



AGENDA

Special Meeting of March 27, 2025

Meeting Time 5:00 pm

Council Chambers, Ojai City Hall

401 South Ventura Street, Ojai, CA 93023

Phone: 805.640.1207 Web site: obgma.com

Email: obgma@aol.com

Board of Directors

Richard Hajas, Casitas Municipal Water District	Jim Finch, Ojai Water Conservation District
Peter Thielke, Mutual Water Companies	Bob Daddi, Community Facilities District
Andrew Whitman, City of Ojai	

Zoom Teleconferencing for Public Call in Participation:

1. Zoom Dial in Information: 1-669-900-9128, Meeting ID: 827 5712 7464, Password: 218792.

For Public Viewing

2. Zoom Meeting
Link: <https://us02web.zoom.us/j/82757127464?pwd=Rm5JenhNVDNvRVovaEUwMzdScnFRdz09>
3. www.OBGMA.com
4. City of Ojai YouTube Channel at:
<https://www.youtube.com/channel/UC3DhCB5Z1DynNC7n8qcNeDQ/live> (2 Minute delay of transmission)
5. In Ojai, CA: Spectrum Channel 10.

Public Comments: Members of the public may provide public comments under Item 6 or on each agenda item presented herein. Please wait until the Board Chair asks if any members of the public wish to comment. This will provide for orderly participation during the meeting.

Members of the public may also submit written public comments in advance via e-mail no later than 12:00 p.m. on the day of the meeting. Public comment e-mails should be sent to OBGMA@aol.com "Attention Board of Directors".

1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

The Board will receive comments from the public at this time. Other than for emergency items, no action can be taken during this period. Matters raised at this time may be briefly discussed by the Board and will generally be referred to staff and/or placed on a subsequent agenda.

4. Board Hearing to Consider the Imposition of a Fine and/or Civil Penalty to be Assessed Against the Owner/Operator of State Well No. 04N23W12K04S

- a) Consider the imposition of a one-time fine not to exceed \$500 to be assessed against the owner/operator of State Well No. 04N23W12K04S, located at property address 741 Saddle Lane (APN 024-0-120-05), for the intentional failure of the owner/operator to equip the well with a water flow measuring device prior to the compliance deadline established by the Board of Directors of January 30, 2025
- b) Consider the imposition of an additional daily civil penalty in the range of \$20 to \$50 per day to be assessed against the owner/operator of State Well No. 04N23W12K04S, located at property address 741 Saddle Lane (APN 024-0-120-05), for the continuing failure of the owner/operator to equip the well with a water flow measuring device from the established compliance deadline of January 30, 2025, through the Board hearing date of March 27, 2025 (a total of 56 days)
- c) Approve Resolution No. 2025-01

5. Board Hearing to Consider the Imposition of a Fine and/or Civil Penalty to be Assessed Against the Owner/Operator of State Well No. 05N22W32H01S

- a) Consider the imposition of a one-time fine not to exceed \$500 to be assessed against the owner/operator of State Well No. 05N22W32H01S, located at property address 1226 Ladera Road (Assessor's Parcel No. 014-0-060-480) for the intentional failure of the owner/operator to equip the well with a water flow measuring device prior to the compliance deadline established by the Board of Directors of January 30, 2025.
- b) Consider the imposition of an additional daily civil penalty in the range of \$20 to \$50 per day to be assessed against the owner/operator of State Well No. 05N22W32H01S, located at property address 1226 Ladera Road (Assessor's Parcel No. 014-0-060-480), for the continuing failure of the owner/operator to equip the well with a water flow measuring device from the established compliance deadline of January 30, 2025, through the Board hearing date of March 27, 2025 (a total of 56 days).
- c) Approve Resolution No. 2025-02

6. ADJOURNMENT

The regular meetings of the Ojai Basin Groundwater Management Agency are scheduled for the last Thursday of each month. The meeting agenda will be posted at Ojai City Hall and the OBGMA website 72 hours prior to the meeting.

The next regular meeting of the Ojai Basin Groundwater Management Agency is scheduled for April 24, 2025, at 3:00 p.m. to be held in the Council Chambers at Ojai City Hall and by Zoom Teleconferencing. Please contact OBGMA by email at obgma@aol.com or by calling 805.640.1207 with any questions.

Ojai Basin Groundwater Management Agency

Memorandum

To: Board of Directors
From: Julia Aranda, PE, General Manager
Subject: Board Hearing to Consider the Imposition of a Fine and/or Civil Penalty to be Assessed Against the Owner/Operator of State Well No. 04N23W12K04S

March 27, 2025

Recommendation

- Consider the imposition of a one-time fine not to exceed \$500 to be assessed against the owner/operator of State Well No. 04N23W12K04S, located at property address 741 Saddle Lane (APN 024-0-120-05), for the intentional failure of the owner/operator to equip the well with a water flow measuring device prior to the compliance deadline established by the Board of Directors of January 30, 2025.
- Consider the imposition of an additional daily civil penalty in the range of \$20 to \$50 per day to be assessed against the owner/operator of State Well No. 04N23W12K04S, located at property address 741 Saddle Lane (APN 024-0-120-05), for the continuing failure of the owner/operator to equip the well with a water flow measuring device from the established compliance deadline of January 30, 2025, through the Board hearing date of March 27, 2025 (a total of 56 days).
- Approve Resolution No. 2025-01

Background and Discussion

Well Owner/Operator	Property Address	Mailing Address
Terease VanLanduyt	741 Saddle Lane Ojai CA 93023	1129 Maricopa Highway #121 Ojai CA 93023

OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

In October 2024, the OBGMA Board of Directors embarked on an effort to enforce the metering requirements of OBGMA's enabling legislation and Ordinances Nos. 8 and 11.

OBGMA staff determined that State Well No. (SWN) 04N23W12K04S located at property address 741 Saddle Lane (APN 024-0-120-05) was not equipped with a water flow measuring device and therefore was out of compliance with the requirements OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11.

A First Notice of Non-Compliance was sent to the mailing address for Ms. VanLanduyt via regular mail on November 1, 2024. The First Notice informed Ms. VanLanduyt she had 90 days to install a meter on her well. The deadline for compliance established by the Board of Directors was January 30, 2025. A Meter Registration Form was included with the Notice for Ms. VanLanduyt to use in demonstrating compliance.

