

Minutes of the Casitas Municipal Water District
Board of Directors Meeting Held
September 12, 2007

A meeting of the Board of Directors was held September 12, 2007 at Casitas' Office, Oak View, California. Directors Baggerly, Word, Handley and Kaiser were present. Director Hicks arrived at 4:40 p.m. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board and Attorney, Rob Sawyer. There were four staff members and two members of the public in attendance. Director Baggerly led the group in the flag salute.

1. Public comments.

None

2. Board of Director comments.

Director Handley reported he had accepted a position with the Nature Conservancy starting October 1st.

Director Word reported that he attended the Ventura Chamber of Commerce Business Advocacy Roundtable representing Casitas. The County was represented as was Senator McClintock and Representative Gallegly. The roundtable expressed interest in working with AWA as they are working on the sediment issue with the State Water Quality Control Board.

3. Consent Agenda

ADOPTED minus e

- a. Minutes of the August 22, 2007 Board Meeting
- b. Minutes of the August 29, 2007 Board Meeting
- c. Recommend approval of purchase order #08115 to Charles P. Crowley Co. in the amount of \$21,713.84 for the chemical dosing system upgrade.
- d. Resolution authorizing membership in Southern California Public Pool Operators Association for Fiscal year 2007-2008 in the amount of \$30.
- e. Recommend approval of attendance at the ACWA Fall Conference being held November 27 – 30 in Indian Wells.
- f. Recommend approval of attendance at the Endangered Species Act seminar.

Director Word pulled item e as it had already been approved by the Board. There was discussion on who would attend the ACWA conference with Directors Word and Hicks stating they would attend.

The consent agenda was offered by Director Word, seconded by Director Kaiser and approved by the following roll call vote:

AYES: Directors: Kaiser, Handley, Word and Baggerly
NOES: Directors: None
ABSENT: Directors: Hicks

Resolution is numbered 07-48.

4. Bills APPROVED

Director Kaiser questioned the payment to Gold Coast Security. Mr. Wickstrum explained that this was for security services at the dam since there is no longer a dam tender on site. Director Kaiser then asked about #25173 to Smile Train. Mr. Wickstrum explained that this is a contribution to a charitable organization that is from a payroll deduction for an employee.

On the motion of Director Kaiser, seconded by Director Handley and passed, the bills were approved.

5. Committee/Manager Reports APPROVED FOR FILING

- a. Finance Committee
- b. Executive Committee
- c. Personnel Committee

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

6. Discussion of claim presented by the Park Services Manager for mileage reimbursement related to the use of his personal vehicle.

DENIED

Mr. Wickstrum reported that the Park Services Manager submitted this mileage claim on June 21st. My position is that it is beyond my limit for approval and it is an unbudgeted item. There are memos in your packet that discussed the claim and we have moved this forward to the board at this time. Travel to and from home has not been a reimbursable expense for this district. The policy of providing district vehicles has been at the discretion of the General Manager. I spoke with John Johnson this morning and he shared his own travel stories with Mr. Roney during interviews and the hiring process. He drove from Simi Valley to Oak View and did not receive any reimbursement and was not given a vehicle. There is concern over the estimate that was prepared. It is an estimate and not actual costs. Mr. Roney prepared a second estimate but that is also just an estimate. There is potential for fall out considering this. Other employees are not afforded vehicles, and travel a great distance. I have prepared in your packet a memo with the recommendation that the claim be denied.

President Baggerly reminded the Board that this is a policy. We have to make a decision on what our understanding of our district policies really are.

Rob Sawyer added that generally in the IRS code you may not claim business mileage commuting to and from work. If it is paid then it is taxable income. The initial reaction was that safety and operation of the district makes it necessary to give them a district vehicle and have that at home with them. The policy listed who might be eligible at the discretion of the General Manager. To use that vehicle for commuting won't be treated as income for you. Our position is that it has to be a job requirement to have that car.

