

DIRECTORS

Peter W. Hansen

Craig R. Kaihara

Thomas P. Vujovich, Jr.

John S. Broome

John D. Menne



PLEASANT VALLEY COUNTY WATER DISTRICT

PIONEER IN FOX CANYON AQUIFER CONSERVATION
SERVING AGRICULTURE SINCE 1956

154 S. LAS POSAS ROAD, CAMARILLO, CA 93010-8570

Phone: 805-482-2119

Fax: 805 484-5835

STAFF

Jared L. Bouchard
General Manager

General Counsel
Arnold, Blauel, LaRochelle,
Mathews & Zirbel, LLP

**PLEASANT VALLEY COUNTY WATER DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Pleasant Valley County Water District Board of Directors will hold a SPECIAL MEETING at 11:00 a.m. on Thursday, July 9, 2020, at the District Office located at 154 S. Las Posas Road, Camarillo, CA 93010-8570.

In accordance with the Governor's Executive Order N-29-20 and the Ventura County Stay Well at Home Order resulting from the Novel Coronavirus the Meeting will be held virtually using the ZOOM platform by calling 1-408-638-0968 and entering Meeting ID: 315 374 1842

AGENDA

The agenda is posted at least 24 hours preceding the Board meeting and contains all items on which Board action will be allowed pursuant to Government Code Section 54954.2. Action will be taken on unanticipated items only when an emergency (as defined in Section 54956.5) exists or as otherwise allowed under Section 54954.2(b).

An opportunity for members of the public to briefly address the Board on items not on the agenda is provided at the beginning and end of each meeting. Persons wishing to comment on agenda items should complete a speaker card and submit it (preferably before the meeting) to the Clerk. The Chairman will then recognize them at the appropriate time. Once recognized, persons should step to the podium, clearly state their name and address for the record, and address the item being considered in as brief, clear and concise a manner as possible.

OPEN SESSION AND CALL TO ORDER:

- 1) Pledge of allegiance.
- 2) Roll call.
- 3) Determination of quorum.
- 4) Approval of agenda.
- 5) Approval of Minutes:
 - a) June 23, 2020
- 6) Open Forum.

This is an opportunity for the public to address the Board on matters not appearing on the agenda. No action may be taken by the Board at this time, but items can be considered for placing on the agenda for a subsequent meeting.

7) PUBLIC HEARING 11:00 AM

A. ORDINANCE 20-01 PLEASANT VALLEY COUNTY AN ORDINANCE ESTABLISHING FEES RELATED TO THE PROVISION OF WATER SERVICE

Recommendation:

- 1) Conduct public hearing, receive staff report, public testimony, and close the public hearing
- 2) Perform second reading in title only and adoption of Ordinance 20-01 effective September 1, 2020

8) ACTION CALENDAR

A. CONSIDER BIENNIAL CONFLICT OF INTEREST CODE

Recommendation: Adopt the Code as Presented

B. BOARD DISCUSSION OF SETTING PVCWD ALLOCATIONS RELATED TO THE PROPOSED FOX CANYON GROUND WATER MANAGEMENT AGENCY ALLOCATION ORDINANCE

Recommendation: Board Discretion

9) GENERAL MANAGER COMMENTS

10) OTHER BUSINESS.

11) CLOSED SESSION. It is the intention of the Pleasant Valley County Water District Board of Directors to be in closed session to consider the following items:

- A. Conference with legal counsel-potential/anticipated litigation. Subdivision (d) of Section 54956.9 of *California Government Code*. (One case)

12) ADJOURNMENT.

In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals with disabilities so they may attend and participate in meetings. If special assistance is needed, please call the Agency staff at (805) 482-2119 at least 24 hours prior to the meeting so proper arrangements may be assured. If requested, and as possible, agendas will be provided in alternative formats.

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Agenda Posting Certification: This agenda was posted not less than 24 hours prior to the scheduled meeting date and time at 154 S. Las Posas Road Camarillo CA, 93010 in a location that is accessible 24 hours a day to the General Public and is posted on the Pleasant Valley County Water District website <https://www.pleasantvalleycountywaterdistrict.com/>

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MINUTES OF SPECIAL MEETING OF THE
BOARD OF DIRECTORS
PLEASANT VALLEY COUNTY WATER DISTRICT HELD
Tuesday June 23rd, 2020

STAFF

Jared L. Bouchard
General Manager

General Counsel
Arnold, Bleuel,
LaRoche,
Mathews & Zirbel,
LLP

Pursuant of notice given, a Special Meeting of the Board of Directors of the Pleasant Valley County Water District was held on Tuesday June 23rd, 2020 @ 10:00 a.m. in the District headquarters facility 154 S. Las Posas Rd, Camarillo, CA , via the ZOOM platform.

