

Minutes of the Casitas Municipal Water District
Board Meeting Held
April 27, 2016

A meeting of the Board of Directors was held April 27, 2016 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 Kaiser, Baggerly, Word, Hicks and Bergen were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, Robert Kwong. There were nine staff members and eleven members of the public in attendance. President Kaiser 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 informed the board that we were notified on Monday that we have New Zealand mud snails in the upper Ventura River. They are spreading throughout California. Ventura County has quite a few streams that have them and our staff had found a suspicious snail in their fisheries work. It took two - three weeks to get a response from the sample our team took. This is not like the quagga exposure. Our team will be noting, monitoring and observing. Our consultant on the quagga assessment and control plan has been notified. And will include that in the plan.

3. Board of Director comments.

Director Baggerly reported that OBGMA sent a letter to all interested parties of availability to make comments on the boundary modification application to Department of Water Resources. We got letter back from the City of Ojai and they requested to have someone there to answer questions. I was there to answer questions but they approved it without question.

4. Board of Director Verbal Reports on Meetings Attended.

Director Word recognized the great job Ron and the crew did working on the AWA symposium. It was an enlightening session. There is a lot of work going on to find new water. Conservation has to be the big thing we rely on. It will be a challenge. Have to be prepared that what we have is what we have. Director Baggerly reported that he attended the meeting as well.

5. Consent Agenda

ADOPTED

- a. Recommend approval of a purchase order to Cal-Coast Machinery in the amount of \$2,974.23 for the purchase of a John Deere MX6 Lift-type rotary mower deck.

- c. Recommend acceptance of the condition acceptance report on the Mira Monte Well conducted by Pueblo Water Resources and authorize expenditures of up to \$25,000 to complete the recommendations made in the report.
- d. Resolution authorizing access to local, state and federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigations.
- e. Recommend approval of the Purchase Order to Epic Motorsports in the amount of \$15,718.87 for the purchase of a Polaris for use at Treatment Plant and Dam area.

Mr. Wickstrum informed the board that the dollar amount for the approval of item a, is actually \$2,766.73, a savings of \$207.50. Director Baggerly asked to pull item c from the consent agenda.

The consent agenda minus item c was offered by Director Word, seconded by Director Bergen and approved by the following roll call vote:

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

Resolution is numbered 16-07

Item c – Director Baggerly motioned to approve item c and suggested the addition of a packer. Mr. Wickstrum explained that right now, I would like to get the well up and running now. Have the installation move forward and get the others items on the docket to take a look at. Director Baggerly responded that the motion was exploratory and not mandatory.

On the motion of Director Baggerly, seconded by Director Bergen, item c was approved by the following roll call vote:

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

6. Resolution honoring John Parlee upon his retirement. ADOPTED

President Kaiser read the resolution and the board thanked Mr. Parlee for his work for Casitas.

On the motion of Director Bergen, seconded by Director Hicks and resolution was adopted by the following roll call vote:

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

Resolution is numbered 16-08

A member of the public said you didn't give enough time for public comment. Why don't you have the meetings when people can come to them? Why don't you post this on the internet? Someone else said it is ridiculous.

7. Bills

APPROVED

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

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

President Kaiser then stated we will revert back to public comments for items not on the agenda.

Dale Wharton asked the board to start having these meetings after hours. A lot of us don't know about it until the last minute. This is an important meeting to me. This lady is missing work to come over here. The Board should care enough to revisit having the meetings when the public can attend it. This meeting is an important issue. Almost everyone in here would want that to take place and we should not have to fill out a comment card. I know we sell water to the city of Ventura. Why isn't there a moratorium in the city of Ventura?

Yasi Paulson, a resident of Oak View for 2 or 3 years, asked if Ventura gets state water will they still get water from Lake Casitas and what are Casitas' plans for alternate water source and restrictions for the farmers. How come I can't grow tomatoes and pixies but they can. She then asked that meeting minutes on the agenda be posted. A couple of weeks ago there was a talk about water at the Ojai retreat and I wonder why Casitas did not come and talk to us about the water situation. My husband will retire soon. I need to know if we will stay or leave. If we have to truck in water here will it will affect the price of our home.

President Kaiser explained that staff is planning to have a public workshop and meeting. It is important and something we have to get the info out to the public. Look at the alternatives and what we are looking at in the future should the drought persist.

