

Regular Meeting
July 20, 2021
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 6:00 pm via teleconference.

2. **Roll Call**

Present: Board President, Mike Etchart, Board Directors: James Kentosh, Diana Engle, and Christian Oakland. Staff Present: General Manager, Justin Martinez. Attorney Present: Stuart Nielson and Greg Jones (closed session only).

Absent: None.

3. **Approval of the Minutes**

Approval of June 15, 2021, Regular Meeting Minutes

Director Kentosh made the motion to approve June 15, 2021, regular meeting minutes. Director Oakland seconded the motion.

No public comment.

Kentosh/Oakland

Roll Call Vote:

Etchart - Y Engle- Abstain Kentosh - Y Oakland – Y

All Ayes – M/S/C

4. **Public Comments**

- Ms. Von Gunten was present, provided statement of attendance.
- Mr. Hill was present.

****The Board went into closed session at 6:08 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 v. SWRCB, San Francisco Superior Court, Case # CPF-14-513875
- Meiners Oaks Water District v. Moll, Ostling and Ojai Vista Farms 56-2018-00515474-CU-OR-VTA/

****The Board adjourned closed session at 6:45 pm****

Attorney S. Nielson stated that the Board discussed current ongoing litigation in closed session, and no actions were taken.

6. Financial Matters

Approval of Payroll and Payables from June 16 to July 15, 2021, in the amount of:

Payables:	\$146,239.19
Payroll:	<u>\$ 36,659.89</u>
Total:	\$182,899.08

Director Oakland made the motion to the Payroll and Payables from June 16 to July 15, 2021. Director Engle seconded the motion.

No public comment.

Oakland/Engle

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

7. Board Discussion/Actions

a. Nomination of new MOWD Board Director to fill vacancy. (Etchart/Kentosh)

Director Etchart shared that this was a hard process to go through, as we have three absolutely fantastic candidates, John, Loni and Paula. On behalf of MOWD thank you!

Director Oakland made the motion to appoint Loni Anderson to fill the vacant Director position on the MOWD Board. Director Engle seconded the motion.

Each Director shared that all candidates were highly qualified.

Public Comment:

Ms. Von Gunten stated that she regrets having missed the special meeting but in no position to make an opinion and supports the Board decision.

Ms. Anderson expressed her gratitude for the appointment to Director.

Oakland/Engle

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

b. Discuss and consider approval of the Draft FY 21/22 Fiscal Budget. (Kentosh/Martinez)

Mr. Martinez introduced the budget overview, along with Directors Kentosh and Oakland. The new rate structure will help us address some of the increases in the budget. The committee’s goal was to be realistic and also address some deferred maintenance, capital projects.

Director Kentosh recommended adopting the draft budget, and make any necessary adjustments later if needed.

Director Kentosh made the motion to approve the FY 2021-2022 Fiscal Budget. Director Engle seconded the motion.

Director Oakland requested clarification if nitrate removal was included in the budget. Director Kentosh explained that yes, \$7,000 towards the grant funding for this fiscal year.

Director Engle requested update on the fiscal impact with reserves, income, etc. Director Kentosh replied that the allocation program delays will delay the new rate structure, so revenue is delayed. A draft budget using the current rates will be provided for the interim.

No Public Comment

Kentosh/Engle

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

c. Discuss and consider approval of MKN & Associates agreement for the nitrate removal feasibility study. (Kentosh)

Director Kentosh stated that attorney comments are pending, this item will be tabled until the August meeting.

No motion.

d. Discuss and provide direction to GM regarding Meiners Rd. antenna tower location scope of work. (Martinez)

Mr. Martinez reported that he met with property owner Mr. Hill, discussed new location site. The relocation area was discussed with the Executive Committee. The new location will require a soils test prior to the re-engineering. The reengineering due to the slope of the area will result in change orders for the conduit and footings. In total the project will cost about \$20,000. Currently, requesting approval for \$3,500 to have Earth Systems complete the soils test.

Director Engle made the motion to approve up to \$3,500 for the Meiners Rd tank relocation soils report from Earth Systems. Director Kentosh seconded the motion.

Mr. Martinez to bring back details for remaining work, once the soils test is completed.

Public Comment:

Mr. Hill thanked the Board for moving forward with the relocation.

Engle/Kentosh

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

e. Discuss and approve Casitas Allocation MOU for FY21/22. (Martinez/Kentosh)

Mr. Martinez stated that there is no change in the base allocation, only a modification in how the allocation is split between the connections.

Director Kentosh made the motion to approve the FY 21/22 Casitas Allocation MOU. Director Engle seconded the motion.

No Public Comment

Kentosh/Engle

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

f. Discuss and provide direction to staff regarding the allocation program billing system modification delays. (Engle/Ward)

Ms. Ward reviewed that the District has been challenged in getting the vendor to make the necessary customizations to the billing system to accommodate the new allocation

program for over a year. Ms. Ward requested assistance in looking into all options for getting assistance with moving this project to completion. Customer updates provided on website and will be included on upcoming bill message.

Director Etchart and Engle expressed support in pursuing additional help and even consider other billing system options, if it is not possible to make the needed changes. Ms. Ward will send the Tyler Technology contact to Attorney Nielson for review.

Director Engle requested this be a standing agenda item every meeting until it gets resolved.

Director Kentosh made the motion to approve Resolution 06152021: Larry Harrold years of service. Director Oakland seconded the motion.