Call to Order

The meeting was called to order at 10:06 a.m. by President, Thomas P. Vujovich, Jr.

Agenda Item #1- Pledge of Allegiance was led by President Vujovich

Agenda #2- Roll Call

Attendance at the meeting was as follows:

Directors' Present: Thomas P. Vujovich, Jr., President

Craig Kaihara, Vice President

Pete Hansen

John Broome

John Menne

Staff Present: Rob Saperstein, Attorney

Jared Bouchard, General Manager

Agenda #3 – Determination of Quorum

Quorum was established

Agenda Item #4 – Approval of Agenda

Motion to approve agenda by Director Broome; seconded by Director Menne, motion passed unanimously.

Agenda Item #5 – Approval of Minutes

Moved by Director Broome to approve the minutes of the Special Board Meetings held on 10-10-19 and 11-7-19 seconded by Director Hansen, motion passed unanimously, and minutes were approved as presented.

Agenda item #6 – Open Forum

Public comment:

Dan Naumann was present and discussed UWCD upcoming rates and water availability.

Agenda Item #7 – Action Items

A. – Ratification of Checks

It was moved by Director Menne to ratify the checks issued from October 10th, 2019 to June 18th, 2020 by the District, seconded by Director Broome. The motion passed unanimously, and the list of checks ratified is appended to these minutes.

B. – Consider FY 2020/2021 Budget

The Pleasant Valley County Water District budget for FY 2020/2021 was presented by General manager Jared Bouchard. Board Discussion ensued, a motion to approve by Director Broome, seconded by Director Hansen. The motion passed unanimously.

C. – Consider Annual Audit

A clean independent auditors report for Pleasant Valley County Water District FY 2018/2019 was presented. Motion to approve as presented by Director Menne, seconded by Director Hansen. The motion passed unanimously.

D. – First Reading of Ordinance 20-01 Pleasant Valley County an Ordinance establishing fees related to the provision of water service.

General Manager Bouchard suggested the board conduct a first read and set a public hearing date for consideration of pass through rate increases. The Board of Directors set a date of July 9th, 2020 at 11:00 a.m. Motion to approve date and time for pass through public hearing by Director Kiahara, seconded by Director Menne. The motion passed unanimously, and staff will submit legal notice to Ventura county Star.

E.- Proposal for Billing and Water Allocation tracking software with Muni Utility Billing Solutions.

The proposal for the Billing and Water Allocation tracking software with Muni Billing was presented at no more than \$120,000.00 in initial capital expenditure. Motion to approve by Director Kiahara, seconded by Director Menne. The motion passed unanimously.

F. – Consider Amendment to No.1 to the Water Delivery Contract between the United Water Conservation District and Pleasant Valley County Water District.

General Manager Bouchard presented an amendment to the United Water Conservation District and Pleasant Valley County Water District Contract No. 1. The amendment modifies location of metering for billing of Santa Clara River Surface Water. Motion to approve by Director Broome, seconded by Director Hansen. The motion passed unanimously.

G.- Board discussion of setting PVCWD allocations related to the proposed Fox Canyon Ground Water Management Agency Allocation Ordinance.

Board discussion of PVCWD Allocation ensued and monthly meetings agreed upon to discuss progress.

Agenda Item #8 – General Manager Comments

General Manager Bouchard had no comments to report.

Agenda Item #9 – Other Business

No other business to report.

Agenda Item #10 – Closed Session

The Board went into closed session per Government Code sec 54956.9© to conference with legal counsel on existing litigations.

The board came out of session at 12: 01 p.m.

Agenda Item #11 – Adjournment

The meeting was adjourned upon a motion duly made seconded, and carried unanimously at 12:02 p.m.

