

Regular Meeting  
August 15, 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 p.m.

### 1. Call to Order

The Board President, Mike Etchart, called the meeting to order at 6:01 p.m. The meeting was also available via teleconference.

### 2. Roll Call

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

**Absent:** Director Christian Oakland.

### 3. Approval of the Minutes

#### **Approval of July 18, 2023, Regular Board Meeting minutes.**

Director Pangea made the motion to approve the July 18, 2023, Regular meeting minutes. Director Kentosh seconded the motion.

No Public Comment.

Pangea/Kentosh

(4) Ayes- M/S/C

(1) Absent - Oakland

### 4. Public Comments

- None

***\*\*The Board did not go into a closed session.\*\****

### 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

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Attorney S. Nielson stated that the Board did not go into a closed session, and there are no actions to report.

6. **Financial Matters**

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

Payables:	\$ 63,115.30
Payroll:	<u>\$ 49,470.13</u>
Total:	\$112,585.43

Director Cooper made the motion to the Payroll and Payables from July 16, 2023, to August 15, 2023. Director Pangea seconded the motion.

No Public Comment.

Cooper/Pangea

(4) Ayes – M/S/C

(1) Absent - Oakland

7. **Board Discussion/Actions**

**a. Presentation by Hopkins Groundwater Consulting on Well Siting Study. (Martinez/C.Hopkins)**

Curtis Hopkins started his presentation with an overview of the alluvium and the balancing between regulatory limitations with groundwater supply and quality. The upper wells are in an area that is narrower and shallower than those further down, where it gets wider and deeper, allowing for more storage. Curtis reviewed six potential new well sites, along with the pros and cons of each location.

*\*The meeting was paused at 6:45 p.m. for approximately 5 minutes to reestablish the videoconference connection\**

The Board discussed options; Curtis Hopkins recommended a geophysical study of the selected potential sites to gather further data on what is below the surface to ensure maximum benefit before drilling a new well. The estimated cost of a geophysical study is approximately \$10,000-\$15,000 per site.

The Board thanked Curtis Hopkins for coming to present his report, which was very informative and educational.

No Public Comment.

No Motion.

**b. Discuss Well 4a Redevelopment Project Assessment prepared by Hopkins Groundwater Consulting. (Martinez/C.Hopkins)**

Mr. Martinez stated that he has had concerns about Well 4a, as it has not shown production like the old Well 4. The water table was very low when 4a was drilled, and he suspects it was not fully developed at that time. Mr. Martinez asked Curtis Hopkins for an assessment of the redevelopment of 4a.

Curtis Hopkins presented his assessment report. It would be expected that a well in that location would have higher production; however, due to the characteristics of the aquifer in that exact location, along with well conditions, it is not meeting expectations.

Increasing the specific capacity with less drawdown is possible by using a dual swab with high-pressure jetting and a submersible pump to clear out the debris clogging the mesh section in the well.

Mr. Martinez noted that Well 4a is not technically a replacement of Well 4, due to geology differences and limited production in 4a. The District has not officially abandoned Well 4, and would like to discuss with SWRCB the potential of bringing Well 4 back online and redeveloping Well 4a, to achieve the historical well production. Director Kentosh asked what the process would be for the project. Curtis replied that his firm could write the specifications for the RFP to get a contractor to perform the redevelopment, and his firm would be onsite to ensure the contractor performs to specifications, with an estimated cost of \$50,000-\$80,000. Curtis added that the turnaround for Well 4a could be quick; however, Well 4 would take longer, depending on regulatory agencies.

Director Etchart thanked Curtis Hopkins for an educational evening.

*Curtis Hopkins left the meeting at 8:00 p.m.*

No Public Comment.

No Motion.

**c. Approve Resolution 20230815: Appointing Director and Alternate Director to the Board of Directors of the Upper Ventura River Groundwater Agency Joint Powers 2023-2024, replacing Director Etchart. (Etchart/Martinez)**

Director Etchart stated that he would no longer be available to attend the UVRGA meetings due to his work schedule in the new school year. The meetings are held on the 2<sup>nd</sup> Thursday of each month at 1:00 p.m. Director Kentosh is currently the alternate and volunteers to move to be the Director representative.

Director Cooper stated she would be interested; however, her schedule would not currently allow that time.

The Board agreed that the General Manager would be a good alternate for times when Director Kentosh cannot attend.

Director Kentosh made the motion to approve Resolution 20230815: Appointing Director and Alternate Director to the Board of Directors of the Upper Ventura River Groundwater Agency Joint Powers 2023-2024, replacing Director Etchart with General Manager Justin Martinez. Director Pangea seconded the motion.

No Public Comment.

