

Regular Meeting
March 15, 2022
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, Christian Oakland, and Loni Anderson. Staff Present: General Manager, Justin Martinez, and Board Secretary, Summer Ward. Attorney Present: Stuart Nielson, Jeanne Zolezzi (closed only), and Greg Jones (closed only).

Absent: Director Diana Engle

3. Approval of the Minutes

Approval of February 15, 2022, Regular Meeting Minutes

Approval of March 1, 2022, Special Meeting Minutes

Director Kentosh made the motion to approve the February 15, 2022, Regular Meeting and March 1, 2022, Special Meeting minutes. Director Oakland seconded the motion.

No public comment.

Kentosh/Oakland

Roll Call Vote:

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

(4) Ayes, (1) Absent – M/S/C

4. Public Comments

- Ms. Von Gunten provided a statement of attendance and apologized for missing recent meetings due to a time conflict with another committee meeting she attends.

****The Board went into closed session at 6:05 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.**

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

**** G. Jones left at 6:11 pm **J. Zolezzi left at 6:25 pm****

****The Board adjourned closed session at 6:30 pm****

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

6. **Financial Matters**

Approval of Payroll and Payables from February 16, 2022 to March 15, 2022, in the amount of:

Payables: \$ 80,141.09

Payroll: \$ 39,077.81

Total: \$119,218.90

Director Anderson made the motion to the Payroll and Payables from February 16, 2022, to March 15, 2022. Director Oakland seconded the motion.

No public comment.

Anderson/Oakland

Roll Call Vote:

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

(4) Ayes, (1) Absent – M/S/C

7. **Board Discussion/Actions**

a. Approve Resolution 20220315: AB 361 – Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20220215. (Ward)

Ms. Ward presented Resolution 20220315: AB 361 - Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20220215. This resolution must be renewed every 30 days to cover the Committee and next regular board meetings.

Director Kentosh made the motion to approve Resolution 20220315: AB 361 - Brown Act: Remote Meetings During a State of Emergency. Director Anderson seconded the motion.

No Public Comment.

Kentosh/Anderson

Roll Call Vote:

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

(4) Ayes, (1) Absent – M/S/C

b. Election of Board Officers. (Etchart)

Director Etchart stated that it is that time to nominate and elect the Board President and Vice President for the upcoming year.

Director Kentosh made the motion to nominate Director Etchart as Board President. Director Oakland seconded the motion

No Public Comment.

Kentosh/Oakland

Roll Call Vote:

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

(4) Ayes, (1) Absent – M/S/C

Director Kentosh made the motion to nominate Director Oakland as Board Vice President. Director Anderson seconded the motion.

No Public Comment.

Kentosh/Anderson

Roll Call Vote:

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

(4) Ayes, (1) Absent – M/S/C

c. Discuss Long Range Planning Committee and membership. (Etchart)

Director Etchart recommended that the Long-Range Planning Ad-hoc Committee merges with the Budget/Rate Committee, as they are closely related topics. Director Kentosh added that the Board needs an idea of the capital project costs to develop a 3-year rate schedule. Director Anderson agreed that identifying costs is essential for long-range budget planning but recommended a Board Workshop to provide complete discussion rather than merging with the Budget/Rate Committee. Director Oakland

recommended considering a consultant to assist with developing a 5–10-year project plan.

The Board consensus was that each Committee would provide a list of projects, costs, and timelines to Mr. Martinez. Ms. Ward to schedule a special meeting for the Board Workshop.

Public Comment: Ms. Von Gunten recommended staff look for the most recent capital improvement plan as a starting point. Ms. Von Gunten stated that she recalled Richard Hajas assisting with project planning in the past.

