

Board Meeting Agenda

Special Meeting

Russ Baggerly, Director
Mary Bergen, Director
Bill Hicks, Director

Pete Kaiser, Director
James Word, Director

CASITAS MUNICIPAL WATER DISTRICT
November 22, 2011
3:00 P.M. – DISTRICT OFFICE

Right to be heard: Members of the public have a right to address the Board directly on any item of interest to the public which is within the subject matter jurisdiction of the Board. The request to be heard should be made immediately before the Board's consideration of the item. No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of ¶54954.2 of the Government Code and except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under section 54954.3 of the Government Code.

1. Public comments.
2. General Manager comments.
3. Board of Director comments.
4. Consent Agenda
 - a. Minutes of the November 9, 2011 Board Meeting.

RECOMMENDED ACTION: Adopt Consent Agenda
5. Bills
6. Committee/Manager Reports
 - a. Recreation Committee Minutes
7. Recommend approval of an agreement with Western Outdoor News for the 2012 Night Fishing Tournaments.

RECOMMENDED ACTION: Motion approving recommendation
8. Recommend consideration of a fee waiver for Ms. And Mr. Petrowski annual boat decals for years 09/10 and 10/11.

RECOMMENDED ACTION: Motion approving consideration

9. Information Items:

- a. News Articles.
- b. Investment Report.

10. Closed Session

- a. (Govt. Code Sec. 54956.9 (c))
Conference with Legal Counsel – Anticipated Litigation (One case).

11. Adjournment

If you require special accommodations for attendance at or participation in this meeting, please notify our office 24 hours in advance at (805) 649-2251, ext. 113. (Govt. Code Section 54954.1 and 54954.2(a).

Minutes of the Casitas Municipal Water District
Board Meeting Held
November 9, 2011

A meeting of the Board of Directors was held November 9, 2011 at Casitas' Office, Oak View, California. Directors Kaiser, Baggerly, Hicks and Bergen were present. Director Word was absent. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were three staff members and one member of the public in attendance. President Kaiser led the group in the flag salute.

1. Public comments.

None

2. General Manager comments.

Mr. Wickstrum reminded the board of the AWA meeting next week. He reported on his meeting with NMFS regarding the steelhead recovery plan. It seems as though there is a great deal of change on their part of the recovery plan. It sounds like they will reissue the recovery plan with these changes by the end of the year. The U.S. Navy was able to locate the sunken vessel. The site has been identified. We will be talking about the status of the interim agreement on the Teague watershed. The Voyce house is slated for removal in February and I am not sure on the date on the Webster house.

3. Board of Director comments.

Director Hicks reported he went on the AWA tour and encouraged the others to do that in the future.

4. Consent Agenda

ADOPTED

- a. Minutes of the October 26, 2011 Board Meeting.
- b. Recommend approval of a purchase order in the amount of \$22,472 to Rayco Roofing Contractors Inc for the Roof Repair and Repainting at Casitas #2 Chlorination building.
- c. Recommend approval of the invoice to Alliant Insurance Services in the amount of \$54,267.57 for Special Liability Insurance.
- d. Resolution changing the date of the second board meeting in November to Tuesday, November 22.

The Consent Agenda was offered by Director Baggerly, seconded by Director Hicks and passed by the following roll call vote:

AYES:	Directors:	Bergen, Hicks, Baggerly, Kaiser
NOES:	Directors:	None
ABSENT:	Directors:	Word

Resolution is numbered 11-28.

5. Bills

APPROVED

Director Bergen questioned #10271 and #10273 regarding flexible storage for the City of Ventura. Mr. Wickstrum explained that this is something that has been worked out on the state water project and it comes up every year. Director Bergen then asked about #10339 for trash cans and work benches. Mr. Wickstrum explained that we have to replace trash cans and picnic table tops on a regular basis.

On the motion of Director Hicks, seconded by Director Baggerly and passed, the bills were approved.

Larry Yuva then asked a question regarding the need for the backflow preventer course. Mr. Wickstrum explained it is training for a new employee to take a back flow course which is required by the state to run our backflow prevention program. This is to fulfill a requirement from the Department of Health Services. Mr. Yuva then asked about the charge on the bill list from the previous month's agenda for a 24 inch monitor. Mr. Wickstrum reported that the monitor was for the recreation area where they are making change outs to the reservation system. Mr. Yuva questioned the need for a 24 inch monitor at a cost of \$500. He asked why the district sometimes buys from CompuServe and at other times from Fry's. He suggested that Fry's would have been cheaper.

6. Committee/Manager Reports

APPROVED

a. Executive Committee Minutes

On the motion of Director Hicks, seconded by Director Bergen and passed, the Committee/Manager Reports were approved for filing.

7. Public Hearing regarding the modification of Lake Casitas Recreation Area fees and charges.

a. Public Hearing

Director Kaiser stated this is the time and date set for the public meeting to consider input to the proposed changes in fees at the Lake Casitas Recreation Area and CEQA. He asked the Clerk for the names of any public who had provided comments regarding the proposed increase. The Clerk of the Board responded there were none.

Mr. Wickstrum provided the General Managers report advising the board that each year at this time we look to see if there are any adjustments that needs to be made looking at costs and revenues within that area. This year we looked at boating. It has been a little over three years since the quagga restrictions and

a change in the fee structure of annual boats. Park Services Officer Doan determined there is a \$10,000 difference. In September 2008 we were not sure where the boating would go with the restrictions. We check in and out a lot of boats that are tagged. With staff time for the tags and do the quagga monitoring is where we see the difference with the \$10,000. The suggestion is to add a fee of \$5 for annual boat decals.

There was discussion regarding the amount of cables and locks sold the inventory and printing of materials as well as the labor costs to conduct the inspections. Director Baggerly stated he understands the overall cost of the program is greater than what we receive in boating fees. The program has to pay for itself. We can't make up the money from the water side.

Director Hicks asked how many boats are in the program. Mr. Wickstrum didn't have the exact number but stated over a thousand. Director Bergen added she looked at the numbers and there was a break down of personnel time and administrative overhead. President Kaiser added that if this increase is not granted by this board where would you make up the difference. Park Services Manager Carol Belser stated it would be made up through camping or another revenue source.

President Kaiser opened the public hearing at 3:20 p.m.

Larry Yuva asked why wasn't an alternative offered. If you don't do this then cut in other places? You did not offer an alternative. You have two boat ramps open but less boats. There are cuts that could be made instead of increasing the rates. You mentioned the quagga program but when talking to the General Manager regarding the fisheries program he laid that cost on the fisheries program. Director Bergen added that Mr. Yuva may be saying we are using the fisheries biologist for some monitoring. But that is not part of this calculation and this fee is to make the people using the service pay for the service. The fisheries biologist is not doing that.

President Kaiser asked if there are any questions regarding cuts. Mr. Wickstrum explained that every year we go through at budget time and look at cuts and providing justification in cuts. We strive to make the Recreation Area a stand by itself operation as much as possible.

Mr. Yuva asked why the rates were not brought up during the budget discussions. The board has done this before. They have the budget discussion and then decide to raise the rates. Mr. Wickstrum replied that the time for raising the rates is not always at the time of budgets. We have gathered information, financial numbers from previous year and make adjustments. Director Baggerly added when the audit is finished then we can look at it. Mr. Yuva added this is not the first year you have had a deficit.

President Kaiser added budget planning is a tool to use for the entire year. If adjustments are needed they are made. It is a planning tool they are not an

exact science. Mr. Yuva said you are off 15% here. Every time that happens, it gets passed off to the rate payers. Director Baggerly added it is the lake users not the rate payers. Mr. Yuva stated the rate payers have been subsidizing the lake users for some time.

President Kaiser closed the public hearing at 3:26 p.m.

- b. Resolution adopting the modification of Lake Casitas Recreation Area fees and charges. ADOPTED

The resolution was offered by Director Hicks, seconded by Director Bergen and passed by the following roll call vote:

AYES: Directors: Bergen, Hicks, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: Word

Resolution is numbered 11-29.

- c. Resolution approving the preliminary assessment for the revision of Lake Casitas Recreation Area Rates for the restructuring and revision in fees and charges for the Lake Casitas Recreation Area, and adoption of the Notice of Exemption. ADOPTED

The resolution was offered by Director Baggerly, seconded by Director Bergen and passed by the following roll call vote:

AYES: Directors: Bergen, Hicks, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: Word

Resolution is numbered 11-30.

- 8. Recommend approval of a purchase order to DeKreek Technical Services in the amount of \$63,000 for electrical engineering services to upgrade the main processor and control programs used in the automation of Casitas' treatment and distribution processes. APPROVED

On the motion of Director Baggerly, seconded by Director Hicks and passed, the above recommendation was approved.

- 9. Recommend approval of a purchase order to Consolidated Electrical Distributors in the amount of \$131,033.76 for the purchase of electrical motor control centers and associated electrical equipment for the Fairview pump plant electrical upgrade project. APPROVED

On the motion of Director Baggerly, seconded by Director Bergen and passed, the above recommendation was approved.

10. Discussion regarding Board Meetings to be held in December.

On the motion of Director Baggerly, seconded by Director Hicks and passed, the board decided to cancel the second regular scheduled board meeting that was scheduled for December 28th.

11. Designation of a voting delegate for the ACWA Elections.

On the motion of Director Baggerly, seconded by Director Bergen and passed, Director Hicks was named the voting delegate.

12. Information Items:

- a. Monthly Cost Analysis for operation of Robles, fisheries and fish passage.
- b. Report from Scott MacDonald regarding attendance at the 2011 AWWA Fall Conference.
- c. News Articles.
- d. Investment Report.

On the motion of Director Bergen, seconded by Director Hicks and passed, the information items were approved for filing.

13. Closed Session

- a. (Govt. Code Sec. 54956.9 (c))
Conference with Legal Counsel – Anticipated Litigation (One case).

President Kaiser moved the meeting to closed session at 3:32 p.m. Government Code Section 54956.9 (c), Conference with legal counsel – anticipated litigation.

President Kaiser reconvened the regular meeting at 5:22 with Mr. Mathews reporting that the Board met with counsel and staff regarding a potential litigation. The matter was reviewed by staff and counsel and no action was taken.

14. Adjournment

President Kaiser adjourned the meeting at 5:23 p.m.

James W. Word, Secretary

A/P Fund

Publication of check register is in compliance with Section 53065.6 of the Government Code which requires the District to disclose reimbursements to employees and/or directors.

000296	A/P Checks:	010374-010388
	A/P Draft to P.E.R.S.	
	A/P Draft to State of CA	
	A/P Draft to I.R.S.	
	Void:	
000297	A/P Checks:	010389-010497
	A/P Draft to P.E.R.S.	111713
	A/P Draft to State of CA	111712
	A/P Draft to I.R.S.	111711
	Void:	010337, 010446-010447

The above numbered checks, have been duly audited are hereby certified as correct.

Denise Collin 11/17/11
Denise Collin, Accounting Manager

Signature

Signature

Signature

CERTIFICATION

Payroll disbursements for the pay period ending 11/12/11
Pay Date of 11/17/11
have been duly audited and are
hereby certified as correct.