Kentosh/Pangea

(4) Ayes – M/S/C

(1) Absent - Oakland

**d. Approve responses to the Ventura County Grand Jury Report: Water Availability for Wildfires in Ventura County. (Oakland/Martinez)**

Mr. Martinez presented the draft responses prepared by Ms. Ward that the Emergency & Safety Committee reviewed. The Committee recommends approving the responses so that staff can submit the final documents.

Director Kentosh recommended adding a brief cover letter thanking the Grand Jury for their time invested in the process. Ms. Ward is to include a cover letter with the document submission.

Director Kentosh made the motion to approve and authorize submitting a response and staff discretion on including a brief cover letter. Director Pangea seconded the motion.

No Public Comment.

Kentosh/Pangea

(4) Ayes – M/S/C

(1) Absent – Oakland

**e. Approve application of the Artesian of Ojai's MWAC refund request to purchase additional allocation from Casitas MWD based on MOWD allocation recommendation. (Martinez/Kentosh)**

Mr. Martinez reviewed the history of the Artesian's will-serve letters, allocation calculations, and billing history. As previously reported, the Artesian had requested a refund of the "overpayment" of MWAC fees from October 2022 to March 2023, totaling \$58,055.04. Based on the Artesian's account of historical use and occupancy, the recommended total allocation is 4.5 AF/yr, requiring the purchase of 2.3 AF from Casitas MWD. The Committee recommends using the MWAC refund to purchase the 2.3 AF from Casitas MWD and refunding the remainder to the Artesian in a lump sum.

Director Kentosh made the motion to authorize staff to proceed with the recommendations for the allocation use of MWAC funds and to refund the remainder to the Artesian in a lump sum. Director Pangea seconded the motion.

No Public Comment.

Kentosh/Pangea

(4) Ayes – M/S/C

(1) Absent - Oakland

**f. Approve New Meters & Expansion of Services Policy Revision, Section L. Categories of Meters within MOWD, New Residential Meters for Empty Lots. (Martinez/Kentosh)**

Director Kentosh reviewed that the Board upheld a moratorium on new meters during the drought. However, requests for new meters have resumed with the return to Stage 1. The Committee has reviewed and discussed the requests and recommends that the Board consider revising the existing policy regarding pre-existing (prior to 2016 Eagle Aerial data capture) empty lots within the District. The Committee recommends that these pre-existing empty lots, limited in number, be assigned a variable allocation based on irrigable area captured in the 2016 Eagle Aerial data. If a project applicant does not have enough variable allocation to support a dwelling, then the District would allow them to purchase the additional allocation from Casitas MWD, in accordance with policy and applicable MOWD fees.

Director Cooper states that she would like to review the capital improvement fee formula in the future to ensure the District is adequately charging for the purchase into the District infrastructure.

Director Kentosh made the motion to approve the policy revision to Section L of the New Meters & Expansion of Services Policy. Director Pangea seconded the motion.

No Public Comment.

Kentosh/Pangea

(4) Ayes – M/S/C

(1) Absent – Oakland

**g. Approve New Meter Request with Allocation Recommendations for Pre-existing Empty Lot APN 017-0-191-06. (Martinez/Kentosh)**

Mr. Martinez presented the request for a new meter at a pre-existing empty lot, APN 017-0-191-06. Based on the approved policy revision, the calculated variable allocation for this APN's irrigable area is 122 HCF/yr. The applicant proposed building a new single-family residence (assuming a 1,800 sqft dwelling), requiring 140 HCF/yr of allocation. The Committee recommends adjusting the allocations so that the APN receives 120 HCF/yr fixed allocation and 110 HCF/yr variable allocation (adjusted for reduced irrigable area with new dwelling). The Committee recommends the applicant purchase 140 HCF from Casitas MWD and pay all applicable capital improvement fees to MOWD.

Director Kentosh made the motion to authorize the installation of a new 5/8" meter at the APN, and recommended allocations. Director Pangea seconded the motion.

No Public Comment.

Kentosh/Pangea

(4) Ayes – M/S/C

(1) Absent – Oakland

*\*\*Stuart Nielson left the meeting at 7:50 p.m.\*\**

**h. Approve MKN Associates Scope 1 Amendment 1 – DWSRF Grant Writing Services and CEQA not to exceed \$74,574, increasing the total MKN Associates contract to \$418,229. (Cooper/Martinez)**

Mr. Martinez presented the proposed MKN Associates Scope 1 Amendment 1 for DWSRF grant writing assistance, including CEQA, not to exceed \$74,574, which would increase the total MKN Associates contract to \$418,229. The amendment is to assist MOWD with the grant application for the replacement treatment plant; MKN is completing the final design plans. MKN would assist with the technical and environmental application packages, including biological and cultural assessments. The intent is to apply for a CEQA categorical exemption. Mr. Martinez also stated that the Committee is mindful of the grant application timeline. The Board agrees that the Committee should discuss the amendment and categorical exemption with Attorney S. Nielson, MKN Associates, and Rincon Consultants. Ms. Ward will schedule a Committee meeting for the parties to review the proposed amendment and deliverables.

