

Minutes of the Casitas Municipal Water District  
Board Meeting Held  
September 14, 2016

A meeting of the Board of Directors was held September 14, 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 four staff members and eight 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).

Angelo Spandrio inquired about the work being completed and asked if the top five projects have been identified and are they on schedule for the October 7<sup>th</sup> deliverable. Mr. Wickstrum answered yes and yes, he hopes to at least have a draft by October 7<sup>th</sup>. Mr. Spandrio asked how it will be published. Mr. Wickstrum explained it will be brought to the Board at the appropriate time and maybe the water resources committee meeting.

2. General Manager comments.

Mr. Wickstrum reminded the board of the Regional Drought Summit on September 22<sup>nd</sup> and informed them that we would be live streaming the event.

Mr. Wickstrum then reported that water quality is looking very good and we are not seeing algae that causes us problems so there is no need for lake treatment. Our next step is to get efficiency on the oxygen dose for the hypolimnetic system. There will be a project coming forward regarding this.

3. Board of Director comments.

Director Baggerly reported that he attended the City Council meeting and offered thanks for their letter of support. He explained that Ted Moore, a local developer approached him and he hired a geologist to look for avenues for water development. Ted Moore arrived at the meeting and spoke to the board and explained that he hired Mike Paige from Thousand Oaks who sites wells. He mapped the underground aquifers. Mr. Moore displayed two maps showing locations where there might be water. He suggested drilling some wells and pumping them into the diversion canal. He suggested using some abandoned natural gas lines to move water and showed areas in the Ojai Basin and Ventura River where he thinks there may be water. He said he would love to be a part of the ongoing discussion and he could bring his geologist up to meet with your consultants. He wants to bring new thoughts and ideas to the table. There is water moving in the valley out to the ocean that could be intercepted.

4. Board of Director Verbal Reports on Meetings Attended.

Director Bergen reported on a conference call for the Upper Ventura River GSA and they will do an outreach meeting with small pumpers on the 26<sup>th</sup> and Director Hicks reported on his attendance at the AWA board meeting.

5. Consent Agenda ADOPTED

- a. Minutes of the August 24, 2016 Board Meeting.
- b. Resolution approving the joint funding agreement with United States Geological Survey for the Cooperative Stream Gaging Program from November 1, 2016 – October 31, 2017.

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

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

Resolution is numbered 16-23

6. Review of District Accounts Payable Report for the Period of 8/24/16 – 9/08/16. APPROVED

Director Word asked about the charge for the oxygen and Mr. Wickstrum explained it was for the month of August.

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

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

7. Recommend approval of the position of Park Ranger/Park Services Officer Division Officer. APPROVED

Mr. Wickstrum explained that this was bringing back clarifications from the last meeting. The new position will oversee formation and implementation of a new division and move toward Park Rangers being a part of the employees at Lake Casitas and move forward with our policy and procedure manuals and training. Carol Belser built into this memo more of a sense of what this individual will do. There is a large amount of training and procedures and we need a strong leader in that role to focus on the procedures, training and bring together PSO's and the Park Rangers into one cohesive group in the field.

Director Word commented that as we progress into this new direction it is a pretty involved process, a lot of responsibility and potential liability. It would seem to me that we really need to have someone with real expertise to guide it with knowledge of how to make it work and with the training and I think it is necessary and would support this the way it has been presented today.

Suzi Taylor voiced her objection and concerns that this is fast-tracking the division officer. It was brought back to the Personnel Committee which met on Monday. This appears to be an assumed vote but you are being deprived minutes from personnel committee that are not available. Ms. Taylor added that Carol Belser's intention was that this be a term position but Steve Wickstrum stated it in no way is a term position. Additionally, Ms. Taylor expressed that she feels the scope of the position is that of a supervisor and this is a tactic to go around SEIU. The benefit package is costly for this district as health insurance is covered at 100%. She asked if the current Park Services Manager is a peace officer and asked if the new position would be created as a peace officer. She expressed her concerns and asked that the board reconsider the needs of the district. Ms. Taylor suggested sending qualified applicants through the reserve academy for the needed training instead of using LCRA as a training ground. She then stated that based on my understanding of peace officer status of the park manager is that the board has approved psych evaluation. This is a violation of ADA as it was an unnecessary test and you cannot subject an employee to this type of testing.

