

Minutes of the Casitas Municipal Water District  
Board Meeting Held  
March 8, 2017

A meeting of the Board of Directors was held March 8, 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, Word, Hicks, Bergen and Kaiser were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were seven staff members and eight members of the public in attendance. President Baggerly led the group in the flag salute.

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

Ellen Sklarz mentioned she had been in attendance for the meeting with the rate consultant. It seems as if 50% of the budget goes to salaries and benefits and it looks like they are increasing about 6.5 % over the next four years. You are looking at almost a million dollars in upgrades to the building. I am wondering if the citizens of the valley are covering those costs and how can we do that when we believe there have been other issues that need to be addressed such as storm water recapture, increased lake diversions and also at public summit in the fall when we had 3 and a half years of water left we were told to hope for rain and conserve and there is no plan b. Even though it has rained the public has not received education or plans to secure water supplies and are still being asked to cover increased salaries and building improvements. I want to know when the board is approving the rate study. Mr. Wickstrum said it would come to the board for consideration on March 22<sup>nd</sup> and then go through the Proposition 218 process of 45-60 days.

Ellen Sklarz then read a statement from Larry Yee who was not at the meeting. Mr. Chair and members of board I regret not attending the meeting. I have serious interest in the drought and am increasingly alarmed on how our water resources are being managed. I have concerns about the future of the district. I listened to the rate presentation. Essentially, the consultant did a proforma budget and proposed a 12% annual rate increase. You paid \$70,000 for a rate study and there was nothing about a water budget rate study. Ag users receive lower rates as their usage increases. There are salary and benefit increases up to 25%. Management staff is getting paid much more than other districts in the state. You have added a well-paid Assistant General Manager. What are the capital projects in the next six years? What is Lake Inventory and why does it increase? The fixed meter charges need to be rethought. Why is water delivered by gravity less valuable? Does the rate study comply with Prop 218? I hope there will be more opportunities to comment. It is almost a million dollars capital project to improve office facilities. Respectfully submitted, Larry Yee.

President Baggerly responded that we are prohibited from discussing what was read or spoken by the Brown Act so really if you want to get our attention it is better to send a letter. Send it to Steve Wickstrum in care of the District Office. Ms. Sklarz stated Senior Canyon did and we don't get responses. People are not responding. Director Word added that many of the items brought forward have been addressed and are in various packets that have been reviewed and other items are part of this agenda. Once everything is finalized on rates it will be brought forward.

Michael Shapiro pointed out that the public has the perception that spending is going nuts. \$22,500 allocated for a new time clock system at the park, and building renovations of \$1 million. It seems irresponsible. The public does not like this news. You have open space. If you needed to have more space you can get office partitions. To spend this kind of money and we asked for a video conferencing set up so the meetings can be considered transparent. Public should be given the opportunity to witness it online. It is time once and for all for this group to be brought into the 21 century. You need to be more transparent and I hope you take to heed that request.

Marilyn LeBold a student UCSB stated she is doing a project on Lake Casitas, past, present and future of Lake Casitas water. What do you project for ten years in the future for Lake Casitas? You are projected to go dry in about five years. I am wondering what you see as the future of the lake and what we can do to conserve even more.

2. General Manager comments.

None

3. Board of Director comments.

Director Hicks reported they only used two units of water the last month and they usually use around four.

4. Board of Director Verbal Reports on Meetings Attended.

Director Kaiser reported on attending the 60<sup>th</sup> anniversary of Ojai Chamber of Commerce. We were recognized for all we do here in the valley in a positive way.

Director Bergen reported that she met yesterday with Bruce Kuebler with the Upper Ventura River GSA and Fish & Wildlife folks doing the studies. They are actively doing survey work and we talked about their methodologies.

President Baggerly reported on attending the mediation in LA that was very long.

5. Consent Agenda

ADOPTED

- a. Minutes from February 22, 2017.

- b. Recommend approval of a purchase order to a purchase order to Time Clock Plus in the amount of \$22,545.32 for Time Clock purchase and implementation for Seasonal and Part Time employees.
- c. Recommend approval if a purchase order to ERS Industrial Services Inc. in the amount of \$48,698.25 for removal, cleaning and reinstallation of media in pressure filter #5.

The consent agenda was offered by Director Kaiser, seconded by Director Hicks and passed by the following roll call vote:

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

- 6. Review of District Accounts Payable Report for the Period of 2/16/17 – 3/02/17. APPROVED

Director Hicks commented that we paid \$6,000 to the County to run the election process and that seems like a lot.

On the motion of Director Hicks, seconded by Director Word, the Accounts Payable Report was approved by the following roll call vote:

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

- 7. Resolution adopting the Notice of Exemption for the Upper Rincon Main Replacement. ADOPTED

Mr. Wickstrum explained this is to replace a section of main that has had some leaks and needs to be changed out so we don't have additional leaks.

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

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

Resolution is numbered 17-02

- 8. Resolution awarding a contract for the District Office Remodel Specification 17-392 to Staples Construction Inc. of Ventura in the amount of \$960,685.30. ADOPTED

Mr. Wickstrum discussed the need for modifications to the district office informing the public that it is a 60 year old building and is in need of improvements for ADA compliance for restrooms and meeting spaces in addition to increased work spaces. Director Kaiser wanted to see the break down for the

unit price proposals and there was discussion regarding possibility for change orders.