A Second Notice of Non-Compliance was sent to the mailing address for Ms. VanLanduyt via certified mail on December 6, 2024. The Second Notice reminded Ms. VanLanduyt she had until the compliance deadline of January 30, 2025, to install a meter on her well. Proof of delivery of the certified mail was confirmed by OBGMA staff.

A Third and Final Notice of Non-Compliance was sent to the mailing address for Ms. VanLanduyt via certified mail on January 10, 2025. The Third and Final Notice again reminded Ms. VanLanduyt she had until the compliance deadline of January 30, 2025, to install a meter on her well. Proof of delivery of the certified mail was confirmed by OBGMA staff.

The Board of Directors set a hearing date of March 27, 2025, to consider the imposition of a fine and/or civil liability in connection with Ms. VanLanduyt's refusal to install a meter on her well and demonstrate compliance with the requirements of OBGMA's enabling legislation and Ordinances Nos. 8 and 11. A Notice of Board Hearing to Consider Imposition of a Fine and/or Civil Liability was sent to Ms. VanLanduyt via registered mail on February 12, 2025. Proof of delivery of the registered mail was received by OBGMA staff.

No response has been received to date from Ms. VanLanduyt to any of the Notices. Copies of all Notices and proof of delivery are attached for reference. Additionally, the General Manager left voice mail messages for Ms. VanLanduyt on February 5, 2025, and March 3, 2025, again with no response. The property located at 741 Saddle Lane (APN 024-012-005) is 5.33 acres and is currently listed for sale.

Quarterly statements and payment of fees are not up to date for this well. Statements are missing for the period from June 30, 2016, to December 31, 2023, and from June 30, 2024, to December 31, 2024. In other words, only one statement (for the quarter ending March 31, 2024) has been submitted since mid-2016.

Per OBGMA's enabling legislation (Sections 405 and 406) and Ordinance No. 8, a one-time fine not to exceed \$500 may be assessed for intentional refusal to install a meter in violation of OBGMA's well metering requirements. Staff recommends a one-time fine of \$500 be assessed.

The Board may also impose civil penalties of up to \$1,000 per day for each day beyond January 30, 2025, for which the well remains unmetered in violation of OBGMA's well metering requirements. For the period from January 30, 2025, to the Board Hearing date of March 27,

2025, the maximum penalty would be \$56,000 (56 days x \$1,000 per day). Staff recommends a daily penalty in the range of \$20 to \$50 be assessed.

The Board should consider the following factors when determining whether or not to impose a fine and/or civil penalty, including the amount to be assessed: The nature, circumstances, extent, and gravity of the violation or violations, in addition to any prior history of violations, the violator's degree of culpability, and other matters as justice may require.

At a future date, the General Manager will bring to the Board a recommendation that any fines and/or penalties assessed be referred to the County Auditor-Controller for collection via the County tax roll.

Attachments: First Notice

Second Notice and confirmation of delivery

Final Notice and confirmation of delivery

Notice of Board Hearing and confirmation of delivery

Resolution No. 2025-01



Member Agencies

Ojai Water Conservation District
Casitas Municipal Water District
City of Ojai
Community Facilities District

Ojai Basin Mutual Water Companies:
- Senior Canyon MWC
- Siete Robles MWC
- Hermitage MWC

November 1, 2024

VanLanduyt, Terease
1129 Maricopa Highway #121
Ojai CA 93023

FIRST NOTICE

DEADLINE FOR COMPLIANCE – JANUARY 30, 2025

Subject: **Unmetered Account, State Well No. 04N23W12K04S**

Ojai Valley Groundwater Management Agency (OBGMA) is committed to the effective and responsible management of the Ojai Valley Groundwater Basin (Ojai Basin). OBGMA's enabling legislation and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

Our records indicate the well on your property, identified by the subject State Well Number above, is not equipped with a water flow meter. A meter must be installed as soon as possible, and the enclosed Meter Registration Form completed and returned to us. **Failure to comply with this request within 90 days of the date of this letter (January 30, 2025) will result in an enforcement action being brought against you.**

Per OBGMA's enabling legislation and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. In addition, OBGMA has the authority to impose civil penalties of up to \$1,000 per day for each day beyond the 90 days your well remains unmetered. As an additional remedy, OBGMA may order you to cease extraction of all groundwater until such time as your well is properly equipped with a meter and all outstanding penalties are paid.

Future extraction statements must quantify the amount of your extraction based on actual meter readings. The attached Meter Registration Form must be used to demonstrate you have equipped your well with a meter in compliance with OBGMA requirements. Please return this form with a photo of the meter face prior to the January 30, 2025, deadline.

Please feel free to contact me if you have any questions. I can be reached at obgmagn@gmail.com or 805.667.7322. Your cooperation is appreciated.

Very truly yours,

Julia Aranda, PE
General Manager

Enclosure: Meter Registration Form

Office Address: 417 Bryant Circle Drive, Suite 112, Ojai CA 93023
Mailing Address: P.O. Box 1779, Ojai CA 93024
www.obgma.com

805.640.1207
obgma@aol.com



Member Agencies

Ojai Water Conservation District Ojai Basin Mutual Water Companies:
Casitas Municipal Water District - Senior Canyon MWC
City of Ojai - Siete Robles MWC
Community Facilities District - Hermitage MWC

December 6, 2024

VanLanduyt, Terease
1129 Maricopa Highway #121
Ojai CA 93023

SECOND NOTICE – CERTIFIED MAIL
DEADLINE FOR COMPLIANCE – JANUARY 30, 2025

Subject: **Unmetered Account, State Well No. 04N23W12K04S**

Ojai Valley Groundwater Management Agency (OBGMA) is committed to the effective and responsible management of the Ojai Valley Groundwater Basin (Ojai Basin). OBGMA's enabling legislation and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

We sent you a First Notice on November 1, 2024, indicating the well identified by the State Well Number above must be equipped with a water flow meter by January 30, 2025, in compliance with OBGMA requirements. As of December 6, 2024, we have not received the required Meter Registration Form from you. Please consider this a reminder to have a meter installed and the enclosed Meter Registration Form completed and returned to us. **Failure to comply with this request by January 30, 2025, will result in an enforcement action being brought against you.**

Per OBGMA's enabling legislation and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. In addition, OBGMA has the authority to impose civil penalties of up to \$1,000 per day for each day beyond the 90 days your well remains unmetered. As an additional remedy, OBGMA may order you to cease extraction of all groundwater until such time as your well is properly equipped with a meter and all outstanding penalties are paid.

