



Minutes of the Casitas Municipal Water District  
Board Meeting Held  
September 27, 2017

A meeting of the Board of Directors was held September 27, 2017 at the Casitas Municipal Water District located at 1055 Ventura Ave. in Oak View, California. The meeting was called to order at 3:00 p.m. Directors Baggerly, Bergen and Kaiser were present. Directors Word and Hicks were absent. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were four staff members and four members of the public in attendance. President Baggerly led the group in the flag salute.

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 (Items not on the agenda – three minute limit).

Carl Henson a homeowner in Saddle Mountain area expressed concern about the water situation. He is a customer of Ventura River Water District and asked for a status report on the alternative study that is being done for state water and regarding permits from Fish & Wildlife and withdrawals of water from the Ventura River.

Mr. Wickstrum responded that we are meeting with US Fish & Wildlife, NMFS, and California Department of Fish and Wildlife in early November to once again talk about the issues. We are pushing to get this resolved so we can do a bit more diversions than we can under the biological opinion because of the level of Lake Casitas. Mr. Wickstrum added that there will be some presentations on state water in the coming months.

2. General Manager comments.

Mr. Wickstrum reported a small brush fire by Casitas Dam on private property that burned about ten acres. Decontamination occurred with dip buckets on helicopters.

The meter change outs on the Ojai system are moving rapidly and is almost complete. We have some we will install ourselves because of delicate nature of some of the pipe. Neil Cole brought one specific run of pipe that is 1929 cast iron serving about 12 homes in that area. There is a concern for fire protection in that area. It is covered by one small wharf head farther than would be allowable by the fire prevention district. It raises a question on how things were allowed to be built. The City of Ojai is going thru their paving projects and the street is scheduled to be paved in two months. We would like to lay pipe and not have to cut up brand new asphalt. Given the time, I am going to direct staff to contract with Spinello to put in a 6 inch line in Mallory lane and Eucalyptus and appropriate fire hydrants. Costs, right now with what was in the budget and laterals not being replaced we have \$334,000 and estimate on time and materials is about \$270,000. We would like to move towards doing that. There has been a lot of work for encroachment permits and we will bring back a ceqa exemption and move on it before paving while we have a contractor willing to take care of this situation for us. This is one of many issues we think we will see in the Ojai area. I am not asking for direction. I am going to give direction and will bring back to the next meeting.

Last week I met with Ojai Chamber's business referral group. Angelo Spandrio and his wife attended. The talk provided an update on the Ojai conditions and Lake Casitas supply and various projects.

3. Board of Director comments.

None

4. Board of Director Verbal Reports on Meetings Attended.

Director Bergen attended the Upper Ventura River GSA meeting and work is continuing on the grant to support eh groundwater sustainability plan. The budget committee is looking for ways to support the agency and is asking for contributions of \$25,000 before the end of October and the remaining by March 1<sup>st</sup>. The next meeting is October 12 at the Ojai Land Conservancy and an outreach meeting at 6:00 p.m. at Oak View Community Center.

Director Kaiser attended the AWA meeting last Thursday. There was a lot of good interaction with fellow water reps and policy makers. The speaker was interesting; he had been through many jobs both for and against certain types of environmental groups. He ended the presentation with can't we all just get along.

5. Consent Agenda

ADOPTED

- a. Minutes from the September 13, 2017 meeting.

- b. Ratification of a day of service for President Baggerly's meeting with Michelania Johnson on September 7<sup>th</sup>.

On the motion of Director Bergen, seconded by Director Kaiser, the consent agenda was adopted by the following roll call vote:

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

- 6. Review of District Accounts Payable Report for the Period of 9/07/17 - 9/20/17. APPROVED

On the motion of Director Bergen, seconded by Director Kaiser the accounts payable report was approved by the following roll call vote:

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

- 7. Request of Mr. and Mrs. Martin to reverse their over allocation penalty in the amount of \$7,950. Request Denied

Mr. Martin appealed to the board stating we were in Canada when Denise contacted us about the Finance committee and we cut our trip short and presented our appeal to the Finance committee. What has happened is not just a month or two. I went back through our statements. The leak that occurred was not intentional. This particular leak was about 4 feet in the ground. It was at a fire hydrant and the three inch line came apart. It has been going on for a long time. I didn't realize there was a problem. There is no way I knew this was happening. When received my bill I didn't really look to see what was going on. My wife and I have been conservative on how much water we use. We stopped watering grass but have a pool and have to keep it up to its level. As soon as I found out what happened I hired a leak detection firm and hired the repairs to stop the leak. I also replaced the backflow device and other meters on the property. It was going on for a while. It sickens me to think the water just went in the ground. That's my case so to speak. It is unfortunate for me is just because when I get a bill I just pay it. My well is dry.

