

Minutes of the Casitas Municipal Water District  
Board Meeting Held  
January 26, 2011

A meeting of the Board of Directors was held January 26, 2011 at Casitas' Office, Oak View, California. Directors Kaiser, Word, Baggerly, Hicks and Bergen were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were five staff members and three members of the public in attendance. President Kaiser led the group in the flag salute.

1. Public comments.

None

2. General Manager comments.

Mr. Wickstrum reported on a meeting he had with the Grand Jury almost two weeks ago. Most of the members were from this local area and they knew quite a bit about what was going on. A meeting was held this morning with Russ Baggerly and Daryl Kelley at Robles as Mr. Kelley is writing an article for the Ojai magazine on the Ventura River and the Casitas v United States lawsuit. Mr. Kelley had never been out to Robles. Mr. Wickstrum also mentioned an article that Mr. Kelley had written for the current issue of the Ojai Magazine that covered farmers and included their concerns on the cost of water. Director Word added that we can't really discuss the lawsuit. Mr. Wickstrum informed Director Word that Mr. Kelley might be contacting him and Jim Coultas.

Mr. Wickstrum then reported on the productive two days of meetings with the Bureau of Reclamation. The first day the Safety of Dams issue was discussed and we are working toward developing up the final costs of approx \$3.2 million dollars that are left to pay. The second day we discussed the Recreation Agreement and it was productive but there is a long ways to go but we will keep moving forward. The Bureau is entrenched in language that is standard in their agreements. We worked out a couple of things we might be able to do on the park store.

Mr. Wickstrum explained that we made our second to the last payment on the dam last week. There is one more payment due next year. According to Rena Ballew with the Bureau of Reclamation, after the last payment is made, we should not have to do the RRA forms any longer.

3. Board of Director comments.

Director Hicks asked if the Recreation report numbers had been reviewed. Park Services Manager Carol Belser replied that the numbers are correct and

added that she will be making some changes to the format of the report and will discuss this at the next Recreation Committee. On of the reasons the numbers may be confusing is that we take reservations and payments up to 180 days in advance of visits to the park.

President Kaiser informed the board that item 9 on the agenda will be tabled.

4. Consent Agenda ADOPTED
- a. Minutes of the January 12, 2010 Board Meeting.
  - b. Recommend amending the agreement with Hasan Consultants to provide services during construction for a not-to-exceed amount of \$20,000 for the Rincon 2(m) transmission pipe project.

The consent agenda was offered by Director Word, seconded by Director Baggerly and adopted.

5. Bills APPROVED

On the motion of Director Hicks, seconded by Director Bergen and passed, the bills were approved.

6. Committee/Manager Reports APPROVED FOR FILING
- a. Finance Committee Minutes

On the motion of Director Baggerly, seconded by Director Word and passed, the Committee/Manager Reports were approved for filing.

7. Recommend reducing the delinquency fee to the City of Ventura by 50% on a one time basis. APPROVED

Mr. Wickstrum reported that this was considered at the last board meeting with a recommendation to reevaluate it at the Finance committee. Mr. Mathews office reviewed this as did the Finance Committee and the recommendation is to split the delinquency with the understanding that we will not forgive a delinquency in the future. Susan Rungren is here and she has made improvements in her staffing to move these payments along. Ms. Rungren thanked the Finance Committee for looking at this again and for the Board's consideration.

Mr. Mathews discussed the possibility of looking at the rates and regulations in the future to clarify some of the language. To avoid a long dispute about this 50% or some percentage makes sense. Ventura is a resale contract and perhaps the delinquency provision may not apply. Director Kaiser added that staff should look at 10.2.2 and update it. Director Baggerly questioned if this will preclude us from setting precedence. Mr. Mathews responded that this will not set precedence but that he is uncomfortable with the current language in the Rates and Regulations.

On the motion by Director Hicks, seconded by Director Bergen and passed the above recommendation was approved.

8. Bid and Award of contract for Villanova piping and vault appurtenances, Specification 10-341. ADOPTED

Mr. Wickstrum explained that we have a bid before us and a process where we are considering not accepting the lowest bid price and bidder based on some experience this district has had in the past. We have notified that bidder and they can explain why they should be determined to be the lowest responsible bidder. We have had some safety issues that have occurred in previous jobs and those are not acceptable.