No Motion.

d. Approval of purchasing four Dual Mechanical Cylinder Scales from Regal Chlorinators for \$5,680. (Martinez)

During the most recent onsite inspection, Mr. Martinez stated the SWRCB made the recommendation to install scales for the chlorine cylinders. The scales will provide field staff with a way to monitor the contents of each cylinder daily during rounds. The District had budgeted \$40,000 for chlorine alarms, which will be postponed to the next fiscal year. Mr. Martinez recommends purchasing the 4 Dual Mechanical Cylinder scales from Regal Chlorinators for \$5680.

Director Anderson made the motion to approve the purchase of 4 Dual Mechanical Cylinder Scales from Regal Chlorinators for \$5680. Director Oakland seconded the motion.

No Public Comment.

Anderson/Oakland

Roll Call Vote:

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

(4) Ayes, (1) Absent – M/S/C

e. Approval of MKN Associates contract for 100% design of the replacement treatment plant, not to exceed \$343,655. (Kentosh/Martinez)

Mr. Martinez stated that he reviewed the project costs with MKN, and the only recommendation for a way to reduce the cost is for MOWD to manage the subcontracts and take on the project liability. Therefore, Mr. Martinez recommended keeping the contract price and allowing MKN to manage the subcontractors and hold the liability. Attorney Nielsen has reviewed the contract, and his recommended revisions are included in the contract provided in the meeting packet. Director Kentosh stated that the scope of work is concise and trusts that MKN will do a good job and supports the

contract. Director Anderson asked how long the design process would take. Director Kentosh replied that the design plan would take 9 -12 months and construction 6-12 months.

Director Kentosh made the motion to authorize executing the MKN contract for a 100% design plan for the replacement treatment plant, not to exceed \$343,655. Director Anderson seconded the motion.

No Public Comment.

Kentosh/Anderson

Roll Call Vote:

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

(4) Ayes, (1) Absent – M/S/C

f. Discussion of request by the City of Ojai to become a member of the UVRGA. (Engle)

Mr. Kuebler, Director for Ventura River Water District and UVRGA Vice President, was present to provide a summary of the City's request. Although Mr. Kuebler stated that the City of Ojai has requested to become a member of the UVRGA, the city council has not yet discussed the topic. The UVRGA will be reviewing the request at its April 12 meeting, and all five member agencies must vote unanimously to approve the City's request. It was recommended that this item be brought back for discussion at the April 19 MOWD meeting.

No Public Comments.

No Motion.

g. Discussion of an approach for the Meiners Road Zone. (Kentosh/Martinez)

Director Kentosh provided an overview of the Meiners Road zone. Based on his assessment, there are a few deficiencies. The tank (recently removed) was built in the late 1960s, and since many houses were constructed above the tank, the only purpose of the tank was as a backup supply for six homes. The previous WREA report outlines a couple of items to be addressed, including a fixed standby generator for immediate backup power and a backup standby pump. Director Kentosh will work with Mr. Martinez to draft a memo to be peer-reviewed before sending it to DDW and fire protection agencies for review. Director Anderson noted that there might be an opportunity for grant funding related to fire flows.

No Public Comments.

No Motion.

h. Request for approval of creating a full-time, benefited Administrative Clerk position, with a salary range of \$40,137-62,264. (Ward)

Ms. Ward presented the request for creating a full-time, benefited Administrative Clerk position. Ms. Ward reviewed that the Board previously approved a temporary clerk position in November 2021 for up to \$25,000. Ms. Ward stated that over 70 applications were reviewed, most were not qualified; of the few that were qualified, the reality of a temporary position prevented them from proceeding. Ms. Ward stated that the needs for administrative assistance continue to increase regarding regulatory reporting, data tracking, projects, creating searchable databases for documents, upcoming grant management, and enabling greater cross-training amongst the office staff. Ms. Ward noted that the job description is materially unchanged from the approved November 2021 version; only updates are in regards to the employment status. Director Kentosh stated that he supports the addition of a clerk; the salary and expenses will be built into the upcoming budget.

Director Anderson made the motion to approve creating a full-time, benefited Administrative Clerk position, with a salary range of \$40,137 – \$62,264. Director Kentosh seconded the motion.

