

Regular Meeting
September 20, 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 6:01 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.

Absent: None

3. Approval of the Minutes

Approval of August 16, 2022, Regular Board Meeting minutes.

Director Anderson made the motion to approve the August 16, 2022, Regular meeting minutes, with spelling correction in section 7g. Director Oakland seconded the motion.

Director Kentosh noted a spelling error in section 7g. Ms. Ward will make the requested correction to the August 16, 2022, minutes.

No public comment.

Anderson/Oakland

Roll Call Vote:

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

(5) Ayes- M/S/C

4. Public Comments

- (2) members of the public present.
- Mr. Lange was present and requested clarification on the well readings, well locations and referred to the Ojai Basin Watershed Management Plan. Director Etchart and Mr. Martinez provided clarification that MOWD is under the Upper Ventura River Groundwater Agency, not the Ojai Basin; Mr. Martinez offered to have Mr. Lange come by the office for a more in-depth discussion of MOWD wells and groundwater monitoring.

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

****J. Zolezzi joined at 6:11 pm – left the meeting at 6:16 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 vs. SWRCB, San Francisco Supreme Court, Case# CPF-14-513875

****The Board adjourned closed session at 6:17 pm****

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

6. **Financial Matters**

Approval of Payroll and Payables from August 16, 2022, to September 15, 2022, in the amount of:

Payables: \$ 90,340.64

Payroll: \$ 51,282.97

Total: \$141,623.63

Director Kentosh made the motion to the Payroll and Payables from August 16, 2022, to September 15, 2022. 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

7. **Board Discussion/Actions**

- a. **Approve Resolution 20220920: AB 361 – Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20220815. (Ward)**

Ms. Ward presented Resolution 20220920: AB 361 - Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20220815. This resolution must be renewed every 30 days to cover the Committee and the next regular board meetings.

Director Oakland made the motion to approve Resolution 20220920: AB 361 - Brown Act: Remote Meetings During a State of Emergency. Director Anderson seconded the motion.

No Public Comment.

Oakland/Anderson

Roll Call Vote:

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

(5) Ayes – M/S/C

b. Approve Financial Audit FY 2021-2022 Engagement with Fanning & Karrh, CPAs, up to \$21,400. (Martinez/Ward)

Mr. Martinez presented the FY 2021-2022 Financial Audit Engagement letter with Fanning & Karrh. He noted that the approved budget covers the proposed \$21,400.

Director Oakland made the motion to approve the Financial Audit FY 2021-2022 Engagement with Fanning & Karrh, CPAs. Director Kentosh seconded the motion.

No public comment.

Oakland/Kentosh

Roll Call Vote:

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

(5) Ayes – M/S/C

c. Discuss and consider nominations for Ventura Local Agency Formation Commission. (Etchart/Martinez)

Mr. Martinez introduced the request for nominations for the Ventura Local Agency Formation Commission, noting the oversight the Commission covers. Ms. Ward noted that the District has not previously nominated a Director for consideration; however, if the Board decides to nominate a candidate, the submission is needed before the next Regular board meeting.

Director Anderson was in favor of making a nomination. However, the Board chose not to submit a candidate nomination.

No Public Comment.

No Motion.

d. Approve District truck repairs for up to \$10,500. (Martinez)

Mr. Martinez reported that the 2015 Dodge 2500 truck, with 70,000 miles, has been experiencing sporadic mechanical issues. The District truck was taken to Crown Dodge for diagnosis, where the technician removed the variable valve timing solenoid and found metal debris, possible faulty filters and/or damaged camshaft. The repair options

are to replace the camshaft and lifters or replace the long block. The District received a second option from Hodge Podge Garage with the same diagnosis and options. Mr. Martinez reviewed the compared quotes and requested approval for work to be completed at Hodge Podge Garage, not to exceed \$10,500.

Director Anderson made the motion to approve Hodge Podge Garage repairs of the Dodge 2500, up to \$10,500. 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

e. Approve District server replacement and disaster backup appliance, not to exceed \$26,000. (Ward/Martinez)

Ms. Ward presented the request for approval of a new District Server and disaster backup appliance, not to exceed \$26,000. The District Office cooling system is failing, and over the extreme heat over Labor Day weekend, some components of the District's 10-year-old server melted. Emergency repairs were made to help keep the District network up and running for the time being. The detailed quotes provided by Mitec include enough capacity to support the District billing software, move SCADA over to the network, and disaster backup appliance. Ms. Ward discussed options to reduce the cost with Mitec. The maximum savings would be approximately \$500 and significantly reduce the storage capacity; the District would essentially be capped out of storage. Director Anderson requested clarification on the monthly backup costs. Ms. Ward replied that the \$120/\$60 would replace the existing monthly cloud backup costs the District is currently paying, with the added benefit of a more immediate return to operations versus the delay in restoring from a cloud backup.

Director Oakland made the motion to approve the server replacement and disaster backup appliance, not to exceed \$26,000. Director Anderson seconded the motion.

No Public Comments.

