

**VENTURA RIVER WATER DISTRICT  
MINUTES OF REGULAR MEETING NOVEMBER 15, 2017**

Directors present were: Bruce Kuebler, Jack Curtis, Peggy Wiles, Marvin Hanson and Ed Lee. Also present were: Attorney Lindsay Nielson, General Manager/Board Secretary Bert Rapp and Office Manager Amy Joy Bakken. Public present were: George Galgas.

1. **CALL MEETING TO ORDER**- President Bruce Kuebler called the meeting to order at 3:00 P.M.
2. **PLEDGE OF ALLEGIANCE** – Bruce Kuebler.
3. **CONSENT AGENDA:**
  - A. **MINUTES OCTOBER 18, 2017**

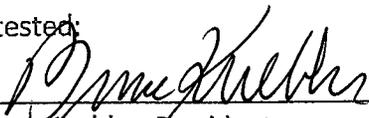
Jack Curtis moved for approval of the Consent Agenda, seconded by Peggy Wiles and carried 5-0.

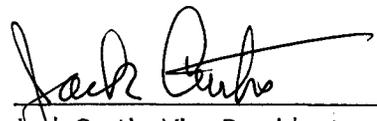
4. **PUBLIC COMMENT** – None.
5. **WATER BUDGET PROGRAM** – Bert Rapp gave an overview of the changes that were made to the Water Budget Workshop invitation letter. Jack Curtis asked for more information about the coupons being offered. Bert Rapp said that 6 coupons for water wise concept designs would be offered on a first come first serve basis to those who attend the workshop. Bert Rapp discussed the addition of language regarding penalties that will be assessed to customers for going over their water budgets. He noted that a vote for approval of the letter would also be a vote to approve the penalty fees as stated in the draft letter (\$0.50/unit up to 25% over budget and \$1.00/unit above 25% over budget). Bert Rapp also requested the meeting be postponed until December 6<sup>th</sup> to allow some additional time to correct and verify exceptions in the data. The board consensus was to postpone the meeting date. **Draft Invitation Letter:** Marvin Hanson moved for approval of the draft invitation letter, seconded Peggy Wiles and carried 5-0. Bert Rapp went on to discuss ET rates as determined by Casitas and his consideration of analyzing ET in a different way. Bruce Kuebler stated he was comfortable using the Casitas ET rates as the weather patterns in our area vary so little. Bert Rapp asked for any changes to the Water Budget Modification form. Bruce Kuebler said the fees and charges language is unclear and should be revised. **Water Budget Modification Form:** Jack Curtis moved for approval of the Water Budget Modification Form with proposed changes to fees and charges language, seconded Ed Lee and carried 5-0.
6. **IMPLEMENTATION OF SB 229-2<sup>ND</sup> DWELLING UNITS** – Bert Rapp discussed his interpretation of the SB 229 law, effective January 1, 2018, prohibiting special districts from requiring separate meters for additional dwellings. He discussed his concern for areas with low or inadequate pressure and said he would still recommend a separate water service to customers in those areas. The District currently has two second dwellings under construction, one on Encino and one in Casitas Springs. He noted the Encino project had sufficient pressure but that the Casitas Springs project was given a recommendation to go ahead with a water service. Jack Curtis asked Lindsey Nielson if SB 229 violated the law of not reselling water. Lindsey Nielson responded that the reselling water law was only across property lines. Jack Curtis asked if the District could still require a Will Serve letter. Bert Rapp responded it would depend on how the County chooses to handle the law and if they remove that requirement, VRWD would have no way of requiring the letter. Ed Lee asked if a customer chose to install a meter what the cost would be. Bert Rapp responded the meter installation cost runs from \$300-\$500 depending on the project (not including capacity charge). Marvin Hanson said he was concerned about the ability to track water wasters in second dwellings if the entire property was on one meter. Peggy Wiles asked how second dwellings are given a water budget. Bert Rapp responded that the second dwelling also receives 10 health and safety units and irrigable landscape would have to be determined individually. Bruce Kuebler said he found a fundamental problem in reading the law, namely that board packet page 8 section (e) and board packet page 9 sections (A), (B)(2) were in conflict. His interpretation of the language was that Special Districts can continue to require installation of a separate meter and payment of the associated fees. Attorney Nielson stated that in conflicts like this, the courts would have to resolve the issues. The Board consensus was that due to

the contradictory language of SB 229, VRWD will not change their current policy related to second dwellings and additional water meters at this time as the Board believes the District's current Rules and Regulations are in compliance with SB229. **Public Comment:** George Galgas stated that there had been previous water service problems at the Encino project location. Bert Rapp responded he was not aware of any such problems.

- 7. UPDATE ON THE UPPER VENTURA RIVER GROUNDWATER AGENCY-KUEBLER – UVRGA** almost has its own bank account and hopes to be fully staffed and ready to take over accounting duties from VRWD in December. Bruce Kuebler discusses the difficulty with stakeholder engagement and the fluctuation of public interest. Although there were very few people in attendance at the meeting, UVRGA still has to submit a plan for stakeholder outreach to DWR. The next UVRGA meeting will be on December 14<sup>TH</sup> and they hope to adopt the bylaws by January. They are working on a program to measure flow in the wet reach of the Ventura River. The final grant request was for \$633,000 out of \$1.3 million total cost. Bruce Kuebler said that Trevor Joseph (head of DWR' SGMA program) was optimistic that most agencies would receive grant funds.
- 8. GENERAL MANAGER REPORT ON WATER & DISTRICT STATUS** – The aquifer is currently 2.3 feet above the 30 year average for November 1 at an elevation of 511 feet. Well #1 is pumping at 780 gpm down 20 gpm from last month. Well #3 is pumping at a rate of 325 gpm down 8 gpm from last month. Well #4 is pumping 880 gpm down 38 gpm from last month. Well #2 can be pumped but is not needed at this time. No water was purchased from Casitas in November. Sales dollars billed on October 31, 2017 came in above budget. Lake Casitas was at 36.2% of full capacity as of November 1, 2017 at an elevation of 492.1 with storage of 86,052 AF. The lake has decreased 0.7% or 1.25 feet and decreased 1,727 AF since last month. Bert Rapp discussed other District activities including the completed development work on Well #7, continued installation of texting meters, pipe line yard cleanup, parker berm permit issued, etc. Amy Joy Bakken stated that the audit presentation to the Board will be on January 17, 2017. Peggy Wiles asked about financial duty cross training in reference to the Financial Statements not being included in the consent agenda this month. Amy Joy Bakken responded that cross training is difficult due to the small staff at VRWD and some confidential items such as payroll. She went on to say that she has written procedures for some of her more critical job duties but can work on getting more in place. Lindsey Nielson noted that lack of cross training is an ongoing issue with a staff of 6. No action was taken on this item.
- 9. OLD & NEW BUSINESS:** None.
- 10. EXECUTIVE SESSION-** Bruce Kuebler moved the meeting into executive session at 4:02 pm to discuss pending litigation. The executive session ended at 4:23 pm. No actions were taken during the executive session.
- 11. SETTLEMENT AGREEMENT SMALL V. VRWD CASE #56-2015-00464077-CU-EI-VTA** – Ed Lee moved for approval, seconded Marvin Hanson and carried 5-0. Bruce Kuebler adjourned the meeting at 4:25 pm.

Attested:

  
Bruce Kuebler, President

  
Jack Curtis, Vice President