

**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

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**STAFF**

Jared L. Bouchard  
General Manager

General Counsel  
Arnold, Bleuel,  
LaRochelle,  
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LLP

MINUTES OF SPECIAL MEETING OF THE  
BOARD OF DIRECTORS  
PLEASANT VALLEY COUNTY WATER DISTRICT HELD  
Tuesday August 30<sup>th</sup>, 2022 @ 10:00a.m.

Pursuant of notice given, a Special Meeting of the Board of Directors of the Pleasant Valley County Water District was held on Tuesday August 30<sup>th</sup>, 2022 @ 10:00 a.m. in the district headquarters facility, 154 S. Las Posas Rd, Camarillo, CA.

Call to Order

The meeting was called to order at 10:04 a.m. by Board President Vujovich.

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

Agenda #2- Roll Call

Attendance at the meeting was as follows:

Directors Present:

Thomas P. Vujovich, Jr., President

Director John Menne (arrived at 10:10 a.m.)

Director John Broome

Director Craig Kaihara

Director Peter Hansen

Directors Absent:

None

Staff Present: John Matthews, Attorney

Jared Bouchard, General Manager

### Agenda #3 – Determination of Quorum

Quorum was established

### Agenda Item #4 – Approval of Agenda

A motion to approve the agenda was made by Director Broome; seconded by Director Hansen. Motion passed unanimously with a 4-0 vote and the agenda was approved as presented.

Ayes: -4- Directors: Vujovich, Broome, Kaihara, Hnasen

Ney's: -0-

Absent: -1- Menne

### Agenda item #5 – Approval of Minutes

A motion to approve the minutes of the Special Board meeting held on June 7th, 2022, was made by Director Kaihara and seconded by Director Hansen. Motion passed unanimously with a 4-0 vote, and minutes were approved as presented.

Ayes: -4- Directors: Vujovich, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -1- Menne

### Agenda item #6 -Open Forum

Public comment: A letter of public comment was received by Tom Deardorff on August 29, 2022 appended to these minutes. Jurgen Gramkow addressed the board expressing opposition for the Supplemental Water Availability Ordinance 22-01. Greg Lewis addressed the board expressing support of the Supplemental Water Availability Ordinance 22-01. General Comments were made by Luis Calderon, Danny Pereira and Daniel Naumann.

### Agenda Item #7 – Closed Session

The Board went into closed session per Subdivision (d) of the California Government Code Section 54956.9© to conference with legal counsel on potential or existing litigations.

The Board concluded Closed session at 10:25 a.m. General and Special counsel did not have any discussion on potential litigation and no specific action was taken.

### Agenda Item #8- Action Items

- A. Consider Resolution 22-05 authorizing the continuation of remote meetings.

A motion to authorize Resolution 22-05 authorizing the continuation of remote meetings was made by Director Broome; seconded by Director Kaihara. Motion passed unanimously with a 5-0 vote.

Ayes: -5- Directors: Vujovich, Broome, Kaihara, Hansen, Menne

Ney's: -0-

Absent: -0-

B. First Reading of Ordinance 22-01 Pleasant Valley County Water District Ordinance establishing Supplemental Water Availability.

First Reading of Ordinance 22-01 establishing Supplemental Water Availability was preformed, a motion to set public hearing, second reading and adoption of Ordinance 22-01 was set for September 27<sup>th</sup>, 2022 @ 10:00a.m. was made by Director Broome, seconded by Director Kaihara. Motion passed unanimously with a 5-0 vote.

Ayes: 5-Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

C. Consider Annual Audit for fiscal year ended June 30, 2020 Independent Auditors Report. Independent Auditors report for fiscal year 20-21 was presented, reviewed, and approved as presented. Motion to approve was made by Director Kaihara, seconded by Director Menne. Motion passed unanimously with a 5-0 vote.

Ayes: 5-Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

D. Consider FY 2022/2023 Budget

FY Budget 22/23 was presented and reviewed. A Motion to approve FY Budget 22/23 retroactive to July 1, 2022, was made by Director Broome, seconded by Director Kaihara. Motion approved unanimously with a 5-0 vote.

