

**VENTURA RIVER WATER DISTRICT
MINUTES OF REGULAR MEETING AUGUST 18, 2021**

Directors were present in person and via Zoom video or in person were: Jack Curtis, Ed Lee, Bruce Kuebler, Nathan Rosser, and Peggy Wiles. Also present were: Attorney Lindsey Nielson, General Manager/Board Secretary Bert Rapp, and Office Manager Amy Joy Marshall. Public Present: Carl Enson, Jeanne Zolezzi of Herum/Crabtree/Suntag, and Joe Madden and Regina Hirsch of the Watershed Progressive.

1. **CALL MEETING TO ORDER-** President Bruce Kuebler called the meeting to order at 3:05 P.M. Pledge of Allegiance - Bert Rapp
2. **CONSENT AGENDA:**
 - A. MINUTES JULY 21, 2021
 - B. FINANCIALS JUNE & JULY 2021

Ed Lee moved for approval of the consent agenda, seconded Peggy Wiles and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser, and Peggy Wiles. NOES: None.)

3. **PUBLIC COMMENT (FOR ITEMS NOT ON THE AGENDA) – None.**

4. **AWARD OF TASK ORDER #3 TO WATERSHED PROGRESSIVE–** At the May 19th Board Meeting the Board approved Task Order #2 to begin development of an incentive program to encourage water conservation. Task Order #3 will refine the incentive program through test implementations with VRWD customers. Regina Hirsch and Joe Madden of the Watershed Progressive gave brief statements regarding their plans for the incentive program. Peggy Wiles made a statement regarding her concerns over using rainwater capture tool in the catalog of projects considering the low rain levels our area has been experiencing. Regina Hirsch responded that it is a common concern in low rain areas but that it is a viable way to save water as per hour rain fall can be high and some areas utilize this tool while only receiving 5 inches per year. Bruce Kuebler asked if installation of these types of projects opened the District to liability to which District Legal Counsel Lindsey Nielson responded it does not. Bruce Kuebler also asked that one of the selected customers be on a property that is over the groundwater basin so there could be recharge the water basin. **Public Comment:** Carl Enson asked what kind of success the watershed progressive has had and how many projects they can implement in what time period. Regina Hirsch responded that in the past they've done 4-8 assessments per week. Each assessment takes 2-4 hours to do well then longer if design plans are prepared. Approximately, 80-85 percent of assessments went through with what was recommended. **Recommended Actions:** 1) Authorize the General Manager to issue Task Order #3 to the Watershed Progressive per the current professional services agreement dated October 30, 2019, in the amount of \$21,300 to refine and do test implementation of a Conservation Incentive Program per their proposal dated August 2021. Peggy Wiles moved for approval of the recommended action, seconded Ed Lee and carried 5-0 (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser, and Peggy Wiles. NOES: None).

5. **VRWD COVID-19 RESPONSE–** The General Manager of Ventura River Water District (VRWD) implemented COVID-19 protocols early in the Pandemic, in March 2020. Since then, the District has been adaptively managed according to Federal, State and Local guidelines. The Board would like to discuss continued COVID-19 protocols as the COVID-19 Delta Variant and the unvaccinated population cause an uptick in cases, statewide and nationwide. According to current Ventura County Data, unvaccinated people are 22 times more likely to become infected and hospitalized than those vaccinated against the virus. In Ventura County, 99.993% of those hospitalized are unvaccinated. Peggy Wiles stated that VRWD is doing a public service and employs a small team of highly trained people. If one employee is sick with COVID-19, it hurts the VRWD operations to be down one person. She recommended that VRWD ask all employees to be vaccinated or be tested weekly as it makes

the whole team vulnerable. Jack Curtis agreed with Peggy's statement but asked to add an additional requirement for daily temperature checks for all staff. Ed Lee stated he did not agree with the daily temperature check requirement for vaccinated employees. Nathan Rosser stated that VRWD is unique, with a small staff that is vaccinated in the vast majority. He agreed with strongly encouraging vaccination, and weekly testing and daily temperature checks for the unvaccinated. Peggy Wiles moved for approval to adopt a policy effective immediately stating that VRWD strongly recommends COVID-19 vaccinations for all employees and if employees choose not to be vaccinated, they shall submit to weekly COVID-19 testing and providing results to management, as well as temperature checks each morning and mask wearing, seconded Jack Curtis, carried 5-0 (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser, and Peggy Wiles. NOES: None.)