No Public Comments.

Anderson/Kentosh

Roll Call Vote:

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

(4) Ayes, (1) Absent – M/S/C

i. Consider customer bill relief request due to leak (136 S. Poli). (Ward/Martinez)

Ms. Ward presented a customer request for monetary relief due to a substantial leak. The customer was notified on 2-18-2022 during meter reading that he had a leak; the customer immediately requested water to be turned off for leak location and repair. The property owner states that he believes the 3.1 earthquake on 1-16-2022 was the cause of the water line rupture. The customer has already received a waiver for the \$537 drought surcharge and offered up to 12 months payment plan. He is requesting additional relief for the water used.

The Board sympathized with the customer; however, the \$537 drought surcharge waiver is appropriate, and no additional monetary relief will be granted. The Board would like to offer an extension of the payment plan for up to 36 months, payable in full

if the property is sold before the balance is paid off. Ms. Ward to inform the customer of the Board's decision.

No Public Comments.

No Motion.

8. **General Manager's Report**

Mr. Martinez reported that the Casitas Lake level has dropped to 34.6%. The District has grant applications in process. The office is now open to the public. New bank signature cards have been set up and will be at the office for each Director to come by and sign this week. The staff has been working on the draft budget expenditures. Mr. Martinez noted that the District would need to keep an eye on revenue totals. Well levels are looking good.

No Public Comment.

9. **Board Secretary's Report**

Ms. Ward presented the monthly Board Secretary report highlighting that the SWRCB Water Arrearage Payment Program funding was received on 2-17-2022. Customer accounts were credited their respective amounts, and individual letters were mailed to each account holder. Total utility credits were \$14,153.47, \$197.77 was retained for administrative work, and \$648.76 was refunded to SWRCB. All reporting requirements have been completed. 13 accounts remain delinquent for greater than two months with balances over \$200 and have not set up payment plans. These accounts will be subject to shut-off for non-payment. Late fees and disconnections for non-payment will resume as of 3-26-2022. All Directors have completed form 700 Conflict of Interest forms except one. Ms. Ward reminded the Board that bi-annual AB 123 CA Local Agency Ethics & Harassment training is due; contact her for assistance. Ordinance 22-01-18: Director Compensation public protest period ends 3-19-2022. Ms. Ward noted that the District would have 3 Board seats up for re-election this year. Ventura County Elections has not yet completed its candidate handbooks, which are expected to be available by May 2022. Applications for candidates will be due in mid-August.

No Public Comment.

10. **Board Committee Reports**

- Executive & Personnel Committee: Director Etchart stated the Committee met today, discussed committee membership and long-range planning.
- UVRGA: The next regular meeting will be held on April 14, 2022. Ms. Ward stated that the updated UVRGA Director & Alternate 2022-2024 would be presented at the April 19 regular meeting, naming Director Etchart as the primary and Director Kentosh as the alternate.
- Budget/Rate Committee: No update; Ms. Ward to schedule a meeting.

- Emergency Management Committee: No meeting. Director Anderson stated that she has been reviewing policies and examples of Emergency Response templates.
- Allocations, New Meters & Expansion of Services Committee: The Committee has been working on revisions to the draft policy.
- Grants: Director Anderson reported that the Committee had a call with the EPA and Lynn Rodriguez of the Watershed Council. The Committee will be scheduling a meeting.
Public: Ms. Von Gunten recommended the Grant Committee check with the VC Community Action group regarding a low-income designation.

11. **Old Business**

- State Water: No update.
- Matilija Dam Removal Update: No update.
- Nitrate Removal: Director Kentosh stated the final status report was submitted on February 28, 2022.

12. **Director Announcements/Reports**

- Director Engle: Absent.
- Director Oakland: No report.
- Director Kentosh: No report.
- Director Anderson: No report.
- Director Etchart: No report.

13. **Meeting Adjournment**

There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 7:51 pm.

Board Secretary

Board President