Future extraction statements must quantify the amount of your extraction based on actual meter readings. The enclosed Meter Registration Form must be used to demonstrate you have equipped your well with a meter in compliance with OBGMA requirements. Please return this form with a photo of the meter face prior to the January 30, 2025, deadline.

Please feel free to contact me if you have any questions. I can be reached at obgmagm@gmail.com or 805.667.7322. Your cooperation is appreciated.

Very truly yours,

Julia Aranda, PE
General Manager

Enclosure: Meter Registration Form

Office Address: 417 Bryant Circle Drive, Suite 112, Ojai CA 93023
Mailing Address: P.O. Box 1779, Ojai CA 93024
www.obgma.com

805.640.1207
obgma@aol.com

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December 09, 12:05PM

Ojai, CA



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Certified Mail Fee	\$4.85
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.73
Total Postage and Fees	\$5.58
Sent To	Terease Vanlanduyt
Street and Apt. No., or PO Box No.	129 Maricopa Hwy #121
City, State, ZIP+4®	Ojai CA 93023
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

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Postmark Here
12/06/2024



Member Agencies

Ojai Water Conservation District Ojai Basin Mutual Water Companies:
Casitas Municipal Water District - Senior Canyon MWC
City of Ojai - Siete Robles MWC
Community Facilities District - Hermitage MWC

January 10, 2025

Terease VanLanduyt
1129 Maricopa Highway #121
Ojai CA 93023

FINAL NOTICE

DEADLINE FOR COMPLIANCE – JANUARY 30, 2025

Subject: **Unmetered Account, State Well No. 04N23W12K04S, 741 Saddle Lane**

Ojai Valley Groundwater Management Agency (OBGMA) is committed to the effective and responsible management of the Ojai Valley Groundwater Basin (Ojai Basin). OBGMA's enabling legislation and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

We sent you a First Notice on November 1, 2024, and a Second Notice on December 6, 2024, indicating the well identified by the State Well Number above, is not equipped with a water flow meter. As of January 10, 2025, we have not received a Meter Registration Form from you. Please consider this your final reminder to have a meter installed and the enclosed Meter Registration Form completed and returned to us. **Failure to comply with this request by January 30, 2025, will result in an enforcement action being brought against you.**

Per OBGMA's enabling legislation and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. In addition, OBGMA has the authority to impose civil penalties of up to \$1,000 per day for each day beyond the 90 days your well remains unmetered. As an additional remedy, OBGMA may order you to cease extraction of all groundwater until such time as your well is properly equipped with a meter and all outstanding penalties are paid.

Future extraction statements must quantify the amount of your extraction based on actual meter readings. The attached Meter Registration Form must be used to demonstrate you have equipped your well with a meter in compliance with OBGMA requirements. Please return this form with a photo of the meter face prior to the January 30, 2025, deadline.

Please feel free to contact me if you have any questions. I can be reached at obgmagm@gmail.com or 805.667.7322. Your cooperation is appreciated.

Very truly yours,

Julia Aranda, PE
General Manager

Enclosure: Meter Registration Form

Office Address: 417 Bryant Circle Drive, Suite 112, Ojai CA 93023
Mailing Address: P.O. Box 1779, Ojai CA 93024
www.obgma.com

805.640.1207
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Ojai, CA



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Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
<input type="checkbox"/> Return Receipt (hardcopy) \$0.00	
<input type="checkbox"/> Return Receipt (electronic) \$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery \$0.00	
<input type="checkbox"/> Adult Signature Required \$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery \$0.00	01/10/2025
Postage \$0.73	
Total Postage and Fees \$5.58	
Sent To <i>Terease VanLanduyt</i>	
Street and Apt. No., or PO Box No. <i>1129 Maricopa Hwy #121</i>	
City, State, ZIP+4® <i>OJAI, CA 93023</i>	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

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Member Agencies

Ojai Water Conservation District Ojai Basin Mutual Water Companies:
Casitas Municipal Water District - Senior Canyon MWC
City of Ojai - Siete Robles MWC
Community Facilities District - Hermitage MWC

NOTICE OF BOARD HEARING TO CONSIDER IMPOSITION OF A FINE AND/OR CIVIL LIABILITY –

MARCH 27, 2025, AT 5:00 P.M.

February 12, 2025

VIA REGISTERED MAIL

Terease VanLanduyt
1129 Maricopa Highway #121
Ojai CA 93023

Subject: **Unmetered Account, State Well No. 04N23W12K04S, 741 Saddle Lane**

Ojai Valley Groundwater Management Agency (OBGMA) is committed to the effective and responsible management of the Ojai Valley Groundwater Basin (Ojai Basin). OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

You were sent multiple notices dated November 1, 2024, December 6, 2024, and January 10, 2025, advising you the well identified by the State Well Number above is not equipped with a meter and one must be installed by January 30, 2025. As of February 12, 2025, we have not received any communication nor a Meter Registration Form from you.

You are hereby notified a Board Hearing will be held on March 27, 2025, at 5:00 p.m. at Ojai City Council Chambers, 401 S. Ventura Street, Ojai CA 93023 to consider the imposition of a fine and/or civil liability resulting from your failure to have a meter installed on or before the compliance deadline of January 30, 2025. You may attend the hearing to address the Board regarding your well status and circumstances of your failure to comply.

Per OBGMA's enabling legislation (Sections 405 and 406) and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. In addition, OBGMA has the authority to impose civil penalties of up to \$1,000 per day for each day beyond January 30, 2025, your well remains unmetered. As an additional remedy, OBGMA may order you to cease extraction of all groundwater until such time as your well is properly equipped with a meter and all outstanding penalties are paid.

Please feel free to contact me if you have any questions. I can be reached at obgmagm@gmail.com or 805.667.7322. Your cooperation is appreciated.