6. **AUTHORIZATION TO ADVERTISE FOR BIDS – F250 UTILITY TRUCK** - The District's 2008 Ford F-250 Utility Vehicle needs replacement. Replacement of the vehicle was budgeted for FY22 in the amount of \$45,000. **Recommended Action:** 1) Authorize the Office Manager to advertise for bids for the replacement of the 2008 Ford F-250. Ed Lee moved for approval of the recommended action, seconded Jack Curtis and carried 5-0 (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser, and Peggy Wiles. NOES: None.)
7. **UPDATE RULES & REGULATIONS SECTION 28 – PURCHASE ORDERS**- The District's current Rules & Regulations require Purchase Orders to be completed for any District purchases over \$200. Staff are proposing a change to the policy to streamline District processes and eliminate staff busy work. **Recommended Action:** 1) Approve updates to the Rules & Regulations, section 28, regarding Purchase Order requirements. Ed Lee moved for approval of the recommended action, seconded Peggy Wiles and carried 5-0 (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser, and Peggy Wiles. NOES: None.)
8. **UPDATE PERSONNEL POLICY – CONVERT SICK TIME TO PTO**- The District's current Personnel Policy includes provisions for carrying over unused Sick Leave from before the Personnel Policy was updated January 1, 2020. The District no longer provides new Sick Leave hours but has increased Paid Time Off (PTO) accrual. Of the District's six employees, three employees have significant Sick Leave balances accrued. This item recommends eliminating Sick Leave by rolling the Sick Leave hours into PTO. Peggy Wiles asked if the effective date should match the fiscal year, rather than calendar year. Office Manager Amy Joy Marshall responded that PTO Accrual is closely tracked on monthly reconciliations and wouldn't be affected by the selection of fiscal or calendar year. Nathan Rosser stated his concern with increasing the payout value of the leave hours and was hesitant to approve the proposal as presented. Bruce Kuebler stated opposition to any changes to the policy as presented and felt it should move forward as is. He also requested that in recognition of section 3460.3 we state in the policy that we are converting the hours to PTO. After extensive discussion, there was board consensus to direct staff to rewrite the policy to allow sick hours to be used as paid time off but to keep their classification in a different category so that their payout value would remain as sick hour payout. Sick hours would be required to be used first for employees with sick leave balances and the combination of sick and PTO would be required to remain under the 800-hour limit. Staff will make additional changes and re-present to the Board at the September meeting. No action was taken on this item.
9. **RESOLUTION 2021-333 - AUTHORIZING RESOLUTION COVID RELIEF & TICO MERGER FUNDING**- The State Water Resources Control Board is preparing a program to help fund customer water bills that are past due because of COVID. As part of the program, they are requesting each water agency to designate an authorized person to sign documents and accept funding. They also

need a designated person for the funding program related to the Tico Annexation assistance. Resolution 2021-333 designates the General Manager as the "Authorized Representative".

Recommended Action: The General Manager recommends that the Board approve Resolution 2021-333 authorizing the General Manager to be the "Authorized Representative" regarding funding from the State Water Resources Control Board. Ed Lee moved for approval of the recommended action, seconded Peggy Wiles and carried 5-0 (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser, and Peggy Wiles. NOES: None.)

10. GOALS UPDATE- The District's Goals are set each year and act as a method of steering the actions of District staff. Once a year, staff update the Board with the progress of the goals as set. Several tasks this year are on hold while the State is reviewing the Engineer's Reports for Tico Annexation and proposed projects for the Zero Interest Loan. Once the State review is complete, we can proceed with Requests for Proposals to do engineering, design and environmental work and submit the Tico annexation to LAFCO. The Goals will be updated in January in preparation for budget for 2022/23. No action was taken on this item.