Director Baggerly commented that we don't have minutes from the personnel committee. He added that from the org chart and the new division manual table of contents it is specifically as law enforcement and that is only part of what we do. The first thing is we have to protect that water resource. The current PSO's understand that. We have to do this to provide qualified immunity. It has morphed into a new law enforcement task force and is leaving our existing employees behind. There are Park Rangers on one side and PSO's on another. They are different. The guy in charge will favor law enforcement tactics and leave behind our guys in t-shirts and blue jeans trying to enforce our boat inspections. I don't think we need a new manager with medical benefits and salary. If he is doing all the managing what is Carol going to be left to do. I would rather have a consultant to have our PSO's become rangers.

Director Bergen explained that her understanding from the personnel committee meeting is the PSO's can, if they want to, become Park Rangers. The idea is to keep them on and active and have them work with the Rangers. There is no intent to leave them behind. They are faced with having to have direct management that knows the laws and regulations so we can do this correctly. We need knowledge and careful management to keep it all together.

Director Baggerly added the existing PSO's did their job. We had to make the change to make them legal at what we are doing. I don't see anything changing with hiring a bunch of retired sheriff's. Option 2 of the beech report number 3 should be required. The Park Services Manager should issue updated job descriptions for all employees and the existing PSO's should be designated as Rangers. Those guys are loyal to our district and are on the outside looking in. I don't like it and I won't support it.

President Kaiser commented that it is interesting that this was being pushed along at warped speed a couple of years ago and was brought forward by staff and now it is a different phase and staff are pushing back in the other

direction. We need to reduce the OT out there and the self-assigning of schedules. I support this motion.

Director Baggerly expressed concern with the budget and the cost of hiring a new management position and everything that goes with it as he thinks it will cost a lot more.

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

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

8. Regional Efforts to Obtain Access to State Water Entitlements for Western Ventura County.

Mr. Wickstrum explained that having been here during the 90's and part of the discussion on state water and getting that in here, in the last 3 months that has become more of an opportunity that we didn't have in 1990. The doors may be open to us. There are a lot of costs associated with it. The city of Ventura put out a request for qualifications and is going through a selection process. There is a lot of collaboration and coming together for this project. We have discussed our role and representing this project. Three different agencies and public have had discussions and expressed desire to hook into state water. We need to discuss our interest in going forward with this or not. We do not know the engineering design cost at this point. We need to consider any avenues we need to contribute to that design.

Director Baggerly commented that he wants Steve to be at the table representing our interest. Director Word concurred and added that we need to be participating in this discussion. There are consequences coming out of this that will need to be addressed in looking at this. There are a whole gamut of costs to be explored. Yes, the taxpayers have paid several million to the system that money has gone to the state. When we have used the turn back pool it went to reducing that tax. None of that has come to the district as income. We need to be part of the discussion and determine how to fund it. Director Hicks added we have to be at the table. Director Bergen added she is fully supportive and we have to be involved but Casitas needs to know the costs and have the terms in writing. President Kaiser added you have to be there. There is the cost factor and how would be shared and how would we be whole. Would there be a bond measure and a vote of the public?

William Weirick stated that the City of Ojai is one of the organizations that passed on a 4-1 vote in support of your efforts. The Mayor has not signed the letter yet. The idea is to support what you are talking about and to have your back. Reliable water will cost more money. We don't need to stop if it rains. We need to move together and collaborate and look at things different. Thank you, Russ for appearing at our meeting. The message going forward is to conserve yes and diversify water sources. In terms of the revenue issue it is a challenge

and we figure it out and back you up and sell it to the public. We will figure out the revenue. Thank you and appreciate your feedback and continue supporting you how we can.

Randy Haney thanked Russ for being there last night and then explained that Steve and I were talking outside after Executive and I do support you and this group. There will always be moments of contention. Conservation, collaboration and communication are critical. Most important thing is to communicate to the public is what we are doing. Appreciate this board feels the full weight of anything that comes to the table on money but it is ours. The more we know and understand and convey to the public the better off we are. State water project is short term fix. Biggest issue is to convince the county to get behind us. We will not conserve our way out of this. Collaboration – all of the agencies. Sept 22<sup>nd</sup> is your first opportunity. Give as much information as possible. Get a ton of questions and be open and honest.

Renee Roth thanked the board for what you do and for the investment in conservation and looking for new water supplies. We are trying to integrate what we know from previous droughts and situations. She added that she has done some research in looking at Australia. Tom Ash said that Australia realized after the fact that they didn't do enough soon enough. In terms of looking at what they did, Australia set a goal of 33 GPCD. They replaced water meters, had rebates, water assessments, teach people to read their water meters. We are in extreme drought and will have extreme measures and have to engage the community. Any money spent they could look back and know it was invested in water savings. Balancing supply and demand management and improve integration and address revenue losses and look at water rates. Steve has to be at the table. The long term message is we are all in this together.

