



Board of Directors

Russ Baggerly, Director
Angelo Spandrio, Director
Brian Brennan, Director

Pete Kaiser, Director

CASITAS MUNICIPAL WATER DISTRICT
Meeting to be held at the

The Meeting will be held via teleconference
To attend the meeting please call (888) 788-0099 or (877) 853-5247
Enter Meeting ID 920 5173 8472#
Passcode: 798864#

Special Meeting Agenda
November 23, 2020 @ 2:00 PM

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. CALL TO ORDER
2. ROLL CALL
3. PUBLIC COMMENTS - Presentation on District related items that are not on the agenda - three minute limit.
4. ACTION ITEMS
 - 4.a. Adopt a Resolution instructing the Ventura County Watershed Protection District to execute the Department of Water Resources Agreement for the Advance or Contribution of Money to the Department of Water Resources by Ventura County Watershed Protection District for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project on the behalf of Casitas Municipal Water District.

5. CLOSED SESSION

- 5.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(a) Santa Barbara Channelkeeper v. State Water Resources Control Board, City of San Buenaventura, et al.; and City of San Buenaventura v Duncan Abbott, et al., Cross Complaint; Superior Court of the State of California, County of Los Angeles, Case No. 19STCP01176.

- 5.b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code §54956.9(a))Upper Ventura River Groundwater Agency v. Casitas Municipal Water District, Superior Court of California, County of Ventura, Case No. 56-2020-00545336-CU-WM-VTA.

- 5.c. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code §54956.9(b)
Number of potential cases: 1

6. ADJOURNMENT

MEMORANDUM

TO: Board of Directors

From: Michael L. Flood, General Manager

RE: **Adopt a Resolution instructing the Ventura County Watershed Protection District to execute the Department of Water Resources Agreement for the Advance or Contribution of Money to the Department of Water Resources by Ventura County Watershed Protection District for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project on the behalf of Casitas Municipal Water District.**

RECOMMENDATION:

The Board of Directors approve the resolution and direct staff to forward it to the Ventura County Watershed Protection District for action.

BACKGROUND:

The Ventura Flood Control Protection District (VCFPD) (now the Ventura County Watershed Protection District (VCWPD)) signed a contract with the State of California Department of Water Resources (DWR) in the early 1960s for the delivery of up to 20,000 Acre-Feet of State Water Project Water Supply (known in the contract as Table A water) annually.

In 1971, Casitas MWD signed an agreement with VCFPD taking over the costs and administrative responsibilities of the VCFPD State Water Contract.

Subsequently, Casitas MWD signed agreements with both Ventura Water (City of Ventura) and the United Water Conservation District assigning 10,000 Acre-Feet of State Water Project Table A to Ventura Water and 5,000 Acre-Feet to United Conservation District.

Casitas MWD remains the administrator of the contract but VCWPD is still the named contractor on the State Water Project contract and thus must execute any amendments to that contract.

The State of California Department of Water Resources (DWR) and the State Water Project Contractors (SWC) have been in negotiations on the development of a Delta Conveyance Project/Delta Conveyance Facility (DCP/DCF) for the past several years that has resulted in a final Draft Agreement in Principle (AIP) in April 2020.

In August of 2020, the SWCs distributed a proposed funding agreement that will fund the DWR’s four-year planning activities for the DCP/DCF in the amount of \$385,000,000.00. If the District decides it will participate in the DWR’s DCP/DCF funding agreement, instruction must be sent to the Ventura County Watershed Protection District to execute the agreement.

At the October 14, 2020 Regular Board Meeting of the Board of Directors of the Casitas Municipal Water District, the Board approved a resolution in regard to the DWR’s funding agreement for the planning study and directed that the resolution be forwarded to the Ventura County Watershed Protection District for action.

The Ventura County Watershed Protection District has asked that a revised resolution be approved by the Casitas MWD Board of Directors indicating that Casitas MWD will be responsible for the full cost of the amounts billed through this agreement for presentation to the County Board of Supervisors on December 8, 2020.

DISCUSSION:

As presented at the October 14, 2020 Casitas MWD Board of Directors Meeting, the VCWPD SWP Contract cost of the DWR study along with Casitas’ assumed portion was outlined in the table below.

