

Regular Meeting
January 18, 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 6:02 pm.

1. **Call to Order**

The meeting was called to order by the Board Vice President, Jim Kentosh, at 6:02 pm via teleconference.

2. **Roll Call**

Present: Board President, Mike Etchart (present 6:00-6:55 pm), Board Directors: James Kentosh, Diana Engle, Christian Oakland, and Loni Anderson. Staff Present: General Manager, Justin Martinez, and Board Secretary, Summer Ward. Attorney Present: Stuart Nielson, Jeanne Zolezzi (closed session only) and Greg Jones (closed session only).

Absent: None.

3. **Approval of the Minutes**

Approval of December 21, 2021, Regular Meeting Minutes

Director Engle made the motion to approve the December 21, 2021, Regular Meeting minutes. Director Anderson seconded the motion.

No public comment.

Engle/Anderson

Roll Call Vote:

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

All Ayes– M/S/C

4. **Public Comments** – None.

****The Board went into closed session at 6:04 pm****

**** G. Jones joined at 6:05 pm** J. Zolezzi joined at 6:32 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.

- Meiners Oaks Water District v. Moll, Ostling and Ojai Vista Farms 56-2018-00515474-CU-OR-VTA/
- State case:SBCK vs. SWRCB, San Francisco Supreme Court, Case# CPF-14-513875

**** G. Jones left at 6:38 pm **J. Zolezzi left at 6:49 pm****

****The Board adjourned closed session at 6:55 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 December 16, 2021 to January 15, 2022, in the amount of:

Payables:	\$108,913.91
Payroll:	<u>\$ 40,647.20</u>
Total:	\$149,561.11

Director Engle made the motion to the Payroll and Payables from December 16, 2021 to January 15, 2022. Director Anderson seconded the motion.

No public comment.

Engle/Anderson

Roll Call Vote:

Etchart - Absent Engle- Y Kentosh - Y Oakland – Y Anderson - Y

4-Ayes, 0-No, 1-Absent – M/S/C

7. Board Discussion/Actions

a. Approve Resolution 20220118: AB 361 – Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20211221. (Ward)

Director Kentosh presented Resolution 20220118: AB 361 - Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20211221.

Director Anderson made the motion to approve Resolution 20220118: AB 361 - Brown Act: Remote Meetings During a State of Emergency. Director Engle seconded the motion.

No Public Comment.

Anderson/Engle

Roll Call Vote:

Etchart - Absent Engle- Y Kentosh - Y Oakland – Y Anderson - Y

4-Ayes, 0-No, 1-Absent – M/S/C

b. Public Hearing: Approval of Ordinance 22-01-18: Director Compensation, replacing Ordinance 98-10-20. (Etchart/Ward)

Director Kentosh presented Ordinance 22-01-18: Director Compensation, replacing Ordinance 98-10-20. The public hearing notice was published in the Ojai Valley News on December 24 and 31, 2021.

Director Kentosh opened public comment: (1) public member present – no comment offered.

All Directors support the new Ordinance 22-01-18. The Ordinance, once approved, will enter a 60-day public comment period prior to becoming active, March 19, 2022.

Director Engle made the motion to approve Ordinance 22-01-18: Director Compensation, replacing Ordinance 98-10-20. Director Oakland seconded the motion.

Director Kentosh opened public comment again: (1) public member present – no comment offered.

No Public Comment.

Engle/Oakland

Roll Call Vote:

Etchart - Absent Engle- Y Kentosh - Y Oakland – Y Anderson - Y

4-Ayes, 0-No, 1-Absent – M/S/C

c. Approve Resolution 20220118-1: Appointing UVRGA Director & Alternate Director for 2022-2024, replacing Resolution 042021. (Ward)

Director Kentosh presented Resolution 20220118-1: Appointing UVRGA & Alternate Director for 2022-2024. This resolution was most recently passed in April 2021 when the Alternate Director was replaced. This updated resolution to meet the UVRGA time period of 2022-2024. No material changes were made to the updated resolution.

Director Anderson made the motion to approve Resolution 20220118-1: Appointing UVRGA Director & Alternate Director for 2022 – 2024, replacing Resolution 042021. Director Oakland seconded the motion.

No Public Comment.

Anderson/Oakland

Roll Call Vote:

Etchart - Absent Engle- Y Kentosh - Y Oakland – Y Anderson - Y

4-Ayes, 0-No, 1-Absent – M/S/C

d. Approve Fanning & Karrh, CPA Financial audit engagement agreement for FY 2020-2021. (Martinez/Ward)

Ms. Ward presented the standard financial audit engagement agreement provided by Fanning & Karrh, for FY 2020-2021. The District previously voted to waive the supplemental Government Auditing standards. The estimated expense for the financial audit for FY 2020-2021 is \$16,000-\$18,000, plus up to \$1800 additional costs. Ms. Ward stated that this total expense is within the range of our previous annual financial audits.

Director Anderson made the motion to approve the Fanning & Karrh, CPAs financial audit engagement agreement for FY 2020-2021. Director Oakland seconded the motion.

No Public Comment.