Ayes: 5-Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

E. First Reading of Ordinance 22-02 Pleasant Valley County Water District an Ordinance Adjusting Fees Related to the Provisions of Water Service

First Reading of Ordinance 22-02 an Ordinance Adjusting Fees Related to the Provisions of Water Service was preformed, a motion to set public hearing, second reading and adoption of Ordinance 22-02 was set for September 27<sup>th</sup>, 2022 @ 10:00a.m. was made by Director Broome, seconded by Director Kaihara. Motion passed unanimously with a 5-0 vote.

Ayes: 5-Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

F. Consider Proposal from Raftelis Financial Consultant

Proposal from Raftelis Financial was presented and reviewed. A motion was made by Director Menne, seconded by Director Broome, approving General Manager Bouchard to execute consultant contact with Raftelis Financial Consultants Inc. to perform a 5 Year Water Rate Study in an amount not to exceed \$55,000.00. Motion passed unanimously with a 5-0 vote.

Ayes: 5-Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

G. Ratification of Checks

A motion was made by Director Hansen, seconded by Director Kaihara to ratify the checks issued and funds transferred since 6-4-2022. The Motion passed unanimously with a 5-0 vote and a list of checks ratified is appended to these minutes.

Ayes: 5- Directors: Vujovich, Menne, Broome, Kaihara, Hansen

Ney's: -0-

Absent: -0-

Agenda Item #9 - General Manager Comments

General Manager Bouchard updated the Board on general business of the district.

Agenda Item #10 – Other Business

No other business to report.

Agenda Item #11 – Adjournment

The meeting was adjourned upon a motion duly made seconded, and carried unanimously at 11:53 a.m.

Respectfully Submitted:



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Jared Bouchard, General Manager

Minutes Approval:



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Thomas Vujovich, Board President

I was hoping to have more time to review and prepare comments and discuss this with our farming partners, landlords and advisors before your meeting. But, getting notice on Saturday morning for a Tuesday morning meeting makes it tough. I would have hoped PVCWD would try to do a better job of consensus building on such an important topic. I can not attend the meeting, but was hoping the Board would address the following questions:

1. Conflicts of Interest/Notice. The board members all have a conflict of interest. In short, it is reasonable foreseeable that their decision will have a material effect on their own economic interest. Because they all have a conflict, would it not be more wise to recuse themselves and have every owner of land in the district vote on this policy? This action is a complete redo of how PVCWD does business and should involve a vote of landowners. In addition, the land in PVCWD is often owned by persons living in other communities (a fact set forth in the California Water Code). And, the owners of the land within PVCWD are the ones primarily concerned with the district and the ones who will bear the cost your actions. Your notice system is not reasonably intended to reach these people. Indeed, many of our landlords do not live in the county and do not know of your intended actions. Your board and legal counsel know full well that the landowners do not live in this county. Providing notice in a local paper is not reasonably likely to inform them of your intent to alter the entire PVCWD water delivery policy and systems. The Water Code specifically requires you to get a vote from landowners.
2. Discriminatory Pricing/Availability. What law allows PVCWD to treat each customer differently? Clearly, there is a big debate about what is "fair" for limiting water use. That is a separate issue. Before we get there, I see no legal pathway that allows PVCWD to create a system of limitation where one customer pays a different rate for the same quantity of water as another customer and/or gets their water limited at a different volume amount as another customer. You are legally limited to treating every customer the same on both pricing and availability.
3. Adjudication. Your new policy effectively adjudicates the PVCWD portion of the basin as you are using customer's water rights as the underpinning of your policy. Neither FCGMA nor PVCWD have the legal right to adjudicate water use. Again, it might be the "fairest" system, but there is no legal right for PVCWD to take this action using this process.

These are my main concerns with the policy and process the board is considering. Clearly, these are tough issues. I want to ensure we get the consensus of the landowners - and I do not see that happening with the the proposed policy and process by which this issue is being considered.

Thank you for your time and consideration.  
Tom Deardorff, II  
Deardorff Family Farms  
P.O. Box 1188  
Oxnard, CA 93032  
805.487.7801 ext. 107

RECEIVED

AUG 29 2022

BY:

