

Minutes of the Casitas Municipal Water District  
Board Meeting Held  
June 10, 2015

A meeting of the Board of Directors was held June 10, 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, Robert Krimmer. There were two staff members and five members 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).

Sonya Webb with Next Gen Engineering expressed the desire to continue progress with local agencies and request a delay or hold on the litigation with Channel Keeper lawsuit in order to continue the progress that has been made.

2. General Manager comments.

Mr. Wickstrum informed the Board of the 29<sup>th</sup> Wine Festival on Sunday June 14<sup>th</sup>. He then informed the Board that a lot of work and priority was placed on working with the State Water Resources Control Board on the numbers that are reported to get into the 32% bracket rather than 36%. It has been difficult since our numbers are bi-monthly. We are now at 32% and have not heard about the 4% in lieu standard. The City of Riverside filed a case against the State Water Resources Control Board as they do not receive imported water and they have not received the 4% in lieu conservation standard. They have more than four years of supply in groundwater. Lake Casitas has more than 4 years supply. We may hear by the end of the week and are hopeful we will get a positive response.

3. Board of Director comments.

Director Hicks asked who authorized the Martinelli study. Mr. Wickstrum explained that he initiated the study based on a number of things adding that it was discussed in the Recreation committee. Director Kaiser added it would be helpful to have the scope of work relative to the project provided to the board since there is an expenditure of public funds. President Bergen added that we had discussed having a review of positions some time ago and we need to look at our needs and staffing in order to lessen the overtime.

Director Baggerly mentioned that Golden State Water Company made a presentation to the Ojai City Council last night and let the public know that they will be providing a comparison on their bills from 2013 – 2015. Are we considering doing the same thing? He then added that by looking at the consumption report it is clear the City of Ventura won't certify for in district use so water is being exported out of the district.

4. Board of Director Verbal Reports on Meetings Attended.

Director Hicks reported on his attendance at the Ventura Chamber of Commerce meeting and there was discussion on the tier rate system.

ADOPTED

5. Consent Agenda

- a. Minutes of May 27, 2015 Meeting.
- b. Minutes of the June 2, 2015 Special Meeting.
- c. Resolution authorizing the execution of an agreement with Ernst and Young for Audit Services for the State Water Project.
- d. Recommend approval of a Purchase Order to ITT Goulds Pumps in the amount of \$59,365 to complete necessary pump and motor repairs for unite #4 at Avenue 1 Pump Plant.

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

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

Resolution is numbered 15-23

APPROVED

6. Bills

Director Hicks questioned the payment to CPRS Consulting with Mr. Wickstrum explaining that is for the recruiter for the safety officer.

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

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

7. Recommend approval of Leak Relief to Sterling Hathaway in the amount of \$2,444.09. APPROVED

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

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

8. Recommend authorizing the General Manager to sign the Assistance Agreement for Open Space Management with the Bureau of Reclamation. APPROVED

The board discussed the agreement with President Bergen questioning a \$30,000 amount under the funding information. This will be clarified by Mr. Wickstrum prior to signing the agreement.

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

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

9. Recommend approval of the revised Water Efficiency and Allocation Program. APPROVED

Ben Van Der Kar of 6800 Rincon Rd in Carpinteria questioned if the allocations are based on acre feet use or historical usage and if the annual allocation begins the beginning of July 1<sup>st</sup>? If so, than a grower could use the allocation early hoping for rainfall.

Mr. Wickstrum explained that the allocation for Ag will be annual and that would be the risk you would take to use most of the allocation early and hope for rain. There will be a penalty for going over the given allocation. It will begin July 1 and go thru the fiscal year. An assessment in where Lake Casitas is will be conducted in April/May and we will get that information out to customers to provide a month or two ahead as to what is coming in July. He went on to explain that in 1992 rather than an individual allocation, at that time all of Ag was lumped together and provided an 8,800 acre foot allocation. If Ag goes over that amount everyone would pay a penalty. That would not be fair to punish the entire group if one person had planted an additional 20 acres. Therefore, we looked at 80% of 1989 and also used 2012/2013 as gauges and the allocations are not to exceed three acre feet per acre. We are unable to give three acre feet per acre to all Ag customers. Mr. Van Der Kar asked how long the lake is expected to meet the people's needs. Mr. Wickstrum explained that we have between 4.7 – 6 years of water supply.

President Bergen then read an email from John Martin who disagrees with the water allocation. Mr. Wickstrum explained that the Water Allocation and Efficiency Program allow us to sit down and review individual usage as we did yesterday with Mr. Martin. We recognize that some people have expanded acreage without allocations since 1992. Section 4.4 references this and we will consider sitting down again with Mr. Martin. Ron has dealt with about 50 ranchers in the last week. Mr. Merckling added that the majority of ranchers are very understanding. There have been only a few instances where there was a disagreement.

On the motion of Director Baggerly, seconded by Director Kaiser, 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. Update on the Groundwater Sustainability Agency.

Mr. Wickstrum explained the conflict waiver that was presented to us by Russ McGlothlin. We will need to discuss if we are at a comfort level with an attorney that represents others and using him just for the formation of the GSA. It is a small world but again there is representation by Russ McGlothlin for a lot of entities including Golden State and the Woods- Claeysen Foundation. It might be the smarter move to use someone else who does not have such close knit ties.

Bruce Kuebler, a member of the Ventura River Water Board of Directors urged the board to delay the lawsuit and go forward with the formation of the GSA as it would accomplish the same goal as the lawsuit with a more cooperative approach. Their board passed a motion to seek a delay of the lawsuit and will incorporate that in our response to the lawsuit. Cross complaints lead to adjudication that takes many years. Mr. Kuebler also explained that their board approved the conflict waiver and feels it is important to have Russ McGlothlin involved as he was partly involved in writing the legislation.

APPROVED

11. Information Items:

- a. Lake Casitas Recreation Report for April 2015.
- b. Water Resources Committee Minutes.
- c. Finance Committee Minutes.
- d. Recreation Committee Minutes.
- 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 for filing by the following roll call vote:

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

President Bergen moved the meeting to closed session at 3:53 p.m.

12. Closed Session

- a. Conference with Legal Counsel -- Existing Litigation (Subdivision (a) of Section 54956.9, Government Code). Name of Case: Golden State Water Company v. Casitas Municipal Water District. Case Number: 56-2013-00433986-CU-WM-VTA.
- b. Conference with Legal Counsel -- Existing Litigation (Subdivision (a) of Section 54956.9, Government Code). Name of Case: Native

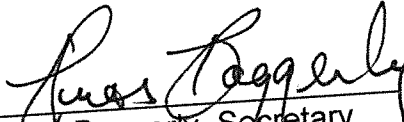
Electrical Construction, Inc. v. Casitas Municipal Water District. Case Number: 56-2014-00457255-CU-BC-VTA.

- c. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9, Government Code). Name of Case: Santa Barbara Channelkeeper v. State Water Resources Control Board, et al. Case Number: CPF-14-513875. Cross Complaint filed by City of San Buenaventura v. Casitas Municipal Water District, et al.
- d. 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)
- e. Public Employee Performance Evaluation (Govt. Code Sec. 54957)  
Title: General Manager

President Bergen moved the meeting back into open session at 5:43 p.m. with Mr. Mathews stating there were no actionable items to report on the first four closed session items. On the General Manager's evaluation there was general discussion and the matter will be discussed further at a future meeting, no action was taken.

- 13. Discussion and possible recommendation for approval of modification to the General Manager's compensation. Tabled
- 14. Adjournment

President Bergen adjourned the meeting at 5:44 p.m.

  
Russ Baggerly, Secretary