Oakland/Anderson

Roll Call Vote:

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

(5) Ayes – M/S/C

f. Approve Well Siting Study with Hopkins Groundwater Consultants, not to exceed \$15,000. (Martinez)

Mr. Martinez reported that the District is in need of an additional water source. Due to the ongoing drought, being dependent on Lake Casitas is not a guaranteed long-term water source. Mr. Martinez and Director Kentosh have been in contact with Hopkins Groundwater Consultants, Inc. Hopkins Groundwater has provided a proposal for professional consulting services to assist MOWD with evaluating new well location alternatives for the proposed Meiners Oaks Well No. 9 construction. Hopkins Groundwater will study the feasibility of a new well located along the western boundary of the district service area adjacent to the Ventura River that overlies alluvial and bedrock formations. Mr. Martinez added that the proposal includes \$3,000 in contingency funds to ensure the work can be completed for a total request of \$15,000. Director Kentosh noted that he has known Curtis Hopkins professionally for 30 years and trusts his recommendations. Director Anderson stated that this would leave \$35,000 in the budget for Engineering and Technical services and asked if that was enough. Mr. Martinez replied that the Engineering and Technical services budget was intended for work like this feasibility study, and no other big engineering projects are anticipated for this fiscal year that would require more than the remaining \$35,000.

Director Oakland made the motion to approve the Well Siting Study with Hopkins Groundwater Consultants, not to exceed \$15,000. Director Kentosh seconded the motion.

No Public Comments

Oakland/Kentosh

Roll Call Vote:

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

(5) Ayes – M/S/C

g. Approve draft "Use of District Vehicles" policy. (Martinez)

Mr. Martinez presented the Use of District Vehicles policy with the Board's recommended revisions.

Director Anderson made the motion to approve the Use of District Vehicles policy. Director Cooper seconded the motion.

No Public Comments.

Anderson/Cooper

Roll Call Vote:

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

(5) Ayes – M/S/C

h. Approve draft "New Meters & Expansion of Services" policy. (Kentosh/Anderson/Martinez) * Moved to after item 7k.*

Director Kentosh presented the draft policy. Director Cooper acknowledged the amount of work the Committee undertook, incorporating comments from the Board and the public. Director Oakland offered a contrasting opinion regarding the 35% threshold for not issuing new meters or purchasing additional allocations. He replied that the 35% sounds like we are good to go for expansion, and it should be closer to 50%, so we are actually progressing out of the drought stages. Additionally, the policy sounds like MOWD is Casitas when they are our emergency backup supply. The Board agreed that more discussion is needed before considering a vote to approve the draft policy.

Public Comment:

Mr. Lange provided further comments based on information he read in the Ojai Basin reports.

No Motion.

i. Discuss the Watershed Progressive engagement. (Anderson/Cooper)

Director Anderson stated that the Board should consider whether it needs an engagement letter with Watershed Progressive since the Grants Committee has been meeting and working without their assistance. Director Anderson recommends ending the engagement so it is ad hoc and we would not have to pay for work that we could get for free. Director Cooper supports ending the engagement, as the Grants Committee has been engaging and communicating directly with the state. Mr. Martinez stated that he agrees; however, the District only pays Watershed Progressive if their services are used. Ms. Ward noted that the Board voted to approve this engagement in April 2022 and confirmed that no funds had been paid to Watershed Progressive. Director Etchart noted that he would be hesitant to end the engagement at this time; this partnership improves visibility in the community and allows for collaboration. He recommends revisiting this item in December, when the engagement period terminates in December, to determine whether to renew.

No Public Comments

No Motion.

j. Approve Will-Serve Letter requests for W. El Roblar, 260 E. El Roblar, and 157 S. Pueblo. (Kentosh/Martinez)

Mr. Martinez stated that the Committee reviewed the Will-Serve Letter requests and are recommended for approval.

W. El Roblar (47-447 S. La Luna) proposed project consists of new construction for a residential building, including a single-family residence of 5,700 sqft, an ADU of 800 sqft, an agricultural barn, and an attached garage with a basement, in the future the addition of an agricultural barn/packing shed. Mr. Martinez noted that this property is also drilling a deep well. The parcel has an existing meter and adequate allocation to support the primary dwelling and ADU.

Director Kentosh made the motion to authorize the General Manager to issue a Will-Serve Letter for the primary dwelling and ADU only at W. El Roblar, expiring in one year. Director Anderson seconded the motion.

No Public Comments.

Kentosh/Anderson

Roll Call Vote:

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

(5) Ayes – M/S/C

Mr. Martinez presented the revised Will-Serve Letter request for 260 E. El Roblar. The request was revised to reflect four primary dwellings versus the original 21 dwellings; additionally, escrow has not closed on the property and is dependent on the approval of the revised Will-Serve letter by the current owner, Lucas Family Partners. Mr. Martinez added that once escrow closes, EcoTek will resubmit for issuance of the letter in their name. Additionally, due to the proposed (platinum) green building that EcoTek will employ, the Committee agreed to a special case scenario with a reduced fixed allocation from 10 units/month/dwelling to 9 units/month/dwelling. This calculation will cover the four proposed primary dwellings with no variable allocation for outside irrigation.

