

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 6:03 pm via teleconference.

Present: Board President, Mike Etchart, Board Directors, James Kentosh, Mike Krumpschmidt, Larry Harrold, and Diana Engle. Staff Present: General Manager, Mike Hollebrands, Board Secretary, Summer Ward and Attorneys, Lindsay Nielson, and Jeanne Zolezzi (closed session only).

Absent: None.

3. Approval of the Minutes

Approval of June 16, 2020, Regular Meeting minutes:

Director Kentosh recommended minor changes to page 3 Financial Audit, and page 4 “pandemic bill stuffer” motion appears to have been copied over and not updated for that agenda item. Ms. Ward to make the necessary revision.

Director Kentosh made the motion to approve June 16, 2020, Regular Meeting minutes, with requested revisions. Director Krumpschmidt seconded the motion.

No public comments.

Kentosh/Krumpschmidt

Roll Call Vote:

Etchart – Y Engle – Y Harrold – A Kentosh – Y Krumpschmidt – Y
All Ayes – (Harrold Absent June meeting)
M/S/C

3. Public Comments

No Public Comments.

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

4. 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 Superior Court, Case # CPF-14-513875
- Meiners Oaks Water District vs. Moll, Ostling and Ojai Vista Farms 56-2018-00515474-CU-OR-VTA/

**** The Board adjourned closed session at 7:02 pm. ****

Attorney Nielson stated that in closed session, the Board discussed current ongoing litigation and received updates from each attorney. No actions were taken, and no decisions were made during this closed session.

Public: Beth Von Gunten joined the meeting at 7:00 pm and provided a statement of attendance.

5. Financial Matters

Approval of Payroll and Payables from June 16 to July 15, 2020, in the amount of:

Payables -	\$ 158,158.47
Payroll -	<u>\$ 40,608.80</u>
Total -	\$ 198,767.27

Director Kentosh noted the increase in Attorney fees and requested clarification on the budget amounts for Legal Services. Director Krumpschmidt added that he is appalled at the amount of money spent on these two lawsuits, but District doesn't have a choice. We need to try to reduce costs where possible.

Director Kentosh made the motion to approve the Payroll and Payables from June 16 to July 15, 2020. Director Krumpschmidt seconded the motion.

No Public Comment:

Kentosh/Krumpschmidt

Roll Call Vote:

Etchart – Y Engle – Y Harrold – A Kentosh – Y Krumpschmidt – Y
Harrold - Y
All Ayes
M/S/C

6. Board Discussion/Actions

a) Consider approval for Meiners Road Tank Repair Bid Proposal from Spiess Construction Co. Inc. for an amount of \$17,850.

Mr. Hollebrands introduced the need to get the Meiners Road Tank repaired as soon as possible, pictures provided in the agenda packet. Spiess Construction did the other District tank. Barry Matchett, with Spiess Construction, can perform the subcontracting within the industry. Due to the type of work being performed, prevailing wages will drive the cost of labor up; however, this is a state requirement and not optional for the District. Mr. Hollebrands added that this proposal is less than the budgeted amount for the repair. The Board discussed the nature and specific use of the tank, including the additional zone-specific charges to those particular customers.

Director Kentosh reviewed the proposal in detail and asked if Spiess will be performing all the work or will the District Operators perform some of the tasks to save on the expenses. Mr. Hollebrands stated that District personnel would complete as much as possible to keep costs as low as possible. Director Kentosh requested clarification on whether the District will be able to meet demand while the repairs are being performed, keeping fire flow protections in place? Mr. Hollebrands stated that fire protection would be maintained.

Director Harrold stated that Meiners Road is the most expensive water in the District. He also asked about the condition of the tank, and whether it should be repaired versus replaced, or consider a smaller tank. Mr. Hollebrands replied that he did have an idea of eliminating the tank and upgrade the lower pumps.

Director Krumpschmidt proposed rolling the cost of the tank to the customers that the tank serves. Director Engle requested a prorated schedule with actual costs to be provided to the Board; she added an observation that the District could perform bid items such as water for testing and sampling. Mr. Hollebrands noted that the District Operators only have limited Confined Space training and do not have the proper equipment or training to perform the chlorine work in the tank. The Board recommended an agenda item to discuss the feasibility of adding a customer fee for the tank.

Director Kentosh made the motion to approve the Spiess Construction bid proposal for Meiners Road Tank Repairs not to exceed \$17,850. Director Engle seconded the motion.

No Public Comment

Kentosh/Engle

Roll Call Vote:

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

Harrold - Y

All Ayes

M/S/C

b) Discussion and consider approval of Standard Service Agreement – Water Rights

Mr. Hollebrands introduced the Standard Services Agreement for Water Rights, which was intended to be presented at the last meeting. The agreement is a

standard operating procedure. Director Engle added that this is only for the maps created by a subcontractor that contributes to the memorandum being prepared by Attorney Zollezi. Mr. Hollebrands stated that this would fall under the budget for the Ventura Adjudication lawsuit. Attorney Nielson said this work would prove to be invaluable. The Board held a brief discussion regarding the status of the memorandum.