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

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

Resolution is numbered 17-03

9. Recommend approval of an agreement for Professional Services for the development of a computerized maintenance management system – authorize the General Manager to enter into an agreement for the sum not to exceed \$50,000. APPROVED

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

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

10. Request to proceed with the hiring of Park Ranger Personnel while also proceeding with parallel timing of the policy manual finalization.

Danny Carrillo District Director of SEIU Local 721 referenced a letter that was mailed to Ms. Vieira and copies provided to the board. President Baggerly stated we all received it. Mr. Carrillo stated the district is acting in bad faith. Meetings were set up to include Ms. Belser and Mr. Evans who were not at the last two meetings. We can't get it done without them. We have been making progress. The document is over 200 pages. We understand you want to move forward to install a GPS and requested meetings and you want to get this done and you may be approving staff recommendation and you will do what you have to do but the Union under MMBA may have to file an Unfair Labor Charge.

Mr. Wickstrum said it was a rough go in the start and I believe they have made some progress. It is a difficult subject and we have been developing this over the last six months. My commitment and target is getting this accomplished by April 5<sup>th</sup>. We need a concerted effort to meet and get to the point and understanding and this is different for the employees involved in that review. It is a different approach than normal. It is structured for a peace officer position. There is a lot to learn for the needs of the peace officers. Can we target being completed by April 5<sup>th</sup>? Mr. Carrillo said if we can get commitment from all parties to be there we are willing to do that. Mr. Wickstrum added there are many of these things that we are not able to change as they are legal standards. Mr. Wickstrum gave his commitment that everyone would be in the room to get it done.

President Baggerly explained that he and Director Kaiser spent a couple of days going over this document. Director Kaiser has a law enforcement background and he knew more than all of us. It is not what you learned watching NCIS. It is difficult and is for a specialized employee. This has standards brought down by case law and I think you can get through it pretty quickly. It is not for general employees. It is for the peace officers. Mr. Carrillo added we want to get it done quickly.

Mr. Wickstrum said we are trying to target the Wednesday before the board meeting to get it done in order to put it on the April 7<sup>th</sup> board agenda. Director Kaiser added we need to make sure the hiring process continues. As the chair pointed out this has been gone over to make sure consistent with case law and statutory restrictions and requirements. It is different from what we have experienced in the past. We have had specialized representation to make sure it is the right product and we are in compliance.

Director Word stated the recommendation is that with commitment from the union and the district to continue to meet and confer the recommendation is to continue a parallel course with the hiring was offered with the expectation that the manual be brought back to the board for the April 12<sup>th</sup> board meeting

Mr. Carrillo asked about policy surrounding evaluations and reports and what is done with the information. Ms. Vieira explained that there are specific instructions regarding the retention and destruction of those records. Mr. Carrillo again offered the commitment of meeting and offered for Director Kaiser to join the meetings if it would help. He added that Wendy is a lawyer and we want to make sure everyone is protected.

Director Kaiser asked if they had any substantive comments on the draft and questioned when they had received it. Mr. Carrillo said he has had the first draft since November or December adding that Wendy has said it is a little rough in the meetings and they want to make sure everything is complete and correct. Mr. Carrillo stated he is not in the meetings.

Park Services Officer Faddis added the meetings have been going well. It is a lot of reading and there are a lot of people involved that don't have the background information.

The board discussed the need to get the hiring completed prior to the busy season. Director Bergen moved that the meet and confer with the union be completed by April 5<sup>th</sup> in order to bring the manual to the board on April 12<sup>th</sup> for approval and to allow proceeding with the parallel hiring process. The motion was seconded by Director Word and approved by the following roll call vote:

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

11. Recommend the Board of Directors set reserves.

APPROVED

On the motion of Director Word, seconded by Director Kaiser the above recommended reserves were approved by the following roll call vote:

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

12. Information Items: APPROVED FOR FILING

- a. Lake Casitas Monthly Status Report for February, 2017.
- b. February, 2017 Monthly Diversions.
- c. Hydrology Report Water Year 2015 – 2016.
- d. California Department of Water Resources press release regarding Invasive Mussel Veligers detected in the Santa Ana Pipeline.
- e. Water Consumption Report.
- f. CFD No. 2013-1 (Ojai) Monthly Cost Analysis.
- g. Investment Report.

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

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

President Baggerly moved the meeting to closed session at 4:10 p.m.

13. CLOSED SESSION

It is the intention of the Casitas Municipal Water District Board of Directors to meet in closed session to consider the following item:

- a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Government Code 54956.9(d)(1): *Casitas Municipal Water District v. Golden State Water Company*, Ventura County Superior Court, Case No. 56-2016-00481628-CU-EI-VTA.

President Baggerly moved the meeting back into open session at 4:55 p.m. with Mr. Mathews stated the board met with special counsel on the case and discussions with Golden State and there was no action to report.

14. Adjournment

President Baggerly adjourned the meeting at 4:56 p.m.

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Bill Hicks, Secretary