Respectfully Submitted:

Minutes Approval:

Jared Bouchard, General Manager

Thomas P. Vujovich, Jr., President

DIRECTORS

Peter W. Hansen

Craig R. Kaihara

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July 9, 2020 SPECIAL MEETING

TO: BOARD OF DIRECTORS

FROM: GENERAL MANAGER

**Subject: PUBLIC HEARING - ORDINANCE 20-01 PLEASANT VALLEY COUNTY AN
ORDINANCE ESTABLISHING FEES RELATED TO THE PROVISION OF
WATER SERVICE**

AGENDA ITEM: 7A

At the Boards October 10, 2019 meeting the Board reviewed the current rates and their efficacy in meeting the financial obligations of the District, in particular the Board received a presentation regarding the increase in fees PVCWD is paying in the way of ground water pump fees to United and FCGMA and in addition, the increased cost for purchased water from Camrosa.

The Board directed staff to return with an ordinance that will implement an effective "pass through" rate increase of \$30/ acft more to the existing rate of \$300 in order to fund the increased cost of water to PVCWD.

The PVCWD board conducted a First Reading of Ordinance 20-01 at it's June 23, 2020 meeting. Public Notice of the July 9, 2020 hearing was published in the Ventura County Star on June 26, 2020.

Ordinance 20-01 would become effective September 1, 2020, if adopted by the Board.

Recommendation:

- 1) Conduct public hearing, receive staff report, public testimony, and close the public hearing
- 2) Perform second reading in title only and adoption of Ordinance 20-01 effective September 1, 2020

Ordinance 20-01
PLEASANT VALLEY COUNTY WATER DISTRICT AN ORDINANCE ESTABLISHING
FEEES RELATED TO THE PROVISION OF WATER SERVICE

SECTION 1: Short Title

The Short Title of this Ordinance shall be: "**PVCWD Service Fee and Charges Adjustments Ordinance**" and may be cited as such.

SECTION 2: Purpose

"The purposes of this Ordinance are:

- a. In order to pass through increased wholesale water costs and increased regulatory pump charges, increase the cost of water that Pleasant Valley County Water District charges to its customers, and
- b. Establish such other fees, including stand by fees; reconnection fees; charges for water waste. Such fees are necessary for the ongoing operations and management of the District's water service."

Section 3: Definitions and Abbreviations.

- (a) "PVCWD" shall mean Pleasant Valley County Water District
- (b) "Recycled Water" shall mean in the broad sense all water supplied by PVCWD
- (c) "Ac/ft " shall mean one acre foot of water
- (d) "Turnout" shall mean any connection to the PVCWD for the purpose of providing PVCWD supplied water
- (e) "Idle Turnout" shall mean an existing turnout that has been locked off or has not been immediately available for use by the customer.
- (f) "Stand By Fee"- Shall mean a fee imposed for any turnout that is open an available for use by the customer.

Section 4: Metered Use Rates, Billing , Late Fees, Disconnection and

Reconnection

The following rates are effective beginning at 12:01am on September 1, 2020:

Section 4.1 Metered Use Rates - The metered use rate for all turnout delivered water shall be: **\$330/ Ac/ft**

Section 4.2 Billing- The District shall deliver a monthly bill to each customer by the 5th of each month, the bills are due and payable by the 1st day of the following month of the billing date

- i. **Late Fees**- Any account that fails to pay the bill in full will incur a 6% late fee on any unpaid balance for the billing period.
- ii. **Disconnection for Non Payment**- Any account that is delinquent beyond days after the due date shall be subject to termination in accordance with Resolution 17-01 or the then current Delinquent Account Policies adopted by the Pleasant Valley County Water District Board and be subject to \$150 dollar reconnection fee if service is terminated for non payment.

Section 4.3 Stand By Fees – A \$330/month fee shall be imposed for each turnout that uses less than one ac/ft of water per month in any one month billing cycle.

Section 4.4 Charges for Relocation or Abandonment of Metered Service. Charges for all meter relocation services will be billed at the District's actual cost plus a 15% administration fee to cover handling and billing costs on all materials as well as other related costs incurred by the District in connection with the provision of these services. An estimate of costs for each relocation or abandonment shall be available upon request from the District's General Manager.

Section 4.5 Reconnection Fees for Idle Turnouts- The following fees shall be imposed on each turnout where a customer request that an Idle Turnout be Restored to service:

The reconnection fee shall be calculated using the then effective Stand By Fees times the number of months the Turnout has been Idle.