Very truly yours,

Julia Aranda, PE
General Manager

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Extra Services & Fees (check box, add fee as appropriate)			15
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00		
<input type="checkbox"/> Return Receipt (electronic)	\$0.00		
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00		Postmark Here
<input type="checkbox"/> Adult Signature Required	\$0.00		
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00		
Postage	\$0.73		02/12/2025
Total Postage and Fees	\$9.68		
Sent To	Terease Vanlanduyt		
Street and Apt. No., or Box No.	1129 Mark Copa Hwy #121		
City, State, ZIP+4®	Ojai, CA 93023		
PS Form 3800, January 2023 PSN 7530-02-000-9047		See Reverse for Instructions	

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RESOLUTION NO. 2025-01

A RESOLUTION OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY IMPOSING A FINE AND/OR CIVIL PENALTY ON THE OWNER/OPERATOR OF STATE WELL NO. 04N23W12K04S LOCATED AT 741 SADDLE LANE (APN 024-0-120-05)

WHEREAS, OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered and no person may extract groundwater from a well that draws water from the Ojai Valley Groundwater Basin unless the well is equipped with a water flow meter;

WHEREAS, in October 2024, OBGMA staff determined that State Well No. 04N23W12K04S located at property address 741 Saddle Lane (APN024-0-120-05) was not equipped with a water flow meter and therefore was out of compliance with the requirements OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11.

WHEREAS, per OBGMA records, Ms. Terease VanLanduyt is the registered owner/operator of State Well No. (SWN) 04N23W12K04S located at property address 741 Saddle Lane (APN 024-0-120-05).

WHEREAS, a First Notice of Non-Compliance was sent to the mailing address for Ms. VanLanduyt via regular mail on November 1, 2024. The First Notice informed Ms. VanLanduyt she had 90 days to install a meter on her well. The deadline for compliance established by the Board of Directors was January 30, 2025. A Meter Registration Form was included with the Notice for Ms. VanLanduyt to use in demonstrating compliance.

WHEREAS, a Second Notice of Non-Compliance was sent to the mailing address for Ms. VanLanduyt via certified mail on December 6, 2024. The Second Notice reminded Ms. VanLanduyt she had until the compliance deadline of January 30, 2025, to install a meter on her well. Proof of delivery of the certified mail was confirmed by OBGMA staff.

WHEREAS, a Third and Final Notice of Non-Compliance was sent to the mailing address for Ms. VanLanduyt via certified mail on January 10, 2025. The Third and Final Notice again reminded Ms. VanLanduyt she had until the compliance deadline of January 30, 2025, to install a meter on her well. Proof of delivery of the certified mail was confirmed by OBGMA staff.

WHEREAS, no response has been received to date from Ms. VanLanduyt to any of the Notices. Additionally, the General Manager left voice mail messages for Ms. VanLanduyt on February 3, 2025, and March 5, 2025, again with no response.

WHEREAS, per OBGMA's enabling legislation (Sections 405 and 406) and Ordinance No. 8, a one-time fine not to exceed \$500 may be assessed in response to the intentional refusal of a well owner/operator to install a water flow meter in violation of OBGMA's well metering requirements. In addition, the Board may impose civil penalties of up to \$1,000 per day for each day beyond the established compliance deadline for which a well remains unmetered in violation of OBGMA's well metering requirements.

WHEREAS, the Board of Directors set a hearing date of March 27, 2025, to consider the imposition of a fine and/or civil liability in response to Ms. VanLanduyt’s ongoing failure and refusal to equip her well with a water flow meter. A Notice of the Board hearing was sent to Ms. VanLanduyt via registered mail on February 12, 2025. Proof of delivery of the registered mail was received by OBGMA staff.

WHEREAS, on March 27, 2025, the Board of Directors convened the duly noticed public hearing and considered whether to impose a fine and/or civil liability in response to Ms. VanLanduyt’s ongoing failure and refusal to equip her well with a water flow meter. Ms. VanLanduyt **did/did not** attend and provide testimony at the hearing. The Board considered the following factors in arriving at its fine/civil penalty determination: The nature, circumstances, extent, and gravity of the violation, in addition to the violator’s degree of culpability, and other matters as the Board felt justice required.

NOW, THEREFORE, BE IT RESOLVED, the OBGMA Board of Directors finds as follows:

Section 1. Recitals Incorporated

The above recitals are supported by substantial evidence, incorporated herein by reference and each relied upon independently by the OBGMA Board of Directors in its adoption of this Resolution No. 2025-01.

Section 2. The Imposition of a Fine

The Board of Directors do hereby assess a one-time fine of **\$500** on Terease VanLanduyt, the registered owner/operator of State Well No. 04N23W12K04S, located at property address 741 Saddle Lane, also known as APN 024-0-120-05, for Ms. VanLanduyt’s intentional failure and refusal to equip the well with a water flow measuring device prior to the deadline established by the Board for compliance of January 30, 2025.

Section 3. The Imposition of a Civil Penalty

In addition, the Board of Directors do hereby assess a civil penalty of \$_____ (equivalent to \$_____ per day) on Terease VanLanduyt, the registered owner/operator of State Well No. 04N23W12K04S, located at property address 741 Saddle Lane, also known as APN 024-0-120-05, for Ms. VanLanduyt’s continuing failure and refusal to equip the well with a water flow measuring device during the period January 30, 2025 to the Board hearing on March 27, 2025 (a total of 56 days).

Section 5. Effective Date

This Resolution shall become effective immediately upon its adoption.