No Public Comment

No motion.

g. Discuss and consider approval of annual COLA increase of 4% based on the consumer price index for Los Angeles/Riverside areas. (Martinez)

Mr. Martinez requested this item be tabled.

No motion.

h. Discuss and consider approval of temporary salary increase of 20% for GM from 7/16/2021 – 10/29/2021, during staff military leave.

Mr. Martinez stated that due to the military leave of Levi Maxwell from July 16 – Oct 29, 2021; he is requesting a temporary 20% salary adjustment, equaling \$2,166 per month. Mr. Martinez will be filling the on-call rotation 14 days out of the month, including weekend rounds and customer emergency calls; Mr. Erickson will continue covering his half of the month. Mr. Martinez added that the new temporary helper is not licensed as an operator, and will not be able to cover the call schedule.

Director Etchart noted that this is a considerable amount of additional work above and beyond his GM duties. This matter was referred to the labor attorney for review and this temporary adjustment is the legal and appropriate way to compensate him for the after-hours call coverage.

Director Engle requested clarification on the calculations. Mr. Martinez explained that each of the two operators take one week of call at a time, a total of two weeks per month, with an average of 6 call outs. This coverage would normally be paid out to Levi at this hourly rate, this was adjusted for the GM hourly rate.

Director Engle made the motion to approve the temporary GM salary adjustment of \$2,187 a month from July 16-Oct 29, 2021. Director Kentosh seconded the motion.

No Public Comment

Engle/Kentosh

Roll Call Vote:

Etchart - Y Engle- Y Kentosh - Y Oakland – Y

All Ayes – M/S/C

8. General Manager’s Report

Mr. Martinez reported that the Casitas Lake level is down to 36%. MOWD is close to turning on the lower Casitas connection, to help keep up with demand. The plan will be to start with the normal lower zone and monitor pressures, then work inward to offset demand on the wells and fill up tanks.

A new SCADA panel was installed at the Meiners Rd. tank; staff is preparing updated Safety Data Sheets and binders for all District sites. SCBA equipment and training for field staff has been completed and is in use; additionally Hawk was onsite to perform a job walk for getting specifications and pricing for a chlorine alarm system. Temporary Utility Helper, Michael Neary, was hired and started July 13. There was a service leak on Fairview and a main break near the Meiners tank. Mr. Martinez reported that a hydrant and lateral were installed on S. Rice following that main line leak. Paving projects this month included re-paving Meiners Rd and an area on S. Padre Juan.

No Public Comment.

9. Board Secretary’s Report

Ms. Ward presented the monthly Board Secretary report, highlighting that the annual CERS reports were approved and onsite inspection completed. Of note, the CA Executive Order 42-20 which placed a moratorium on disconnections for non-payment, is set to expire September 30, 2021. In preparation, Ms. Ward prepared individualized door hangers for each customer that would be in danger of disconnection for non-payment. Ms. Ward provided those customers with their past due and full balances, the government code sections for reference and options for setting up payment plans. Once the Executive Order 42-20 expires, the previously approved SB 998 extended timeline for disconnections would go into effect, whereby an account must be over \$200 and greater than 60 days past due prior to disconnection.

No Public Comment.

10. Board Committee Reports

- Executive Committee: The committee met to discuss the temporary GM salary increase and the new Director Appointment process.
- UVRGA: Director Engle stated that the GSA has been meeting up to 3 times per month, they are at an important part where the modeling and decisions are getting articulated

into the plan chapters. The plan will be put out for public review in the next few weeks. It will continue to be intense throughout this phase of the GSP development. Director Engle is spending many hours, performing consultant level work for free, outside of the multiple meetings. Director Engle requested that Attorney Nielson research options for a special stipend or other compensation for this additional work, all relevant and necessary for the UVRGA. Additionally, Director Engle has been re-elected UVRGA Chair, again!

- Budget/Rate Committee: No update.
- Emergency Management Committee: No update.
- Staff Procedures Committee: No update.
- New Meters & Expansion of Services Committee: No update.

11. **Old Business**

- State Water: No update.
- Water Supplier Partnership: No update.
- Matilija Dam Removal Update: No update.
- Nitrate Removal: CA Wildlife Conservation Grant: Director Kentosh authored a white paper that will be included in the August agenda for review and discussion. Director Engle request that Director Kentosh coordinate with the GSA on the groundwater/surface water areas of the white paper.

12. **Director Announcements/Reports**

- Director Engle: No report.
- Director Oakland: No report.
- Director Kentosh: Requested that the Board add Oath of Office for Loni Anderson to the Special Meeting agenda.
- Director Etchart: VRWD has a bedrock well in their yard that is producing up to 800 GPM. Mr. Martinez added they have two in their yard producing 800 and 1,000 GPM. Director Etchart requested this item be added to a future agenda for further discussion, and consider including Hydrogeologist, Jordan Kear, for those discussions. Congratulations, again to Loni!

****The Board went into closed session at 8:09 pm****

13. **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.**

- Personnel Matters

****The Board adjourned closed session at 8:24 pm****

Attorney S. Nielson stated that the Board discussed personnel matters in closed session, and no actions were taken.

14. **Meeting Adjournment**

There being no further business to conduct at this time, Board President, Mike Etchart adjourned the meeting at 8:28 pm.

Board Secretary

Board President