Signed: Denise Collin 11/14/11
Denise Collin

Signed: _____
Signature

Signed: _____
Signature

Signed: _____
Signature

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01985 I-980911ER	AFLAC/FLEX ONE Service Fee Invoice 10/11	R	11/09/2011	125.00		010374		125.00
01055 I-Oct 11	Neil Cole Reimburse Expenses 10/11	R	11/09/2011	214.35		010375		214.35
10120 I-103111	CHARLES Z. FEDAK & COMPANY Audit Services Oct 11	R	11/09/2011	8,836.00		010376		8,836.00
09027 I-103111	DALE GODFREY Reimburse for D2 Certification	R	11/09/2011	80.00		010377		80.00
00126 I-Oct 11	CAROLE ILES Reimburse Mileage 10/11	R	11/09/2011	29.13		010378		29.13
01270 I-Oct 11	SCOTT LEWIS Reimburse Expenses 10/11	R	11/09/2011	1,030.14		010379		1,030.14
09881 I-1680 File#4139.0001	Marzulla Law, LLC 9/29/11-11/1/11 Services	R	11/09/2011	25.63		010380		25.63
02299 I-110111	Cinnamon McIntosh Advance for Backflow Course	R	11/09/2011	872.79		010381		872.79
00215 I-110211 I-110211A I-110211B I-110211C	SOUTHERN CALIFORNIA EDISON Acct#2210502480 Acct#2210505426 Acct#2237789169 Acct#2269631768	R R R R	11/09/2011 11/09/2011 11/09/2011 11/09/2011	83,192.28 2,428.19 24.33 19.83		010382 010382 010382 010382		85,664.63
01122 I-Jul 11 & Sep 11 I-Oct 11	Suzi Taylor Reimburse Expenses 7/11, 9/11 Reimburse Expenses 10/11	R R	11/09/2011 11/09/2011	99.09 594.62		010383 010383		693.71
00234 I-110811	UNITED WATER CONSERVATION State Water Plan Payment	R	11/09/2011	31,187.25		010384		31,187.25
00949 I-110811	CITY OF VENTURA State Water Plan Payment	R	11/09/2011	62,374.50		010385		62,374.50
01101 I-Oct 11	REBEKAH VIEIRA Reimburse Expenses 10/11	R	11/09/2011	216.18		010386		216.18

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00489	STEVE WICKSTRUM Reimburse Expenses 10/11	R	11/09/2011	314.87		010387		314.87
01616	FRED BRENEMAN PD 10/30/11-11/12/11	R	11/09/2011	391.00		010388		391.00
01985	AFLAC/FLEX ONE Reimburse Medical 2011	R	11/14/2011	231.50		010389		231.50
01629	3M C-02641671A Accrue Use Tax D-02641671A Accrue Use Tax I-02641671 Safety Glasses for E & M	R R R	11/17/2011 11/17/2011 11/17/2011	5.55CR 5.55 76.50		010390 010390 010390		76.50
00695	AAA SERVICES CO. I-2371 Service/Repair Pressure Washer I-2373 Couplers, Nozzle, Fitting For Pressure Washer in Garage	R R	11/17/2011 11/17/2011	1,207.56 62.97		010391 010391		1,270.53
00844	ACES COMMERCIAL EQUIPMENT I-5398 Autoclave Repair I-5415 Autoclave Repair	R R	11/17/2011 11/17/2011	602.79 682.39		010392 010392		1,285.18
02123	Active Packing & Gaskets, Inc. I-29474 Pump Packing for Fortress PP	R	11/17/2011	79.03		010393		79.03
01441	ADVANTAGE TELECOM, INC I-35258 LCRA Monthly Phone Charges	R	11/17/2011	647.82		010394		647.82
00592	AERO COMPRESSOR I-250610 Compressor Service Parts, TP	R	11/17/2011	2,636.63		010395		2,636.63
01325	Aflac Worldwide Headquarters I-809661 Supplemental Insurance 11/11	R	11/17/2011	2,529.28		010396		2,529.28
01985	AFLAC/FLEX ONE I-929454ER Service Fee Invoice 9/11	R	11/17/2011	125.00		010397		125.00
00010	AIRGAS WEST I-103918055 Cylinder Rental for Pipelines	R	11/17/2011	43.63		010398		43.63
00323	ALLIANT INSURANCE SRVCS, INC I-10082 Liability Coverage CA000372 Policy #C010407/002 9/29/11-9/29/12	R	11/17/2011	54,267.57		010399		54,267.57

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00014 I-260490	AQUA-FLO SUPPLY Brass Cap for Rincon PP	R	11/17/2011	22.31		010400		22.31
01666 I-000002775054	AT & T T-1 Line for Internet	R	11/17/2011	357.32		010401		357.32
00020 I-43900 I-43938 I-8494	AVENUE HARDWARE, INC Organizers for Telemetry Adapters, Duct Tape for PL Storage Containers for PP	R R R	11/17/2011 11/17/2011 11/17/2011	37.57 29.01 40.98		010402 010402 010402		107.56
00021 I-111011	AWA OF VENTURA COUNTY Waterwise Breakfast 11/17	R	11/17/2011	80.00		010403		80.00
00030 I-1235626000101 I-1236399000101	B&R TOOL AND SUPPLY CO Grinding Wheel for Weld Shop Volt Charger for Pipelines	R R	11/17/2011 11/17/2011	82.44 55.53		010404 010404		137.97
00821 I-664282	BEST BEST & KRIEGER LLP Matter#82356.00002 Oct Service	R	11/17/2011	414.40		010405		414.40
01062 C-B827024A D-B827024A I-B827024	BP Medical Supplies Accrue Use Tax Accrue Use Tax AED for Vehicle & Rplcmt Pad	R R R	11/17/2011 11/17/2011 11/17/2011	127.74CR 127.74 1,761.96		010406 010406 010406		1,761.96
00053 I-110211	CA DEPARTMENT OF PUBLIC HEALTH Renewal Op#15466	R	11/17/2011	60.00		010407		60.00
09716 I-110411	CA-NV SECTION AWWA Renewal Cert#1407 Water Use Efficiency Practitioner	R	11/17/2011	50.00		010408		50.00
02300 I-22001	California Door & Hardware New Metal Doors for TP	R	11/17/2011	481.02		010409		481.02
01165 I-1331780 File #1521353 I-1331781 File # 1597210	CARL WARREN & COMPANY Services 9/27/11-10/14/11 Services 9/27/11-10/23/11	R R	11/17/2011 11/17/2011	157.30 1,547.15		010410 010410		1,704.45
00055 I-001349 I-001351	CASITAS BOAT RENTALS Repair Steering Unit 138,Arima Gas for Boats at LCRA	R R	11/17/2011 11/17/2011	659.97 806.12		010411 010411		1,466.09

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01384	CLEAN HARBORS ENVIRONMENTAL SE Recycle Computer Equipment	R	11/17/2011	184.40		010412		184.40
00511	CMH Center for Family Health							
I-061311	DOS 6/13/11 Claim#11-94150	R	11/17/2011	54.08		010413		
I-070711	DOS 7/7/11 Claim#11-94150	R	11/17/2011	88.49		010413		
I-081611	DOS 8/16/11 Claim#11-95561	R	11/17/2011	59.66		010413		
I-092011	DOS 9/20/11 Claim#11-95561	R	11/17/2011	35.72		010413		237.95
01843	COASTAL COPY Copier Usage at Dist Ofc	R	11/17/2011	88.97		010414		88.97
00059	COASTAL PIPCO Irrigation Supplies for Camp F	R	11/17/2011	190.31		010415		
I-S1702088001	Tube Fittings for TP	R	11/17/2011	3.54		010415		193.85
00061	COMPUWAVE Toner Cartridges	R	11/17/2011	869.35		010416		869.35
00062	CONSOLIDATED ELECTRICAL Ty-raps for Pump Plants	R	11/17/2011	85.59		010417		85.59
01483	CORVEL CORPORATION							
I-3003485	Admin Fees 11/11-1/12	R	11/17/2011	750.00		010418		
I-650692591	Bill Review	R	11/17/2011	0.57		010418		
I-651270811	Bill Review	R	11/17/2011	7.08		010418		
I-651270831	Bill Review	R	11/17/2011	7.08		010418		
I-651406631	Bill Review	R	11/17/2011	0.69		010418		
I-653797231	Bill Review	R	11/17/2011	28.14		010418		
I-653797361	Bill Review	R	11/17/2011	12.63		010418		
I-653919791	Bill Review	R	11/17/2011	2.46		010418		
I-653923591	Bill Review	R	11/17/2011	6.63		010418		
I-653938331	Bill Review	R	11/17/2011	1.26		010418		
I-654326051	Bill Review	R	11/17/2011	190.82		010418		
I-C00203306292	Utilization Review	R	11/17/2011	295.00		010418		1,302.36
	Claim#11-95564							
01764	CSG Systems, Inc. UB Mailing 9/28/11	R	11/17/2011	1,168.95		010419		1,168.95
00662	Diamond A Equipment Fuel Cap for Eq#284, Mower	R	11/17/2011	23.82		010420		23.82

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02296	Duslan Technology Inc/Megabatt							
C-174589A	Accrue Use Tax	R	11/17/2011	13.96CR		010421		
D-174589A	Accrue Use Tax	R	11/17/2011	13.96		010421		
I-174589	Lithium Batteries, Telemetry	R	11/17/2011	209.80		010421		209.80
00086	E.J. Harrison & Sons Inc							
I-961	Acct#500546088 Trash Pickup	R	11/17/2011	560.00		010422		560.00
00090	ENVIRONMENTAL RESOURCE ASSOC							
I-630996	Lab Supplies	R	11/17/2011	632.02		010423		632.02
00091	ERNST & YOUNG LLP							
I-US0130512079	3rd Progress Billing	R	11/17/2011	1,135.00		010424		1,135.00
00095	FAMCON PIPE & SUPPLY							
I-137555	Washers for Warehouse Stock	R	11/17/2011	5.36		010425		
I-137731	Pails of Mortar for WH Stock	R	11/17/2011	231.66		010425		237.02
00013	FERGUSON ENTERPRISES INC							
I-7661571	Drinking Fountain Valve, LCRA	R	11/17/2011	163.02		010426		
I-76615711	Shower Heads for LCRA	R	11/17/2011	265.77		010426		428.79
02301	Jeff Ferguson							
I-110711	Irrigation Controller Rebate	R	11/17/2011	250.00		010427		250.00
00099	FGL ENVIRONMENTAL							
I-109027A	Metals, Total-Mn	R	11/17/2011	70.00		010428		
I-109028A	Heterotrophic Plate Count	R	11/17/2011	300.00		010428		
I-109629A	Heterotrophic Plate Count	R	11/17/2011	115.00		010428		
I-110204A	Heterotrophic Plate Count	R	11/17/2011	270.00		010428		
I-110450A	Wet Chemistry-NO3	R	11/17/2011	43.00		010428		
I-110451A	Metals, Total-Mn	R	11/17/2011	70.00		010428		
I-111008A	Wet Chemistry-NO3	R	11/17/2011	43.00		010428		
I-111264A	Wet Chemistry-NO3	R	11/17/2011	43.00		010428		
I-111266A	Wet Chemistry-NO3	R	11/17/2011	18.00		010428		972.00
00101	FISHER SCIENTIFIC							
I-6575059	Buffer Solution for Lab	R	11/17/2011	93.74		010429		
I-6756451	Lab Testing Supplies	R	11/17/2011	176.06		010429		
I-7108140	Lab Testing Supplies	R	11/17/2011	195.12		010429		
I-7504081	Lab Testing Supplies	R	11/17/2011	624.39		010429		1,089.31
00106	FRONTIER PAINT							
I-F155240	Paint Supplies for Dist Maint	R	11/17/2011	24.82		010430		24.82