Mr. Mathews explained that the motion before you is to determine if we would award the contract to AJ Fistes or to Olympus. Director Baggerly asked if we have the authority to deny a bidder based on safety record. Mr. Mathews stated you do. Mr. Wickstrum suggested a presentation from staff and then allow the lowest bidder to be heard.

Mr. Cole stated the bids are for the Villanova vault painting project which involves entering confined spaces and working with lead based paint. This is similar to a site where AJ Fistes had issues twice in the past. They had an employee go into a power panel and plugged their equipment into a plug we have and it tripped our circuit breaker. The panel was locked. When we awarded the Rincon #2 project to them we warned them that their employees are not to touch the electrical. An employee chose to go into the box again and chose to require some things in the box. This is a safety concern and it puts us and our contractors at risk. This project is a similar site with similar electrical box and we feel they are not they are not the responsible bidder and recommend rejecting their bid as not being responsive. President Kaiser asked if the boxes are locked and secure. Mr. Cole responded yes, they broke the hinge and snapped the hasp off.

Director Baggerly asked Mark Passamani if the boxes were marked with arc flash rating. Mr. Passamani stated we held a pre conference to go over the scope and safety issues were identified. We brought up the first panel break in at the second pre-con. Their staff did not comply with our requests. President Kaiser asked if there was a representative from AJ Fistes. There was no representative from AJ Fistes who spoke regarding this item.

Director Word moved that we accept the recommendation of staff and classify AJ Fistes as a non responsive bidder. Mr. Mathews added the contractor was given notice of the hearing but did not show up. The district presented evidence that AJ Fistes was not a responsible bidder and the board awards the contract to the second responsible bidder, Olympus Inc.

The resolution awarding the contract to Olympus, Inc was offered by Director Word, seconded by Director Hicks and passed by the following roll call vote:

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

Resolution is numbered 11-04.

9. Resolution approving the CEQA Preliminary Assessment for the Rincon 2(m) Pipeline Replacement Project and adopting the Notice of Exemption.  
TABLED

10. Presentation of the Hydrology report for Water Year 2010.

Mr. Wickstrum introduced Todd Evans who then presented the Hydrology Report for water year 2010. Rainfall was slightly above average with 31 inches at Casitas and 35 inches at Matilija. We diverted 6,400 acre feet and everything went smoothly. The board discussed the La Nina weather pattern that we face this year with Director Hicks adding that at the AWA meeting they have stated that it will be a dry rest of the rain year for us.

11. Presentation on the Capital Projects.

Neil Cole made a presentation on the Capital Projects that are being completed throughout the district and thanked all staff for working on getting these projects done.

For the Ojai 4m Pump Plant, the contractor has completed his work but Casitas staff still has a bit of work to do. The control center is totally enclosed and there is a new Edison feed on this project. The primary reason for this project was safety issues. It had a high arc flash rating, the motor control centers were old and parts not available for them. The lake fence project is now complete but staff is purchasing and installing wire for the top and bottom sections. The Filter No. 7 Interior Repairs are in construction. It was budgeted for \$350,000 but the contract came in at \$178,421.

On the Oak View Reservoir No. 2 interior coating we budgeted \$391,185 but the contract cost \$433,878. We are also adding flex couplings and this project is currently under construction at 80% complete. The roof has been painted

On the Ojai 4M Reservoir No. 1 Interior Coating and Repair the budget was \$299,558, but costs \$300,426 partly because of a change order to replace the roof. They will be starting after Monday.

Mr. Cole then discussed various other projects. Total budget for capital projects is \$3,318,372 and our costs to date are \$1,524,000

12. Information Items:

- a. Casitas Reservoir Water Inventory Summary
- b. News Articles
- c. Investment Report

On the motion of Director Word, seconded by Director Baggerly and passed, the information items were received and filed.

13. Adjournment

President Kaiser adjourned the meeting at 4:02 p.m.

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Secretary