

Regular Meeting  
May 16, 2023  
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 6:01 pm via teleconference.

### 2. Roll Call

**Present:** Board President, Mike Etchart, Board Directors: James Kentosh, Christian Oakland, Joe Pangea, and Christy Cooper. Staff Present: General Manager, Justin Martinez, and Board Secretary, Summer Ward. Attorney Present: Stuart Nielson (by teleconference).

**Absent:** None

### 3. Approval of the Minutes

**Approval of April 18, 2023, Regular Board Meeting minutes.**

Director Oakland made the motion to approve April 16, 2023, Regular meeting minutes. Director Cooper seconded the motion.

No Public Comment.

Oakland/Cooper

(5) Ayes- M/S/C

### 4. Public Comments

- None

**\*\*The Board went into closed session at 6:04 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.

- CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Gov. Code § 54956.9)  
Name of case: *Santa Barbara Channelkeeper v. State Water Resources Control Board, et al.*,  
Los Angeles County Superior Court Case No. 19STCP01176

- PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Gov. Code § 54957(b))  
Title: General Manager and Assistant General Manager

**\*\*The Board adjourned closed session at 6:26 pm\*\***

Attorney S. Nielson stated that the Board discussed pending litigation and public employee evaluations in a closed session, and no action was taken.

6. **Financial Matters** (Agenda item occurred after items 7a and 7b)

**Approval of Payroll and Payables from April 16, 2023, to May 15, 2023, in the amount of:**

Payables:	\$ 80,916.36
Payroll:	<u>\$ 41,403.35</u>
Total:	\$122,319.71

Director Oakland made the motion to the Payroll and Payables from April 16, 2023, to May 15, 2023. Director Pangea seconded the motion.

No Public Comment.

Oakland/Pangea

(5) Ayes – M/S/C

7. **Board Discussion/Actions**

**a. Presentation of Financial Audit for FY 2021-2022. (C. Fanning)** *(Item occurred out of sequence before item 6).*

Ms. Fanning presented the Financial Audit statements and reports for the fiscal year 2021-2022, noting no new disclosures. Ms. Fanning reviewed the Independent Auditor's Report, followed by the statements of financial position, including the required supplementary information. Ms. Fanning held an expanded discussion of the overview letter to Senior Management and the Board of Directors. Ms. Fanning noted seventeen (17) audit adjustments totaling \$227,000, comparable to the last fiscal year. Twelve of the adjustments were related to capital assets. Ms. Fanning recommended that the appropriations for contingencies be expensed as repairs at the time incurred rather than as a capital asset and adjusted at the end of the fiscal year. There were \$21,000 in unadjusted errors related to one carryover account payable from a prior fiscal year (a software adjustment is required), one legal overpayment, and one unbilled account receivable. Ms. Fanning also recommended recording the accrued revenue for unbilled receivables related to water use. The District meter reading occurs around the 19<sup>th</sup> of each month, so the water use from June 19 to June 30, should be estimated and

recorded each fiscal year. Additionally, Ms. Fanning noted that a new accounting GASB101 standard would go into effect after December 2023 related to compensated absences. Ms. Fanning encouraged the District to develop some additional policies and procedures.

Director Kentosh asked Ms. Fanning for a statement that it was a clean audit. Ms. Fanning noted that the opinion section of the Independent Auditor's Report conveys that it was in accordance with accounting principles, as there were no qualifications or errors that were in question, so yes, it was a good audit. Ms. Fanning shared that she will be retiring soon, so the next fiscal audit for 2022-2023 will be her last. The Board and Staff thanked Ms. Fanning for her expertise and time in presenting the audit reports and statements.

No Public Comment.

No motion.

- b. Approve Resolution 20230516-1: Financial Audit for FY 2021-2022. (Martinez/Ward)** *(Item occurred out of sequence before item 6 and after 7a).*

Ms. Ward presented Resolution 20230516-1: Financial Audit for FY 2021-2022, based on the presentation given by Ms. Fanning.

Director Kentosh made the motion to approve Resolution 20230516-1: Financial Audit for FY 2021-2022. Director Cooper seconded the motion.