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01280 I-4200835	FRY'S ELECTRONICS, INC. Adapter for IT Laptop	R	11/17/2011	14.00		010431		14.00
02158 I-3673101	Google, Inc. Additional Usage, IT Dept	R	11/17/2011	1.08		010432		1.08
00115 I-9677831167	GRAINGER, INC Breaker Lockout Kit, Maint	R	11/17/2011	81.64		010433		81.64
00746 C-448753 I-448225 I-448715	GREEN THUMB INTERNATIONAL Seed Cover Returned Grass Seed for Camp A & F Plants for Dist Ofc Landscape	R R R	11/17/2011 11/17/2011 11/17/2011	77.46CR 361.61 88.31		010434 010434 010434		 372.46
00121 I-7494010	HACH COMPANY Chemical Reagents for TP	R	11/17/2011	787.96		010435		787.96
02287 I-100711 I-101111	Hand Works, Inc. DOS 10/7/11 Claim#11-95564 DOS 10/11/11 Claim#11-95564	R R	11/17/2011 11/17/2011	64.85 64.85		010436 010436		 129.70
00894 I-5174566000105	HOSE-MAN, INC. Hose Fitting for Pipelines	R	11/17/2011	25.54		010437		25.54
00125 I-255000994	IDEXX DISTRIBUTION CORP Lab Supplies	R	11/17/2011	930.87		010438		930.87
00127 I-00123390	INDUSTRIAL BOLT & SUPPLY Washers for Ave 1 Unit#4	R	11/17/2011	12.01		010439		12.01
10251 C-17645A D-17645A I-17645	INFO TAG INC. Accrue Use Tax Accrue Use Tax Restroom Signs for LCRA RR	R R R	11/17/2011 11/17/2011 11/17/2011	7.58CR 7.58 113.50		010440 010440 010440		 113.50
00872 I-3899	Irrisoft, Inc. ET Weather Station Services	R	11/17/2011	79.00		010441		79.00
00131 I-528988	JCI JONES CHEMICALS, INC Chlorine for TP, CM#529027	R	11/17/2011	1,587.60		010442		1,587.60
00328 I-7634	LIGHTNING RIDGE Uniforms for LCRA Maint	R	11/17/2011	1,079.76		010443		1,079.76

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00329	MCMASTER-CARR SUPPLY CO.							
I-99562728	Nylon Pulley for Robles	R	11/17/2011	15.69		010444		15.69
00151	MEINERS OAKS ACE HARDWARE							
C-461425	Trash Can and Lids Returned	R	11/17/2011	45.84CR		010445		
I-461424	Trash Can, Lid, Tote for LCRA	R	11/17/2011	71.56		010445		
I-461859	Concrete Mix for Canal Work	R	11/17/2011	93.58		010445		
I-461941	Toilet Parts for Robles	R	11/17/2011	7.70		010445		
I-462235	Flanges, Hose, Cleaner, Robles	R	11/17/2011	31.08		010445		
I-462869	Brushes for Applying Sealer	R	11/17/2011	13.71		010445		
	at Rincon Balancing Reservoir							
I-463320	Dropcloths for Fairview PP	R	11/17/2011	6.42		010445		
I-463326	Muriatic Acid, Duct Tape TP	R	11/17/2011	18.20		010445		
I-463433	Wood Staked for Canal Work	R	11/17/2011	20.38		010445		
I-463487	Wood Stakes, Hammer for Canal	R	11/17/2011	25.94		010445		
I-463501	Supplies for LCRA Maint	R	11/17/2011	48.24		010445		
I-463656	Trash Bags, Tape for LCRA	R	11/17/2011	40.27		010445		
I-464073	Paint for TP Doors	R	11/17/2011	34.14		010445		
I-464080	Winterizing Supplies for WP	R	11/17/2011	58.74		010445		
I-464104	Concrete, Retaining Wall, LCRA	R	11/17/2011	37.16		010445		
I-464205	Concrete, Hoses for Waterpark	R	11/17/2011	19.44		010445		
I-464372	Supplies for LCRA Maint	R	11/17/2011	45.80		010445		
I-464395	Staples for Staple Gun, Maint	R	11/17/2011	3.10		010445		
I-464511	Sprayer, Blade for Pump Plants	R	11/17/2011	12.27		010445		
I-464518	Caulk, Screws, Valve for Robles	R	11/17/2011	39.59		010445		
I-464949	Lumber for Res Building, LCRA	R	11/17/2011	18.83		010445		
I-K63786	Sawhorses for Dist Maint	R	11/17/2011	32.16		010445		
I-K63829	Drill Bits, Screw Extractor, TP	R	11/17/2011	15.92		010445		
I-K63877	Caulk, Hex Key Set, Maint	R	11/17/2011	40.68		010445		689.07
02194	Draza Mrvichin							
I-110211	Professional Svcs Oct 11	R	11/17/2011	2,887.50		010448		2,887.50
00503	NATIONAL RECREATION & PARK ASS							
C-20046206A	Accrue Use Tax	R	11/17/2011	20.88CR		010449		
D-20046206A	Accrue Use Tax	R	11/17/2011	20.88		010449		
I-20046206	Playground Inspection Equip	R	11/17/2011	306.00		010449		306.00
00834	NEXTEL COMMUNICATIONS							
I-425958314120	LCRA Monthly Cellphone Chrgs	R	11/17/2011	954.00		010450		954.00
00163	OFFICE DEPOT							
I-1405310016	Lettering Tape for Telemetry	R	11/17/2011	66.24		010451		
I-585315957001	Office Supplies	R	11/17/2011	19.29		010451		
I-585316129001	Office Supplies	R	11/17/2011	31.15		010451		
I-585316130001	Office Supplies	R	11/17/2011	45.62		010451		162.30

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00912	OJAI BUSINESS CENTER, INC							
I-7077	Shipping for Fish, TP, E&M	R	11/17/2011	119.35		010452		119.35
00165	OJAI LUMBER CO, INC							
C-2422349	Roof Supplies Returned	R	11/17/2011	36.98CR		010453		
I-2422158	Roofing Materials, Camp H RR	R	11/17/2011	55.75		010453		
I-2422347	Roof Supplies	R	11/17/2011	36.98		010453		
I-2422350	Ridge Caps for LCRA, WP	R	11/17/2011	49.31		010453		
I-2422478	Leveler for Rec Office Shower	R	11/17/2011	46.20		010453		151.26
00166	OJAI PRINTING & PUBLISHING							
I-0085850IN	Boat Inspection Forms	R	11/17/2011	131.92		010454		
I-0086027IN	Business Cards	R	11/17/2011	312.37		010454		
I-585316131001	Cork Board for Lab	R	11/17/2011	44.21		010454		488.50
01051	OJAI VALLEY CARD & GIFT							
I-9141403	Bankers Boxes for LCRA	R	11/17/2011	29.49		010455		29.49
00353	OJAI VALLEY COMMUNITY HOSPITAL							
I-080411	DOS 8/4/11 Claim#11-95564	R	11/17/2011	308.87		010456		308.87
00473	OJAI VALLEY GLASS							
I-36641	Glass for Casitas #2	R	11/17/2011	22.66		010457		22.66
00168	OJAI VALLEY NEWS							
I-02703533	Public Notice, LCRA Fees 11/2	R	11/17/2011	24.00		010458		24.00
00169	OJAI VALLEY SANITARY DISTRICT							
I-13879	Cust#20594 Sewer Service	R	11/17/2011	150.63		010459		
I-13961	Cust#52921	R	11/17/2011	50.21		010459		200.84
01381	ONTRAC							
I-7268091	Refrigerated Sample to Biovir	R	11/17/2011	3.83		010460		3.83
00178	PARADISE CHEVROLET							
I-566818	Parking Brake Handle for 46,TP	R	11/17/2011	26.82		010461		26.82
00188	PETTY CASH							
I-111611	Replenish Petty Cash	R	11/17/2011	154.10		010462		154.10
01334	POWER MACHINERY CENTER							
I-E65305	Club Car Lease, Y13634	R	11/17/2011	798.20		010463		
I-E65316	Club Car Lease, Y13864	R	11/17/2011	602.67		010463		1,400.87

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01439	PRECISION POWER EQUIPMENT							
I-1681	Chain for Chain Saw, Dist Mnt	R	11/17/2011	17.84		010464		17.84
10042	PSR ENVIRONMENTAL SERVICE, INC							
I-5243	Gas Tank Inspection, LCRA	R	11/17/2011	210.00		010465		
I-5244	Gas Tank Inspection, Main Yard	R	11/17/2011	210.00		010465		
I-5265	Haz Mat Test at Main Yard	R	11/17/2011	1,017.91		010465		1,437.91
02294	R&B Wholesale Distributors, In							
I-92906	Disposals for 2 Fish Sinks	R	11/17/2011	2,131.06		010466		2,131.06
01421	RHINO MARKING & PROTECTION SYS							
C-41115A	Accrue Use Tax	R	11/17/2011	67.75CR		010467		
D-41115A	Accrue Use Tax	R	11/17/2011	67.75		010467		
I-41115	Campsite Markers for LCRA	R	11/17/2011	1,112.39		010467		1,112.39
00514	Right-Click Computer Services							
I-664	Replace Internet Module	R	11/17/2011	98.75		010468		98.75
00033	ROBERT SKEELS & CO.							
I-41118	Replace Defective Door Lock, TP	R	11/17/2011	574.74		010469		574.74
00313	ROCK LONG'S AUTOMOTIVE							
I-3664	Oil & Lube, Smog for Eq#46, TP	R	11/17/2011	349.95		010470		349.95
	Replaced A/C Compressor/Alternator Drive Belt							
02302	Kimi Romming							
I-103111	Irrigation Controller Rebate	R	11/17/2011	250.00		010471		250.00
01107	SAWYER PETROLEUM							
I-S78435	Oil for Unit#88, Pump Truck	R	11/17/2011	74.65		010472		74.65
02295	Seacon							
I-00120021	PIT Antenna Connectors, Fish	R	11/17/2011	346.03		010473		346.03
01944	Luke Soholt							
I-103111	Fees for D3 Certification	R	11/17/2011	100.00		010474		100.00
02003	Sostre & Associates							
I-1749	CMS Fee and Website Hosting	R	11/17/2011	249.00		010475		249.00
00207	State Board of Equalization							
I-00010851395	Water Rights Fee-Casitas Dam	R	11/17/2011	5,539.50		010476		
I-00011131667	Water Rights Fee-Matilija	R	11/17/2011	364.50		010476		5,904.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00050	STATE OF CALIFORNIA - EDD I-L2108891264 UI Benefit Charges PE 9/30/11	R	11/17/2011	137.00		010477		137.00
00767	STATE WATER RESOURCES CONTROL I-WD-0065700 Aquatic Pesticide Permit	R	11/17/2011	1,943.00		010478		1,943.00
02018	Stoneriver Pharmacy Solutions I-0927111 DOS 9/27/11 Claim#11-95564	R	11/17/2011	9.80		010479		9.80
02240	Sunrise Physical Therapy Servi I-0628111 DOS 6/28/11 Claim#11-93056	R	11/17/2011	60.62		010480		
	I-0705111 DOS 7/5/11 Claim#11-93056	R	11/17/2011	60.62		010480		121.24
01696	SUPERIOR MACHINE I-1429 Flanges Bored for Ave#1 Proj	R	11/17/2011	300.00		010481		300.00
00364	TRI-COUNTY OFFICE FURNITURE I-89487 Office Furn for Water Conserv	R	11/17/2011	2,131.78		010482		2,131.78
00225	UNDERGROUND SERVICE ALERT I-1020110091 84 New Tickets	R	11/17/2011	126.00		010483		126.00
00243	VALLEY EQUIPMENT I-10490 Filled Propane Tanks, Garage	R	11/17/2011	69.71		010484		69.71
01967	Robert Vasquez I-1116111 Safety Boot Purchase	R	11/17/2011	170.00		010485		170.00
00251	VENTURA COUNTY STAR C-1050411A Accrue Use Tax	R	11/17/2011	16.31CR		010486		
	D-1050411A Accrue Use Tax	R	11/17/2011	16.31		010486		
	I-1050411 Water Conservn Survey Forms	R	11/17/2011	225.00		010486		225.00
09775	VENTURA ORTHOPAEDIC & SPORTS I-1007111 DOS 10/7/11 Claim#11-95564	R	11/17/2011	68.62		010487		68.62
00256	VENTURA RENTAL CENTER, INC. I-1162001 Equip Rented for Mixer	R	11/17/2011	181.78		010488		
	I-1170883 Excavator Rental, PL	R	11/17/2011	454.05		010488		635.83
00257	VENTURA RIVER COUNTY WATER I-1031111 Acct#05-37500A	R	11/17/2011	48.37		010489		
	I-103111A Acct#03-50100A	R	11/17/2011	26.57		010489		74.94