Mr. Wickstrum added that he will participate and contribute what we are looking at. Everyone needs to understand this is not the end all. It is 5,000 acre feet if it is at 100%. That does not answer the full thirst we have in the service area. There is no guarantee and there is a lot of risk with state water. Over the course of the last eight years the community has been buffered with the Lake Casitas supplies. Now we are faced with what the state has been faced with over the last years.

Director Kaiser asked that because of the interface with other agencies that this stay with the Executive Committee. He then thanked the public for their comments.

9. Resolution Adopting an Increased Conservation Penalty for Over Allocation Water Usage. ADOPTED

Mr. Wickstrum explained that we adopted the WEAP and hit 50% a year ago last May and we instituted conservation penalty and allocations for our metered connections. We tested the water and started with a penalty of \$1 for residential accounts and \$0.25 for annual accounts that we account for at the end of the fiscal year. We wanted to send the message and signals out and have people be educated on their water usage and get them into their allocation

without hitting them with a hammer. As the lake goes down the concern is those that didn't comply need a larger message. About 75% have conformed. We are asking to raise the penalty to get more response and get others to conform in conserving water.

Ron Merckling highlighted that the conservation team of Cinnamon McIntosh, Bryan Sandoval and Larry Harris have been working hard and are engaging customers on a daily basis. Over 70% of the people are adhering to the conservation program. We have lowered the allocation an additional 10% and we are looking for 7,000 acre feet of savings this next year in conservation. The residential component has the monthly surcharge which will start October 1<sup>st</sup>. Those customers that are on an annual basis, the surcharge will begin with their fiscal year that began on July 1, 2016. By increasing the surcharge, the purpose is compliance with the conservation program. Some people are not in compliance and we are hoping to encourage them to comply. We will put out a letter to all customers before October 1<sup>st</sup> regarding this change.

Director Hicks suggested discussing the usage in terms of gallons. Mr. Merckling added that our customers are using 80 GPCD and there is a long way for us to go. We are concentrating our efforts on those customers that are not in compliance. President Kaiser added that the increase could result in 1,000 AF additional water being saved and would extend the usable life of our water supplies.

Director Bergen added that this hurts for Ag. Avocados have a direct relationship with the size of fruit and amount of water. If you have smaller fruit you have less money but I am fully supportive of doing this. You have to. It hurts but we have to do it. Mr. Wickstrum also informed the Board that Robert Kwong had suggested including appropriate CEQA language on the resolution.

Renee Roth explained that Ventura River Water District prints gallons per capita day on their bill and Golden State penalties are \$2.50 per unit above your allocation at state 3. As a community we need to have a consolidated view to do the same fairness is a goal. We are in a drought and getting everyone together and all pay penalties if wasting water. Mr. Wickstrum added that Ventura River, Meiners Oaks and Golden State are all looking at it being the same across the board for everyone. We hope we don't collect penalties. We want to get compliance. Mr. Wickstrum explained that for the residential users this is effective for water usage from October 1st.

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

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

10. Ballot for Election of a Special District Alternate member to the Ventura LAFCo. APPROVED

On the motion of Director Word, seconded by Director Hicks, Director Baggerly was offered as the representative for the election referenced above by the following roll call vote:

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

11. Information Items:

- a. Lake Casitas Recreation Area Report for July, 2016.
- b. Water Conservation August 2016 Update.
- c. Annual Livingwise Program Water Education Summary Report.
- d. Water Resources Committee Minutes.
- e. Executive Committee Minutes, August 26, 2016.
- f. Recreation Committee Minutes.
- g. Executive Committee Minutes, September 9, 2016.
- h. Letter from Ojai City Council Members William Weirick and Randy Haney.
- i. Water Consumption Report.
- j. CFD No. 2013-1 (Ojai) Monthly Cost Analysis.
- k. Investment Report.

On the motion of Director Baggerly, seconded by Director Hicks the information items were approved for filing 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 4:25 p.m.

12. Closed Session

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation matter pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: One Case.  
Casitas Municipal Water District has recently received a claim for damages related to an employment matter.

President Kaiser moved the meeting back to open session at 4:34 p.m. and Mr. Kwong reported that the closed session was completed and there is no closed session report to be made.

13. Adjournment

President Kaiser adjourned the meeting at 4:35 p.m.

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James W. Word, Secretary