

Regular Meeting
May 19, 2020
6:00 pm

Meiners Oaks Water District

202 West El Roblar Drive
Ojai, CA 93023-2211
Phone 646-2114

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 6:04 pm via teleconference.

Present: Board President, Mike Etchart, Board Directors, James Kentosh, Mike Krumpschmidt, and Larry Harrold. Staff Present: General Manager, Mike Hollebrands, Board Secretary, Summer Ward and Attorneys, Lindsay Nielson, and Jeanne Zolezzi (6:11 pm).

Absent: None.

**** The Board went into closed session at 6:15 pm ****

2. Closed Session: The Board of Directors held a closed session to discuss personnel matters or litigation, pursuant to the attorney/client privilege, as authorized by Government Code Sections § 54957 & 54956.8, 54956.9 and 54957.

- Conference with Legal Counsel – Personnel §54957 (b)(4) G.M. Review
- State Case: SBCK vs. SWRCB, San Francisco Superior Court, Case # CPF-14-513875
- Meiners Oaks Water District vs. Moll, Ostling and Ojai Vista Farms 56-2018-00515474-CU-OR-VTA/
- Conference with Legal Counsel – Personnel §54957(b)(4)

**** The Board adjourned closed session at 8:02 pm. ****

Attorney Nielson stated that in closed session, the Board discussed current ongoing litigation and personnel matters. No actions were taken, and no decisions were made during this closed session.

3. Approval of the Minutes

Approval of April 21, 2020, Regular Meeting minutes:

Director Krumpschmidt made the motion to approve April 21, 2020, Regular Meeting minutes, with requested revisions. Director Harrold seconded the motion.

No public comments.

Krumpschmidt/Harrold

Roll Call Vote:

Etchart – Y Engle – Y Harrold – Y Kentosh – Y Krumpschmidt – Y

All Ayes

M/S/C

4. Public Comments

- Beth Von Gunten was present, provided a statement of attendance, and added that she has found it works best if everyone mutes their line, unless speaking, to prevent unnecessary background noise during teleconferences.

5. Financial Matters

Approval of Payroll and Payables from April 16 to May 15, 2020, in the amount of:

Payables -	\$ 94,751.85
Payroll -	<u>\$ 38,125.85</u>
Total -	\$ 132,877.70

Director Harrold made the motion to approve the Payroll and Payables from April 16 to May 15, 2020. Director Kentosh seconded the motion.

Public Comment:

No Public Comments.

Harrold/Kentosh

Roll Call Vote:

Etchart – Y Engle – Y Harrold – Y Kentosh – Y Krumpschmidt – Y

All Ayes

M/S/C

6. Board Discussion/Actions

a) Discussion and Approval of Draft FY 2020/2021 Budget

Director Kentosh reported that the Committee met at the end of April. The Budget & Rate Committee recommends, in light of the COVID-19 pandemic, postponing the Prop 218 Rate increase until after the emergency resolves.

Director Krumpschmidt stated that the idea was to raise the rates for infrastructure. The District's reserves are currently at \$1.6 million (Board Adopted minimum Reserve of \$500,000). The Committee's proposed Budget reduces the reserves down to \$1.2 million, noting that the upcoming Treatment Plant project is coming soon, so we cannot let the reserves get too low.

Mr. Hollebrands added that the Committee discussed postponing \$250,000 in capital projects to help offset the delay in increasing the water rates. Additionally, Mr. Hollebrands stated that Casitas Municipal Water District is holding a Prop 218 pass-through charge as a CMWD customer.

Director Engle requested clarification on the "Revenue Breakdown" as it relates to the "over-allocation fee," and if the revenue from this fee is not part of the Budget, why is it included on the breakdown calculations. Mr. Hollebrands explained that the over-allocation revenue is not included for budgetary purposes; however, it is used for other purposes. Mr. Hollebrands agreed to reformat the "Revenue Breakdown" sheet.

Mr. Hollebrands stated that he would like the Board to approve increasing the over-allocation fee from \$1 to \$2.34/unit. The fee intends to encourage customers to conserve water, a \$1 fee on top of what they pay per unit, which is not motivating to customers. Mr. Hollebrands proposes increasing the fee by \$1.34, for an over-allocation fee of \$2.34, which would be charged per unit that the customer exceeds their allocation. The current water rate is \$2.34/unit, with the over-allocation fee comes to \$3.34/unit consumed over the allocation with the proposed water rate comes to \$4.68/unit consumed over the allocation.

Director Kentosh expressed concern that the proposed fee structure may appear to be a tiered structure. Additionally, Director Kentosh stated that the over-allocation fee is a conservation penalty, not a cost of water fee; however, Director Kentosh requested that Attorney Nielson research and let the Board know if a Prop 218 is required to increase the over-allocation fee.

Director Engle asked the Committee about how the new Allocation Program is reflected in the proposed Budget. The Committee said that the new A.P. is not reflected, as the allocations have not yet been set, and provided to the Committee. Director Engle requested that the Committee present the information in a table format with side by side comparisons, and include which projects were identified for postponement.

No Public Comment

No motion, Budget Committee to meet and present the revised Budget next meeting.

b) Attorney RFP – Board Selection Process

Mr. Hollebrands introduced the topic of starting the request for proposals process for legal services, as Mr. Nielson is retiring. Mr. Hollebrands explained that the UVRGA recently went through an RFP for Legal Services, and we could use the template as a starting point. Ms. Ward agreed to edit the UVRGA template for MOWD.