WHEREFORE, we, the undersigned, do hereby certify that the above and foregoing Resolution No. 2025-01 was duly adopted and passed by the OBGMA Board of Directors following a hearing held on March 27, 2025, by the following vote:

Resolution No. 2025-01
Imposing a Fine and/or Civil Penalty on the Owner/Operator of State Well No. 04N23W12K04S
Property address 741 Saddle Lane (APN 024-0-120-05)
March 27, 2025

Richard Hajas, Casitas Municipal Water District	[Yes / No / Abstain / Absent]
Peter Thielke, Mutual Water Companies	[Yes / No / Abstain / Absent]
Jim Finch, Ojai Water Conservation District	[Yes / No / Abstain / Absent]
Andrew Whitman, City of Ojai	[Yes / No / Abstain / Absent]
Bob Daddi, Community Facilities District	[Yes / No / Abstain / Absent]

Richard Hajas, President

Attest: _____
Peter Thielke, Secretary

Ojai Basin Groundwater Management Agency

Memorandum

To: Board of Directors
From: Julia Aranda, PE, General Manager
Subject: Board Hearing Consider the Imposition of a Fine and/or Civil Penalty to be Assessed Against the Owner/Operator of State Well No. 05N22W32H01S

March 27, 2025

Recommendation

- Consider the imposition of a one-time fine not to exceed \$500 to be assessed against the owner/operator of State Well No. 05N22W32H01S, located at property address 1226 Ladera Road (Assessor's Parcel No. 014-0-060-480) for the intentional failure of the owner/operator to equip the well with a water flow measuring device prior to the compliance deadline established by the Board of Directors of January 30, 2025.
- Consider the imposition of an additional daily civil penalty in the range of \$20 to \$50 per day to be assessed against the owner/operator of State Well No. 05N22W32H01S, located at property address 1226 Ladera Road (Assessor's Parcel No. 014-0-060-480), for the continuing failure of the owner/operator to equip the well with a water flow measuring device from the established compliance deadline of January 30, 2025, through the Board hearing date of March 27, 2025 (a total of 56 days).
- Approve Resolution No. 2025-02

Background and Discussion

Owner	Property Address	Mailing Address
The Villa Nero Trust	1226 Ladera Road Ojai CA 93023	c/o 2049 Century Park East Suite 1400 Los Angeles CA 90067-3116

OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

In October 2024, the OBGMA Board of Directors embarked on an effort to enforce the metering requirements of OBGMA's enabling legislation and Ordinances Nos. 8 and 11.

OBGMA staff determined that State Well No. (SWN) 05N22W32H01S, located at 1226 Ladera Road (APN 014-0-060-480), was not equipped with a water flow measuring device and therefore was out of compliance with the requirements OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11.

A First Notice of Non-Compliance was sent to the mailing address for The Villa Nero Trust via regular mail on November 1, 2024, with a 90-day deadline to install a meter. The First Notice informed The Villa Nero Trust they had 90 days to install a meter on the well. The deadline for compliance established by the Board of Directors was January 30, 2025. A Meter Registration Form was included with the Notice for The Villa Nero Trust to use in demonstrating compliance.

A Second Notice of Non-Compliance was sent to the mailing address for The Villa Nero Trust via certified mail on December 6, 2024. The Second Notice reminded The Villa Nero Trust they had until the compliance deadline of January 30, 2025, to install a meter on the well. Proof of delivery of the certified mail was confirmed by OBGMA staff.

A Third and Final Notice was sent to the mailing address for The Villa Nero Trust via certified mail on January 10, 2025. The Third and Final Notice again reminded The Villa Nero Trust they had until the compliance deadline of January 30, 2025, to install a meter on their well. Proof of delivery of the certified mail was confirmed by OBGMA staff.

The Board of Directors set a hearing date of March 27, 2025, to consider the imposition of a fine and/or civil liability in connection with The Villa Nero Trust's refusal to install a meter on their well and demonstrate compliance with the requirements of OBGMA's enabling legislation and Ordinances Nos. 8 and 11. A Notice of Board Hearing to Consider Imposition of a Fine and/or Civil Liability was sent to The Villa Nero Trust via registered mail on February 12, 2025. Proof of delivery of the registered mail was received by OBGMA staff.

Additionally, the General Manager left a voice mail message for the Trust's Business Manager on February 4, 2025. On March 3, 2025, the General Manager did finally speak with the Business Manager who indicated he had only recently taken over this account and was getting up to speed. He indicated he would prioritize meter installation and keep the General Manager informed of the status. On March 14, 2025, the General Manager followed up by phone and left another voice mail message for the Business Manager. No response nor Meter Registration Form has been received.

The last Quarterly Statement received for this well was for the quarter ending September 30, 2024. The Groundwater Extraction and Groundwater Sustainability Plan fees have been paid based on either the minimum of 0.5 acre-feet or 1.0 acre-feet based on irrigation factor (0.5 irrigated acres x irrigation factor of 2.0 acre-feet per acre). The property is 3.04 acres. The Villa Nero Trust also owns adjacent property, APN 014-0-060-500, that is 5.01 acres.

Per OBGMA's enabling legislation (Sections 405 and 406) and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. Staff recommends a one-time fine of \$500 be assessed.

The Board may also impose civil penalties of up to \$1,000 per day for each day beyond January 30, 2025, for which the well remains unmetered in violation of OBGMA's well metering requirements. For the period from January 30, 2025, to the Board Hearing date of March 27, 2025, the penalty would be \$56,000 (56 days x \$1,000 per day). Staff recommends a daily penalty in the range of \$20 to \$50 be assessed.

The Board should consider the following factors when determining whether or not to impose a fine and/or civil penalty, including the amount to be assessed: The nature, circumstances, extent, and gravity of the violation or violations, in addition to any prior history of violations, the violator's degree of culpability, and other matters as justice may require.

At a future date, the General Manager will bring to the Board a recommendation that any fines and/or penalties assessed be referred to the County Auditor-Controller for collection via the County tax roll.

Attachments: First Notice

Second Notice and confirmation of delivery

Final Notice and confirmation of delivery

Notice of Board Hearing and confirmation of delivery

Resolution No. 2025-02



Member Agencies

Ojai Water Conservation District
Casitas Municipal Water District
City of Ojai
Community Facilities District

Ojai Basin Mutual Water Companies:
- Senior Canyon MWC
- Siete Robles MWC
- Hermitage MWC

November 1, 2024

The Villa Nero Trust
2049 Century Park East #1400
Los Angeles CA 90067

FIRST NOTICE

DEADLINE FOR COMPLIANCE – JANUARY 30, 2025

Subject: **Unmetered Account, State Well No. 05N22W32H01S**

Ojai Valley Groundwater Management Agency (OBGMA) is committed to the effective and responsible management of the Ojai Valley Groundwater Basin (Ojai Basin). OBGMA's enabling legislation and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

Our records indicate the well on your property, identified by the subject State Well Number above, is not equipped with a water flow meter. A meter must be installed as soon as possible, and the enclosed Meter Registration Form completed and returned to us. **Failure to comply with this request within 90 days of the date of this letter (January 30, 2025) will result in an enforcement action being brought against you.**

Per OBGMA's enabling legislation and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. In addition, OBGMA has the authority to impose civil penalties of up to \$1,000 per day for each day beyond the 90 days your well remains unmetered. As an additional remedy, OBGMA may order you to cease extraction of all groundwater until such time as your well is properly equipped with a meter and all outstanding penalties are paid.