Director Cooper made the motion to approve the contract subject to the Treatment Plant Committee meeting to discuss the environmental review portion and pursuant to that review, either approving the contract in whole or approving it without the environmental portion and leaving that to further discussion. Director Kentosh seconded the motion.

No Public Comment.

Cooper/Kentosh

(4) Ayes – M/S/C

(1) Absent - Oakland

- i. **Authorize budget, amendment for District Office HVAC System replacement, 23-24 budget \$10,000, requesting transfer of \$10,000 from the Valve Replacement budget for an HVAC expense not to exceed \$20,000, and approve HVAC contractor. (Martinez)**

Mr. Martinez requested a budget amendment to complete the District Office HVAC system replacement. The approved budget was \$10,000; staff requested \$10,000 be transferred from the FY 23-24 Valve Replacement budget to the Office HVAC budget, not exceeding \$20,000. Additionally, Mr. Martinez presented the quotes VACCO, Anacapa Heating & Air, and Air System Solutions provided. Mr. Martinez recommends approving the budget transfer and selection of Air Systems Solutions, which includes labor, equipment, permits, and upsized ducting.

Director Cooper provided the recommendation to staff for Air System Solutions, which she used for home projects twice, with no personal relationship to the company.

Director Kentosh made the motion to approve the budget amendment and authorize the not-exceeding expense of \$20,000 for Air System Solutions. Director Pangea seconded the motion.

No Public Comment.

Kentosh/Pangea

(3) Ayes – M/S/C

(1) Abstain - Cooper

(1) Absent - Oakland

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

Mr. Martinez reported that the Casitas Lake level is 73%. The District is currently running on Wells 4a & 7. Well levels are maintained, although some high-demand instances are straining the system. Intrusion alarms at Zone 2 was repaired and reset, and installation at 4a & 7 was completed. GIS mapping of assets is complete; staff is working on attaching information to each asset and documenting lead and copper service lines. Responses have been drafted for the Grand Jury report. The highline to the Casitas Fairview booster station is in progress. MKN Associates is close to the final design for the replacement treatment plant. Highway 33 slide repair with CalTrans is in progress, and we are currently working on the relocation claim letter components. The tri-annual lead and copper monitoring is complete; sample analysis is pending. Temporary Part-Time Utility Helper Garrett Lockwood started August 8, 2023; Field Supervisor Levi Maxwell returned from military leave on July 26, 2023. Programming continues with the new Win911 SCADA alarm software.

Director Etchart asked if there would be any water savings with the change in campus use at Meiners Oaks Elementary. Mr. Martinez replied that it was likely but unsure of the amount.

No Public Comment.

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

Ms. Ward presented the monthly Board Secretary report. As of August 10, Ojai had ~0.49" of rain, 0.2 in Meiners Oaks. According to the Western Regional Climate Center, the last time Ojai had measurable rain in August was in 2008 (0.02"); only 15 out of the past 118 years of data had measurable rain. The SCADA system continues to run in parallel while programming continues on the new software. The Grand Jury Report responses were discussed in a previous agenda item. The Emergency Response Plan has been drafted, combining the existing plan with other procedures and information to create a more comprehensive resource. Office staff are actively working through all of the recommended financial audit actions. Ms. Ward noted that the Low Income Household Water Assistance Program will end in December 2023 unless the state extends the program into 2024. Qualifying customers within the District have received \$4,306.00 in assistance during FY 22-23, and \$378 FY 23-24 to date. Ms. Ward noted an unusually high number of service orders in July, predominately meter re-checks during meter reading due to abnormally high consumption and/or leaks.

No Public Comment.

#### **10. Board Committee Reports**

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- Executive & Personnel Committee: No report.
- UVRGA: No report.
- Budget/Rate Committee: No meeting.
- Emergency Management Committee: No report, already discussed.
- Allocations, New Meters & Expansion of Services Committee: No report, already discussed.
- Grants: No report.
- Treatment Plant Design Ad Hoc Committee: No report.

11. **Old Business**

- State Water: No report.
- Matilija Dam Removal Update: No update.

12. **Director Announcements/Reports**

- Director Kentosh: No report.
- Director Oakland: Absent.
- Director Pangea: No report.
- Director Cooper: No report.
- Director Etchart: No report.

13. **Meeting Adjournment**

The next meeting will be held on September 19, 2023. There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 8:46 p.m.

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**Board Secretary**

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**Board President**