Public Comments:

Edwin Tekmar, EcoTek Development, expressed his gratitude to the Board and staff for working with them. Mr. Tekmar noted that these four homes would showcase how to build homes that require much less water than traditional homes.

Director Kentosh made the motion to authorize the General Manager to issue a Will-Serve letter for four primary residences at 260 E. El Roblar, to be issued to the present property owner and reissued to Tekmar after escrow closes and after receipt of a suitable letter from Tekmar requesting the Will-Serve letter and acceptance of the project goals. The current baseline allocation will be reallocated to the four residences with a fixed monthly allocation of 9 units; no assurances are made for additional future residences. Director Anderson seconded the motion.

Kentosh/Anderson

Roll Call Vote:

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

(5) Ayes – M/S/C

Mr. Martinez presented the Will-Serve request for 157 S. Pueblo. The proposed project consists of converting a garage to an ADU, with no expansion to the existing footprint. Additionally, the applicant is seeking to replace an existing work shed to move the existing washing machine from inside the primary dwelling out to the work shed; no additional water is requested.

Director Kentosh made the motion to authorize the General Manager to issue a Will-Serve letter for the proposed project at 157 S. Pueblo, expiring in one year. Director Anderson seconded the motion.

No Public Comments.

Kentosh/Anderson

Roll Call Vote:

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

(5) Ayes – M/S/C

k. Discuss and consider the Easement request. (Martinez)

Mr. Martinez shared that the property owner of 174 S. La Luna is discussing the empty lot next to it, where Mesa Drive would connect. The County of Ventura has never connected the roads. Mr. Martinez noted that MOWD has a main water line that runs through the lot, Ojai Sanitation has a sewage line that runs the lot, and the power lines run above ground. Mr. Martinez recommended that a new easement agreement be created for at least a 13' access if the County allows the property transfer to occur. Attorney Nielson agreed with the GM's recommendation. The Board agreed to wait and see what the County determines regarding the property before drafting a new easement agreement. Mr. Martinez will follow up with the affected property owner, County, and other utilities.

No Public Comments.

No Motion.

8. General Manager's Report

Mr. Martinez reported that the Casitas Lake level has dropped to 31.1%. The District went 100% on Casitas water on September 2. The District is waiting on the official award of the grant funding for Automated Metering Infrastructure, Land Resiliency, and a well-location feasibility study. MKN Associates is approximately 50% complete with the replacement treatment plant 100% design. The Income Survey for DAC status should be starting soon; initial mailers have been sent out. Unscheduled work included a network server failure and a broken valve nut on the Casitas connection; staff raised a hydrant and valve stack and completed brush clearing and valve exercises. The field staff is about 25% done with GIS mapping District assets, and the next step will be processing the data before uploading it to the Ziptility GIS map.

Public Comment:

Mr. Lange stated that the well drawdown looks consistent and doesn't seem unusual. Mr. Martinez briefly explained how the VFDs operate and their impacts on production. Mr. Martinez offered to meet with Mr. Lange at the office to explain well levels and how to interpret the data.

9. Board Secretary's Report

Ms. Ward presented the monthly Board Secretary report highlighting that an add-on hazardous materials onsite survey for the tank farm generator diesel storage was completed on September 9; there was one customer PRA regarding the Zone 2 Edison billing; and a second MOWD customer has been approved for assistance with the Low Income Household Water Assistance Program, for a program total of \$2,230 to date. The Income Survey introductory letters were mailed to residents on September 16. The FY 21-22 Financial Audit engagement letter was discussed and approved under agenda item 7. There were no unusual occurrences with regard to customer billing or services.

No Public Comment.

10. Board Committee Reports

- Executive & Personnel Committee: No report.
- UVRGA: No report.
- Budget/Rate Committee: No report.
- Emergency Management Committee: Director Oakland stated that Ms. Ward provided the Committee with sample plans, and the EPA plan would be a great template to follow.
- Allocations, New Meters & Expansion of Services Committee: Discussed item 7 (h & j).
- Grants: Director Cooper reported that the Committee met and progress is being made on the Income Survey. In regards to the DWR Intended Use Program, options are being reviewed for loans and loan forgiveness. Small utilities are favored in this program and may qualify for loan forgiveness up to \$5m. If the District achieves DAC status, the state will help guide the District to the most appropriate funding options. The Committee will

be working on the pre-application. Director Anderson noted that the Income Survey results will likely be available in early 2023.

11. **Old Business**

- State Water: No update.
- Matilija Dam Removal Update: No update.

12. **Director Announcements/Reports**

- Director Kentosh: Ojai Valley News article reported that the Casitas Stage 4 decision will be held off until January 2023 to see if we get any rain.
- Director Oakland: No report.
- Director Anderson: No report.
- Director Cooper: 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 7:37 pm.

Board Secretary

Board President