11. TURN DOWN PUMP TEST GRANT- In 2019 the General Manager applied for a Ventura River Instream Flow Grant through the Wildlife Conservation Board to perform a pump test to verify the Surface Water Groundwater Model that was being planned. The grant is administered by the Ventura County Resource Conservation District. The groundwater model is now operational and shows that the proposed pump test would not likely produce measurable results. Therefore, it is recommended that the District turn down the \$86,238 grant. The pump test was envisioned to be performed in a partnership with the Upper Ventura River Groundwater Agency. **Recommended Action:** 1) Direct the General Manager to Notify the Ventura Resource Conservation District that the District will not be implementing Project #6 to perform a pump test at a cost of \$80,000. 2) Direct the General Manager to communicate to the Ventura Resource Conservation District that the District is interested in rolling some of the Pump Test Monies into Project #7 for the Conservation Incentive Program. Jack Curtis moved for approval of the recommended action, seconded Bruce Kuebler and carried 5-0 (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser, and Peggy Wiles. NOES: None.)

12. BOARD REPORTS ON MEETINGS ATTENDED & UPDATE ON THE UPPER VENTURA RIVER GROUNDWATER AGENCY (UVRGA)-BRUCE KUEBLER – Bruce Kuebler and Bert Rapp discussed a meeting they attended which was put on by the special district association on the topic of cyber security. An FBI agent spoke to the group who specializes in cyber threats. The typical cyber security criminal gets access through a phishing email. About ninety percent of this happens through human error. Once the hackers are in, they may spend several weeks or months trying to find ways to make money off the company. One of the increased security measures mentioned by the agent was setting up two factor authentication which will be implemented by the District on vital programs.

Bruce Kuebler discussed the most recent UVRGA meeting. The interesting thing was the approach on water quality. Some minimum thresholds for several components were set and after further looking at the data, executive director Bryan Bondy felt the water quality parameters (such as TDS (total dissolved solids)/Sulfate/Chloride/Boron) are more influenced by river flow and percolation than groundwater pumping and therefore he is recommending that a minimum threshold not be set on those parameters. The focus will be on nitrates as those are affected by pumping. The Draft GSP was released on August 10 and is in the 60-day review period which will be closing on October 8. There will be another public workshop held, with a tentative date of September 23 (or possibly sooner). There will also be a special meeting of the Ventura River Watershed Council and that will be the only

item on the agenda. The Ventura River Watershed Council has a mailing list of 490 people compared to the UVRGA interested parties list in the 10s.

13. GENERAL MANAGER'S REPORT ON WATER & DISTRICT STATUS- The aquifer is currently 12.7 feet below the 30-year average for August 1. Well #1 is pumping 895 GPM, down 25 GPM from last month. Well #2, #3, #4 & #6 were not online in July. Well #7 is pumping 675 GPM, down 42 GPM from last month. No supplemental water was purchased from Casitas. Sales dollars billed on July 31, 2021, amounted to \$285,301, \$6,147 over budget for July. Water sold in July 2021 amounted to 39,338 HCF, a decrease of 37% below the 62,374 HCF sold in July 2013. On July 1, 2021, Lake Casitas level was at 35.4% of full capacity at elevation of 490.69 feet. The lake has decreased 1.1% or 1.94 feet and decreased 2,400 AF since last month. No action was taken on this item.

14. OLD & NEW BUSINESS –None.

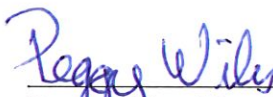
15. EXECUTIVE SESSION-Bruce Kuebler moved the meeting into a first executive session at 4:43 pm to discuss pending litigation and brought the board out of executive session at 4:56 pm. No action was taken on this item. Bruce moved back into executive session at 5:24 pm to discuss personnel issues and brought the board out of executive session at 5:34 pm. No action was taken.

Meeting adjourned at 5:34 pm.

Attested:



Bruce Kuebler, President



Peggy Wiles, Vice President