Future extraction statements must quantify the amount of your extraction based on actual meter readings. The attached Meter Registration Form must be used to demonstrate you have equipped your well with a meter in compliance with OBGMA requirements. Please return this form with a photo of the meter face prior to the January 30, 2025, deadline.

Please feel free to contact me if you have any questions. I can be reached at obgmagn@gmail.com or 805.667.7322. Your cooperation is appreciated.

Very truly yours,

Julia Aranda, PE
General Manager

Enclosure: Meter Registration Form

Office Address: 417 Bryant Circle Drive, Suite 112, Ojai CA 93023
Mailing Address: P.O. Box 1779, Ojai CA 93024
www.obgma.com

805.640.1207
obgma@aol.com



Member Agencies

Ojai Water Conservation District Ojai Basin Mutual Water Companies:
Casitas Municipal Water District - Senior Canyon MWC
City of Ojai - Siete Robles MWC
Community Facilities District - Hermitage MWC

December 6, 2024

The Villa Nero Trust
2049 Century Park East #1400
Los Angeles CA 90067

SECOND NOTICE – CERTIFIED MAIL
DEADLINE FOR COMPLIANCE – JANUARY 30, 2025

Subject: **Unmetered Account, State Well No. 05N22W32H01S**

Ojai Valley Groundwater Management Agency (OBGMA) is committed to the effective and responsible management of the Ojai Valley Groundwater Basin (Ojai Basin). OBGMA's enabling legislation and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

We sent you a First Notice on November 1, 2024, indicating the well identified by the State Well Number above must be equipped with a water flow meter by January 30, 2025, in compliance with OBGMA requirements. As of December 6, 2024, we have not received the required Meter Registration Form from you. Please consider this a reminder to have a meter installed and the enclosed Meter Registration Form completed and returned to us. **Failure to comply with this request by January 30, 2025, will result in an enforcement action being brought against you.**

Per OBGMA's enabling legislation and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. In addition, OBGMA has the authority to impose civil penalties of up to \$1,000 per day for each day beyond the 90 days your well remains unmetered. As an additional remedy, OBGMA may order you to cease extraction of all groundwater until such time as your well is properly equipped with a meter and all outstanding penalties are paid.

Future extraction statements must quantify the amount of your extraction based on actual meter readings. The enclosed Meter Registration Form must be used to demonstrate you have equipped your well with a meter in compliance with OBGMA requirements. Please return this form with a photo of the meter face prior to the January 30, 2025, deadline.

Please feel free to contact me if you have any questions. I can be reached at obgmagm@gmail.com or 805.667.7322. Your cooperation is appreciated.

Very truly yours,

Julia Aranda, PE
General Manager

Enclosure: Meter Registration Form

Office Address: 417 Bryant Circle Drive, Suite 112, Ojai CA 93023
Mailing Address: P.O. Box 1779, Ojai CA 93024
www.obgma.com

805.640.1207
obgma@aol.com

9589 0710 5270 1147 9531 57

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Los Angeles, CA 90067

OFFICIAL USE

Certified Mail Fee	\$4.85
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

0123
24

Postmark
Here

Postage	\$0.73
Total Postage and Fees	\$5.58

12/06/2024

Sent To The Villano Trust
 Street and Apt. No., or PO Box No. 2049 Century Park East #1400
 City, State, ZIP+4® Los Angeles CA 90067

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

OJAI
Unit #: 0555800123 ZIP Code: 93023

Date: 03/21/2025 12:47 PM

Tracking Status
Business Date: 03/21/2025

Tracking Number
9589071052701147953157

Destination and Origin

Destination
 ZIP Code: 90067-3116
 City: LOS ANGELES
 State: CA

Origin
 ZIP Code: 93023-9998
 City: OJAI
 State: CA

Tracking Number Classification
Class/Service: First-Class Mail®
Class of Mail Code/Description: FC

Origin/Return/Pickup Address Info
Address:
City:
State: ZIP Code: 93023-9998

Payment
Payment Type: 08
Payment Account Number: 000000000000
Postage: 0.73
Weight: 0 lb (s) 1.00 oz (s)
Rate Indicator: Single Piece - Letters

Extra Services Details

Description: Certified Mail
Amount: 4.85

Event Details

Event: DELIVERED TO AGENT, FRONT DESK/RECEPT
 ION/MAIL ROOM
 Date: 12/09/2024
 Time: 12:46
 Location: LOS ANGELES, CA 90067

For Further Information,
go to USPS.com



Member Agencies

Ojai Water Conservation District Ojai Basin Mutual Water Companies:
Casitas Municipal Water District - Senior Canyon MWC
City of Ojai - Siete Robles MWC
Community Facilities District - Hermitage MWC

January 10, 2025

The Villa Nero Trust c/o
2049 Century Park East Suite 1400
Los Angeles CA 90067-3116

FINAL NOTICE

DEADLINE FOR COMPLIANCE – JANUARY 30, 2025

Subject: **Unmetered Account, State Well No. 05N22W32H01S, 1226 Ladera Road, Ojai**

Ojai Valley Groundwater Management Agency (OBGMA) is committed to the effective and responsible management of the Ojai Valley Groundwater Basin (Ojai Basin). OBGMA's enabling legislation and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

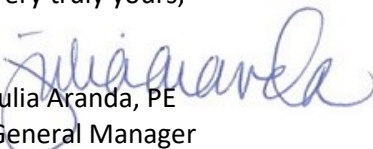
We sent you a First Notice on November 1, 2024, and a Second Notice on December 6, 2024, indicating the well identified by the State Well Number above, is not equipped with a water flow meter. As of January 10, 2025, we have not received a Meter Registration Form from you. Please consider this your final reminder to have a meter installed and the enclosed Meter Registration Form completed and returned to us. **Failure to comply with this request by January 30, 2025, will result in an enforcement action being brought against you.**

Per OBGMA's enabling legislation and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. In addition, OBGMA has the authority to impose civil penalties of up to \$1,000 per day for each day beyond the 90 days your well remains unmetered. As an additional remedy, OBGMA may order you to cease extraction of all groundwater until such time as your well is properly equipped with a meter and all outstanding penalties are paid.

