

Regular Meeting  
October 19, 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 and Board Secretary, Summer Ward. Attorney Present: Stuart Nielson, and Greg Jones (closed session only).

**Absent:** None.

### 3. Approval of the Minutes

#### **Approval of September 21, 2021, Regular Meeting Minutes**

Director Engle made the motion to approve the September 21, 2021, regular meeting minutes. Director Kentosh seconded the motion.

No public comment.

Engle/Kentosh

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

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

All Ayes – M/S/C

### 4. Public Comments

- Ms. Von Gunten provided a statement of attendance, requested assistance with opening the agenda packet (adobe pdf) on her device. Staff requested screenshot of error message, to better assist with troubleshooting.
- Ms. Korik joined the meeting to observe and listen in as they are in escrow to purchase a property in the District.

**\*\*The Board went into closed session at 6:06 pm\*\***

**\*\* G. Jones joined the meeting at 6:07 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

**\*\* G. Jones left the meeting at 6:35 pm \*\***

**\*\*The Board adjourned closed session at 6:50 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 September 16 to October 15, 2021, in the amount of:**

Payables:	\$ 85,693.57
Payroll:	<u>\$ 43,342.12</u>
Total:	\$129,035.69

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

Director Engle requested clarification on the MKN payable. Ms. Ward stated that this was the first MKN invoice for services provided for the nitrate removal feasibility study.

No public comment.

Anderson/Oakland

**Roll Call Vote:**

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

All Ayes – M/S/C

7. **Board Discussion/Actions**

**a. Approve Financial Audit FY 2019-2020. (Tabled)**

**b. Approve Resolution 20211019: AB 361 – Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 2021921: AB 361. (Ward)**

Ms. Ward presented Resolution 20211019: AB 361 – Brown Act: Remote Meetings during a State of Emergency. Ms. Ward stated that this is subsequent to Resolution

2021921, approved in September. The resolution maintains that due to the ongoing health and safety concerns, described in the most recent Ventura County Health order on September 18, 2021. Resolution 20211019 if passed, would be in effect for 30 days, and a subsequent resolution will be presented each 30 days until the health orders are lifted.

Director Kentosh made the motion to approve Resolution 20211019: AB 361 –Brown Act: Remote Meetings during a State of Emergency. 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 2021 Cost of Living Increase of 4% for staff, retro to July 1, 2021. (Martinez)**

Mr. Martinez presented the 2021 Cost of Living Increase of 4% based on the Consumer Price Index for Los Angeles/Orange County, retroactive to July 1, 2021.

Director Engle advised that future water rates should take into consideration inflation.

Director Engle made the motion to approve the 4% Cost of Living increase for staff retroactive to July 1, 2021. Director Anderson seconded the motion.

Engle/Anderson

**Roll Call Vote:**

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

All Ayes – M/S/C

**d. Discuss and consider options for Director Compensation. (Etchart)**

Director Etchart reported that the MOWD Board of Directors pay rate of \$150 for board meetings was set back in 1998. There are various components to discuss, including pay rate for board meetings and committees, the number of meetings payable per month and categories of official duties that should trigger payment. Mr. Nielson added that per the Water Code regulations, the district can approve up to ten meetings per month. He will draft some categories of official duties that should constitute payment, for the board’s consideration. Additionally, according to the Water Code the pay rate may be increased by up to 5% annually.

Director Kentosh recommended holding off on any board pay rate changes until after the Prop 218 process for new rates. Director Engle provided an opposing view, that significant amount of time and work has already been performed and that it is appropriate to address director compensation in a timely manner. Director Etchart added that the pay rate would be offset by not hiring an outside consultant. A recommended pay rate would be in the range of \$250 per meeting, for both full board and committee meetings.

Mr. Nielson will work with the Executive Committee and staff to draft a proposal for the next board meeting.

No Public Comment.

No Motion.

**e. Discuss new option(s) for filtration plant at wells 1 and 2. (Kentosh)**

Director Kentosh shared that he recently learned that the existing treatment plant is backwashed once monthly. The raw water is so clean that more frequent backwashing is not necessary. Director Kentosh requested time to evaluate alternative filtration methods, before sending out the previously approved RFP. Director Kentosh added that MKN Associates, Chris Martin, is an expert on filtration systems, and could be a resource for looking at alternatives. Mr. Martinez will gather information from vendors regarding the costs and duration of alternative filtration methods. The Board was in agreement to hold off on issuing the RFP until after the alternative methods are evaluated.

No Public Comment.

No motion.

**f. Discuss grant opportunities and strategic plan for new bedrock well. (Etchart/Kentosh)**

Director Etchart stated that the Executive Committee met with Regina Hirsch, Watershed Progressive and staff to discuss grant opportunities. The group discussed a few district projects, however, focused on drilling of a bedrock well. The most time sensitive submission was a concept statement for the VRIF grant, to assess the feasibility for a new water source that would potentially not be under the influence of the river, thereby improving the aquatic environment. If the District's concept statement is accepted and the grant funds are awarded, the next step would be to send out an RFP for a hydrogeologist to perform the feasibility study, including selection of the well site. There is a potential to move this project from planning to implementation, with other grant funding that will become available in the coming months.

Director Etchart noted that the Executive Committee is working to get an agreement drafted between MOWD and Regina Hirsch, for assistance with grants. Director Etchart will provide an update at the next meeting.

No Public Comment.

No motion.

**g. Discuss Meiners Rd Antenna over excavation proposals, select contractor and approve quoted expense. (Martinez)**

Mr. Martinez stated that the Earth System's soil report has been completed and it recommends over excavation of a 15'x15' area at depths of 7' and 12' on the slope. Mr. Martinez reviewed the three bids received, and recommends awarding the contract to Richard Meier at \$9,879. R. Meier has a solid reputation and work history with MOWD and has the lowest bid price for the work. The other two firms included Sam Hills & Sons at \$10,250 and Toro at \$12,576. In addition, Mr. Martinez stated that an additional \$3,500 for Earth Systems is needed for the over excavation inspection.

Director Anderson made the motion to approve Richard Meier's bid for the Meiners Rd Antenna over excavation and Earth Systems for \$16,000. 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

**8. General Manager's Report**

Mr. Martinez reported that the Casitas Lake level is down to 33.1%. The District is currently on Casitas water. Mr. Martinez is working with Patrick at the Division of Drinking Water on the blending pilot project. DDW is satisfied with the pilot project and residuals are within target. M. Neary has received his SCBA fit test, training and personal face mask. Mr. Martinez stated that he aims to work with Regina Hirsch on identifying potential grant funds to assist the District with converting to AMI, smart meters. Transitioning to smart meters would allow customers and the District to have real-time eyes on the water, help with leak detection and overall conservation.

No Public Comment.

**9. Board Secretary's Report**

Ms. Ward presented the monthly Board Secretary report, highlighting that the SWRCB Water & Wastewater Arrearage Payment Program survey was submitted 9/10/2021; the application window just opened and are due before 12/6/2021. CA Executive Order N-42-20, moratorium on water disconnections for non-payment extended to 12/31/2021.

The Financial Audit for FY 19-20 will be presented by Ms. Fanning in November and will then begin working on FY 20-21. Ms. Ward noted improvement with the number of customers starting to make payment arrangements for arrearages and in some cases paying off full balances. Ms. Ward noted that work on the Allocation Program continues, great progress has been made. The QBE data import file is now working for commercial and agriculture customers, which will support the tracking of annual allocations each month. Ms. Ward is currently working with DataProse, the bill printing vendor, to format the data file and bill template to capture the new allocation data by customer classification. Director Engle reminded staff and the Board that the annual allocations will need to be prorated this first year; Ms. Ward and Director Engle agreed that customized letters to the commercial and agriculture customers with their new allocation, prorated first year and reminder to submit annual VCAILG enrollment documents, would be beneficial.

No Public Comment.

#### 10. **Board Committee Reports**

- Executive Committee: Met to discuss grant opportunities with Regina Hirsch.
- UVRGA: Director Engle reported that the GSA is collating and evaluating comment letters, many are canned responses. The good news is that none of the comments received will require policy changes. The CDFW representative that attends the UVRGA meetings mentioned that he was impressed with the GSP; it is one of the best he has reviewed and complimented the technical team.
- 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: Director Engle, Mr. Martinez and Ms. Ward attended the virtual meeting last week. Director Engle shared that the modeling shows wells 1 and 2 out of the flood plain. Additionally, the modeling predicts deposition of several feet of new sediment, and will likely affect recharge.
- Nitrate Removal: Director Kentosh reported that he and Director Oakland met with MKN, the ion exchange process is likely the best option and MKN will be presenting more information and will present the draft report in December.

12. **Director Announcements/Reports**

- Director Engle: No report.
- Director Oakland: No report.
- Director Kentosh: No report.
- Director Anderson: No report.
- Director Etchart: The timeframe for mandatory quarterly Citrus Asian Psyllid spraying has ended.

13. **Meeting Adjournment**

There being no further business to conduct at this time, Board President, Mike Etchart adjourned the meeting at 8:37 pm.

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**Board Secretary**

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**Board President**