Director Hicks added I wish we knew if or when the city hooks up to state water. It would be best thing that could happen. It is a long term project. Director Word added that the district was formed to supply water and back up supply for city of Ventura, Ojai and Ag. We supply about a third of the City of Ventura's water. This is why this district was formed. They take water from us that serve their zone 1 which is in the Casitas district just as Ojai does. That is what we were designed to do. We would like to have more water. They have cut back about 40% on what they take from us.

Dale Wharton asked about a moratorium on hook ups. Director Baggerly explained we don't have any control over what another government agency does. Dale stated what they are going to do is run us dry. Director Baggerly suggested they read our Water Efficiency and Allocation Program adopted last June. We are doing 99.9% of what was discussed at the Ojai retreat meeting and we were not invited to that meeting. President Kaiser added we take your comments seriously and understand your concerns. Another member of the public commented on wells saying there are five wells owned by Casitas and four are shut down and the other one has been shut down four months. Director Baggerly said they are not our wells.

8. Receive and file report entitled "A Current Assessment of Public Safety Services at Lake Casitas and Surrounding District Property" from Lawrence Beach Allen & Choi.

Mr. Wickstrum explained that at our meeting in February we discussed developing further the policies procedures we would take at LCRA and you have the report by Lawrence Beach Allen & Choi to consider today. Representatives from the firm are in the audience to provide insight to help us in getting a resolution in where we should go with our personnel that work at Lake Casitas Recreation Area.

Paul Beach and Jim Eicher provided their report reminding the board that the first meeting we discussed issues of public safety options at Lake Casitas. We looked at current circumstances and looked at options for best practices for that area to be more safe and enjoyable and address risk and liability issues. They encouraged the board to read their report where they provided the board with a few options to consider.

Director Bergen said she was impressed with the report and it gave detail and presented the options. She asked how many security firms could serve Casitas here. Mr. Beach said you could put out a bid but there are two or three that they know of. He added you are not limited to just one option.

Director Baggerly stated you dropped the ball on retirement and pension obligations. Is there any analysis to add to that section? Mr. Beach said the preliminary discussions with CalPERS is that it would not go up. We are still waiting for CalPERS to provide something in writing.

Director Word questioned the watershed that we are charged with supervising. Mr. Beach suggested choosing the model that best suits and apply the same set of rules across your property. Mr. Beach stated you need feedback from general counsel and staff before you make a decision. Mr. Beach suggested making a 6-12 month plan or longer, hire in house and train in house and recommend you do proper due diligence and get the right people and continue to use the deputy sheriff. Mr. Wickstrum added we are limited to what Ventura County can help us out with.

Director Bergen asked where we are with a manual as to limitations. I have no idea of what we are approving until we see a manual. Mr. Beach said

you need to find out what you want them to do and what they should not do, discuss what services to deliver in conformance with the law. Don't come up with a bunch of rules until you figure out what you want the people to do.

Mr. Eicher added until the board decides the type of player dealing with security issues, to build a policy around it is putting the cart before the horse. Mr. Beach added you might decide you want full blown peace officers and EMT's and observe and report people. You could have some staff with certain powers and other staff with others. Review materials and talk with staff about the dragon you are trying to slay and build the staff around it.

President Kaiser stated option #1, observe and report is most appropriate at this time. President Kaiser added we don't have structural oversight in place at this time. Based on the questions what is the prudent measure to take at this time? Mr. Beach explained staff are working hard right now doing as good as they can do given the limited resources. Supplement with VCSO to the extent that you can. If full on or limited, you need ordinance enforcement. Amend the ordinance to allow for limited peace officer status to enforce the ordinance. If you have some good hires in the pipeline and can bring them on great. Rely upon an analysis to get people properly trained and supplement with VCSO.

Director Bergen said the missing key factor is the pension factor. I understand the way we are currently operating is not in conformance with legal structure we should have. Myself, I think we need to enforce our ordinances. Mr. Eicher added until you decide if you want to give the authority to do ordinance enforcement you may have the current staff be observe and report supplemented by more OT hiring by VCSO. Have that work in short term. If you continue to have employees do things without the proper structure you increase the risk? He added that the ordinance change is where authority comes from. Until that is vetted by the board what do you want the current staff to do?

