

Regular Meeting
November 19, 2024
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 Board President, Mike Etchart, called the meeting to order at 6:01 pm. 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, Summer Ward, Board Secretary. Attorney Present: Stuart Nielson.

Absent: Director Christian Oakland

3. Approval of the Minutes

Approval of October 15, 2024, Regular Board Meeting minutes.

The draft minutes were not posted in the agenda packet; the minutes will be brought to the December 17, 2024, Regular Board meeting.

No Public Comment.

No Motion

4. Public Comments

None

****The Board went into closed session at 6:03 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 DISCIPLINE/DISMISSAL/RELEASE (Gov. Code § 54957)
- PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code § 54957(b))
Title: General Manager and Board Secretary & Assistant General Manager.

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****The Board ended closed session at 6:23 pm.****

Attorney Nielson reported that the Board discussed the listed closed-session agenda items, and there are no reportable actions to report.

6. Financial Matters

Approval of Payroll and Payables from October 16, 2024, to November 15, 2024, in the amount of:

Payables:	\$ 74,495.63
Payroll:	<u>\$ 69,789.46</u>
Total:	\$ 144,285.09

Director Cooper made the motion to approve the Payroll and Payables from October 16, 2024, to November 15, 2024. Director Kentosh seconded the motion.

No Public Comment.

Cooper/Kentosh

(4) Ayes – M/S/C

(1) Absent- Oakland

7. Board Discussion/Actions

a. Approve incentive/merit bonus pay for the General Manager and the Assistant General Manager/Board Secretary based on the July 2023 - June 2024 performance evaluations.

Director Etchart presented the staff report, which provided an overview of performance management and incentive pay policy. The Executive Committee recommends merit bonus pay of \$1,800 and \$3,000 for the General Manager and Assistant General Manager/Board Secretary, respectively. Director Etchart thanked Mr. Martinez and Ms. Ward.

Director Cooper made the motion to approve the lump sum bonus pay to the General Manager and Assistant General Manager based on their performance reviews. Director Pangea seconded the motion.

No Public Comment.

Cooper/Pangea

(4) Ayes- M/S/C

(1) Absent- Oakland

b. Reappoint Director Christian Oakland to the Meiners Oaks Water District Board of Directors' open and uncontested seat for a 2-year term, ending December 1, 2026.

Ms. Ward reviewed that two seats were up for election this November, with only one candidate, Director Cooper. Therefore, by default, Director Cooper was re-elected, and Director Oakland's seat had no candidates. The Board needs to appoint a Director to the open seat. Director Oakland has reconsidered his service on the Board and submitted a request to be appointed for a 2-year term.

Director Pangea asked Attorney Nielson if this was appropriate to proceed or if it needed to go back out to the public; Attorney Nielson confirmed this was appropriate and could proceed.

Director Kentosh made the motion to appoint Director Oakland to the Board of Directors for a 2-year term. Director Cooper seconded the motion.

No Public Comment.

Kentosh/Cooper

(3) Ayes- M/S/C

(1) No- Pangea

(1) Absent- Oakland

c. Approve revision to the existing Military Leave Pay policy.

Mr. Martinez presented the revised language for the District's Military Leave Pay policy. The proposed revisions are based on state and federal laws regarding military leave and the protection of employees' rights, including CA Gov Code 19775.1, Military and Veteran's Code 395.01, and the Uniformed Services Employment and Reemployment Rights Act. Additionally, the staff consulted with two separate labor law attorneys. Mr. Martinez noted that Mr. Maxwell's current and prior active duty leaves will be evaluated and paid accordingly.

Director Pangea asked if this covers USERRA. Mr. Martinez confirmed that yes, as referenced in the policy language.

Director Pangea made the motion to approve the revisions to the Military Leave Pay policy. Director Kentosh seconded the motion.

No Public Comment.

Pangea/Kentosh
(4) Ayes- M/S/C
(1) Absent- Oakland

d. Approve Resolution 20241119: Authorized Representative for SWRCB DWSRF Financial Assistance application.

Ms. Ward presented Resolution 20241119, which, if approved, would authorize Mr. Martinez to execute the documents required for the grant application to replace the water treatment plant.