Mr. Wickstrum added this is one of those considerations we have regarding leaks. This is an Ag domestic account. He provided evidence regarding the leak. The question is the conservation penalty being provided to leaks.

Director Bergen asked what are you growing? Mr. Martin replied nothing at this point because of the water. Director Bergen asked if you were aware of

the allocation program? Mr. Martin stated he was not aware of it and just paid the bill and it was substantial over the years.

Director Kaiser added that the district has been involved in conservation efforts for a number of years. The lake is approaching a third full. 98% of the customers assessed penalties they also understand that it is their responsibility to take care of what happens on their property. It is not unlike someone that leaves his or her electricity on. Bills come and take responsibility for that. Over 700 acre-feet that has resulted in penalties. That could take care of 1,400 families for a year. We cannot go on like this any longer. It is hard to justify when there are people on fixed incomes, struggling families to make ends meet and others who have paid penalties who are struggling. Not everyone will be happy. We are dealing with dire times and people have to take personal responsibility for what happens.

Director Kaiser motioned to deny the request; this was seconded by Director Bergen and approved by the following roll call vote:

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

President Baggerly added that he hopes your reduction in your water bill will help make up this penalty.

Denise Collin showed Mr. Martin how to read the allocation information on the bill and Mr. Wickstrum added that Ag Domestic requires you to have over two acres and it looks like you might need to be classified residential, not Ag. We will be talking to you about that.

8. Request of Ms. Tickell to reverse an over allocation penalty in the amount of \$5,870. Request Denied

Ms. Tickell addressed board explaining they had fixed multiple major leaks below ground. When we found the leaks we repaired them. In December, I received a notice of over allocation. It was a misunderstanding on my part. I thought we were just under and the year ended in December. In January, I had a baby and was not paying as close of attention. This is a significant cost for us and it won't happen again. I spoke at the Finance Committee and they recommend a 50% amount off the penalty and I am requesting that you allow us to spend that amount to upgrade our system. I would work with Cinnamon to implement conservation measure and request that amount go towards repairs to our system. If you allow us that, we will do every measure to conserve water on our property.

Director Bergen asked what is being grown and Ms. Tickell responded they have over 300 Avocado trees.

Director Kaiser added that he is struggling with this whole thing. As a board member, I have to look at big picture and remain consistency and consideration of where we are. I cannot see where we can be offering these types of relief. Many are complying with their allocation all the time. This is a serious situation all the way around. I cannot see affording any relief to penalties. I move to deny any reversal of penalty.

Director Bergen asked that a policy on the allocation penalty associated with a leak be put in place.

President Baggerly added your creative way of dealing with that was creative but we have no way of implementing that kind of action.

Mr. Wickstrum added we could revisit this and bring back a series of options to incorporate into the WEAP. President Baggerly added the conservation surcharge is effective. Is there a possibility of a payment schedule so it is not so difficult? Mr. Wickstrum added we can arrange payment schedules to accommodate folks to move forward.

On the motion of Director Kaiser to deny the penalty reversal and have staff work on a payment schedule, this was seconded by Director Bergen and approved by the following roll call vote:

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

9. Recommend the board rescind their previous approval of a purchase order to EH Wachs in the amount of \$64,570.32 and approve a purchase order to Pres-Tech Equipment Company in the amount of \$50,375.33 for the purchase of a trailer mounted valve exerciser system.

APPROVED

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

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

10. Resolution authorizing the General Manager to approve up to \$60,000 in additional asphalt paving work during Fiscal Year 2017-18.

ADOPTED

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

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

Resolution is numbered 17-27

11. Information Items:

- a. Finance Committee Minutes.
- b. Recreation Committee Minutes.
- c. Update on Human Resources.
- d. Investment Report.

On the motion of Director Kaiser, seconded by Director Bergen the information items were approved by the following roll call vote:

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

President Baggerly moved the meeting to closed session at 3:54 p.m.

12. Closed Session

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Subdivision (a) of Section 54956.9  
Name of Case: Paula Suzanne Taylor v. Casitas Municipal Water District;  
Stephen E. Wickstrum and DOES 1 through 10, inclusive.  
Civil Action No. 2:16-cv-7864-BRO-E.

President Baggerly moved the meeting back into open session at 4:20 p.m. with Mr. Mathews stating the board met with legal counsel and was provided with a status update and there is no action to report.

13. Adjournment.

President Baggerly adjourned the meeting at 4:22 p.m.

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Bill Hicks, Secretary