

Regular Meeting
May 17, 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 6:01 pm.

1. Call to Order

The meeting was called to order by the Board President, Mike Etchart, at 6:01 pm via teleconference.

2. Roll Call

Present: Board President, Mike Etchart, Board Directors: James Kentosh, Christian Oakland, Loni Anderson, and Christy Cooper. Staff Present: General Manager, Justin Martinez, and Board Secretary, Summer Ward. Attorneys Present: Stuart Nielson and Greg Jones (closed only).

Absent: None

3. Approval of the Minutes

Approval of April 19, 2022, Regular Meeting Minutes, and Special Meeting Minutes of May 3, 2022, May 4, 2022, and May 9, 2022.

Director Kentosh made the motion to approve the April 19, 2022, Regular meeting minutes and Special meeting minutes of May 3, May 4, and May 9, 2022, with one correction to the attendance of the May 4, 2022, Special Meeting minutes. Director Oakland seconded the motion.

No public comment.

Kentosh/Oakland

Roll Call Vote:

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

(4) Ayes

(1) Abstain – Cooper

M/S/C

4. **Oath of Office – Newly Appointed Director**

Director Etchart administered the Oath of Office for newly appointed Director, Christine Cooper. Director Cooper recited, with right hand raised (on video conference), the oath of office, in accordance with California Government Code 1360. Director Cooper to sign form and submit to Ms. Ward.

5. **Public Comments**

- Mr. Hill was present and had no comments.

****The Board went into closed session at 6:11 pm****

**** G. Jones joined at 6:15 pm ****

6. **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 6:25 pm ****

****The Board adjourned closed session at 6:27 pm****

Attorney S. Nielson stated that the Board discussed pending litigation in a closed session, and no action was taken.

7. **Financial Matters**

Approval of Payroll and Payables from April 16, 2022 to May 15, 2022, in the amount of:

Payables:	\$ 83,672.96
Payroll:	<u>\$ 41,535.67</u>
Total:	\$125,208.63

Director Anderson made the motion to the Payroll and Payables from April 16, 2022, to May 15, 2022. Director Kentosh seconded the motion.

No public comment.

Anderson/Kentosh

Roll Call Vote:

Etchart - Y Kentosh - Y Oakland – Y Anderson – Y Cooper- Y

(5) Ayes – M/S/C

8. Board Discussion/Actions

a. Approve Resolution 20220517: AB 361 – Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20220419-3. (Ward)

Ms. Ward presented Resolution 20220517: AB 361 - Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20220419-3. This resolution must be renewed every 30 days to cover the Committee and next regular board meetings.

Director Anderson made the motion to approve Resolution 20220517: AB 361 - Brown Act: Remote Meetings During a State of Emergency. Director Oakland seconded the motion.

No Public Comment.

Anderson/Oakland

Roll Call Vote:

Etchart – Y Kentosh – Y Oakland – Y Anderson – Y Cooper – Y

(5) Ayes – M/S/C

b. Discuss and approve Board Committee membership. (Etchart)

Director Etchart presented the current Board Committee membership, updated in March after Director Engle's resignation. Director Etchart recommended that she replace him on the Grants Committee based on Director Cooper's background in grants. Director Etchart asked Director Cooper to review the other committees, and the Board will revisit adding Director Cooper to other committees.

Director Kentosh made the motion to approve replacing Director Etchart with Director Cooper on the Grants Committee. Director Oakland seconded the motion.

No Public Comment.

Kentosh/Oakland

Roll Call Vote:

Etchart - Y Kentosh - Y Oakland – Y Anderson – Y Cooper - Y

(5) Ayes – M/S/C

c. Approval of Will-Serve Letter Requests for (1) parcel: 1396 S. La Luna. (Martinez)

Mr. Martinez presented the pending Will-Serve Letter request for 1396 S. La Luna, conversion of part of an existing detached garage to a 352 sq ft single story ADU and 966 sq ft interior remodel of the existing kitchen and living area. The parcel is 0.38

acres, with enough variable allocation to support the fixed ADU allocation. The new base fixed allocation will be 204 units/year and 84 units/year variable. There will be no increase in the total water allocation. The Will-Serve letter will expire after 1 year.

Director Kentosh noted that the Allocation, New Meters & Expansion of Services Committee would formalize the fixed and variable allocation formula for calculating the conversion of the variable to fixed allocations in the New Meters & Expansion of Services policy.

Director Kentosh made the motion to approve the Will-Serve Letter Request for 1396 S. La Luna. Director Anderson seconded the motion.

No Public Comment.