Director Cooper made the motion to approve and adopt Resolution 20241119: Authorized Representative for SWRCB DWSRF Financial Assistance application. Director Pangea seconded the motion.

No Public Comment.

Cooper/Pangea
(4) Ayes- M/S/C
(1) Absent - Oakland

e. Discuss the Ventura LAFCo ballot for the election of a Special District Regular Member for a term of January 1, 2025 – December 31, 2028; consider a vote for one nominee and direct staff to submit the ballot.

Director Etchard introduced the topic and asked if anyone had knowledge or recommendations regarding the candidates. Director Kentosh expressed knowledge of the listed candidates and stated he would be comfortable voting for any of the candidates; however, his recommendation is to cast a vote for William Ulrich. There were no further recommendations.

Director Kentosh made the motion to cast the MOWD vote for William Ulrich to the Ventura LAFCo for a 4-year term. Director Cooper seconded the motion.

No Public Comment.

Kentosh/Cooper
(4) Ayes- M/S/C
(1) Absent - Oakland

f. **Discuss the Annual District Holiday Dinner at Ojai Beverage Company on Friday, December 20, 2024 at 6:30 pm.**

Mr. Martinez shared that staff evaluated a variety of local venues for this year's holiday dinner. In the past years, it has been held at Agave Maria's. This year, the dinner will be held at Ojai Beverage Company on Friday, December 20, 2024, at 6:30 pm. Alcoholic beverages will not be included with dinner. Please RSVP with staff so appropriate seating is reserved.

No Public Comment.

No Motion

8. **General Manager's Report**

Mr. Martinez reported that the Casitas Lake level is at 96.2%. Union Engineering is just about ready to put the MOWD mainline back into service. The pipe was delivered, and we are looking to install it in the first week of December. The Treatment Plant Project grant application is still being completed. Mr. Martinez stated that he sent out an RFP to clean the bolted water storage tanks; bids have been received and are currently being reviewed. Mr. Martinez met with FH Pumps to do a site walk at Zone 2. The DDW Sanitary Survey Inspection was completed. Mr. Martinez is looking into solar/backup power for the office and Zone 2. Mr. Martinez reported that the 2015 Dodge Ram has been listed on the GovDeals auction site with a closing date of 11/26/2024. Will-serve letters were issued to 145 N. Arnaz (conditional), 220 Besant, and 270 N. Lomita.

Public Comment.

9. **Board Secretary's Report**

Ms. Ward presented the monthly Board Secretary report. The quarterly SWRCB drought reports were submitted for July – September, as well as the annual SWRCB Water Use Report. The CA Environmental Reporting System (CERS) onsite inspection for hazardous materials was conducted on November 6. Staff are incorporating the recommended revisions to the annual submission documents. Additionally, the district must begin the CalARP program due to the large quantities of chlorine gas stored at each facility. More details will be shared once they are received from CalARP. The inspector strongly recommended contracting with a consultant, as the CalARP requirements and annual evaluations are complicated. Ms. Ward reported that staff has begun coordinating with Nigro & Nigro for the FY23-24 audit. Ms. Ward noted total service orders were lower than average, significantly decreasing re-reads during meter reading. The 2024 general election has closed, Director Cooper was re-elected to a 4-year term, and Director Oakland is to be reappointed.

No Public Comment.

10. **Board Committee Reports**

- Executive & Personnel Committee: The committee completed performance reviews and pay recommendations.
- UVRGA: Met, routine meeting.
- Budget/Rate Committee: No report.
- Emergency Management Committee: The backup water supply plan, generator procedure, and emergency response plan were reviewed.
- Allocations, New Meters & Expansion of Services Committee: Conditional Will-Serve letter and new meter request for 145 N. Arnaz.
- Grants: No report.
- Treatment Plant Design Ad Hoc Committee: No report.

11. **Old Business**

- State Water: No report.
- Matilija Dam Removal Update: Director Cooper stated that MOWD received a letter from the County regarding risk mitigation.

12. **Director Announcements/Reports**

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

13. **Meeting Adjournment**

The next meeting will be held on December 17, 2024, at 6:00 pm. Since there was no further business to conduct, Board President Mike Etchart adjourned the meeting at 7:18 pm.

Board Secretary

Board President