

Minutes of the Casitas Municipal Water District  
Board Meeting Held  
January 11, 2017

A meeting of the Board of Directors was held January 11, 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 Kaiser, Baggerly, Word, Hicks and Bergen were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were ten staff members and twenty 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).

Danny Carrillo SEIU Local 721 Regional Director introduced Wendy Basgall as the new worksite organizer who would be handling representation for the union members. Mr. Carrillo added that the understanding is that soon you will be doing a reorganization on the new chair and I remind you that again you heard from us the need for an HR director. With all due respect to Rebekah we passed our tentative agreement and you ratified and I earlier today got the draft for review. There was no previous response and that is unacceptable. I try not to be a jerk, I am here to represent our members and our employees. I did offer some dates for Rebekah's request to meet on the draft policy and we are owed a response in a timely manner. I am asking for your direction to do what needs to be done so employees get what is due to them.

2. General Manager comments.

Mr. Wickstrum mentioned the AWA issues meeting on the 17<sup>th</sup> will discuss quagga mussels. If attendance is desired there may be a need for a quorum notice. Rainfall has not been much and we are not as fortunate as Northern California. We still have about 90 days of potential rainfall. The rain to date has not done much. There has been quick recession on what has been released out of the mountains.

Mr. Wickstrum then informed the board of a letter from Johnny Johnston on behalf of the City of Ojai in regards to the Ventura Calleguas intertie. The letter will be provided in the next agenda.

3. Board of Director comments.

Director Hicks asked if the lake is going up and the web site is staying the same? Mr. Merckling stated it has gone from 35.1 to 35.2. There was a suggestion to include an effective date. Director Hicks thought the robo call was well done. Mr. Merckling informed the board that the call went to all direct customers.

Director Word mentioned he missed seeing the items we normally take care of the first meeting of the year and wondering while we didn't do that. President Kaiser said the decision is to do that at a planning day. Director Word

thought that should have been discussed with the board. President Kaiser added there is a lot going on and we decided to do that at a planning meeting.

Director Baggerly reported that OBGMA submitted the alternate consideration for the sustainable groundwater management act. The 60 day comment period is until Feb 27<sup>th</sup>. Hope everyone will read and make appropriate comments. It is important to get pro and con comments.

4. Board of Director Verbal Reports on Meetings Attended.

Director Bergen reported on the first meeting of Upper Ventura GSA and that the City of Ojai offered us to use their council chambers. The minutes will be posted on the web site. On the next agenda is the need for some operating money and Steve will be bringing a request for \$10,000 to the board for legal help. The city of Ventura is giving a staff member to be an interim executive director to take notes. It was a good meeting and we are moving along. Director Baggerly added that also happened when the OBGMA was formed in 1991 and it was written into our enabling legislation to get funds to jump start the agency. It is not new and it is expected.

Director Word reported that he attended the chamber meeting and there was an economic report for the county. Ventura country grew at 1% and the state grew at 2.6%. 47,000 people came into the county with no growth in jobs. We may be getting to be an older area for some reason. The challenge will be how to pay for everything and we will all be faced with that.

5. Consent Agenda

ADOPTED

- a. Minutes of the November 23, 2016 Board Meeting.
- b. Minutes of the December 14, 2016 Board Meeting.
- c. Resolution approving memberships for 2017.
- d. Recommend approval of a purchase order to OTT Hydromet in the amount of \$21,995.85 for the purchase of a Hydrolab MS5 sonde and associated equipment.
- e. Recommend entering into an agreement with Gantzer Water Resources Engineering, LLC in an amount not to exceed \$18,250 to provide a telemetry buoy for access to remotely deployed sensors used for data collection and management of the hypolimnetic oxygenation system.

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

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

Resolution is numbered 2017-01

6. Review of District Accounts Payable Report for the Period of 12/12/16 – 1/04/17. APPROVED

Director Hicks questioned the payment to Sintra Group for background checks. Ms. Belser explained that these are extensive backgrounds that were done for the rangers.

Director Word mentioned that he saw payment to Mainstreet Architects for remodel design and asked if they would see that soon. Mr. Wickstrum explained that it will be brought forward and he has plans on his desk.

The bills were offered by Director Hicks, seconded by Director Word and approved by the following roll call vote:

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

7. Discussion regarding the Calleguas – Ventura Water Interconnection Alignment Study and possibility of participation in costs.

Mr. Wickstrum explained that this project has started to get some traction and a scope of work and contract will be going to the City Council on January 23<sup>rd</sup>. At question is our involvement in this project. In 1991 and even in the 1980's we were looking at various options to bring state water into Ventura county. With the lake at low levels and there are other avenues with the ability to perhaps get water through Calleguas. We don't know yet what water, when or how much. It isn't a design at this particular time but a study to look at the ability to maybe bring water into the city of Ventura. Discussions have been held for several months regarding my other concerns with city of Ventura and how do we get water into the Casitas service area. There will be further discussion on how water moves through the system and how that assists us in getting water in our system and pump system. If we move towards water there is a lot of work and expenditures. This is the initial phase and important that it be looked at correctly. There may be some options that bring more water into the city of Ventura but would not help Calleguas. At this time, we have had meeting with GM of United, Calleguas and the City of Ventura and looked at costs and talked about what they thought they could contribute based on scope of work. Casitas and City as partners would be to share equitably at this time in this initial study. Approximate costs are up to \$200,000. Design projects have change orders. We suggest we provide a letter of commitment to the city of Ventura to participate in this project.