Kentosh/Anderson

Roll Call Vote:

Etchart – Y Kentosh – Y Oakland – Y Anderson – Y Cooper – Y

(5) Ayes – M/S/C

d. Discussion of Meiners Road Zone 2. (Kentosh/Martinez)

Mr. Martinez provided an overview of the Meiners Road Zone 2 facilities and recent changes, including the removal of the tank on Meiners Road. Mr. Martinez and Director Kentosh have been gathering data to review the system with the Ventura County Fire Department and State Water Board. Director Kentosh stated that he has been drafting a technical memorandum on the Meiners Road zone design. He plans to have an engineering peer review of the memorandum for the best possible design. Director Kentosh reviewed priority areas, including booster pumps and a fixed location backup generator.

Public Comment:

Mr. Hill shared that he is glad to hear this is top of mind. He expressed concerns as fire season approaches. Mr. Hill would like to meet with the key decision-makers on-site. Mr. Martinez will coordinate the site visit with Mr. Hill.

No Motion.

e. Update and discussion on Income Survey progress for seeking disadvantaged community status. (Anderson)

Director Anderson shared an overview of what a Disadvantaged Community (DAC) status would mean for the District. California Department of Water Resources (DWR) defines a DAC as a community with an annual median household income that is less than 80% of the Statewide annual median household income, and those with an annual household income of less than 60% of the median are considered Severely

Disadvantaged Communities (SDAC). Water Districts with a DAC or SDAC designation are eligible for additional grant funding opportunities with reduced/eliminated share of the *cost and no-interest loans*. Director Anderson stated that the Grants Committee has been discussing the recommendation to engage a third party to conduct an Income Survey to see if the population is at or over the 50% threshold. Mr. Martinez noted that the team conducted the District tour on Saturday, May 14, 2022.

Director Anderson stated that as more details are received from Witherspoon's team, the Grants Committee will report back to the Board.

No Public Comments.

No Motion.

9. **General Manager's Report**

Mr. Martinez reported that the Casitas Lake level has dropped to 33.9%. The District has grant applications in process for a Well Feasibility Study, Land Resiliency Partnership Projects, and Advanced Metering Infrastructure. Wells 1,2,4 & 7 are all online. Mr. Martinez reported that the Electronic Annual Report (eAR) was submitted on April 29, 2022; the Geographical Survey for the replacement treatment plant design was conducted on May 6, 2022, by Yeh & Associates; and the Prop 218 Water Rate Public Hearing notices were mailed out on May 10, 2022. The District Wells' static levels increased by approximately 5 ft. Mr. Martinez also reported that staff is working with DDW on correcting the new Well 4's documentation and sample data, separate from the old Well 4. Mr. Martinez reported that the new Administrative Clerk is starting on Monday.

No Public Comment.

10. **Board Secretary's Report**

Ms. Ward presented the monthly Board Secretary report highlighting that the Water Boards Electronic Annual Report was completed. The Prop 218 Water Rate notices and protest ballots were mailed to the Ventura County Assessor's Office parcel owners of record and on the District website. The protest ballots are due by June 28, 2022, with a Public Hearing scheduled for 5:00 pm on Thursday, June 30. The staff is preparing a PowerPoint presentation for the hearing. Public Records requests included Prop 218 Hearing date, Director Candidate applications, Director vacancy term, and reelection timing, and total money spent on the Adjudication lawsuit attorney fees. The Financial Audit for FY 2020-2021 is nearly complete; anticipate draft audit reports in June. Ms. Ward stated that the new Administrative Clerk, Leslie McCleary, will start on Monday, May 23, 2022.

No Public Comment.

11. **Board Committee Reports**

- Executive & Personnel Committee: No report.
- UVRGA: Director Kentosh stated that he would be participating on a UVRGA ad-hoc committee regarding the City of Ojai's request to join the UVRGA.
- Budget/Rate Committee: Prop 218 Water Rates notices of public hearing mailed to parcel owners.
- Emergency Management Committee: No report.
- Allocations, New Meters & Expansion of Services Committee: Met last month and continued working on revisions to the draft policy.
- Grants: Director Anderson provided a brief update on the EPA Grants webinar series she attended and described the goal of creating a pull file with frequently requested grant information and data.

12. **Old Business**

- State Water: Director Kentosh stated that the Casitas engineering and feasibility study for the Ventura state water connection. Ms. Ward to request a copy of the report.
- Matilija Dam Removal Update: No update.

13. **Director Announcements/Reports**

- Director Kentosh: No report.
- Director Oakland: Requested copies of the other agencies' meeting minutes. Ms. Ward to coordinate with other agencies.
- Director Anderson: Attended the Watershed Council meeting, lots of great information. She also would like to include resource information on the District website and social media sites.
- Director Cooper: No report.
- Director Etchart: No report.

14. **Meeting Adjournment**

There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 7:45 pm.

Board Secretary

Board President