

MINUTES

The meeting was called to order at 6:00 pm.

1. Roll Call

The meeting was called to order by the Board President, Mike Etchart, at 6:02 pm via teleconference.

Present: Board President, Mike Etchart, Board Directors, James Kentosh, Mike Krumpschmidt, Diana Engle, and Larry Harrold. Staff Present: Board Secretary, Summer Ward, and Attorney, Lindsay Nielson. Public: Attorneys Robert Long and Stuart Nielson.

Absent: General Manager, Mike Hollebrands.

2. **Approval of Minutes:** No minutes.

3. **Public Comment:** No public present.

4. RFQ for Legal Counsel:

A. Attorney Interviews

Chair Etchart reviewed that the District is in the process of recruiting a General Counsel, as Attorney Lindsay Nielson is retiring. We will be conducting two Attorney interviews tonight (30 minutes each). The Board will consider each interview, anticipating a decision, if not tonight, very timely.

1. **Robert Long** (6:05 pm – 6:35 pm)

Mr. Long introduced himself to the Board and Staff, including a summary of his working experience, provided in the Board packet. Mr. Long highlighted his local involvement in feeding the hungry, the Ojai Rotary Club, and the Elementary Schools Floating Classroom at Lake Casitas. Mr. Long enjoys biking, golfing, and basketball. Mr. Long expanded on his experience with public agencies, including water agencies, and the Brown Act.

The Directors engaged in a series of questions and scenarios for consideration. Mr. Long expressed that he has a history of working complex cases, along with teams of attorneys.

The Board reviewed the rates provided by Mr. Long; he stated that he felt his rates are fair for the size of the small public water agency; however, the

rates may be adjusted after an initial period. Mr. Long proposed a monthly stipend of \$1,200 to prepare and attend Board meetings, with an hourly rate of \$350. Rates would be subject to change based on the experience he has with the District. Mr. Long expressed that he would be open to a trial period to see if it is a good fit for both sides.

The Board thanked Mr. Long for his thorough letter of introduction, resume, and interview. Chair Etchart stated that a decision would be made in the very near future, and we will notify him of the Board's decision.

**** Attorney Stuart Nielson joined the Open Session meeting at 6:35 pm****

**** Attorney Robert Long left the meeting at 6:39 pm****

**** Attorney Lindsay Nielson left the Open Session meeting at 6:40 pm****

2. Stuart Nielson (6:35 pm – 7:05 pm)

Mr. S. Nielson introduced himself and acknowledged his familiar relationship with the District's current Attorney, Lindsay Nielson. Attorney Stuart Nielson provided a summary of his work experience, including some Board meeting coverage for Attorney Lindsay Nielson. Mr. S. Nielson highlighted his education focused on environmental law, and has experience with public agencies, including complex organizations and cases. Mr. S. Nielson is currently the only ("transactional") partner at his current firm, with this particular experience. His current business model is based on the use of specialized counsel and has no issue working with the District's special counsel.

The Directors engaged in a series of questions and scenarios, in the same order and fashion as conducted with Mr. Long. Mr. Nielson stated that there would be no potential for conflict of interest related to the water rights adjudication lawsuit.

The Board reviewed the rates proposed by Mr. Nielson, \$300/hr, which is open for discussion. He did not feel it would be increased in the near future. Mr. Nielson stated that he would be open to a trial period to ensure a good fit for both parties.

The Board thanked Mr. Nielson for his time and participation in the interview process. Chair Etchart stated that a decision would be made in the very near future, and we will notify him of the Board's decision.

**** Attorney Stuart Nielson left the meeting at 6:55 pm****

B. Discussion of Interviewees:

The Board held an open discussion of each Attorney interviewee. Discussion points covered observed preparedness for the interview, communication style, specific work experiences, noting some differences, rates, and locality.

The Board discussed what length of a trial period would be appropriate for the new general counsel. The Board agreed on a 6-month trial period. Director Krumpschmidt noted that he would no longer be on the Board after November 2020; Director Engle shared that with (3) candidates running in November for (2) seats, she may not be present on the Board after November 2020.

Director Engle made the motion to direct the Board President and Legal Counsel to enter into a 6-month contract with Attorney Stuart Nielson. Director Kentosh seconded the motion.

No public comments.

Roll Call Vote:

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

**** The Board went into closed session at 7:09 pm ****

****Attorney Lindsay Nielson joined the Closed Session meeting at 7:09 pm****

4. 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)

**** The Board adjourned closed session at 8:55 pm. ****

Attorney Nielson stated that in closed session, the Board discussed personnel matters and was advised on further feedback. Attorney Nielson will research Director payment limits, as requested by the Board.

6. Meeting Adjournment

There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 8:57 pm.

Board Secretary

Board President