Director Bergen added she needs more information on the financial side. We need to stay where we are and get the sheriff in and do more work to get the information. Director Baggerly suggested coming back with the ordinance on the agenda with the staff report with information available to the board members. President Kaiser suggested option 1 for now. Mr. Wickstrum stated observe and report is not what they are at now. Director Bergen added they are in no different position. Saying you are a temporary peace officer does not solve the problem.

On the motion of President Kaiser, seconded by Director Bergen Park Services Officers will observe and report and further information will come back to the board including proposed changes to the ordinance to allow for limited peace officer status, further information on CalPERS and insurance costs, further information on infrastructure needed to care for these officers and retaining the services of Lawrence Beach to formulate additional information. This was approved by the following roll call vote:

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

Director Word added the concern is to protect the lake. Park Services Officer Faddis stated if we can only observe and report if we see a boat come in we can't stop them. Mr. Kwong offered that he read AB1683 the law regarding the quagga situation adding that the regulations speak to the control and prevention of quagga mussels in lakes. It is unlawful for any person to fail to comply with any written order and any department employee or any other person of authority. It does not talk about public safety independent authority under Fish & Game code. You have independent authority and can prevent infestation at your lake.

Park Services Manager Carol Belser asked if staff is only to observe and report and not wear their uniforms and then are they not to use the vehicles. Mr. Eicher said if they don't use the lights and sirens it is ok for them to use the vehicles. He added that he finds them to be very professional and what they are wearing is fine if they understand their duties.

President Kaiser called for a recess at 5:06 p.m. and then brought the meeting back into session at 5:20 p.m.

9. Resolution Declaring Stage 3 Water Supply Conditions at Lake Casitas.
ADOPTED

The board discussed the status of the lake, the allocation program and the need to continue to conserve and the decision to go to irrigation on one day per week. The stages were set up to always have inside water use and to ramp down the outside use.

Renee Roth with Green Coalition suggested building a community effort on a resilient watershed that understands about water conservation. There is a lack of general information on ET rates, and water demands for plant materials. Tom Ash is speaking on May 26 and all welcome to attend. Ms. Roth suggested that you are generous with the WEAP program and have done a good job in setting it up. People need more education and different plants need different things. She added that she wants to put out a handbook and may ask for some support to help put those materials together so a homeowner can show it to their landscaper.

Rich Paulsen questioned the status of growth in Ventura. Mr. Wickstrum explained that the city of Ventura responded to Governor Brown's regulations by reducing use by 38%. They stepped up their conservation and public information campaign. Mr. Wickstrum explained that other agencies have adopted similar scenarios to work with their customers. As far as Casitas goes, everyone is a customer of Lake Casitas. From Mills on over, they paid the same tax ratio as they did in Oak View. Mr. Paulsen said they have an interconnect. Mr. Wickstrum explained they don't. It is probably a \$200 million project to build a pipeline. They are working to get water on an emergency basis from Met to Calleguas to the city on an emergency basis. There is not a lot of large growth on the west side; a lot of growth is east of Mills Road. They have surcharges for water use too and their tier rates are higher than Casitas.

Director Word added that we serve 30,000 people in Ventura under the Casitas District. We sell on a wholesale basis to them and other agencies. The whole process is that we are the backup supply when their wells go dry. Our water usage tends to go up because more people are pulling from us. We juggle all of these and have about a four year supply if we don't get any rain. We are all in it together.

Mr. Kwong suggested the addition of CEQA language to the resolution that pursuant to title 14 this is statutorily exempt.

The resolution with suggested modification was offered by Director Baggerly, seconded by Director Hicks passed by the following roll call vote:

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

Resolution is numbered 16-09

10. Information Items:

- a. Finance Committee Minutes.
- b. Letter from Bureau of Reclamation in support of Limited Peace Officer Status at Lake Casitas Recreation Area.
- c. Informational memo regarding voting format for the Upper Ventura River Groundwater Sustainability Agency.
- d. Investment Report.

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

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

President Kaiser moved the meeting to closed session at 6:00 p.m. with Mr. Kwong stating the board is going into closed session pursuant to conference with legal counsel under section 54956, one case and the evaluation of the General Manager.

11. 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)
- b. Public Employee Performance Evaluation (Govt. Code Sec. 54957)
Title: General Manager

President Kaiser moved the meeting back into open session at 6:40 p.m. with Mr. Kwong stating there was no reportable action taken.

12. Adjournment

President Kaiser adjourned the meeting at 6:40 p.m.

James W. Word, Secretary