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
09955 I-158196	VENTURA WHOLESALE ELECTRIC Light Bulbs for LCRA Maint	R	11/17/2011	39.68		010490		39.68
01283 I-1027135357	Verizon Wireless Dist Ofc Monthly Cell Charges	R	11/17/2011	1,281.36		010491		1,281.36
00536 I-201425	Water Resource Engr Associates Senior Canyon Upgrade	R	11/17/2011	296.40		010492		296.40
00124 I-CUI201111150483	ICMA RETIREMENT TRUST - 457 457 CATCH UP	R	11/17/2011	423.08		010493		
I-DCI201111150483	DEFERRED COMP FLAT	R	11/17/2011	2,203.86		010493		
I-DI%201111150483	DEFERRED COMP PERCENT	R	11/17/2011	42.77		010493		2,669.71
01960 I-MOR201111150483	Moringa Community PAYROLL CONTRIBUTIONS	R	11/17/2011	16.75		010494		16.75
00985 I-CUN201111150483	NATIONWIDE RETIREMENT SOLUTION 457 CATCH UP	R	11/17/2011	211.54		010495		
I-DCN201111150483	DEFERRED COMP FLAT	R	11/17/2011	4,466.39		010495		4,677.93
00180 I-UND201111150483	S.E.I.U. - LOCAL 721 UNION DUES	R	11/17/2011	610.50		010496		610.50
00230 I-UWY201111150483	UNITED WAY PAYROLL CONTRIBUTIONS	R	11/17/2011	45.00		010497		45.00
00128 I-T1 201111150483	INTERNAL REVENUE SERVICE Federal Withholding	D	11/17/2011	20,794.84		111711		
I-T3 201111150483	FICA Withholding	D	11/17/2011	15,743.51		111711		
I-T4 201111150483	Medicare Withholding	D	11/17/2011	5,078.12		111711		41,616.47
00049 I-T2 201111150483	STATE OF CALIFORNIA State Withholding	D	11/17/2011	7,060.05		111712		7,060.05
00187 I-PER201111150483	CALPERS PERS EMPLOYEE PORTION	D	11/17/2011	10,107.67		111713		
I-PRR201111150483	PERS EMPLOYER PORTION	D	11/17/2011	12,215.38		111713		22,323.05

11/17/2011 8:24 AM
 VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE: 11/09/2011 THRU 11/17/2011

A/P HISTORY CHECK REPORT

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
* * T O T A L S * *								
		NO		INVOICE AMOUNT		DISCOUNTS		CHECK AMOUNT
	REGULAR CHECKS:	122		313,041.77		0.00		313,041.77
	HAND CHECKS:	0		0.00		0.00		0.00
	DRAFTS:	3		70,999.57		0.00		70,999.57
	EFT:	0		0.00		0.00		0.00
	NON CHECKS:	0		0.00		0.00		0.00
	VOID CHECKS:	0	VOID DEBITS	0.00				
			VOID CREDITS	0.00		0.00		
TOTAL ERRORS: 0								
VENDOR SET: 01	BANK: AP	TOTALS:	125	384,041.34		0.00		384,041.34
BANK: AP	TOTALS:		125	384,041.34		0.00		384,041.34
REPORT TOTALS:			125	384,041.34		0.00		384,041.34

CK#10381 Replaces CK# 10337 - lost

(87279)

383,168.55

CASITAS MUNICIPAL WATER DISTRICT
Inter-Office Memorandum

DATE: November 7, 2011
TO: Board of Directors
FROM: General Manager, Steve Wickstrum
Re: Recreation Committee Meeting of November 7, 2011

RECOMMENDATION:

It is recommended that the Board of Directors receive and file this report.

BACKGROUND AND OVERVIEW:

1. **Roll Call.** Directors Kaiser and Hicks
Staff – PSM Carol Belser
Public – Gary Wolfe , Gary Petrosky
2. **Public comments.**
None.
3. **Board/Management comments.**
Director Hicks stated that it would be nice to bring the AWA bus tour to the Lake Casitas Recreation Area. This may be considered by AWA.
4. **Review of Night Fishing Tournament Proposal and Bid Award.**
PSM Belser presented the bids received from Western Outdoor News and Angler's Choice. Western Outdoor News proposed \$26 per boat, while Angler's Choice proposed \$20 per boat. The Committee suggested moving the bid award forward to the Board of Directors.
5. **Consideration for waiver of decal fee.**
PSM Belser reported that Mr. Gary Petrosky has requested a waiver of past due boat decal fees for a boat that has been moored in the Lake Casitas Marina. Mr. Petrosky has cited some confusion over being notified of the past due fees and changes in ownership from a deceased relative to his wife's name since 2009. It appears that there are two years of past due fees. Mr Petrosky paid for the 2012 sticker thru gate staff that did not recognize the past due fees when collecting current fees. While staff believes that the fees are due, it was the feeling of the Committee to waive the fee. The Committee asked that this item be considered by the Board of Directors.
6. **Update on Concessionaire Agreement Status.**
PSM Belser reported that the draft Request for Proposals and draft concession agreements are in are prepared and after review by District counsel, will be made available to interested parties. The schedule was discussed, understanding that it depends on review completion of the draft documents, with anticipated mail-out date of November 21 and moving forward to adoption of an agreement by the end of January 2012. It was further discussed reasons that the RFP did not include a bike rental

concession.

Mr. Wolfe provided insight on the minimum revenue stated in the RFP and staff will consider that input. Director Hicks suggested putting in a cost escalation factor (such as CPI, adjusted every five years) on the proposal for each contract.

It was also recognized that the current contracts may need to be extended until new concession contracts are in place.

7. **Review of Incidents and Comments.**
There were no major incidents to report.

CASITAS MUNICIPAL WATER DISTRICT
Interdepartmental Memo

DATE: November 14, 2011

TO: General Manager, Steve Wickstrum

FROM: Park Services Officer, Rob Weinerth

COPY: Park Services Manager, Carol Belser

SUBJECT: **Night Fishing Tournaments 2012**

RECOMMENDATION:

That the Board of Directors award the 2012 Night Fishing Tournaments to Western Outdoor News Bass as recommended by the Recreation Committee at the meeting on November 7, 2011

BACKGROUND:

Lake Casitas Recreation Area submitted bid requests for exclusive rights to organize night fishing tournaments in 2012 with the payments being made to the Lake Casitas Improvement Foundation (LCIF).

Bids were solicited from nine (9) organizations, with two (2) bids received. Western Outdoor News Bass was the highest responsible bidder with a bid of \$26 per team. Anglers Choice submitted a bid of \$20 per team. The seven (7) organizations that did not submit bids were Stanton Marine, Eric's Tackle, Ventura County Bass Club, National Bass Tournaments, American Bass Association Tournaments, West Coast Christian Anglers and Casitas Bait and Tackle.

WON Bass has been hosting fishing tournaments at Lake Casitas for several years and should be able to fulfill the requirements in the bid specifications. Casitas boat inspection protocol is required to be followed for all teams participating in the tournaments.

The funds donated to the LCIF have been used to support special events such as Kids Fishing Day and the purchase of additional trout.

**CASITAS MUNICIPAL WATER DISTRICT
LAKE CASITAS RECREATION AREA
Night Bass Fishing Tournament Operations 2012**

THIS AGREEMENT is made and entered into by and between CASITAS MUNICIPAL WATER DISTRICT, called herein "Casitas", and "WESTERN OUTDOOR NEWS BASS, called herein "Company".

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1. Description

(a) Casitas hereby grants to Company and its employees, agents, and volunteers permission to enter upon and use the property located at 11311 Santa Ana Road, Ventura, California 93001 (herein called "**Property**"), the specific location(s) being the lake and boat launch ramps, for the purpose of conducting Night Bass Fishing Tournaments, (herein called "**Tournament**") commencing on or about February 1, 2012 to and including December 1, 2012.

(b) While Casitas will make every effort to provide its facilities for Company, Casitas shall have no liability to Company if Casitas' facilities become restricted or closed for reasons including, but not limited to, acts of God, terrorism, war or the inability to provide facilities if permitting agencies revoke permits or authorization to use facilities.

(c) Company is hereby given exclusive rights to operate a maximum of five (5) Tournaments with an option of a one (1), two (2) consecutive nights, event at Lake Casitas during the time period referenced in (a) above. The tournaments are subject to the scheduling of Casitas, and may be changed by mutual agreement between both parties due to unfavorable weather conditions.

(d) Company agrees to use reasonable care to prevent damage to the Property, and will indemnify Casitas, and all other parties lawfully in possession of the Property, and hold each of them harmless from any claims and demands of any person or persons arising out of or based upon personal injuries, death or property damage suffered by such person or persons resulting directly from any act of negligence on Company's part in connection with its activities herein described.

(e) Company shall have the right to photograph, record and use in any manner whatsoever any name connected with the Property and any signs located thereon and rely on any logos and verbiage contained on such signs in connection with, or as part of, the Tournaments. Company shall have the right to reproduce, exhibit, advertise and exploit all of the photographs and recordings made in connection with the Tournaments in any and all media, whether now known or hereafter devised, throughout the universe in perpetuity. Company shall be the sole owner of all right, title and interest in and to the Tournament and any photographs and recordings hereunder, and neither Casitas nor any other party, now or hereafter having an interest in the Property, shall have any right of action against Company or any other party arising out of any use of said photographs and/or sound recordings, whether or not such use is, or may be claimed to be defamatory, untrue or censorable in nature.

(f) Participants in the Tournaments shall pay fees for vehicles and boats at the entrance gate unless annual permits are displayed. Day use, overnight and camping fees shall be charged as applicable.

(g) All boats on the water must keep night navigational lights on at all times. Participants must wear life preservers with kill switch attached any time the large engine is running. No drugs or alcohol are allowed. Maximum speed limit during the Tournaments will be 5 MPH unless otherwise authorized by Casitas.

(h) All participants' vehicles with or without a boat trailer must have one bright colored ribbon hanging from the rear view mirror. Another ribbon must be attached to the stern light of the boat.

(i) Tournament hours, including pre and post activities, will be agreed in writing with Casitas prior to each Tournament.

(j) A copy of a California Department of Fish and Game Fishing Tournament Permit must be provided to Casitas at least seven (7) days prior to each tournament.

(k) All boats shall be subject to inspection for invasive species and be in compliance with Casitas' Tamper Proof Tag Program and quarantine process. Any deviation from this process/inspection shall result in eviction from the Tournament and the Lake Casitas Recreation Area.

2. Fees

Fees will be paid pursuant to the bid submitted by Company dated October 5, 2011. A payment will be made to the Lake Casitas Improvement Foundation in the amount of twenty six dollars (\$26) per participating team, per Tournament, within ten (10) days after each Tournament.

3. Commercial General Liability For Tournament

(a) Coverage. Coverage for commercial general liability shall be at least as broad as the following:

- (1) Insurance Services Office Commercial General Liability Coverage (Occurrence Form CG 0001).
- (2) Insurance Services Office Liquor Liability Coverage (Occurrence Form CG 0033).

(b) Limits. Company shall, during the course of this Project, maintain limits no less than the following:

- (1) General Liability. TWO MILLION DOLLARS (\$2,000,000) per occurrence for bodily injury, property damage and personal injury. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2503, or ISO CG 2504, or insurer's equivalent endorsement provided to Casitas) or the general aggregate limit shall be twice the required occurrence limit.

(c) Required Provisions. The general liability policy is to contain, or be endorsed to contain the following provisions:

- (1) The United States of America (Bureau of Reclamation), Casitas, its directors, officers, employees, or authorized volunteers shall be named as additional insured (via ISO endorsement CG 2026 or insurer's equivalent for general liability coverage) as respects: liability arising out of activities performed by or on behalf of the Company; products and completed operations of the Company; premises occupied or used by the Company. The coverage shall contain no special limitations on the scope of protection afforded to the Casitas, its directors, officers, employees, or authorized volunteers.
- (2) For any claims related to this Project, the Company's insurance shall state that coverage is primary as respects the United States of America (Bureau of Reclamation), Casitas, its directors, officers, employees, or authorized volunteers, and any insurance, self insurance, or other coverage obtained or maintained by Casitas, its directors, officers, employees, or authorized volunteers shall be in excess of said primary coverage and not contributing.
- (3) Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the United States of America (Bureau of Reclamation), Casitas, its directors, officers, employees, or authorized volunteers.
- (4) The Company's insurance shall apply separately to the insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- (5) Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days (10 days for non-payment of premium) prior written notice by U.S. Mail has been given to Casitas.
- (6) Such liability insurance shall indemnify Company against loss from liability imposed by law upon, or assumed under contract by, Company for damages on account of such bodily injury (including death), property damage, and personal injury.
- (7) The general liability policy shall cover bodily injury and property damage liability, owned and non-owned equipment, and blanket contractual liability.

(d) Deductibles and Self-Insured Retentions. Any deductible or self-insured retention must be declared to and approved by Casitas. At the option of Casitas, the insurer shall either reduce or eliminate such deductibles or self-insured retentions.

(e) Acceptability of Insurers. All of the insurance shall be provided on policy forms and through companies satisfactory to Casitas. Insurance is to be placed with insurers having a current A.M. Best rating of no less than A-VII or equivalent or as otherwise approved by Casitas.

(f) Workers' Compensation & Employer's Liability Insurance. By signature on behalf of Company hereunder, the undersigned certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing the Project. The Company shall cover or insure under the

applicable laws relating to workers' compensation insurance, all of the employees working on the Project, in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any Acts amendatory thereof. The Company shall provide employer's liability insurance in the amount of at least TWO MILLION DOLLARS (\$2,000,000) per accident for bodily injury and disease. In the event Workers' Compensation & Employer's Liability Insurance does not apply to Company, Company shall execute a California Workers' Compensation Law Certificate of Exemption.

(g) Evidences of Insurance. Prior to commencement of Project, Company shall file with Casitas a Certificate of Insurance (Acord Form 25-S or equivalent) signed by the insurer's representative. Such evidence shall include a copy of the additional insured endorsement signed by the insurer's representative. Such evidence shall also include confirmation that coverage includes or has been modified to include (c) Required Provisions (1) through (7) above.

(h) The Company shall, upon demand of Casitas, deliver to Casitas such policy or policies of insurance. Failure to provide the required insurance coverage will result in the loss of the use of the facility. Company shall provide increased limits of insurance if required of Casitas by Casitas' insurer at no cost or liability to Casitas.

4. Indemnification.

To the fullest extent permitted by law, Company shall indemnify and hold harmless and defend the United States of America (Bureau of Reclamation), Casitas, its directors, officers, employees, or authorized volunteers, and each of them from and against:

(a) Any and all claims, demands, causes of action, damages, costs, expenses, losses or liabilities, in law or in equity, of every kind and nature whatsoever, for, but not limited to, injury to or death of any person including the United States of America (Bureau of Reclamation), Casitas and/or Company, or any directors, officers, employees, or authorized volunteers of Casitas or Company, and damages to or destruction of property of any person, including but not limited to, the United States of America (Bureau of Reclamation), Casitas and/or Company and their directors, officers, employees, or authorized volunteers, arising out of or in any manner directly or indirectly connected with the Project to be performed under this Agreement, however caused, regardless of any negligence of the United States of America (Bureau of Reclamation), Casitas or its directors, officers, employees, or authorized volunteers.

(b) Any and all actions, proceedings, damages, costs, expenses, penalties or liabilities, in law or equity, of every kind or nature whatsoever, arising out of, resulting from or on account of the violation of any governmental law or regulation, compliance with which is the responsibility of Company.

(c) Any and all losses, expenses, damages (including damages to the work itself), and other costs, including all costs of defense, which any of them may incur with respect to the failure, neglect, or refusal of Company or to faithfully perform all of its obligations under the contract. Such costs, expenses, and damages shall include all costs incurred by the indemnified parties in any lawsuits to which they are a party.

(d) Company shall defend, at Company's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against Casitas or Casitas' directors, officers, employees, or authorized volunteers.

(e) Company shall pay and satisfy any judgment, award or decree that may be rendered against Casitas or its directors, officers, employees, or authorized volunteers, in any such suit, action or other legal proceeding.

(f) Company shall reimburse Casitas and its directors, officers, employees, or authorized volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

(g) Company agrees to carry insurance for this purpose as set out in the specifications. Company's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the United States of America (Bureau of Reclamation), Casitas, or its directors, officers, employees, or authorized volunteers.

5. Permits and Notifications for Tournament.

(a) Company shall notify and make all necessary arrangements, as applicable, with state and local public agencies, including, but not limited to, the Ventura County Sheriff's Office, California Highway Patrol, Ventura County Health Department and the County Fire Department. If applicable, fire permits shall include those necessary for public use of a large tent, use of explosives or pyrotechnics and blank ammunition.

(b) In the event any state or local public agency does not require specific permits to be issued for the activities covered by this Agreement, Company shall follow all rules and regulations governing the activities as if permits had been issued by these agencies.

6. Taxes and Assessments. A taxable possessory interest may be created by this use and Company may be subject to the payment of property taxes levied on such interest. Company shall pay before delinquent any and all taxes and assessments levied against Company by reason of Company's use and occupancy of the Recreation Area.

7. Publicity. Company hereby agrees that Casitas may utilize any publicity generated for, or because of the Tournaments for the mutual and/or separate benefit of Company and/or Casitas at no cost to Casitas. Company agrees that any publicity credits shall include "Lake Casitas Recreation Area" as the location.

8. Discrimination. Company agrees that during the use of Casitas Municipal Water District's Recreation Area facilities, no qualified person shall be prevented from participating or denied the benefits of, or otherwise be subjected to discrimination because of the person's race, color, national origin, age or handicap.

9 Title VI Compliance. Company hereby acknowledges that as a subrecipient of federal funds, Casitas Municipal Water District's Recreation Area cannot discriminate against anyone on the basis of race, color, natural origin, age or handicap in the provision of its services to the public. Anyone who believes that he/she has been subjected to discrimination can file a complaint either with the Casitas Municipal Water District, 1055 Ventura Avenue, Oak View, CA 93022, or the Office for Equal Opportunity, U.S. Department of the Interior, Washington, D.C. 20240.

10. Law & Jurisdiction Governing. This Agreement is being delivered and shall be deemed entered into in the State of California and shall be governed by and construed according to the laws of such state. Any dispute, claim or controversy between the parties shall be arbitrated and/or litigated in Ventura

County, California. If any provision of this Agreement is determined to be illegal, invalid or unenforceable by a court of competent jurisdiction, the remaining provisions hereof shall not be affected thereby and shall remain in full force and effect.

11. **Entire Agreement.**

(a) This document constitutes the entire Agreement between Casitas and Company for the use granted at the Lake Casitas Recreation Area for the Tournaments.

(b) This document may be modified only by further written agreement between the parties hereto. Any such modification shall not be effective unless and until executed by Company and in the case of Casitas, except as otherwise specifically authorized herein, until approved and executed by Casitas' Park Services Manager, General Manager and/or Board of Directors.

12. **Inquiries.** Please direct all inquiries regarding this Agreement to:

Park Services Officer, Rob Weinerth
11311 Santa Ana Road
Ventura, CA 93001
(805) 649-2233, ext. 105
Cell 805-797-1702
Email - rweinerth@casitaswater.com.

Tournament Director, Rich Tauber
185 Avenida La Pata
San Clemente, CA 92673
(818) 439-1154
(949) 366-0030

13. **Representatives.** The representatives of the parties to this Agreement are those set forth below.

IN WITNESS WHEREOF the parties hereto have executed this Agreement this ____ day of November, 2011.

**“WON BASS”
WESTERN OUTDOOR NEWS BASS**

By: _____
Rich Tauber, WON Bass Tournament Director

**“CASITAS”
CASITAS MUNICIPAL WATER DISTRICT**

By: _____
Carol Belser, Park Services Manager

CASITAS MUNICIPAL WATER DISTRICT
Interdepartmental Memo

DATE: November 16, 2011

TO: General Manager, Steve Wickstrum

FROM: Park Services Manager, Carol Belser

SUBJECT: **Consider Waiving Annual Boat Decal Fee for Ms. and Mr. Petrowski**

RECOMMENDATION:

Consider waiving Annual Boat Decal fees as requested by Ms. And Mr. Petrowski.

BACKGROUND:

Lake Casitas Recreation Area Ordinance 5.2 Boating Regulations 5.2.1 states:
It shall be unlawful for any person to have, use, or operate a vessel in the Park that does not meet the minimum requirements for, or that does not have a Park boat permit.

The procedure for a boat permit includes an annual permit agreement, a decal affixed to the vessel and a payment of \$125.00 for each decal. This includes vessels in trailer storage and moored at the Marina. In March 2009 our records indicated that Ms. Chari Petrowski was the responsible party of a vessel CF 1764CV moored in slip D-11 and the 2009 decal attached to the vessel expired that month. A letter was sent to Ms. Petrowski in March of 2009 as a reminder to obtain a permit.

Casitas staff also provided our Concessionaire, Mr. Gary Wolfe, a list of delinquent decals for moored vessels in the Marina in 2009, which included the Petrowski vessel, to serve as a reminder for Mr. Wolfe (who collects rental fees for moored vessels) to also remind Ms. Petrowski to update the permit.

ANALYSIS:

In June 2011, Ms. Chari Petrowski paid for a decal for a vessel in D-11. Our staff assumed that the decal was for the current year of 2011/2012, and sold Ms. Petrowski a 2012 decal. Staff then recognized the error and called Ms. Petrowski and sent a letter indicating the fee should be applied for the delinquent 2010 decal since our information, provided by the Concessionaire, was that the vessel had never left Lake Casitas. She was informed that there were two more years of payments needed to bring her vessel into compliance.

Attached is a copy of Ms. and Mr. Petrowski's letter received 11/1/11 stating their position on the fee and requesting the District waive the fees for 2009/2010 (2010 decal) and 2010/2011 (2011 decal). They feel the recent decal payment should be applied to the current year and indicated they were not the owners of the vessel until recently.

Additionally, the Petrowski vessel is not the only vessel moored at the Marina not in compliance with our Ordinance. There are in excess of fifteen (15) vessels in the same delinquent situation. Staff are working to correct the ability of owners of moored vessels to continue to pay only the mooring fee to our Concessionaire and failing to renew Annual Boat Decals as required by Casitas, by adding language in the new Concessionaire Agreement.

At their November 7, 2011 meeting, the Recreation Committee recommended considering a fee waiver for Mr. Petrowski's Annual Boat Decals for years 09/10 and 10/11. If approved, the fee waiver will total \$250.00.

4270 Grand Ave.
Ojai, CA 93023
Nov 1, 2011

Ms. Carol Belser
Lake Casitas Administrator

Dear Ms. Belser:

As you are aware, we are now the owners of a sailboat that has been docked (currently at D-11) on your lake for over 20 years. The slip rental fees have been paid annually without delay during that time. Until recently, the boat was the pride and joy of our Father/Father-in-law, William Bunn. Sadly, he passed away two years ago. It was my wife's desire to restore the boat in memory of him. We have been doing this since this summer.

We were surprised to find the boat chained to the dock in June 2011 for not having a current lake use sticker on the boat. We went to your office and paid the \$125 annual fee to be current till 6/12 for which we have the receipt issued by your staff. The locking chain was removed and we thought everything was ok.

In Sept 2011 we received a note from Ms. Taylor of your staff saying the fee we paid was only for the 2009 annual boat decal and we still owed \$250 to be current to 2012. I tried to clarify this matter with your staff at that time but without success.

The boat was once again chained to the dock on 10/28/2011. I then again discussed this with Ms. Isles of your staff to see if the back fees could be waived in light of the fact that we had just taken over the boat that has been in the family for all these years following Mr. Bunn's passing in 2009 and have attempted to restore it to its original beauty. Ms. Isles seemed hesitant to grant this request saying if she did it for us she would have to do it for others also. My response was, that if someone had to die for it to happen, she probably wouldn't get that many requests. She said she would discuss this with you and I am writing this letter to you in support of our request.

We enjoy being on the beautiful lake and working on the boat is a pleasure. Please advise us of whether you can waive the delinquent fees owed partially from the time of our deceased father's time at the helm.

Sincerely,

Handwritten signature in cursive script, reading "Gary Petrowski" and "Chari Petrowski" on two lines.

Gary & Chari Petrowski

805-207-1682



Find an article by city
Read more at vcstar.com

Petersen: Case against water takeover

By Ken Petersen

Saturday, November 5, 2011

Golden State Water Co. is committed to providing every one of our 2,900 Ojai customers with the best possible service. We recently hosted a public meeting to provide customers with our perspective on efforts by Ojai FLOW to persuade the Casitas Municipal Water District to use eminent domain to take over the Ojai system.

We recognize and respect the concerns people have about rising water costs and the different rates charged by providers in the region. Our goal during that meeting was to provide a candid description of the facts so that residents could make informed choices.

For those who were unable to attend, following is a summary of our presentation:

We informed attendees that we agree with Ojai FLOW on several issues, the most important of which is that Golden State Water Co. and Casitas Municipal Water both provide comparable service.

We have great respect for our colleagues at Casitas and have worked cooperatively with them on a variety of water initiatives; particularly those that promote water conservation.

We also agree that using eminent domain to take over a taxpaying business is expensive and time consuming. Ojai FLOW has conceded that legal fees could cost \$1 million to \$4 million over a four-year period regardless of whether or not the takeover is successful.

Casitas Municipal Water District, not Ojai FLOW, would be responsible for the costs, which would ultimately end up on a customer's water bill or a resident's tax bill.

History also shows that takeover cases often take up to 10 years to complete at a cost exceeding \$4 million. Ojai FLOW also acknowledges that Golden State Water Co. is entitled to fair market value if the system is taken. This would, of course, include the value of our operating property and the value of the water rights.

However, the areas in which we agree are overshadowed by the fact that Ojai FLOW's "feasibility analysis" does not represent the true costs associated with a government takeover and its effect on rates, property taxes and the ability to finance other public improvements.

The truth is that a government takeover will ultimately cost every GSWC customer more than what they are paying now without any guarantee that rates won't increase in the future, all for comparable water service.

The cost Casitas Municipal Water District, or any other entity, will have to pay just to purchase the system, along with customer costs for future infrastructure liabilities, means a takeover adds up to a bad deal for taxpayers and customers. It should be noted that we've invested more than \$10 million to maintain the system between 2000 and 2010.

Ojai FLOW's estimate of the value of the system is legally wrong and, therefore, any financing analysis that follows also is wrong. The value of the system is significantly higher than Ojai FLOW reports and doesn't include the cost of water rights.

The value of these rights alone may exceed the proposed bond amount Ojai FLOW has identified several times over. To finance the takeover, property owners would pay significantly higher property taxes for at least the next 30 years. The higher property taxes plus the existing water rates would exceed what customers are paying right now.

Then the focus of the meeting turned to our rates. We explained that the California Public Utilities Commission sets the standards to which we must maintain the system and provide service to our customers. We also noted that public water systems operate on other revenues besides water rates, such as property tax revenues.

GSWC rates reflect the full cost of service and are not subsidized by taxes or other revenue sources. Our rates include two primary components: a base monthly charge that depends on the size of the customer's water meter and a charge based upon how much water is used.

Golden State Water Co. has been serving Ojai since 1929 and we care deeply about our customers and the community. We appreciate the fact that residents are concerned about rates, and our full disclosure means that people can make informed decisions.

For those with questions about our most recent rate proposal filed with the PUC, we are holding another community meeting Nov. 16 at Nordhoff High School at 6 p.m. Customers can also speak to a representative 24/7 by calling 1-800-999-4033.

Ken Petersen is district manager for Golden State Water Co.



© 2011 Scripps Newspaper Group — Online

Ojai council hires attorney for possible Golden State Water condemnation

By Anne Kallas

Originally published 03:05 p.m., November 9, 2011

Updated 06:48 p.m., November 9, 2011

The Ojai City Council has agreed to hire an attorney to provide counsel during any possible condemnation action against Golden State Water Co.

The council previously had rejected the agreement because of concerns that the wording would require the city to give up the franchise fees it gets from the private water company.

The agreement was revised, and the council voted 4-0 Tuesday night to hire Jeffrey M. Oderman of Rutan & Tucker to provide up to \$5,000 in legal services. Councilwoman Sue Horgan was absent.

City Manager Robert Clark had said Oderman requested the franchise fee language to avoid a conflict of interest should he ultimately be hired to also represent the Casitas Municipal Water District in the matter.

A group of residents, Ojai FLOW, is upset about a series of Golden State water rate increases and is urging Casitas to take over the private system. Council members have expressed support.

Councilman Paul Blatz, an attorney, said he was satisfied with the revised agreement.

"I'm satisfied the language does not put us at risk. We don't waive anything we wouldn't have waived anyway," he said.

Also Tuesday, the council approved a revised ordinance governing outdoor vending machines in Ojai. Blatz had said language in an initial version was too vague and unintentionally could outlaw newspaper vending, ice machines and gas pump machines.

The revised ordinance more clearly defines a "vending machine" and which ones will be grandfathered in because they were in place before the ordinance was drafted.

The council Tuesday sent an ordinance defining "formula businesses," or chain stores, back to the Ojai Planning Commission for more discussion. Such businesses must get special permission to open in the city.

The council also delayed action on maintenance funding for an addition to the Ojai library. The Friends of the Library would fund the \$140,000 construction cost if the city agreed to eventually pay \$1,950 a year for maintenance. The council asked Clark to review terms of an existing library parcel tax to see how that money can be spent.



© 2011 Scripps Newspaper Group — Online

LETTERS TO THE EDITOR

GSWC not ready for prime time

ION WHALEY, OJAI

What a great meeting at Matillija Auditorium on Monday, Oct. 24! More than 200 Ojai residents-Golden State customers came to listen and/or protest Golden State Water Company's presentation. When I read the letter sent out a couple of weeks ago from Mr. Sprowls (president and CEO of GSWC), I knew this would ignite and/or unite the Ojai community. They tried to tell us how our community neighbors and volunteers at Ojai F.L.O.W. are misguided and leading their customers down the wrong path. They tried to tell us how they knew what was good for Ojai. It became very evident, by some of the shouts and rants, that no one was interested in what Mr. Joe Conner, their high-paid attorney, had to say part way through the

PowerPoint presentation. About 45 minutes into the meeting, due to pressure from the audience, Golden State representatives had to switch to questions and comments from the audience. It was at that point that the Ojai people took control of the meeting. Whoa!

Golden State Water Company underestimated the people of Ojai. It was incredible to hear Ojai's questions, factual statements, comments, stories, rants and even better to watch the Golden State representatives squirm and struggle with trying to answer and respond. After each person spoke the crowd broke out in applause. Once again they were not prepared to deal with us. Golden State Water Company is using the same tactics that American Water used when Felton F.L.O.W. in northern California, went through the process, and won, to take back their water system from a price-gauging

company that was only interested in profits. GSWC reps. tried to use scare tactics, denying they had anything to do with the fliers mailed out, giving information that was one-sided, and not fully answering questions.

Financial facts for American States Water Company, owner of Golden State Water, were also presented from the audience.

• Fact No. 1, Second Quarter Results 2011 for American States Water Company

Basic and fully diluted earnings from continuing operations were \$0.68 per common share for the quarter ended June 30, 2011, a 45 percent increase as compared to the quarter ended June 30, 2010.

• Fact No. 2, American States 2010 Annual Report Golden State Water Company continues to be our flagship subsidiary. It accounted for approximately 82 percent of revenues and 81 percent of income from continuing

operations.

• Fact No. 3, American States 2010 Annual Report

The Sale of Chaparral City Water Company (CCWC)

Unacceptable were the low historical returns on our investment in Chaparral City Water Company, our Arizona subsidiary. In light of those returns, we did not have an interest in growing CCWC. We further concluded that given CCWC's small size, it made business sense to consider a sale.

Chaparral is a water utility company serving over 13,000 customers. It sold for \$35 million. That's \$2,700 per customer. Ojai has 2,900 customers, if size reflects value, how much is our water infrastructure worth? Obviously GSWC is making a lot of money in Ojai, otherwise they would be willing to sell our tiny district. It was not profitable to run a water company privately in Arizona. Too much regulation they say.

It is very profitable to run a private water utility company in California. The California Public Utility Commission (CPUC) is not doing a very good job of protecting customers from rate hikes. Below is how they are doing it.

American States 2008 Annual Report

Public water policy also affects profitability. In 2008, three members of Golden State Water's Environmental Quality Department assumed key leadership positions with the California-Nevada Section of the American Water Works Association, giving us a strong voice in crafting state and federal water regulations.

We took strategic steps to ensure our profitability in the years to come. Perhaps the most important was securing the California Public Utilities

Commission's approval of a Water Revenue Adjustment Mechanism, or WRAM. The WRAM allows us to decou-

ple revenues from sales, thereby avoiding the volatility in our earnings caused by drought, unseasonable temperatures, and other factors.

A Rate Structure that Provides the Right Incentives

In August 2008, the California Public Utilities Commission ("CPUC") issued a final decision which authorized GSWC to implement an increasing block rate design as a means to encourage water conservation in our Region II and III water regions. In addition, GSWC was authorized to establish a Water Revenue Adjustment Mechanism (WRAM) and a Modified Cost Balancing Account (MCBA) to remove the impact to earnings due to supply mix changes and increased costs of purchased water. In late November 2008, GSWC implemented the increasing block rates, the WRAM and MCBA. As a result, the WRAM and MCBA favorably impacted our 2008 fourth quarter earnings by \$0.03 per share that would have previously been lost due to conservation.

*** There is no risk to this company. They are very good at manipulating the system. They have had this system since 1929. The reason we have all the problems is their lack of infrastructure replacement and commitment to their customers in Ojai. Sometimes I think they have done this on purpose to increase costs to their customers and increase their profits. We need to take back control of our water! We need to keep Golden State Water Company from raising rates again. Find out what you can do!

Attend the all-valley water meeting on Nov. 9 from 6 to 9 p.m. at Nordhoff High School gym.

Remember our local employees are just doing their job, it is the upper management doing this. Treat GSWC local employees with respect!

Ojai group draws large crowd in ongoing fight against Golden State Water

By Anne Kallas

Originally published 02:23 p.m., November 10, 2011

Updated 04:18 p.m., November 10, 2011

Members of a group trying to get the Casitas Municipal Water District to take over the Golden State Water Co. system in Ojai defended their proposal before about 200 people at a meeting Wednesday night at Nordhoff High School.

Ojai FLOW is pushing the public Casitas to try to acquire Golden State's private Ojai water system — by eminent domain if necessary — because of a series of water rate increases and other issues.

At an Oct. 24 public meeting that Golden State held, company attorney Joe Conner offered a critique of the condemnation process being proposed. Ryan Blatz, an attorney working with Ojai FLOW, offered a rebuttal Wednesday.

Blatz said the main reason for getting rid of Golden State is its high water rates. He opened the meeting by asking all Golden State customers — about 60 percent of the audience — to stand. He asked them to sit down if their bill was less than \$50 for two months, then less than \$100, \$200 and so forth, and finally less than \$600. When about 30 people were left standing, Blatz said he didn't have the heart to continue.

"Your neighbors don't need to know how much more than \$600 you're paying," he said.

Blatz told residents to write to the Casitas board, state Public Utilities Commission and any other official who can help in the fight. He said Ojai FLOW members have been meeting with Casitas representatives and that the board is considering the proposal.

"They are practicing due diligence," he said.

Ojai FLOW is trying not only to escape Golden State but also the commission system regulating private utilities, he said, adding the system exists only to protect utility investors, with few resources and protections for consumers.

Blatz, son of Ojai Councilman Paul Blatz, commended the council for agreeing Tuesday to hire attorney Jeffrey Oderman, who helped with a similar eminent-domain effort in Felton, in Santa Cruz County. He also thanked the sponsors of Wednesday's meeting: the Ojai Valley Green Coalition, Ojai Women's Club, Friends of the Ventura River and Ojai Valley Democrats.

Blatz disputed claims that the core group of Ojai FLOW members, who include Richard Hajas, Pat McPherson, Bob Daddi, Dale Hansen, Stan Green and Lou Torres, are biased against Golden State.

"We live in this community. We're staking our reputations and our livelihoods. This is not to lead people down a path of destruction. We are fighting for a lower water bill and a safer future," he said.

Ojai City Manager Robert Clark told the crowd that City Council members support Ojai FLOW's efforts.

"They have been practicing due diligence and have hired an attorney. They are doing everything in their power trying to protect the community," Clark said.

Hajas, a water consultant who once worked for Casitas, wrote Ojai FLOW's proposal and encouraged residents to review the idea of using eminent domain. Based on fair valuations of the franchise, it could cost \$17.6 million to \$30 million, Hajas said.

While Golden State has said the system is not for sale, Ryan Blatz said he thinks it's a negotiating tactic and that if matters became tough enough, the company would cut its losses and settle, which is what happened in Felton.

He said in addition to letter-writing, Ojai FLOW needs money, and he asked people to make sure their Ojai FLOW signs were prominently displayed around town.

Suzanne Freddie of Ojai said she attended the meeting because, as a renter, she's never directly experienced problems with Golden State. "I came out of concern and curiosity. I've seen the signs around," Freddie said. "After this, I really understand the issue and how much it affects the community."



© 2011 Scripps Newspaper Group — Online

State agency rejects Ojai F.L.O.W. pleas

Public Utilities Commission won't host meeting in Ojai regarding Golden State Water Company rate increases

Logan Hall

logan@ojaivalleynews.com

Ojai citizens are fed up with the California Public Utilities Commission. At their water meeting Wednesday night, Ojai Friends of Locally Owned Water, a nonprofit organization comprised of Ojai citizens, was clear in its message to the public agency that approves utility company rate increases.

"We want out of the PUC system," said F.L.O.W. representative Ryan Blatz to the crowd of about 200 citizens and government officials who had gathered at the Nordhoff High School gym. "They are the real problem here."

Blatz's declaration came after F.L.O.W. found that Ojai was not included in the PUC's public participation hearings that will be held in eight other cities in California later this month, with the closest to Ojai being in Carson. The meetings are designed by the PUC to hear the citizens' concerns about water rate increases applied for by Golden State Water Company.

A recent series of conversations via phone and e-mail between the Ojai Valley News and PUC representatives gives some insight into the agency's operation. Repeated attempts by the OVN beginning Nov. 3 to get a reason for Ojai's public hearing rejection were met with resistance and hostility by PUC staff. When asked point-blank

"We want out of the PUC system. They are the real problem here."

— Ryan Blatz
Ojai F.L.O.W.

what the specific reason was for Ojai's rejection, PUC spokesman Andrew Kotch gave a generic, confusing response that listed vague "criteria" that the PUC looks at when deciding on where to hold hearings.

"Factors considered included: 1) letters and complaints from customers, 2) communities that represent various Golden State service areas (i.e., urban/rural, coastal/desert, northern or southern California, etc.), and 3) proximity to other Golden State service areas," read Kotch's statement.

When it was pointed out to Kotch that his response did not answer the question regarding specific circumstances regarding Ojai's rejection, he claimed that he had not been asked that question. He was then asked for the second time — along with several other questions — why, specifically, Ojai was rejected after Ojai's assistant city manager Steve McClary filed a formal protest with the PUC against Golden State's rate increase application and directly



Photo by Logan Hall

Citizens lined up at Ojai F.L.O.W.'s information table to sign up for the organization's newsletter during a community water meeting held at Nordhoff High School's gym on Wednesday.

requested a public hearing in Ojai. In order to clarify that he had the correct questions, Kotch was then asked to read back the questions after he claimed he would find answers. "I don't have them written down," he replied sharply after a brief silence.

The OVN sent the questions to

Kotch's supervisor, Terrie Prosper, the PUC's communications director, along with a request for an explanation of Kotch's behavior. For the third time, the PUC was asked why, specifically, Ojai's request for a hearing was rejected. Prosper replied by giving an identical response to Kotch's attempt.

After it was brought to her attention that the question, along with others that were asked, was not answered, she was asked a fourth time about Ojai's rejection.

This time Prosper responded by defending the PUC's

See CPUC, Page A3

CPUC:

Continued from Page A1

position, still neglecting to answer the specific questions asked by the OVN. "It's not that cities were 'rejected,'" read her response, "but rather the other cities were chosen given the criteria I outlined in my original message."

The OVN then sent her a simple question on Tuesday afternoon: "Why is the California PUC, a public agency, refusing to give direct answers to questions that are directly regarding public concerns?" As of print time Thursday, the OVN had not received a response from the PUC.

One of the excuses given for rejecting Ojai's request was that "many other cities" had also requested hearings and that the PUC could not hold hearings for them all. PUC documents relating to the case, however, show that Ojai is one of only four cities

to formally protest and request a hearing, although eight cities were chosen for public hearings.

Members of F.L.O.W. and Ojai city officials are also quick to point out that the PUC is holding hearings at both Apple Valley and Barstow, which are about 30 miles apart. The closest meeting to Ojai, is being held in Carson, which is about 100 miles from Ojai with an estimated two-hour drive. F.L.O.W. members and city officials are also concerned that, while Apple Valley has filed a formal protest and request for a hearing, Barstow hasn't done either. The PUC has refused to answer questions regarding these concerns.

However, there is still hope for Ojai's bid to have a PUC public hearing.

The Department of Ratepayer Advocates, an agency that helps regulate the PUC's decisions, regarding Ojai's concerns

sent a recent e-mail to the PUC. Salina Shek, the DRA's co-counsel, wrote to the PUC regarding Ojai. "DRA conducted a site visit to Ojai on October 5, 2011 and observed signs on many customers' front lawns stating their unhappiness with Golden State's rates," read the e-mail. "Also, while in Ojai, DRA noticed two articles in the local newspaper and magazines regarding Golden State Water Company's proposed rate increases. DRA asks that you add the City of Ojai to the PPH (public participation hearing) list given the amount of concerns/interests regarding the GRC (general rate case)."

McClary said that city officials are not happy with the PUC's decision either. "We wanted a hearing here," he said. "We asked for a hearing here. We're very disappointed that the PUC won't even hold a meeting anywhere close to Ojai."

F.L.O.W. representatives told the crowd at Wednesday's meeting that citizen participation is crucial when dealing the PUC and other government agencies. Blatz, in no subtle terms, emphasizes that people need to be sending letters to the government, to express their concerns and show officials how serious the issue is.

"Everyone needs to write those letters," said Blatz. "Send them to the PUC. Send them to your senators and assemblymen. Tell them that we are here and we're not going away."

To contact the PUC:

Send e-mails to public.advisor@cpuc.ca.gov or write to the Commission's Docket Office, 505 Van Ness Ave., San Francisco, CA 94102.

Council debates library funding, lawyer acquisition for GSWC

Tiobe Barron
OVN contributor

At Tuesday night's meeting of the Ojai City Council, Jon Lambert of the Ojai Valley Library Friends and Foundation came before council members to test the waters for funds to cover the operating expenses of a proposed community reading room. The reading room would be an approximately 600-square-foot structure separate from the library itself, which would serve as a meeting space for some 28 groups that currently meet in the Ojai Library, as well as the public. Because the library is linked with the used bookstore, Twice Sold Tales, there is a growing surplus of funds that should

cover the construction expenses of the freestanding structure, but for the custodial upkeep, the energy and lighting it would cost about \$1,950 per year to operate. City manager Robert Clark was quick to point out that though the council could decide to use funds to support the endeavor, the funding would have to be approved with each budget. Mayor Carol Smith observed that another option was to let the space be used by groups and the general public during the day, then at night it could be rented out to offset the operating costs.

Resident Pat McPherson had some reservations about the discussions. "This is the first I've heard of the details," he said during the time allotted for

public comments on the matter. "I'd like us to reflect back to the time when there was panic when the city couldn't afford to keep our libraries open, and that resulted in the parcel tax. My suggestion in these times is to not spend any money. I could care less about square footage in these times."

Mayor Smith said, "I don't know how often you are in our library, but I'm in there quite often, and crowding is a huge problem. It would do tremendous good for the library patrons. I'd like to ask Mr. McPherson, How often are you in our library?" to which he replied he didn't think it mattered.