Director Krumpschmidt stated that he would like the District to cast a wide net. Director Etchart will schedule an Executive Committee meeting within 30 days, with the plan to present the RFP for Legal Services Template at the June Regular meeting; all proposals received will be included in the meeting packet along with a summary table.

No Public Comments

c) Discussion of CMWD Prop 218 Hearing: Water Rights & MOWD Implications

Mr. Hollebrands presented the notice received regarding the Casitas Prop 218 for rate increase due to legal expenses in the adjudication lawsuit.

Director Kentosh asked if a member of the Board should attend the hearing.

Director Etchart stated that he plans to participate as a Casitas customer.

No Public Comments

d) Employee Survey

Director Etchart reported that the Board is planning to continue the Employee Surveys, seeking input from Staff three times a year. It is best practice to keep engaged with staff throughout the year. The process will be the same, with a written survey from staff directly to the Board President, considering the use of teleconferencing to follow-up with staff, as appropriate.

Director Krumpschmidt stated that it is prudent for us to see how things are working and make any necessary adjustments. Additionally, Director Krumpschmidt stated that he has been caring for his (now deceased) Mother-in-Law and has not been able to make progress on the Employee Manual revisions. Director Krumpschmidt stated that the electronic version is too difficult to use for this purpose and requested a hardcopy. Ms. Ward to print a hardcopy and deliver to Director Krumpschmidt's house. Director Krumpschmidt asked that Mr. Hollebrands order additional hard copies to keep in the office.

The Board agreed with proceeding forward with the employee survey.

7. General Manager's Report

• District Operations & Maintenance Report

Mr. Hollebrands provided a summary of operations and maintenance activities.

Mr. Hollebrands reported that he had discussed plans to repopulate the

District Office on June 1. Mr. Hollebrands stated that he has already completed the County Attestation form online; he installed two plexiglass barriers at the front counter and will limit entrance to 1 customer in the office at a time, with social distancing signage and markers. The COVID-19 plans and documents will be added to the District Emergency Response Plan, as required.

The Board discussed whether customers would be required to wear face coverings/masks when entering the office. Director Etchart recommended to be prudent and to err on the side of safety and require face coverings/masks. The Board also discussed if the office staff would be required to wear a face-covering all day or just during customer transactions. The Board agreed that due to enough physical space between staff that a mask would only need to be worn when at the counter. Director Etchart also stated that we should remain flexible, as we do not know if this will become seasonal; it is essential to stay flexible with operations. Director Engle posed the question of why, why is the District in a rush to reopen if operations are continuing and work is being done remotely, we need to proceed with an abundance of caution with such a small staff.

The Board consensus was to continue to work remotely until this is revisited at the June Regular meeting.

Public Comment:

Elizabeth Von Gunten: She is uniquely susceptible to this virus; she has outlived her prognosis for over 20 years. Social distancing is critical; it is much easier to prevent than to recover. Masks are not preventing the user from being exposed. Still, it helps protect others, it is necessary to limit liability, and it is more about shared air than the 6 feet apart, consider reconfiguring the front counter area. Also, consider addressing the HVAC system in the future.

Mr. Hollebrands continued with his G.M. Report. The field operators will not be doing rounds at Wells 4 & 7 due to an incident over the weekend involving our Field Operator and three assailants who were disgruntled that the Land Conservancy had closed off the swimming areas in the river bottom. A member of our staff had to lock himself in the well housing to avoid confrontation with the group. Mr. Hollebrands reported the incident to Larry Rose of the Land Conservancy and will be contacting the Sheriff's Department to request police escort on the weekends down to those wells. Mr. Hollebrands reported that weed abatement continues, the District has stopped using Roundup and has switched to a safer herbicide. The capital project at Zone 2 (lateral 6" line Meiners Rd/Hwy33), Toro bid was approved, and the contract has been signed, materials are being ordered, no start date scheduled yet. The job is estimated to take 10-15 days.

Director Krumpschmidt requested an update on the office reconfiguration, including moving the G.M. desk to the Conference Room and adding privacy partitions and any other items necessary for making the transition. Director Krumpschmidt said that doing this work while the office is closed to the public would be ideal.

Public Comment:

Elizabeth Von Gunten: 1) Requested clarification that no one will be going to those two wells alone; 2) Goats are effective at weed abatement.

8. Board Committee Reports

- **Upper Ventura River GSA:** Director Engle reported that the UVRGA authorized the GSP Technical Team to create a numeric hydrogeologic model; adopted the FY 2020/2021 Budget and 5-Year Projections. Some costs are increasing, so the Board agreed to reduce the reserves to help offset rates.
- **Executive Committee:** No update.
- **Budget/Rate Committee:** Discussed Agenda Item 6(a)
- **Allocation Program Committee:** No update.
- **New Meters and Expansion Committee:** No update.
- **Emergency Management Committee:** No update – Active COVID-19 Emergency

9. Old Business

- **State Water:** No update.
- **Ojai, Ventura Water Partnership:** Mr. Hollebrands reported the group met 5/8/2020; discussions included Interagency Agreements, timelines, and Casitas consideration of Drought Stage II. Of note, Casitas stopped diverting water from the river yesterday.
- **Matilija Dam Removal Update:** No update.
- **Grant Projects:** No update.

10. Board of Directors' Reports/Comments

Mr. Harrold: No report.

Mr. Krumpschmidt: Have we heard from Ted Moore? Mr. Hollebrands responded, no.

Mr. Kentosh: No report.

Mr. Etchart: No longer diverting out of the Ventura River.

Ms. Engle: No report.

11. Meeting Adjournment

There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 10:14 pm.

President

Secretary