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Total</u>
VCWPD SWP Contract Amount	\$431,184	\$469,390	\$600,382	\$600,382	\$2,101,339
Casitas Share	\$107,796	\$117,348	\$150,096	\$150,096	\$525,335

A copy of the funding agreement is attached.

In the interim, the Casitas MWD’s partners in the VCWPD State Water Contract expect to take/have taken the following actions in regard to the Funding Agreement:

1. Ventura Water expects to bring a resolution on the agreement to the City of Ventura City Council at their December 7, 2020 Council Meeting as a consent item recommending the 100% level.
2. The United Water Conservation District has approved a resolution on the agreement at the 100% plus level taking in to consideration Ventura Water’s participation at the 100% level and that United and Casitas would each pay 50% of the additional

incremental cost of the 100% plus option and receive 50% of the additional Table A basis (2,139 Acre-Feet total or 1,069.5 Acre-Feet each).

Additionally, the DWR has revised the cost estimate and yearly distribution of the planning effort downward to \$340,753,856.00 from \$385,000,000.00.

Assuming that the United Water Conservation District and Casitas MWD would each pay 50% of the additional cost of the 100% plus option, the cost to Casitas MWD is:

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Total</u>
Casitas Share	\$96,659	\$94,302	\$157,169	\$172,886	\$521,016

Since these costs are relatively the same as they were for the Casitas MWD Board's previous action on this matter and the project partners are using the figures from the previous cost estimate, Staff recommends that the budgetary recommendation remains the same.

The DWR will bill VCWPD the total funding agreement costs through monthly installments starting in January of 2021.

As with all State Water Project costs, the VCWPD will forward those bills to Casitas MWD for payment.

Casitas will subsequently invoice United and Ventura their commensurate portions of the total cost of the funding agreement.

BUDGETARY IMPACT:

For Fiscal Year 2021, this is an unbudgeted item and the budgetary impact for this fiscal year would be approximately \$54,000.00 (Six monthly payments of \$9,000.00).

Future costs would be included in those respective budgets and means of funding those costs would also be identified.

CASITAS MUNICIPAL WATER DISTRICT

RESOLUTION NO.

RESOLUTION INSTRUCTING THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT TO EXECUTE THE DEPARTMENT OF WATER RESOURCES AGREEMENT FOR THE ADVANCE OR CONTRIBUTION OF MONEY TO THE DEPARTMENT OF WATER RESOURCES BY VENTURA COUNTY WATERSHED PROTECTION DISTRICT FOR PRELIMINARY PLANNING AND DESIGN COSTS RELATED TO A POTENTIAL DELTA CONVEYANCE PROJECT ON BEHALF OF CASITAS MUNICIPAL WATER DISTRICT.

WHEREAS, the Casitas Municipal Water District (Casitas), Ventura Water and United Water Conservation District share the water supplies and related costs connected to the California State Water Project Water Supply Contract with the California Department of Water Resources,

WHEREAS, the Board of Directors has received information in regard to the tenets and details of the Department of Water Resources Funding Agreement for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project (DCP),

WHEREAS, the Ventura County Watershed Protection District is the currently named contract holder for the California State Water Project Water Supply Contract with the California Department of Water Resources,

NOW, THEREFORE, BE IT RESOLVED that the Casitas Municipal Water District directs the Ventura County Watershed Protection District to execute the Department of Water Resources Agreement for the Advance or Contribution of Money to the Department of Water Resources by Ventura County Watershed Protection District for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project on the behalf of Casitas Municipal Water District.

Additionally, the Board of Directors of the Casitas Municipal Water District approves the contribution or advance of \$2,101,339.00 to the Department of Water Resources for use in accordance with the terms of the Funding Agreement. The contribution or advance will be collected from the Casitas Municipal Water District in equal monthly installments by inclusion of a charge on the Statement of Charges for 2021 that Department of Water Resources will issue to the Ventura County Watershed Protection District. The charge shall be referred to as the 2021 Pay-go Charge. As provided by section 5 of the Agreement the contribution or advance described herein will be subject to the terms and conditions of the Agreement.

ADOPTED this 23RD day of November, 2020.

Russ Baggerly, President
Casitas Municipal Water District

ATTEST:

Angelo Spandrio, Secretary
Casitas Municipal Water District