See Council, Page A3

Council:

Continued from Page A1

Councilwoman Carlon Strobel allowed that the effort to create more space for patrons is a noble one, but "I would prefer to see the building generate its own revenue to cover operating costs. Just because we have a current surplus (in library funds), we don't know that we will have a surplus next year or the year after."

Council members also briefly discussed the decision made at a closed session, held Nov. 7, when the council met to review the language of the contract between Jeffery Oderman of Rutan and Tucker, and City Council. Across the board, council members seemed pleased with the language clarifications in the contract for the legal services of Jeffery Oderman, of Rutan and Tucker LLP, which were revised in a closed session meeting on Nov. 7. Council members have drafted the document to retain Oderman's consultation in regards to Casitas Municipal Water District's possible acquisition of Golden State Water Company, which Ojai Friends of Locally Owned Water is working toward. Clark took the opportunity to further clarify a few points:

That the city as a rights holder would have the standing to protest the acquisition by Golden State Water Company; that because the city has a financial stake in the franchise, it could make a claim for the loss of revenue; and no attorney can represent both the city and Casitas Water; and this would waive the city's right to compensation. Councilman Paul Blatz, an attorney himself, pointed out that the contract is between the city and the attorney, Oderman, not between the city and Casitas; and if Oderman declines to represent Casitas, these last points become mute.

Strobel asked acting city

attorney Steve Lee if he had read the proposed contract. He affirmed that he had, and found the language much clearer than before. Mayor Smith agreed, stating, "I am much more comfortable tonight than two weeks ago as to the implications (of the document)."

Also at the meeting, council moved to send back to the city Planning Commission an ordinance regarding chain businesses within the city, in order that the commission might include a mechanism for public input in determining whether a business is in fact a "formula business establishment," or a mass retail chain. Council members also briefly discussed the notice to the Ojai Quarry regarding numerous safety violations, and the impending Ventura County Planning Commission hearing to revoke the operation permit. Although Mayor Smith will not be able to attend the revocation hearing for Ojai Quarry, which has been moved from Nov. 17 to Dec. 15, council members seemed in agreement they are moving in the right direction on this issue.

During the public communications portion of the meeting, Dick Thompson, Ventura County resident and president of Ventura County Taxpayers Association, took council members to task for their decision on Oct. 4 to not change the policy of extending health care benefits to former council members. Said Thompson, "Every dollar spent (on former members' health care) is a dollar not available for public service. When you are done, you should be done. Lifetime health care is not appropriate, it is an abuse of taxpayer good will." Mayor Smith moved to address the issue at a "future council meeting."

Hiring attorney was right call

RICHARD HAJAS, OJAI F.L.O.W.

Mayor Carol Smith and the City Council took the time to get it right when approving the hiring of special legal counsel to advise them on the franchise agreement with Golden State Water Company. A month ago the council took some undeserved criticism for tabling the same item after staff and the city's attorney could not answer some of the council members' questions.

At first, I was unhappy with council's failure to act

a month ago. But after reading the agenda packet materials and the wording of the proposed action, I understand why they tabled the item. There were too many unanswered questions. At last week's council meeting the wording was clear and the council's questions were answered. They were able to approve the action by the unanimous vote of the four members in attendance.

Understanding the ramifications of the franchise agreement with Golden State Water Company is a critical step in the community's successful buy-out of the Golden State Water. The attorney they retained, Jeffery M. Oderman, is one of the most experienced in California in such matters. Both the city and Casitas will benefit from a solid understanding of the franchise agreement and be able to avoid any future missteps related to the agreement and the proposed buy-out.

Over the coming months I will try to remind myself to be patient with both the City Council and the Casitas Water board as they attempt to address issues related to Golden State Water. The issues are complex and the decisions to be made difficult. I encourage everyone to stay informed throughout this process, but to also give those who are charged with making the hard decisions some room to get it right.

Looking Back at Ojai's History

The following has been pulled from the November 15, 2002 Ojai Valley News archives:

Fish ladder project questioned

Steelhead restoration at issue with water flow dispute

By Kelly Feser Eells

While local environmental activists Russ Baggerly and Alasdair Coyne, representing the Environmental Coalition of Ventura County and Keep the Sespe Wild, respectively, assert there's something fishy about Casitas Municipal Water District's having to "meet in closed session" to discuss plans for its steelhead fish ladder project, District Manager John Johnson wonders where such concern stems from.

"There are really only three (other) agencies — the Bureau of Reclamation, the National Marine Fisheries Service, and the Department of Fish and Game — involved in these

negotiations," said Johnson. "And everyone (involved) agrees the ladder should be built."

Progress, he added, was indeed made at the board's special meeting Nov. 11 — only a portion of which, "... discussion of the issues that could lead to legal action," was conducted in closed session.

"We're all determined to move forward, act quickly, and get our (inter-agency) issues" resolved as soon as possible. Those issues are primarily, "How much water do you release?" And, "How do you calculate it?"

The district previously approved releasing 800 acre-feet of "safe yield" water annually, equivalent to 1,500 acre-feet of water

each year, "depending on river flow conditions." However, the NMFS, represented by Jim Lecky at the special meeting, has proposed an "operational scenario" that calls for 2,000 acre-feet for the ladder's operation, "... and our initial analysis shows that providing that much water could dry out Lake Casitas in long or deep droughts."

Johnson points out that, "While it seems we're not using the same 'measuring' factors as the state and federal agencies (we've been working with), we're actively trying to work with them to come up with a reasonable solution. And we have made progress," he added, agreeing that "time was of the essence" with respect

to beginning construction of the ladder.

In addition to the possibility of losing state and federal grant funding available for the \$6 million project, the District recognizes that, "in order to save the endangered steelhead trout on the Ventura River," it must "act quickly." And, to this end, "has directed staff to work cooperatively with the NMFS on developing a plan that both meets the needs of the Southern steelhead and our customers."

Not cooperatively enough, according to Baggerly and Coyne. "The district allows up to 2,600 acre-feet of water to spill into Coyote Creek when the lake is full," said Coyne. "This is more

water than is asked to be released by the NMFS."

Baggerly dismissed the district's analyses of safe yield and water release requirements as "woodoo economics," adding that, "not one supportive document was referenced to support (their) fantastical claims."

Though the district indicates that the water release figures requested by the NMFS could "impose major water limits and price increases to customers," Baggerly said, "thousands of acre-feet of water captured by the CMWD into Lake Casitas is evaporated into the air every year. The 2,000 acre-feet per year asked for by NMFS are very small in comparison, and is less than 10 percent of the safe

yield of Lake Casitas."

Board President Jim Coultas said, "The district designed the facility over a year ago; completed an environmental impact report and a formal biological assessment; and even obtained state approvals for partial funding of the project. We're eager to work constructively with the NMFS," to get the ladder built.

For more information, contact Johnson at the CMWD, 805-649-2251, Ext. 112.

Environmental Coalition President Russ Baggerly may be reached at 805-640-0124; Keep the Sespe Wild committee chair Alasdair Coyne at 805-921-0618.

**CASITAS MUNICIPAL WATER DISTRICT
TREASURER'S MONTHLY REPORT OF INVESTMENTS
11/17/11**

Type of Invest	Institution	CUSIP	Date of Maturity	Amount of Deposit	Current Mkt Value	Rate of Interest	Date of Deposit	% of Portfolio	Days to Maturity	Weighed Average Days to Maturity
*TB	Federal Home Loan Bank	3133XSP930	12/13/13	\$743,750	\$738,304	3.125%	07/01/10	5.83%	746	44
*TB	Federal Home Loan Bank	3133XWNB10	06/12/15	\$729,603	\$749,742	2.875%	07/01/10	5.92%	1285	76
*TB	Federal Home Loan Bank	3133XWW470	03/09/12	\$707,315	\$702,212	1.125%	06/30/10	5.55%	112	6
*TB	Federal Home Loan Bank	3134A4VG60	11/17/15	\$801,683	\$802,354	4.750%	07/19/10	6.34%	1440	91
*TB	Federal National MTG Association	3136FR3N10	09/20/16	\$723,188	\$698,999	2.125%	09/20/11	5.52%	1743	96
*TB	Federal Home Loan MTG Corp	3137EABS70	09/27/13	\$766,605	\$747,887	4.125%	07/01/10	5.91%	670	40
*TB	Federal Home Loan MTG Corp	3137EACD90	07/28/14	\$739,907	\$744,429	3.000%	07/01/10	5.88%	971	57
*TB	Federal Home Loan MTG Corp	3137EACE70	09/21/12	\$723,646	\$711,172	2.125%	06/30/10	5.62%	304	17
*TB	Federal Home Loan MTG Corp	3137EACF40	12/15/11	\$706,398	\$700,553	1.125%	06/30/10	5.53%	28	2
*TB	Federal Natl MTG Assn	31398AYY20	09/16/14	\$739,123	\$747,418	3.000%	07/01/10	5.90%	1019	60
*TB	US Treasury Inflation Index NTS	912828JE10	07/15/18	\$1,055,030	\$1,186,240	1.375%	07/06/10	9.37%	2398	225
*TB	US Treasury Notes	912828JW10	12/31/13	\$709,352	\$717,885	1.500%	04/01/10	5.67%	764	43
*TB	US Treasury Notes	912828LZ10	11/30/14	\$718,129	\$735,875	2.125%	07/01/10	5.81%	1093	64
*TB	US Treasury Notes	912828MB30	12/15/12	\$709,707	\$707,273	1.125%	06/30/10	5.59%	388	22
*TB	US Treasury Inflation Index NTS	912828MF40	01/15/20	\$1,041,021	\$1,184,473	1.375%	07/01/10	9.36%	2938	275
*TB	US Treasury Notes	912828ML10	12/31/11	\$707,191	\$700,847	1.000%	06/30/10	5.54%	44	2
	Accrued Interest			\$58,062	\$83,906					
	Total in Gov't Sec. (11-00-1055-00&1065)			\$12,379,710	\$12,659,569			85.48%		
*CD	CD -			\$0	\$0	0.000%		0.00%		
	Total Certificates of Deposit: (11.13506)			\$0	\$0			0.00%		
**	LAIF as of: (11-00-1050-00)		N/A	\$442	\$442	0.38%	Estimated	0.00%		
***	COVI as of: (11-00-1060-00)		N/A	\$2,150,642	\$2,150,642	0.81%	Estimated	14.52%		
	TOTAL FUNDS INVESTED			\$14,530,793	\$14,810,653			100.00%		
	Total Funds Invested last report			\$14,530,793	\$14,812,396					
	Total Funds Invested 1 Yr. Ago			\$16,190,480	\$16,407,789					
****	CASH IN BANK (11-00-1000-00) EST			\$3,087,494	\$3,087,494					
	CASH IN Western Asset Money Marke			\$83	\$83	0.010%				
	CASH IN PIMMA Money Marke			\$501,381	\$501,381					
	TOTAL CASH & INVESTMENTS			\$18,119,751	\$18,399,611					
	TOTAL CASH & INVESTMENTS 1 YR AGO			\$16,802,988	\$17,020,297					

- *CD CD - Certificate of Deposit
- *TB TB - Federal Treasury Bonds or Bills
- ** Local Agency Investment Fund
- *** County of Ventura Investment Fund
- Estimated interest rate, actual not due at present time.
- **** Cash in bank

No investments were made pursuant to subdivision (i) of Section 53601, Section 53601.1 and subdivision (i) Section 53635 of the Government Code.
All investments were made in accordance with the Treasurer's annual statement of investment policy.