

**VENTURA RIVER WATER DISTRICT  
MINUTES OF REGULAR MEETING HELD MAY 13, 2015**

Pursuant to due and official notice, a regular meeting of the Board of Directors of the Ventura River Water District was held at 409 Old Baldwin Road, Ojai, California on May 13, 2015.

Directors present were J. Curtis, M. Hanson, T. Jamison, B. Kuebler and E. Lee. Also present were Legal Counsel Lindsay Nielsen and Paul Huff, General Manager/Board Secretary Bert Rapp and Office Manager Janet Schaefer. Public present were Mr. George Galgas and three members of the public.

1. **CALL MEETING TO ORDER** – President J. Curtis called the meeting to order at 3:00 o'clock p. m.

2. **PLEDGE OF ALLEGIANCE** – Led by J. Curtis.

3. **CONSENT AGENDA** –

a. FINANCIAL EXPENDITURES FOR APRIL 2015, FINANCIALS FOR OCTOBER AND NOVEMBER 2014.

b. MINUTES FOR REGULAR MEETING APRIL 8, 2015

E. Lee moved for approval, seconded by T. Jamison. Action carried 5-0.

4. **PUBLIC COMMENT** – None.

5. **PROTEST HEARING – ADOPTION OF TEMPORARY DROUGHT SURCHARGE, APPROVE RESOLUTION 2015-294 UPDATING THE RATE SCHEDULE IN THE RULES & REGULATIONS** – B

Rapp reported that the Drought Surcharge is temporary and can be reduced or eliminated by the Board at any time. He also showed charts of how customer's water bills would be affected if they are average conservers, aggressive conservers and if they don't conserve. One written protest was received by the District prior to the start of the meeting. Mr. Galgas submitted 24 written protests and commented that the cost should not be increased on the first tier but all cost increases should be applied to the higher tiers or the first tier should be cut in half and only the higher portion be required to pay the surcharge. B. Kuebler noted that the Temporary Drought Surcharge is applied to each tier in equal percentages to keep them consistent with existing tier concept. M. Hanson moved to adopt Resolution 2015 approving and implementing the Temporary Drought Surcharge. T. Jamison seconded the motion. Roll call vote: J. Curtis: yes, E. Lee: yes, B. Kubler: Yes, M. Hanson: yes, T. Jamison: yes. Motion carried.

6. **APPROVE UPDATE TO RULES AND REGULATIONS FOR SECOND WELLING UNIT**

**PROVISIONS** – B. Rapp presented the propose changes to the Rules and Regulations defining additional dwelling units as separate structures, setting the Capacity Charge for additional dwelling units at 25% of the normal charge, adding paragraph 4.12 stating requirements for existing additional dwelling units when they are established legally and illegally and clarifying



that multiple meters are not required for apartments and mobile home parks. B. Kuebler commented that he did see that the additional dwelling provisions were necessary and that the District should treat apartment units, mobile home units and second dwelling on a residential parcel equally and there isn't a need for the proposal. There will not be a significant revenue for the District. T. Jamison offered that the additional dwelling provisions were appropriate because the additional dwelling unit is another home built on that parcel. J. Curtis noted that in the future there will be allocations per home and having a separate meter will clarify the allocation need for each residence. B. Kuebler noted that the revision to the Capacity Charge was not included in the Protest Hearing notice. B. Rapp stated that it was not a property related fee subject to the protest hearing process, P. Huff indicated he believed that was correct. T. Jameson moved for approval of the Rules and Regulations as amended. Seconded by M. Hanson. Ayes: J. Curtis, E. Lee, M. Hanson & T. Jamison, Nos: B. Kuebler. Motion carried.

7. **PRELIMINARY BUDGET REVIEW FY 2015/2016** – B. Rapp reported that the revisions to the draft budget since the Board review on April 8<sup>th</sup> include an increase in projected 2014/15 revenue of \$63,000, a decrease in projected revenues in 2015/16 of \$141,000 due to conservation, the inflation factor was reduced from 1% to 0.5% per the March L.A. Area Consumer Price Index. With these and previous changes the budget is balanced over the 10-year projection for the Capital Improvement Program. No action was taken on the draft budget.