Brian Roney addressed the Board and explained that this appears to be about money but it is about fairness and equity. Each year in reviews with the General Manager a district vehicle was requested and denied. The equity issue is there are three other classifications that use vehicles to and from work. The policy was approved by the board. It has not been modified or changed and it is unfair to selectively enforce it to not include one class.

Director Handley asked if there are times you are called to respond to emergencies at the lake. Mr. Roney replied there have been some over the years; there have been a few. Director Kaiser asked if he filed a reimbursement claim for those times that you came outside of your normal schedule. Mr. Roney replied yes and continued that he is not naïve that the district would cut a check for that amount. It is a fairness and equity issue; the expense should not have been there had I had a district vehicle.

Director Hicks added that there is nothing about a car in offer letter. To go back when you knew when you got the job that a car was not included, I have a hard time with that. Mr. Roney added he did know he would not be provided a vehicle but it appeared by the policy he was entitled to it. President Baggerly added that district vehicles are provided as approved by the General Manager. Mr. Roney mentioned that he knew of no practice of assigning vehicles.

Mr. Wickstrum added that Mr. Johnson had an understanding in the interview and hiring process that mileage and a vehicle was not provided. Mr. Roney did raise the questions and Mr. Johnson replied that it is not provided. He added that there is not anything in writing regarding the assignment of vehicles but the people who drive vehicles are on call and will respond in emergency situations. In Mr. Roney's situation he responds to the front gate of the Recreation area where vehicles are then available.

Director Handley suggested the policy may need to be redefined in the future. President Baggerly added those employees who are given vehicles to drive are on call for the district. The Distribution Foreman, Water Treatment Manager and the Electrical Mechanical Supervisor are authorized a vehicle. That is because they could need to report throughout the district. Not here at the district building. This goes to IRS issues and vehicles assigned are exempt from 3 and 4. It does not state travel to and from work is official district business, only if assigned a vehicle. This excludes the Park Services Manager as he has not been assigned a vehicle. President Baggerly added the recommendation is to deny this claim. He continued that there is no policy here at the district for an

employee to get paid for driving to and from work. Director Word added that the policy we have covers it.

On the motion of Director Word, seconded by Director Kaiser and passed, the claim was denied.

7. ACWA Region 8 election of officers and board members. APPROVED

On the motion of Director Word, seconded by Director Hicks and passed the board authorized support of Gail Pringle for ACWA Region 8 election of officers.

8. Discussion regarding upcoming scheduled meetings through the end of the year and possibility of rescheduling those that conflict with holidays.

DIRECTION PROVIDED

The Board discussed moving the Finance Committee to November 16th at 4:00 p.m. Executive Committee on November 20th is fine as scheduled. Personnel Committee in November will be on the 15th at 4:30 p.m. The November 28th Board meeting will be cancelled. There was discussion regarding canceling the December 26th meeting but that will be determined at a later date. January 5th was set as the tentative Board Planning Day at the Pierpont Inn

9. Information Items:

Level of Lake – 8/31/07 –551.97 feet above mean sea level, 15.03 feet below spill elevation; present storage is 215,519 acre feet, 38,481 acre feet below full capacity of 254,000 acre feet, 88,519 acre feet above half capacity, or 84.85% full capacity.

- a. Comparison of water releases during periods of drought.
- b. Report from Director Hicks regarding the ACWA Region 8 meeting at Weymouth Treatment Plant.
- c. Fisheries Update for July.
- d. Fisheries Update for August.
- e. Monthly Cost Analysis of Fish Passage Facility, Fisheries, Operation of Robles and Marzulla & Marzulla.
- f. News Articles of interest
- g. Investment Report

10. Closed Session:

- a. Conference with Legal Counsel -- Existing Litigation (Subdivision (a) of Section 54956.9, Government Code). Name of Case: Casitas Municipal Water District v. United States.

President Baggerly moved the meeting into closed session at 5:23 p.m. and reconvened the open session at 5:30 p.m. stating there was no action taken in closed session and immediately adjourned the meeting.

Secretary