Director Krumpschmidt made the motion to approve the Standard Service Agreement – Water Rights. Director Engle seconded the motion.

Public Comments:

Ms. Von Gunten felt there was a good discussion.

Krumpschmidt/Engle

Roll Call Vote:

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

Harrold - Y

All Ayes

M/S/C

c) Review and discussion selection for the submitted RFQ for legal services

Director Etchart introduced the ongoing process of selecting a General Counsel for the District, with Attorney Nielson retiring. Attorney Nielson mentioned that he did receive feedback from some of the potential Attorneys that they felt the District RFQ was a bit excessive for a General Counsel; furthermore, he strongly encouraged full Board interviews of each candidate. The Board held a brief discussion about postponing the selection process to a Special Board meeting so that further recruitment could occur prior to interviews.

Public Comments:

Ms. Von Gunten encouraged the Board to cast the net as wide as possible; issues with previous counsel was not financial; it was a personnel issue and could discuss if anyone was interested.

No motion.

d) Discussion of agenda management and meeting coordination

Director Kentosh presented the topic that has been a focus of the Staff Procedures Committee. The goal is to shift more the detailed discussions and work to the Committee level and out of the full Board meetings. Director Kentosh added that the other District has more staff that can produce staff reports for each agenda item; we need to consider our small-ness.

Chair Etchart asked how VRWD Board can meet in 1.5-2.0 hrs. Attorney Nielson, who also attends the VRWD Board meetings, stated that the Committees prepare reports with recommendations to the Board, and the Chair keeps the meeting on a timely track. Director Engle added that for teleconference meetings, it is a more organized progression if the Chair calls on Directors individually for discussion; additionally, it is frustrating to see that not everyone is prepared for the meeting.

Chair Etchart requested that the Staff Procedures Committee works on reviewing the Committees and work towards a standing schedule for Committees, which will help promote public engagement.

Public Comments:

Ms. Von Gunten has attended other Boards and Committees and cites MOWD as a good example; there are good discussions for the public to hear. Additionally, Ad-Hoc Committees are for specific and limited timeframes and don't fall into the Brown Act; standing committees will cover almost all topics.

Ms. Havrda introduced herself as considering Board election. She has worked in the corporate environment and has a contact that has a new type of platform, like virtual reality. She will provide the platform information to Ms. Ward.

No motion.

e) Discussion and consider August Board meeting hiatus

Director Krumpschmidt requested this item be considered, as many organizations take a summer break. Mr. Hollebrands stated that there are pressing issues and consider perhaps consider going dark in September or December. Director Engle added that Directors could take a vacation, as long as the Board has a quorum to meet and approve actions, no need to take a hiatus. Directors Kentosh and Etchart reaffirmed the need to keep moving forward.

Public Comments:

Ms. Von Gunten stated that water is critical infrastructure, a 24/7/365 public agency. She noted that the Brown Act does not allow for a Board retreat.

Ms. Havrda stated the next world war would not be over oil; it will be over water. Keep going.

No motion.

f) Discussion and consider extending the moratorium on customer disconnections for non-payment

Director Kentosh provided a summary of the actions taken by the Board in April 2020 to implement a moratorium on customer disconnections for non-payment during the COVID-19 pandemic., for an initial 3-month period. Director Kentosh is requesting that the Board consider extending the moratorium for an additional 3-months, possibly ending October 2020.

Director Kentosh made the motion to approve the extension of the moratorium on customer disconnections for non-payment for three additional months. Director Krumpschmidt seconded the motion.

Public Comments:

Ms. Von Gunten agrees and is grateful the Board concurs with a moratorium on disconnections for non-payment during this time.

Ms. Havrda agrees, 100%.

Kentosh/Krumpschmidt

Roll Call Vote:

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

Harrold - Y

All Ayes

M/S/C

g) Discuss possible customer repayment plan options

Director Kentosh presented the agenda topic, as we have now approved the extension of the moratorium on customer disconnections due to non-payment due to the COVID-19 pandemic. Ms. Ward reported that a small limited number of customers had contacted the District Office expressing financial difficulties due to the COVID-19 shutdown. Those customers understand that their water bill will come due at a future date and are encouraged to pay any amount, no matter how small, towards their bill to help alleviate a large bill at the end of the moratorium. Ms. Ward also explained how the current District billing system, Tyler Incode 10, has repayment functionality that is used for managing customer repayment terms, i.e., large leaks that result in a significant bill, we establish a repayment that works for the customer ranging from 2-12 months. The number of MOWD customers that will be needing a repayment plan related directly to the COVID-19 shut down will be few, and the District Office will work with those individual customers. The Board agreed that no new policy was necessary, and Ms. Ward can work on a case by case basis with the customers.

No Public Comments

No motion.

h) Discuss AECOM data request

Mr. Hollebrands presented data requests from AECOM related to the Matilija Dam Removal & Mitigation work being performed by the engineers. Director Engle reviewed the request, and it does not involve confidential customer data, so this request should be acceptable, not clear on the cost of production.