No Public Comment.

Kentosh/Cooper

(5) Ayes – M/S/C

*(Agenda items resumed in order)*

- c. Approval of Resolution 20230516: Declaring Stage 1 Conditions. (Martinez/Ward)**  
Ms. Ward presented Resolution 20230516: Declaring Stage 1 Conditions for All Meiners Oaks Water District Customers. Ms. Ward reported that following the last Board meeting, she reviewed the drought surcharge fee history and documentation with Attorney Nielson. Since the origination of the drought surcharge fee was established based on the drought stage and linked to the Casitas Municipal Water District's charge of the over-allocation fee, MOWD will need to discontinue the drought surcharge fee with the adoption of this resolution. The District can revisit the fee at a future Prop 218. Ms. Ward stated that the Stage 1 allocation data set is ready for implementation in the billing software.

Director Cooper made the motion to approve Resolution 20230516: Declaring Stage 1 Conditions for All Meiners Oaks Water District Customers. Director Oakland seconded the motion.

No Public Comment.

Cooper/Oakland

(5) Ayes – M/S/C

**d. Review Valve Replacement Bids and Approve Contractor and expenditure, not to exceed \$60,000. (Martinez)**

Mr. Martinez reviewed that the Valve Replacement budget was historically \$100,000; however, funds had been redistributed, leaving a budget of \$50,000. The District has valves and hydrants needing replacement or upgrade. The current request for proposals was for two valves and one 4” warthead to a fire hydrant upgrade. The hydrant upgrade will play a strategic role in a water emergency. If in the event MOWD cannot use current Casitas connections, this upgrade will allow MOWD to run a highline off the suction side of Casitas’ Fairview Booster Station. After reviewing the four bids submitted by R. Meier Construction, Gruber Grading and Ag, Toro Enterprises, and Shirck Underground, Mr. Martinez recommended approving the R. Meier Construction bid, not to exceed \$60,000. Mr. Martinez added that the District has confidence in the quality of work provided by all companies and noted that R. Meier submitted the lowest bid. Mr. Martinez requests approval to move \$10,000 budget funds from the Well 8 Nitrate Blending to Valve Replacements.

Director Pangea made the motion to approve the budget adjustment and selection of the R. Meier Construction bid for the three valves, not to exceed \$60,000. Director Kentosh seconded the motion.

No Public Comment.

Pangea/Kentosh

(5) Ayes – M/S/C

**e. Update on the Well Siting Study performed by Hopkins Groundwater Consulting. (Kentosh/Martinez)**

Director Kentosh reported the Ad Hoc Treatment Plant Committee had reviewed the detailed well-siting study performed by Hopkins Groundwater Consulting. A site visit was recently held with Curtis Hopkins to examine one potential area near the Treatment Plant. Director Kentosh noted that as a result of the site visit, he would like to have a geophysical survey of the area, which would provide data on the various layers of material beneath the surface. Director Kentosh noted that the basin is full, and the District can proceed calmly with adding a new well site. Director Kentosh requested the Committee be authorized to continue exploring options for the new well location and

consider moving wells 1 & 2 away from the river and potentially eliminating the Treatment Plant. The Board requested that there be a presentation of the findings at a future meeting. Mr. Martinez will coordinate with Hopkins Groundwater Consulting to schedule a presentation to the Board.

No Public Comment.

No motion.

**f. Consider approval of the customer's request for additional financial relief for 137 Besant due to a leak. (Martinez/Kentosh)**

Ms. Ward presented a customer request for Board consideration of additional financial relief. The customer at 137 Besant had a tree fall on the property during the winter storms in March. As a result, the irrigation pipe burst, but it was not easily detected due to the active rain. When the leak was detected, the customer had the leak repaired immediately. The historical usage of the account over the past two years is 37 units per month, with a peak of 84 units. In March 2023, the billed consumption was 153 units, the monthly allocation being 11 units. Ms. Ward noted that the General Manager had already approved a reduction of the drought surcharge from \$5/unit to \$1/unit, providing relief of \$568.00, which was applied to the customer's account on April 3, 2023. The customer is requesting additional relief beyond the reduction of the drought surcharge. The New Meters, Expansion of Services & Allocations Committee reviewed this request and recommends that the Board follow precedent for leak relief, which is a reduction of the drought surcharge and offering a payment plan.

