

Minutes of the Casitas Municipal Water District
Board Meeting Held
July 14, 2011

A special meeting of the Board of Directors was held July 14, 2011 at Casitas' Office, Oak View, California. Directors Baggerly, Word, Hicks, and Bergen were present. Director Kaiser was absent. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were two staff members and four members of the public in attendance. Director Baggerly led the group in the flag salute.

1. Public comments.

Pat McPherson, Co-Founder of Ojai FLOW, discussed the recent Golden State Water Company settlement. He added that the petitions are not just a financial problem but one of ethics as we have a thief in our city and they are allowed to run free. He asked Casitas to give the petition requests the highest priority.

Danny Carrillo, Worksite Organizer for SEIU 721 and second chair for the negotiating team for SEIU addressed the board. He reported that the members appreciate we are at the table negotiating and appreciate we are trying to put together a comprehensive MOU unlike the previous ones we have been operating under. We don't want this to drag out for a long time. He asked for the boards support that if there are things that we don't address at this time we can address them later. He expressed concerns from employees that thought negotiations would be four or five sessions and it would be done. He also encouraged moving the term of the agreement to coincide with the cycles of other employees and asked for the Board's support in looking for fair and equitable parity.

2. General Manager comments.

Mr. Wickstrum reported that he and President Kaiser were in Washington DC to hear post trial arguments on the takings claim. After the hearing trial summaries and amicus briefs were presented the judge concluded it is a difficult case to weigh out.

The park store has obtained their license to sell alcoholic beverages. The AWA event at the lake is next Thursday. Let Rebekah know if you need to be registered for the event. The District received notice from LAFCO regarding sphere of influence and there are no changes recommended. A meeting was held with the Ojai City Manager regarding the Ojai Flow request.

3. Board of Director comments.

Director Bergen commented that she had met with the Fisheries Biologist and read the Biological Opinion and looked at the background work. The recent editorial implied it is a routine thing that anyone could do. This is in the early

stages and we are getting a research study on our fish ladder and our issues and that is not easy to come by.

4. Consent Agenda APPROVED

- a. Minutes of the June 22, 2011 Board Meeting.
- b. Recommend approval of a purchase order in the amount of \$19,900 to H2O Solutions, LLC for cleaning of 14 reservoirs and \$400 per hour plus material costs for directed repairs.

On the motion of Director Word, seconded by Director Hicks and passed, the Consent Agenda was adopted.

5. Bills

Director Word questioned #9224 to DIRECTV asking if it was for the recreation area and Mr. Wickstrum confirmed it is for the recreation area.

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

6. Committee/Manager Reports APPROVED FOR FILING

- a. Water Resources Committee Minutes

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

7. Recommend approval of leak relief in the amount of \$864.87 to Margaret Elliot. APPROVED

Mr. Wickstrum informed the board that the request is consistent with Board policy.

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

8. Resolution approving a Management Agreement with the United States of America for the Administration, Operation, Maintenance and Development of Recreation Uses and Facilities at Lake Casitas. ADOPTED

Mr. Wickstrum reported that after many years of debate on if we have a need of an agreement with the Bureau of Reclamation or not, Director Baggerly put his hand across the table and said can't we come up with something that makes sense. With that, we were able to move forward. It has been a long journey to get this to a document where individuals in the future will know how to work and the agreement is not a punitive document. We had to work hard at scrutinizing the boilerplate terms so that this agreement will work successfully for Casitas.

Director Baggerly added it was an interesting process. One of the first things we got them to understand was that under no circumstances could we accept an agreement that supersedes any other previous agreements. All this agreement is for are the recreation actions at the reservoir area. The second important aspect of this process was they needed to understand that Casitas Municipal Water District was very different from any other agency they do business with. We own the water. We have the water right and we have a prior agreement for the water distribution. Generally, Reclamation owns the water and they lease the facilities to the managing partner. Our relationship is now improved and will continue in the future based on how this evolved and came about.

Director Bergen expressed her appreciation for the hard work and the turn around with the relationship stating when she began on the board it was evident that there was no relationship. She added that she read the entire document and it looks good.

Director Word added it only took four sessions to get the point across that we do own the water. Big thanks are owed to Cheryl Carter. When she understood it she was able to get that message across that we are different. In reviewing their first proposal you couldn't tell who it was for as it had Casitas, Cachuma and Piru's names in the agreement. Because of staff changes at the Bureau the relationship is greatly improved. The disappointing part is that it took eight years to finally come up with something. This was not an easy process. We have to be on our toes as we are different and there will always be that tendency to lump everything together. After the first proposal we were ready to hand them the keys. We essentially got what we needed to have in the agreement. The protections are there. We made some concessions and they were not unreasonable and they also made some concessions.

Mr. Wickstrum thanked Carol Belser for her efforts and added that in the first meeting Carol had with representatives from the Bureau of Reclamation she kept hearing that we are in trespass. Director Word also expressed appreciation of the patience of our concessionaires as we have worked through this process.

The resolution was offered by Director Word, seconded by Director Bergen and passed by the following roll call vote

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

Resolution is numbered 11-16.

9. Information Items:

- a. Monthly Cost Analysis for operation of Robles, fisheries and fish passage.

- b. Recreation Area Report for May, 2011.
- c. News Articles.
- d. Investment Report

Director Baggerly moved the meeting to closed session regarding the listed negotiation item at 3:30 p.m.

10. Closed Session

- a. (Govt. Code Sec. 54957.6)
Conference with Labor Negotiators:
Agency Designated Representatives: Rebekah Vieira, Draza
Mrvichin
Employee Organization: Supervisory & Professional, General Unit
and Recreation Unit.

Director Baggerly moved the meeting back into open session at 3:48 p.m. with John Mathews stating the Board of Directors met with labor negotiator to receive an update and no specific action was taken. The next meeting between the district representatives and the union is scheduled for August 2, 2011.

11. Adjournment

Director Baggerly adjourned the meeting at 3:48 p.m.

Secretary