The Board held a brief discussion regarding the Matilija Dam Removal and Mitigation team, including the recent draining of Matilija lake. The Board agreed to provide the requested data from AECOM.

Public Comments:

Ms. Von Gunten felt it was a good discussion.

Ms. Havrda asked clarifying questions about the dam removal and the public sanitation and safety concern.

No motion.

7. General Manager's Report

District Operations & Maintenance Report

Mr. Hollebrands offered to have Ms. Havrda call him anytime to discuss her desired participation on the Board. Mr. Hollebrands then provided a summary of operations and maintenance activities. The District is losing production at Well #7, seeing 380 gals/min; Well #1 running at par, and Well #2 is not doing great. Mr. Hollebrands reported that he had a conversation with K. Dyer, Casitas Assistant GM; she confirmed that Casitas would not be providing the data requested by the UVRGA, and a letter regarding this matter will be provided. The Casitas Comprehensive Plan was mentioned briefly. Mr. Hollebrands had a conversation with Eagle Aerial (water-view) will be the first steps toward GIS for the District, plan to present at an upcoming meeting. Director Engle reminded the Board and public that the UVRGA is performing technical work for the watershed, and we do not want to duplicate efforts. The Board briefly discussed the District Office repopulation plan.

Chair Etchart reviewed the unscheduled worklist, noting the two SCE related incidents that will be reimbursed, asked if the District is still using Sam Hill a lot due to urgency or other reasons. Mr. Hollebrands replied that the most recent was a Saturday leak; field staff isolated the leak, but lacked the proper tools in-house to complete the job, the contractor performed the work the following day. The Board discussed the status of the field operator skill set and competency for in-field repairs. Director Krumpschmidt requested an update on the Well #4 vibration issue. Mr. Hollebrands stated that the well is underdeveloped; once the bad shaft was replaced, the vibration problem was resolved.

Public Comments:

Ms. Von Gunten stated it is appropriate to discuss the office repopulation plan regularly.

Ms. Havrda stated she has lots of contacts in Aquifer mapping and could get this for no cost to the District.

8. Board Secretary Report

Ms. Ward presented the Board Secretary Report, which is a product of the District reorganization. The content and format will likely change over time as we fine-tune the report components.

Ms. Ward reviewed Administrative items such as the upcoming November Board Elections and a summary of the CSDA Special District's Board Secretary Webinar held on 7/9/2020.

Ms. Ward reported that she and Ms. Malone have been working on the implementation of the recommended actions cited in the recently approved Financial Audit, including a review of procedures for small accounting

departments, fraud risk assessment, and the reconciliation process for the Trust Account (new customer deposits).

Ms. Ward stated there were 201 service orders in the month of June 2020, including seven account turnovers, \$144,471.57 in total AR billing, of that \$9,483 was for over-allocation fees, with no other penalties assigned in June. Ms. Ward noted that there were a significant number of customers with abnormally high consumption; many were leaks, and some simply increased irrigation. Ms. Ward provided a brief summary of current projects, already touched on under other agenda items.

No Public Comments

9. Board Committee Reports

- **Upper Ventura River GSA:** Engle provided a summary of GSA activities including, (!) Director Engle reappointed UVRGA Chair; (2) Technical work on the GSP has started; (3) The first Public Workshop was held yesterday, presented by Bryan Bondy, Ms. Ward and Intera Consultant; (4) the Draft GSP content is available on the Agency website for public comment; (5) Data requests were sent to all municipals that pump from the basin, limited to 70 “Ag” parcels that will be used for modeling to understand the basin better. It was noted that Casitas refusing to comply with the public records request from the UVRGA. A confidentiality agreement will be provided to MOWD from UVRGA for the requested data.
- **Executive Committee:** Employee Satisfaction Survey results have been received and an update will be provided at the next meeting.
- **Budget/Rate Committee:** On hold for Allocation Program.
- **Allocation Program Committee:** Director Engle reported that she plans to deliver the allocations data in August for Ms. Ward to work on integration into the billing system and the online customer AP lookup on the District website. The reclass to Res meter customers were sent letters in April 2020 and have had 90-days to provide clarifying documentation needed to remain in their current classification.
- **New Meters and Expansion Committee:** No update.
- **Emergency Management Committee:** No update.
- **Staff Procedures Ad-hoc Committee:** Director Krumpschmidt reported good progress, impressed with the amount of effort and progress being made; the committee plans to meet again next week.

9. Old Business

- **State Water:** Casitas is seeking a grant with Carpenteria Water as an additional source.
- **Ojai, Ventura Water Partnership:** No update.
- **Matilija Dam Removal Update:** No update.
- **Grant Projects:** No update.

- **District Office Re-Population:** Continue operations as-is and Mr. Hollebrands and Ms. Ward to develop a specific repopulation plan for opening the District Office to the public.

10. Meeting Adjournment

There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 9:39 pm.

President

Secretary