Future extraction statements must quantify the amount of your extraction based on actual meter readings. The attached Meter Registration Form must be used to demonstrate you have equipped your well with a meter in compliance with OBGMA requirements. Please return this form with a photo of the meter face prior to the January 30, 2025, deadline.

Please feel free to contact me if you have any questions. I can be reached at obgmagm@gmail.com or 805.667.7322. Your cooperation is appreciated.

Very truly yours,


Julia Aranda, PE
General Manager

Enclosure: Meter Registration Form

Office Address: 417 Bryant Circle Drive, Suite 112, Ojai CA 93023
Mailing Address: P.O. Box 1779, Ojai CA 93024
www.obgma.com

805.640.1207
obgma@aol.com

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Los Angeles, CA 90067

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Certified Mail Fee	\$4.85
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

0123
24

Postmark
Here

Postage \$0.73

Total Postage and Fees \$5.58

01/10/2025

Sent To The Villa Nero Trust
 Street and Apt. No. or PO Box No. 2079 Century Park E. #1400
 City, State, ZIP+4® Los Angeles, CA 90067

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

OJAI
Unit #: 0555800123 ZIP Code: 93023

Date: 03/21/2025 12:48 PM

Tracking Status
Business Date: 03/21/2025

Tracking Number
9589071052700357249388

Destination and Origin

Destination
 ZIP Code: 90067-3116
 City: LOS ANGELES
 State: CA

Origin
 ZIP Code: 93023-9998
 City: OJAI
 State: CA

Tracking Number Classification
Class/Service: First-Class Mail®
Class of Mail Code/Description: FC

Origin/Return/Pickup Address Info
Address:
City:
State: ZIP Code: 93023-9998

Payment
Payment Type: 08
Payment Account Number: 000000000000
Postage: 0.73
Weight: 0 lb (s) 1.00 oz (s)
Rate Indicator: Single Piece - Letters

Extra Services Details

Description: Certified Mail
Amount: 4.85

Event Details

Event: DELIVERED TO AGENT, FRONT DESK/RECEIPT
 ION/MAIL ROOM
 Date: 01/13/2025
 Time: 11:06
 Location: LOS ANGELES, CA 90067

For Further Information,
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Member Agencies

Ojai Water Conservation District Ojai Basin Mutual Water Companies:
Casitas Municipal Water District - Senior Canyon MWC
City of Ojai - Siete Robles MWC
Community Facilities District - Hermitage MWC

NOTICE OF BOARD HEARING TO CONSIDER IMPOSITION OF A FINE AND/OR CIVIL LIABILITY –

MARCH 27, 2025, AT 5:00 P.M.

February 12, 2025

VIA REGISTERED MAIL

The Villa Nero Trust c/o
2049 Century Park East Suite 1400
Los Angeles CA 90067-3116

Subject: **Unmetered Account, State Well No. 05N22W32H01S, 1226 Ladera Road, Ojai**

Ojai Valley Groundwater Management Agency (OBGMA) is committed to the effective and responsible management of the Ojai Valley Groundwater Basin (Ojai Basin). OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered. No person may extract groundwater from a well that draws water from the Ojai Basin unless the well is equipped with a water flow meter.

You were sent multiple notices dated November 1, 2024, December 6, 2024, and January 10, 2025, advising you the well identified by the State Well Number above is not equipped with a meter and one must be installed by January 30, 2025. As of February 12, 2025, we have not received any communication nor a Meter Registration Form from you.

You are hereby notified a Board Hearing will be held on March 27, 2025, at 5:00 p.m. at Ojai City Council Chambers, 401 S. Ventura Street, Ojai CA 93023 to consider the imposition of a fine and/or civil liability resulting from your failure to have a meter installed on or before the compliance deadline of January 30, 2025. You may attend the hearing to address the Board regarding your well status and circumstances of your failure to comply.

Per OBGMA's enabling legislation (Sections 405 and 406) and Ordinance No. 8, a one-time fine of \$500 may be assessed for intentional refusal to install a meter. In addition, OBGMA has the authority to impose civil penalties of up to \$1,000 per day for each day beyond January 30, 2025, your well remains unmetered. As an additional remedy, OBGMA may order you to cease extraction of all groundwater until such time as your well is properly equipped with a meter and all outstanding penalties are paid.

Please feel free to contact me if you have any questions. I can be reached at obgmagm@gmail.com or 805.667.7322. Your cooperation is appreciated.

Very truly yours,

Julia Aranda, PE
General Manager

Office Address: 417 Bryant Circle Drive, Suite 112, Ojai CA 93023
Mailing Address: P.O. Box 1779, Ojai CA 93024
www.obgma.com

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obgma@aol.com

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Certified Mail Fee	\$4.85
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.73

Total Postage and Fees \$5.58

Sent To *Villa Nero Trust*
 Street and Apt. No., or P.O. Box No. *2049 Century Park East #1400*
 City, State, ZIP+4® *Los Angeles, CA 90067-3116*

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here

02/12/2025

OJAI
Unit #: 0555800123 ZIP Code: 93023

Date: 03/21/2025 12:49 PM

Tracking Status
Business Date: 03/21/2025

Tracking Number
9589071052701141888561

Destination and Origin

Destination
 ZIP Code: 90067-3116
 City: LOS ANGELES
 State: CA

Origin
 ZIP Code: 93023-9998
 City: OJAI
 State: CA

Tracking Number Classification
Class/Service: First-Class Mail®
Class of Mail Code/Description: FC

Origin/Return/Pickup Address Info
Address:
City:
State: ZIP Code: 93023-9998

Payment
Payment Type: 08
Payment Account Number: 000000000000
Postage: 0.73
Weight: 0 lb (s) 1.00 oz (s)
Rate Indicator: Single Piece - Letters

Extra Services Details

Description: Certified Mail
Amount: 4.85

Event Details

Event: DELIVERED TO AGENT, FRONT DESK/RECEPT
 ION/MAIL ROOM
 Date: 02/14/2025
 Time: 11:51
 Location: LOS ANGELES, CA 90067

