

Minutes of the Casitas Municipal Water District  
Board Meeting Held  
March 25, 2015

A meeting of the Board of Directors was held March 25, 2015 at the District office in Oak View, California. The meeting was called to order at 3:00 p.m. Directors Bergen, Kaiser, Baggerly, Word and Hicks were present. 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 Bergen led the group in the flag salute.

1. Public Comments (items not on the agenda – three minute limit).

None

2. General Manager comments.

Mr. Wickstrum reported that Casitas has showed up on a listing from California Fish & Wildlife as being approved for stocking. Carol has been working hard for the last two weeks to determine what this is. It is a one year approval and she has also been working to ensure that where the fish come from is quagga free. The Fillmore hatchery does not have a lot of fish at the moment and the warming waters are not a god time to plant. We had been waiting for a Biological Opinion but we have not seen that yet. We have to be patient and see how this plays out. The Department of Fish & Wildlife will plant when they are ready. Park Services Manager Carol Belser reported that we are approved for 15,000 lbs. this calendar year and they, DFW can provide us with 5,000 lbs. With our own funds we might be able to plant but we will have to have a permit issued to plant the remaining 10,000 lbs. with fish purchased by Casitas. Next year will require a new approval. Director Kaiser thanked her for staying on top of this. Mr. Wickstrum then mentioned that an area is being closed for spawning at station canyon. Other areas that are usually spawning habitat are dry at this time.

The submittal for participation in the multi-year pool was sent in for Casitas and the City of Ventura. We were the only participants to contribute to the multi-year pool.

3. Board of Director comments.

Director Hicks commented that he was gone for three weeks but heard that the city lost their suit against United. Mr. Mathews explained it was a unanimous decision by the court of appeals that they did not violate 218 and they awarded United's attorney fees.

4. Board of Director Verbal Reports on Meetings Attended.

President Bergen reported on the AWA meeting regarding Groundwater Sustainability Act provisions. There is expected to be a lot of disagreements and litigation surrounding this.

5. Consent Agenda

ADOPTED

a. Minutes of March 11, 2015 Meeting.

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

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

6. Bills

APPROVED

Director Hicks questioned the bill from the County regarding election prep costs. There were still costs incurred even though the two directors ran unopposed.

Director Kaiser questioned the payment to the City of Oxnard and Mr. Wickstrum explained that is for our participation with a water conservation grant.

On the motion of Director Hicks, seconded by Director Kaiser, the bills were approved by the following roll call vote:

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

7. Oral presentation by District Counsel regarding review and consideration of approval of part-time employment for relatives of board members.

Mr. Mathews excused Director Kaiser who recused himself at 3:14 p.m. since the discussion involved his relatives.

Mr. Mathews stated that this was on the agenda two months ago and it was continued so he could review it further. He explained that there are no anti-nepotism laws in California. The District's policy says that no person should be employed who is a direct or indirect relative without approval of the Board of Directors. Government Code 87100 deals with financial conflict of interest law as part of the political reform act. Because of the potential hiring of a minor child per Government Code 1090 et seq. the director cannot participate in the discussion before the board. The last issue is if this constitutes a conflict of interest under common law and I could not find anything that would prevent the hiring of an adult child or a minor child but as we pointed out back in 2011, the director has to obtain advice from the Fair Political Practices Commission and the question they have to ask themselves is the perception issue.

George Galgas mentioned ethics training that is attended by the directors and provided an example of a nepotism scandal from the state senate. He

opposes nepotism and urged the board to oppose the hiring of a director's children by casting a no vote to this action.

Staff present also expressed that they have made decisions to not have their children work at the district to avoid any potential issues. Additionally the board was made aware that from the staff's perspective the board has a direct and indirect influence on staff and it is a burden to supervise the board's children. It would be difficult to deal with disciplining a board member's child.

Director Hicks moved to allow them to be hired. The motion failed for lack of a second.

Director Kaiser returned to the meeting at 3:43 p.m.

8. Recommend approval of Funding Participation in the Formation of a Groundwater Sustainability Agency for the Upper Ventura River Sub-Basin. Tabled

The board discussed the language on the proposal that appeared to state the GSA would be formed as a Joint Powers Authority and since there was disagreement as to if that decision was already made by the parties involved it was decided to table this item until there was clarification.

9. Recommend approval of the De Minimis Settlement Offer from the US Environmental Protection Agency Casmalia Disposal Site in the amount of \$2,604.00. APPROVED

On the motion of Director Baggerly, seconded by Director Hicks, the above recommendation was approved by the following roll call vote:

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

10. Recommend approval of a purchase order in the amount up to \$15,000 for the purchase of rock fascia materials for the Lake Casitas Recreation Area Front Gate Entrance. APPROVED

On the motion of Director Baggerly, seconded by Director Word, the above recommendation was approved by the following roll call vote:

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

11. Information Items:

- a. Finance Committee Minutes.
- b. Personnel Committee Minutes.

- c. Letter from Department of Boating and Waterways regarding grant funding in the amount of \$40,000 for the Lake Casitas Quagga and Zebra Mussel Vulnerability Assessment.
- d. Investment Report.

Director Baggerly congratulated Park Services Manager, Carol Belser on the Department of Boating and Waterways grant.

On the motion of Director Kaiser, seconded by Director Word and passed by roll call vote the information items were approved for filing.

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

President Bergen moved the meeting to closed session at 4:01 p.m.

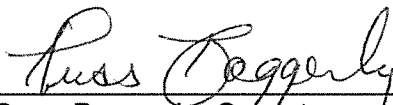
12. Closed Session

- a. Conference with Legal Counsel -- Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9, Government Code. (number of potential cases: one)

President Bergen moved the meeting back into open session at 4:44 p.m. with Mr. Mathews stating the board had a discussion regarding potential litigation. Direction was provided to staff but no specific actions were taken.

13. Adjournment

President Bergen adjourned the meeting at 4:45 p.m.

  
Russ Baggerly, Secretary