Director Etchart asked whether any circumstances about this leak differed from other customers' leaks during the recent storms. Staff stated that the circumstances were similar to other customers' leaks that occurred during the winter storms. The Board agreed that precedent should be followed by reducing the drought surcharge only and offering an extended payment plan of up to 24 months.

Ms. Ward will notify the customer of the Board's decision and offer the extended payment plan as an option.

Director Kentosh made the motion to approve only the reduction of the drought surcharge and offer an extended payment plan for the leak at 137 Besant. Director Pangea seconded the motion.

No Public Comment.

Kentosh/Pangea

(5) Ayes – M/S/C

## 8. **General Manager's Report**

Mr. Martinez reported that the Casitas Lake level is 74%, up 58.8 feet since January 1, 2023. Some locations' seasonal rainfall totals were unavailable due to technical issues: Matilija Dam 64.10", M.O. Fire Station 42.08", and Nordhoff Ridge 71.81". The GIS mapping of District assets is complete, and staff is working on adding asset details and making progress on the Lead & Copper Revised Rule survey responses. The District will be preparing to replace strategic valves within the distribution system. MKN Associates are working on the final design and awaiting revisions from sub-consultants. Staff are preparing Wells 4a & 7 to come back online with disinfection and sampling now that the surface water has subsided. Mr. Martinez noted an error on the GM report related to a service line leak repair performed by Sam Hill & Sons, the amount of \$4,218.35 should be \$758.10. Mr. Martinez noted that well levels have peaked, and static levels are slowly coming down.

No Public Comment.

## 9. **Board Secretary's Report**

Ms. Ward presented the monthly Board Secretary report highlighting that the completed District Income Survey report submitted to UC San Bernadino by Kennedy Communications is pending submission to DDW. Additionally, Ms. Ward reported that the SWRCB eAR for 2022 was submitted on May 11. The SWRCB Drought & Conservation Reporting is ongoing, and in compliance, the Annual Consumer Confidence Report is pending data from FGL, expected in early June. The new SWRCB Water Shortage Contingency Plan (Water Code 10609.60) is in progress and in coordination with VRWD, referencing the Casitas Urban Water Management Plan and UVRGA GSP documents. Ms. Ward noted that there is a new CA AB 1637, currently being amended in Assembly, which will require local agencies that maintain a website and emails used for the public, would need to utilize a ".gov" or ".ca.gov" domain no later than January 1, 2026. MOWD is in the application process for obtaining its ".ca.gov" domain. Ms. Ward reported that the phone and internet migration from AT&T to Mitec Solutions is in progress and should be completed very soon.

No Public Comment.

## 10. **Board Committee Reports**

- Executive & Personnel Committee: Met and discussed the GM and Assistant GM performance evaluations.
- UVRGA: Director Etchart reported that the State approved the GSP.
- Budget/Rate Committee: No meeting.
- Emergency Management Committee: No meeting.
- Allocations, New Meters & Expansion of Services Committee: Routine meeting to review Will-Serve Letter requests, leak assistance, and a potential policy revision.
- Grants: No meeting.

- Treatment Plant Design Ad Hoc Committee: No meeting; there was a site visit to the Treatment Plant area with Curtis Hopkins.

11. **Old Business**

- State Water: No update.
- Matilija Dam Removal Update: No update.
- Collaboration on drought response measures: No update.

12. **Director Announcements/Reports**

- Director Kentosh: No report.
- Director Oakland: No report.
- Director Pangea: No report.
- Director Cooper: She and staff have a call with the State tomorrow at 3:00 pm to discuss the grant application for the Replacement Treatment Plant.
- Director Etchart: No report.

13. **Meeting Adjournment**

The next meeting will be held on June 20, 2023. There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 8:01 pm.

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**Board Secretary**

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**Board President**