For Further Information,
go to USPS.com

RESOLUTION NO. 2025-02

A RESOLUTION OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY IMPOSING A FINE AND/OR CIVIL PENALTY ON THE OWNER/OPERATOR OF STATE WELL NO. 05N22W32H01S LOCATED AT 1226 LADERA ROAD (APN 014-0-060-480)

WHEREAS, OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11 require all wells within OBGMA's jurisdiction to be metered and no person may extract groundwater from a well that draws water from the Ojai Valley Groundwater Basin unless the well is equipped with a water flow meter;

WHEREAS, in October 2024, OBGMA staff determined that State Well No. 05N22W32H01S located at property address 1226 Ladera Road (APN 014-0-060-480) was not equipped with a water flow meter and therefore was out of compliance with the requirements OBGMA's enabling legislation (Sections 804 and 805) and Ordinances Nos. 8 and 11.

WHEREAS, per OBGMA records, The Villa Nero Trust is the registered owner/operator of State Well No. (SWN) 05N22W32H01S located at property address 1226 Ladera Road (APN 014-0-060-480).

WHEREAS, a First Notice of Non-Compliance was sent to the mailing address for The Villa Nero Trust via regular mail on November 1, 2024. The First Notice informed The Villa Nero Trust they had 90 days to install a meter on their well. The deadline for compliance established by the Board of Directors was January 30, 2025. A Meter Registration Form was included with the Notice for The Villa Nero Trust to use in demonstrating compliance.

WHEREAS, a Second Notice of Non-Compliance was sent to the mailing address for The Villa Nero Trust via certified mail on December 6, 2024. The Second Notice reminded The Villa Nero Trust they had until the compliance deadline of January 30, 2025, to install a meter on their well. Proof of delivery of the certified mail was confirmed by OBGMA staff.

WHEREAS, a Third and Final Notice of Non-Compliance was sent to the mailing address for The Villa Nero Trust via certified mail on January 10, 2025. The Third and Final Notice again reminded The Villa Nero Trust they had until the compliance deadline of January 30, 2025, to install a meter on their well. Proof of delivery of the certified mail was confirmed by OBGMA staff.

WHEREAS, no response was received from The Villa Nero Trust to any of the Notices. Additionally, the General Manager left voice mail messages for The Villa Nero Trust's Business Manager on February 4, 2025, and March 14, 2025. On March 3, 2025, OBGMA's General Manager spoke to the Business Manager for The Villa Nero Trust by telephone, at which time the Business Manager promised compliance with OBGMA's meter installation requirement. However, to date, OBGMA has not received proof of meter installation, and no updates from The Villa Nero Trust have been received.

WHEREAS, per OBGMA's enabling legislation (Sections 405 and 406) and Ordinance No. 8, a one-time fine not to exceed \$500 may be assessed in response to the intentional refusal of a

Imposing a Fine and/or Civil Penalty on the Owner/Operator of State Well No. 05N22W32H01S
Property address 1226 Ladera Road (APN 014-0-060-480)

March 27, 2025

well owner/operator to install a water flow meter in violation of OBGMA's well metering requirements. In addition, the Board may impose civil penalties of up to \$1,000 per day for each day beyond the established compliance deadline for which a well remains unmetered in violation of OBGMA's well metering requirements.

WHEREAS, the Board of Directors set a hearing date of March 27, 2025, to consider the imposition of a fine and/or civil liability in response to The Villa Nero Trust's ongoing failure and refusal to equip their well with a water flow meter. A Notice of the Board hearing was sent to The Villa Nero Trust via registered mail on February 12, 2025. Proof of delivery of the registered mail was received by OBGMA staff.

WHEREAS, on March 27, 2025, the Board of Directors convened the duly noticed public hearing and considered whether to impose a fine and/or civil liability in response to The Villa Nero Trust's ongoing failure and refusal to equip their well with a water flow meter. The Villa Nero Trust **did/did not** attend and provide testimony at the hearing. The Board considered the following factors in arriving at its fine/civil penalty determination: The nature, circumstances, extent, and gravity of the violation, in addition to the violator's degree of culpability, and other matters as the Board felt justice required.

NOW, THEREFORE, BE IT RESOLVED, the OBGMA Board of Directors finds as follows:

Section 1. Recitals Incorporated

The above recitals are supported by substantial evidence, incorporated herein by reference and each relied upon independently by the OBGMA Board of Directors in its adoption of this Resolution No. 2025-02.

Section 2. The Imposition of a Fine

The Board of Directors do hereby assess a one-time fine of **\$500** on The Villa Nero Trust, the registered owner/operator of State Well No. 05N22W32H01S, located at property address 1226 Ladera Road, also known as APN 014-0-060-480, for The Villa Nero Trust's intentional failure and refusal to equip the well with a water flow measuring device prior to the deadline established by the Board for compliance of January 30, 2025.

Section 3. The Imposition of a Civil Penalty

In addition, the Board of Directors do hereby assess a civil penalty of \$_____ (equivalent to \$_____ per day) on The Villa Nero Trust, the registered owner/operator of State Well No. 05N22W32H01S, located at property address 1226 Ladera Road, also known as APN 014-0-060-480, for The Villa Nero Trust's continuing failure and refusal to equip the well with a water flow measuring device during the period January 30, 2025 to the Board hearing on March 27, 2025 (a total of 56 days).

Section 5. Effective Date

This Resolution shall become effective immediately upon its adoption.

WHEREFORE, we, the undersigned, do hereby certify that the above and foregoing Resolution No. 2025-02 was duly adopted and passed by the OBGMA Board of Directors following a hearing held on March 27, 2025, by the following vote:

Richard Hajas, Casitas Municipal Water District	[Yes / No / Abstain / Absent]
Peter Thielke, Mutual Water Companies	[Yes / No / Abstain / Absent]
Jim Finch, Ojai Water Conservation District	[Yes / No / Abstain / Absent]
Andrew Whitman, City of Ojai	[Yes / No / Abstain / Absent]
Bob Daddi, Community Facilities District	[Yes / No / Abstain / Absent]

Richard Hajas, President

Attest: _____
Peter Thielke, Secretary