Director Word added it is not a budgeted item but is deemed to be very important. You listed some funding sources of the rental water that the city is paying for. We might explore some of that. Our commitment would say we are willing to participate and I would support that action.

Director Bergen expressed concerns that there is no guarantee that we will get a drop of water. We could spend a lot on money and get nothing. She suggested having some kind of written agreement so we know we are not just

helping the city get water and not us. With the expenditure being \$200,000 unbudgeted Director Bergen expressed that she was reluctant to authorize that much not knowing what we would get. It is a major hit to the budget.

Mr. Wickstrum also expressed that some of the other agencies have offered to contribute to this project. Director Hicks added he is happy we are at the table and happy to spend the \$200,000. We have a good relationship now with the City and we have to go with this. Director Bergen added are there other cities or water agencies that might contribute. There might be some in the crowd that might be thinking of it right now.

Angelo Spandrio addressed the board and said many of us in the Ojai Valley support Mr. Wickstrum's recommendation and respectfully request the board recognize the importance the people of the Ojai valley place on having this connection to state water. We welcome this commitment. Connecting to state water is the nearest step. Water will be expensive. What are we willing to pay if we don't have any? Ventura connecting lessens their need for Casitas water. You can't count on state water, you can only count on death and taxes but if you have no connection, there is no chance to get state water. I prefer some chance versus no chance. Vote in favor of Mr. Wickstrum's recommendation.

Randy Haney with the City of Ojai used a football analogy stating we are in the third quarter at 35% capacity. Look at state water tie in to benefit city of Ventura and the Ojai region. Make the right choice to start thinking about what you can do and not what you can't do. The tie in will benefit all of the users of water in the county. Cost of water we can all agree water is never going to be cheap again. Water will cost what it will take in Ventura county. All agree on that and how can we achieve success and spread the pain as evenly as we can so we all feel the win in this. Shared costs of doing business. I don't think you should bear the burden of this alone. Send requests to all others and ask for whatever they can share. William Weirick and Johnny Johnston will be in agreement to do anything and everything we can to share in this expense. Follow the recommendations of your GM. President Kaiser thanked Mr. Haney and stated we would welcome any monetary commitment. Director Baggerly added you have a quorum.

William Weirick with the City of Ojai stated it is an exciting day. The mayor is here to support Mr. Wickstrum's recommendation. We do offer, as we are in this together. I will be responsible to request for assistance. Finally it is dramatic in diversifying risk is getting water from multiple geographic areas is the nature of southern California. On December 1 Lake Orville was at 35% capacity and now is at 65% capacity. There will be a higher allocation next year for state water. US congress is relaxing rules for state water.

Steve Offerman with the office of Ventura County Supervisor Steve Bennett read a letter of support and encouraged the board to participate financially under the terms presented by your GM.

Bruce Kuebler with Ventura River Water District encouraged you last summer and our board approved \$25,000 to be used for this or other items.

Johnny Johnston, Mayor for the City of Ojai reported that last night the City of Ojai voted to support the recommendation of your manager. Things are starting to take shape. The longest journey begins with the first step. The key is to understand the costs. Hope your board supports this and moves quickly.

Russell Sydney encouraged taking steps forward and take the steps recommended by Mr. Wickstrum. We are facing uncertain times. A lot of people who are not looking far enough ahead to look at the consequences of these times. Drought could last for a year or a new normal. What are consequences of 10 inches average rainfall as the baseline for our future. Understanding of where rain comes from. The jet stream is disappearing on a regular basis and that is what normally delivers our water supply. I encourage you to go down that avenue quickly. Working on those agreements could be important. Take to heart and start building the war chest you need. Move forward and take all the steps to be the source of secure water our area needs. You have done that well up until now and hope we can turn to you moving forward.

Director Bergen added I have heard a lot of good arguments here and if we can have some kind of MOU with City of Ventura so it is clear and the outcome Casitas delivery to West end overall and send out letters or calls to other agencies etc. that can contribute. Director Word shared Director Bergen's concerns on the money but this \$200,000 is really a first step but it is a timely step that we have to take at this point. He supports sending a letter of commitment. Not sure how we expect to be an integral part of that study. We need to support it.

Director Hicks moved to approve up to \$200,000 for initial study with the City of Ventura, this was seconded by Director Word and approved by the following roll call vote:

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

8. Recommend approval of the Casitas Water Adventure Snack Bar Concessionaire Agreement. APPROVED

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

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

President Kaiser requested a five minute recess at 4:00 and then moved the meeting back into session at 4:05 p.m.