Section 4.6 Prohibition of Water Waste- No Customer of PVCWD shall cause or allow the direct application or runoff from lands irrigated with PVCWD waters to reach or come in contact with roads or other prohibited drainage system consistent with applicable local, state , federal or other regulatory restrictions relating to the delivery of Recycled Water.

Violation of this section shall be subject to:

1. \$50 fine for a first offense
2. \$100 for second offense within a 12 month period and the termination of water service for 48hours.
3. \$300 for a third offense in a 12 month period and the termination of water service

SECTION 5: Effective Date

This Ordinance shall become effective at **12:01 a.m. on September 1, 20120.**

SECTION 6: Publication

Upon adoption, this Ordinance shall be published in title and general description only in a newspaper of general circulation within the District's general area of service.

SECTION 7: Repeal of Ordinances

Repeal of all other Fee Ordinances related to the provisions of water service from Pleasant Valley County Water District

SECTION 8: Severability

In the event that any section, clause or portion of this Ordinance is found to be invalid, the validity of the remaining sections of the Ordinance shall not be affected.

PASSED, APPROVED and ADOPTED by the Pleasant Valley County Water District Board of Directors on this **9th day of July, 2020**, by the following vote:

AYES: Directors:

NOES: Directors:

ABSENT: Directors:

Thomas Vujovich, BOARD PRESIDENT

John Mathews, General Counsel

Jared Bouchard, GENERAL MANAGER

ATTEST:
APPROVED AS TO FORM:



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July 9th, 2020 SPECIAL MEETING

TO: BOARD OF DIRECTORS

FROM: GENERAL MANAGER

Subject: CONSIDER BIENNIAL CONFLICT OF INTEREST CODE

AGENDA ITEM: 8A

The District must review and amend as needed every even-numbered year and submit any changes made to the County of Ventura. Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

After reviewing the last format provided in 2018, there is no suggested modification for 2020. Attached is the 2020 Local Agency Biennial Notice with NO amendment required.

Recommendation: Approve

2020 Local Agency Biennial Notice

Name of Agency: Pleasant Valley County Water District

Mailing Address: 154 S. Las Posas Rd.

Contact Person: Jared Bouchard Phone No. 805-482-2119

Email: jared@pvcwater.com Alternate Email: nancy@pvcwater.com

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

An amendment is required. The following amendments are necessary:

(Check all that apply.)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (describe) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

07/09/2020

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to: **E-Mail to: form700clerk@ventura.org**

or

**Mail to: Clerk of the Board of Supervisors
800 S. Victoria Avenue, L# 1920
Ventura, CA 93009-1920**

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

CONFLICT OF INTEREST CODE
PLEASANT VALLEY COUNTY WATER DISTRICT

The Political Reform Act, Government Code section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs., § 18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

The terms of California Code of Regulations, Title 2, Section 18730, and any amendment to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the **PLEASANT VALLEY COUNTY WATER DISTRICT**, and along with the attached Exhibit A, which designates positions requiring disclosure and Exhibit B, which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the **PLEASANT VALLEY COUNTY WATER DISTRICT**. Persons holding positions designated in Exhibit A shall file Form 700 Statements of Economic Interests with the Filing Officer specified for that position in Exhibit A.

IN PREPARING THE FORM 700, DESIGNATED FILERS NEED ONLY DISCLOSE THOSE FINANCIAL INTERESTS FALLING WITHIN THE DISCLOSURE CATEGORIES DESIGNATED FOR THAT FILER'S POSITION AS STATED IN EXHIBITS A AND B.

APPROVED AND ADOPTED this 9th day of July 2020:

By: _____

Name: Thomas P. Vujovich, JR

Title: President of the Board

EXHIBIT A – DESIGNATED POSITIONS AND FILING OFFICERS

# of POSITIONS	POSITION TITLE	DISCLOSURE CATEGORIES (From Exhibit B)	FILING OFFICER (Designate County Clerk of Board [COB] or Local Agency's Clerk [AC])
5	Board of Directors	1	County Clerk of the Board
1	District Manager	1	County Clerk of the Board
1	Secretary of the Board	1	County Clerk of the Board
1	General Counsel	1	County Clerk of the Board