8. **REVIEW ANNUAL NEWSLETTER** – B. Rapp reported that the newsletter is at about 50% and a final version will be presented at the June 3<sup>rd</sup> meeting. George Galgas recommended that people should be asked to stop topping off their pools. E. Lee responded that once the water level in the pool gets below the skimmer the pool would stop functioning and the plaster could be ruined. B. Kuebler said that the emphasis in the newsletter should not be about saving money but on conserving water because we have limited supply and we don't know how long the drought will last.

9. **ACCEPTANCE OF IMPROVEMENTS OF SCADA SYSTEM IMPROVEMENTS & APPROVAL OF BUDGET TRANSFER #3** - B. Rapp reported that the SCADA project is complete and ready for acceptance. A change order was added to change out the radios to meet new FCC band width requirements. Budget Transfer #3 in the amount of \$8,000 is needed to cover the final cost of the project. T. Jamison moved to approve Budget Transfer #3 in the amount of \$8,000 from account 9370000 to account 9150001. Seconded by B. Kuebler carried unanimously. T. Jamison moved to accept the SCADA System Improvements project as complete, to record the Notice of Completion and release the \$6,381 retention after the 35 day lien period. Seconded by B. Kuebler and carried unanimously.

10. **SAN JUAN CAPISTRANO TIERED RATE LAW SUIT** – L. Nielsen noted that there is a conflict between the executive and judicial and they are just diametrically opposed. J. Curtis indicated that about two thirds of the water agencies utilize tiered rates so if the case stands then many agencies will be impacted. B. Kuebler noted that the District could have two tiered rate structure, tier 1 would be normal water service and tier 2 would be the Casitas purchased



water. The consensus was that the District should not take action now but wait until it is known if the case would be appealed to the California Supreme Court.

11. **GROUNDWATER SUSTAINABILITY AGENCY** – B. Kuebler reported that the County Board of Supervisors May 5<sup>th</sup> approved the MOU for the Groundwater Sustainability Agency so now all 5 agencies have approved the MOU. It was clear that the County wants to have a seat on the decision making body, they don't want to be an advisory person. The GSA Sub-committee is now ready to discuss what form the new GSA agency will utilize such as a Joint Powers Authority or using an agreement or other mechanism. At the April 23<sup>rd</sup> public meeting representatives of the farming community attended with overall public attendance of about 26 people.


12. **GENERAL MANAGERS REPORT ON WELLS, WATER STATUS** - B Rapp reported that static water in Well #2 was 61.3 feet below the surface on 5/1/15. Well #1 is pumping at 793 GPM and Well #3 is pumping 309 GPM. Wells #2 & 4 are not pumping due to low water levels. Three Notice of Violation letters were issued in April. No penalties have been assessed.


13. **OLD & NEW BUSINESS** – The AWA meeting will be attended by J. Curtis, B. Kuebler and B. Rapp. No one will attend the VCSDA meeting. A request for funding for the Watersheds Coalition was presented. B. Kuebler noted that there may be some value to the District in supporting the Coalition. T. Jamison noted that we are cutting back on our budget and postponing projects and we should not contribute this year. The funding request was not recommend for inclusion in the draft budget. B. Kuebler asked about review of the monthly financial reports and having the legal counsel sign off on staff reports to the Board. The General Manager reviews the financial reports prior to distribution the Board and the consensus was that it would be sufficient for the attorney to review the staff reports before the Board meetings without signing that they have been approved as to form.

14. **EXECUTIVE SESSION** - The meeting was adjourned to an Executive Session to discuss litigation regarding Small vrs. VRWD, City of Ventura Cross Complaint and Legal Counsel performance review, at 5:20 P.M.. No actions were taken.

15. **Meeting Adjournment** – Meeting was duly adjourned at 6:15 P.M.

Attested:

  
John Curtis, President

  
Ed Lee, Vice President