9. Park Ranger Policy Review and Comments.

John Mathews stated Jim Eicher is here and he has helped us navigate this. This is large task to get this document before us. There is an opportunity to look at it and to get board comments on it. It is a long document. Want to accomplish to get comments and in going over it, I met with Director Kaiser and we want to make sure this is consistent with the board's suggestion of what they want to accomplish and making sure our individuals understand what their jobs are and they are protected in doing that job and keeping it consistent. Director Kaiser and I talked about the possibility of having an ad hoc committee to review it. Chair Kaiser and vice chair Baggerly meet with myself, Steve and Jim Eicher yesterday. There was some language in there we felt was not applicable to our language. Some of it is boiler plate. The concern that I expressed and Jim was helpful in this if we modify language or take language out will it open us up to a liability down the road, any changes we would bring back would not jeopardize the district or the employees. We will take comments today and if the board chooses to follow the ad hoc committee will then meet and have comments incorporated and the comments from staff and bring back to a later meeting.

President Kaiser added we had a meeting with special council yesterday and got some guidance on a lot of the sections that I had concerns about trying to shoehorn a metropolitan police department approach to what we do in the recreation area in doing a service to the public and protecting our resources. It was a good step in discussing things with specific sections and comments. For the most part I think we will be able to address those issues to reflect our needs and protect those rangers to be at the lake and provides a semblance of an approach we want to use.

Director Bergen added there are some parts of this plan that I like. Statement of ethics in the preface are wonderful. I like the fact that the responsibilities and chain of command are very clear. Hope we can keep that. Things are documented and good records will be kept I hope beyond that we follow through. I have one comment at the jail that snuck through. There may be places it might be good to say this is where you call the sheriff. In terms of structure it is very good.

Director Hicks added it is obvious this is a boiler plate manual and I think for a large organization it is something that has to be done. I wish we could simplify it a bit. It states that disciplinary actions from sustained initiated complaints are maintained in department file for two years. I would keep them for a lifetime, page 227 section 909.7. Someone can school us on this. It should stay in there permanently I feel.

Director Word added that aside from it being a needed document and many excellent points in it I was disturbed in some of the areas seemingly contradictory issues such as arrest and use of force, use of body armor, conflicting statement if there is a need for body armor why are we not calling the sheriff? Areas need to be clarified and under no circumstances am I willing to approve. We have gone a long way to get things clarified. If there is an ad hoc committee to look at it I would like to see the next version.

Director Baggerly added we had a productive meeting. It was about a three hour meeting going over concerns. We found some of the same things you found. It is disturbing on the use of force but there has to be guidelines and it needs to be massaged and needs to fit our philosophy. We went through it with number of tabs and found lots of language that can come out. We did find conflicts you talked about and we are not done with. If you give the ad hoc committee the opportunity to go through this we can come back with something that will fit our needs. Director Word added it is not to belittle the effort that has gone into this. We are changing and this is a big change. We need to preserve some of our philosophy and this tries to get at it. It is a big step in the right direction but it needs to be reviewed more. President Kaiser added it may take a couple of meetings of the ad hoc committee to present it to you in the way it should be presented. Director Word asked if changes could be redlined or bluelined. He added that he has a much greater appreciation of the magnitude of what we are trying to do. Director Baggerly added you can imagine the difficulty or pairing down an LAPD policy manual to something that will fit for us. Thank you Carol and Joe, this is a good first cut and we will do a little honing.

Danny Carrillo stated it is all good and this has to happen but who is reminding you all that there has to be a meet and confer with the union over represented positions. Again another reason why we need to have this hr expertise. You have not met with the union yet. We have not met yet. There are certain parts of this draft policy that affect all members. There are other concerns that the union has too. The law under MMBA is we have the right to negotiate the impact of what you are bringing forward. He reminded the board of a recommendation of John Johnson that passed some other policy manual and you had to rescind that as it was a mandatory subject of bargaining and change of working conditions. It has to be meet and confer before it comes to you. Director Kaiser added it is something we discussed yesterday and the union will get the version we revise.

10. Discussion regarding possible attendance at the Ojai Valley Chamber of Commerce Awards Gala on February 23rd. APPROVED

On the motion of Director Word, seconded by Director Hicks the board authorized the premium sponsorship of \$1,000 which was approved by the following roll call vote:

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

11. Discussion regarding scheduling of a planning meeting.

The board discussed holding a planning meeting but decided that the annual changes in assignments and committees would take place at the next board meeting and a planning meeting would not be scheduled at this time.

12. Information Items:

- a. Lake Casitas Monthly Status Report for December 2016.
- b. Water Conservation Report for November 2016.

On the motion of Director Hicks, seconded by Director Bergen, 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 4:42 p.m.

13. 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)

President Kaiser moved the meeting back into open session at 5:04 p.m. with Mr. Mathews reporting there was discussion on the matter but no reportable action was taken.

14. Adjournment

President Kaiser adjourned the meeting at 5:04 p.m.

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Bill Hicks, Secretary