Anderson/Oakland

Roll Call Vote:

Etchart - Absent Engle- Y Kentosh - Y Oakland – Y Anderson - Y

4-Ayes, 0-No, 1-Absent – M/S/C

e. Approve Resolution 20220118-2: VRIF 2 Grant Planning Projects. (Martinez/Ward)

Mr. Martinez reported that the grant applications were submitted last week for three planning projects, including Waterwise for Vulnerable Communities, Land Resilience Partnership, Alternative Water Sourcing for Aquatic Ecosystem Health, and AMI Metering for Evaluation of Water Efficiencies and Streamflow Enhancement. A requirement of the grant applications, is a Board approved resolution, which is due within 30-days of the application submission.

Director Kentosh requested that item 3 be revised, remove “and,” add “to be developed and executed; and.” Director Engle corrected a typo “hereby.”

Director Anderson made the motion to approve Resolution 20220118-2: VRIF 2 Grant Planning Projects. Director Oakland seconded the motion.

No Public Comment.

Anderson/Oakland

Roll Call Vote:

Etchart - Absent Engle- Y Kentosh - Y Oakland – Y Anderson - Y

4-Ayes, 0-No, 1-Absent – M/S/C

f. Discuss and provide direction on development of policy for New Meters & Expansion of Services, moratorium on new meters. (Kentosh)

Tabled to February 15, 2022.

g. Discuss next steps for nitrate removal from Well 8. (Kentosh)

Director Kentosh reported that the MKN Associates final report is still pending. He recommended due to the complex issues that the District will be pursuing grant funding to accomplish, that an Ad-Hoc Committee be formed to address these items. Director Kentosh recommended the Ad-Hoc Committee consist of Directors Kentosh and Engle, to meet 1-2 times.

All Directors present were in agreement to form the Ad-Hoc Committee.

No Public Comment.

No Motion.

h. Receive update on Meiners Road pressure zones. (Kentosh)

Tabled to February 15, 2022.

8. General Manager's Report

Mr. Martinez reported that the Casitas Lake level is at 35.2%. Due to recent rain events, the District was able to stop purchasing water from Casitas on January 6, 2022. Wells 1 & 2 were turned on 1/7/2022; Wells 4 & 7 were turned on 1/13/2022. The Meiners Road tank removal has been completed. The golf cart and old crew truck were sold via GovDeals at auction for about \$20,000, the funds will be used for the AMI metering project. Grant applications for the three planning projects were submitted and award determination is expected in mid-April 2022. Seasonal rainfall recorded at Casitas Dam is 15.11" and Matilija Dam 19.23". Well levels have risen and will continue to be monitored.

No Public Comment.

9. Board Secretary's Report

Ms. Ward presented the monthly Board Secretary report highlighted that CA Executive Order N-42-20: moratorium on customer disconnections for non-payment expired December 31, 2021; CA SB 998 is now active, allowing for disconnections due to non-payment. The SWRCB Water Arrearage Payment Program application was submitted, to cover all residential arrearages accrued between March 2020 – June 2021, plus

administrative costs, totaling \$15,000. Once funds are received in approximately 4 weeks, individual customer notices will be sent out in accordance with program requirements. Reminder that Ventura County Conflict of Interest Form 700 emails are being sent out and are due before April 1, 2022. Public Records Requests received included UVRGA well level and pumping data October 2019 – September 2021; Ventura County Public Works request for utility information – Project #81905 (Matilija Dam Removal); VC Reporter attorney contract for adjudication lawsuit, board vote tally for Moll litigation. The SWRCB Emergency Regulation program was adopted January 4, 2022, effective January 14, 2022, drought contingency plans for water waste. MOWD is in the process of reconciling the Allocation Plan, previous MOWD Drought Contingency Plan and the Emergency Regulations. The new allocations are now active, and included on the December 31, 2021 bill statements. Those customers with annual allocations, were prorated for the initial period.

No Public Comment.

10. **Board Committee Reports**

- Executive Committee: No update.
- UVRGA: Director Engle reported that the GSA met twice, the second public hearing for the GSP was held and approved. The GSA staff has started the process of uploading the GSP to the DWR tool. The UVRGA has up to two years to implement the plan, with no guarantee that it will be approved by DWR. At the regular GSA meeting, the Board discussed the different approaches for setting the new extraction pumping fees, previously set by estimates. The Board is considering measured/metered pumping rates for agriculture; municipalities will require a different approach with possible rolling 3-, 5- or 10-year averages, including consideration of the City of Ventura's Foster Park protocols for pumping. The GSA is working on a monitoring plan for the confluence where San Antonio Creek comes in, with regards to groundwater pumping thresholds.
- Allocation Committee: No update.
- Budget/Rate Committee: Committee is preparing to meet in a couple weeks.
- Emergency Management Committee: No update.
- Staff Procedures Committee: No update.
- New Meters & Expansion of Services Committee: Tabled to February 15, 2022.

11. **Old Business**

- State Water: No update.
- Matilija Dam Removal Update: No update.
- Nitrate Removal: Director Kentosh reported under agenda item 7(g).

12. **Director Announcements/Reports**

- Director Engle: The Allocation Committee needs to meet to review 2 will-serve requests, propose scheduling Allocation Committee and Ad-Hoc Committee together.

- Director Oakland: The New Meters & Expansion of Services Committee and the Allocation Committee overlap in some areas; the Board needs to establish a process and then the Budget/Rate Committee can follow that process for establishing the proposed rates and fees.
- Director Kentosh: No report.
- Director Anderson: No report.
- Director Etchart: (Absent)

13. **Meeting Adjournment**

There being no further business to conduct at this time, Board Vice President Jim Kentosh adjourned the meeting at 8:03 pm.

Board Secretary

Board Vice President