policy will be reviewed with all staff, once approved.

Director Engle noted a spelling error on the first bullet point, “*elicit*” to “*illicit*.”

Director Anderson made the motion to approve the revised MOWN Substance Use and Abuse policy, with spelling correction. Director Oakland seconded the motion.

No Public Comment

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y Anderson - Y

All Ayes – M/S/C

8. General Manager’s Report

Mr. Martinez reported that the Casitas Lake level is down to 33.9%. The District is currently on 100% Casitas water. Mr. Martinez is working with Patrick at the Division of Drinking Water to develop a plan and monitoring program to blend MOWD and Casitas waters up at the tanks to mix before reaching customer service lines. The monitoring program will required additional water quality sampling, but if successful could reduce the volume of water purchased from Casitas. The Meiners antenna relocation site soils report is back from Earth Systems, further discussion is needed to clarify footing specifications and placement. Mr. Martinez stated that he had an informal discussion with Redemption Church regarding water well that has been out of use for a long time. Mr. Martinez recommends researching the well specifications and conducting some preliminary water sampling to determine if it’s a viable option for an additional source of water for the District. Mr. Martinez reported that he and Ms. Ward have been evaluating pumped and sold data, looking for accuracy and ways to improve conservation. AMI Smart Meters would provide the District and customers an opportunity to increase measurement accuracy and real-time monitoring at the customer level, using “Eye on Water” app to alert customers and District of potential leaks and/or high use. The goal is to prepare a meter swap program, focused on Agriculture and high users first and then roll out to remaining customers.

No Public Comment.

9. Board Secretary’s Report

Ms. Ward presented the monthly Board Secretary report, highlighting that CA Executive Orders N-29-20: Brown Act meetings & N-42-20: no water disconnections for non-payment are set to expire September 30, 2021. CA Governor passed AB 361: Brown Act for remote meetings during state of emergency, effective immediately and covered by the Resolution 2021921 discussed under item 7c. Ms. Ward submitted the MOWD survey response to SWRCB CA Water & Wastewater Arrearage Payment Program on 9/10/21. Ms. Ward noted that any Directors that wish to receive meeting payment via direct deposit may contact Ms. Malone to setup the payment process. A total of 29 customers have account delinquencies greater than two months, with a total arrearage of approximately \$13,000; however, many customers have made contact to set up formal repayment plans. The month of August had 151 total service orders, 13 were due to account owner changes, the majority were due to abnormal water consumption during meter reading. Ms. Ward provided a brief update on the progress with the allocation program, data imports and testing. Ms. Ward stated that the new analyst has been very helpful and is hopeful that the program will be ready for implementation in the coming month.

No Public Comment.

**** Ms. Ward left the meeting at 7:20 pm ****

10. **Board Committee Reports**

- Executive Committee: No update.
- UVRGA: Director Engle reported that the Draft GSP has been out for public review, closing on October 8. She recommended Directors and staff to review and provide comments, using the online comment tool. The next workshop will be held at 1:00 pm on September 23, the meeting link is available on the UVRGA website. The previous workshop recording is available on the Ventura River Watershed Council website. Director Engle noted that the GSA is beginning a series of discussions on how to pay for the implementation cost of the plan. She added that there will be a Matilija Dam update meeting coming up soon.
- Allocation Committee: (See Board Secretary report)
- Budget/Rate Committee: Pending allocation program implementation.
- Emergency Management Committee: No update.
- Staff Procedures Committee: No update.
- New Meters & Expansion of Services Committee: No update.

11. **Old Business**

- State Water: No update.
- Matilija Dam Removal Update: Ventura River Watershed Council public meeting 10/6/2021 at 9:00 am via zoom.
- Nitrate Removal: Director Kentosh reported that he, Director Oakland and Mr. Martinez attended the kick off meeting with MKN Associates on 9/2/2021. They received the "Basis of Design Memo" that will be shared; the only issue is the timekeeping of project

work for the grant in-kind services. Mr. Martinez stated the office staff will compile the hours, tracked on timesheets.

12. **Director Announcements/Reports**

- Director Engle: No report.
- Director Oakland: No report.
- Director Kentosh: No report.
- Director Anderson: No report.
- Director Etchart: The mandatory Citrus Asian Psyllid spraying will begin September 28.

13. **Meeting Adjournment**

There being no further business to conduct at this time, Board President, Mike Etchart adjourned the meeting at 8:03 pm.

Board Secretary

Board President