

Minutes of the Casitas Municipal Water District
Board of Directors Meeting Held
September 26, 2007

A meeting of the Board of Directors was held September 26, 2007 at Casitas' Office, Oak View, California. Directors Baggerly, Word, Hicks, Handley and Kaiser were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board and Attorney, Rob Sawyer. There were two 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 Word reported he attended the September 18th AWA Water Issues Meeting and there was information on AB1265 regarding clarification to Proposition 218 issues. The rest of the meeting was about AB2572, an old bill regarding the installation of water meters. By January 1, 2010 water is to be charged by volume statewide.

President Baggerly mentioned that the paper reported the bill for the removal of Matilija Dam is awaiting the signature of the President. He suggested development of a letter of encouragement to the President urging him to sign that bill.

Rob Sawyer reported his attendance at an ACWA legal conference and discussion regarding clarification to Proposition 218 and California Public Records Act.

3. Consent Agenda

ADOPTED

- a. Minutes of the September 12, 2007 Board Meeting.
- b. Resolution awarding a purchase order contract for the removal of lead based coatings from the District Office building to A.J. Fistes Corp. in the amount of \$6,691.
- c. Recommend approval of attendance at the North American Lake Management Society Symposium in Orlando for the Water Quality Supervisor.

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

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

Resolution is numbered 07-49.

4. Bills APPROVED

Director Hicks asked about the refund for a violation. Brent explained that customers are allowed to have their citation reviewed. It was overturned and the money was refunded.

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

5. Committee/Manager Reports APPROVED FOR FILING

- a. Executive Committee
- b. Recreation Committee

The Board discussed the quagga mussel issue.

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

6. Recommendation to direct and authorize staff to proceed with the agreements to provide a separate water service each to Terry Hanusek and to John Hunter.

APPROVED

Mr. Wickstrum explained that this is an instance where there is one meter serving multiple properties and it would be easier to have separate meters so that neighbors don't have to figure out how the water is being shared. We allow the splitting of a water meter prior to the sale of property. This has been a long time situation and we would like to allow a variance to take care of this situation for the customer that is there now. We are looking to split one three inch meter to two, two inch meters. There will be no change in water used for the properties. This change is contingent on both parties being in agreement.

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

7. Review of the Ordinance Violation Program for Lake Casitas Recreation Area.

PROGRAM APPROVED

Brent Doan reported that the violations are cited under CMWD Ordinance 06-03. These citations do not leave the district; there are no notices to appear in

court. It is a notice of violation, cited under our sections of our ordinance. There is a review process and if there was miscommunication we can refund the money.

Director Kaiser asked if something is attached to the DMV record. Brent replied we have not been able to get that into the citation program. Brent added that this is administered in house. We attempt to send a 30 day notice. We will attempt to call as a second contact lets them know we are still looking at it. This is generating some offset costs which are going towards uniforms, jackets, night operations, added boat patrol and helping to pay for the APSO. We use the money to provide extra appearance out there. Bottom line is we still want to educate people and send them home happy. This program gives us the opportunity to follow the rules.

On the motion of Director Kaiser, seconded by Director Word and passed, the Citation Program was approved.

8. Information Items:

Level of Lake – 9/20/07 –550.50 feet above mean sea level, 16.50 feet below spill elevation; present storage is 211,482 acre feet, 42,518 acre feet below full capacity of 254,000 acre feet, 84,482 acre feet above half capacity, or 83.26% full capacity.

- a. Recreation Area Report for August, 2007.
- b. News Articles of interest
- c. Investment Report

9. 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.
- b. Review of Workers' Compensation Claims – Insurance Liability government code 54956.95.
- c. Pursuant to Government Code Section 54957 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.

President Baggerly convened to closed session at 5:05 p.m. regarding government code 54956.9, 54956.95 and 54957. President Baggerly reconvened the open session at 5:40 p.m. stating the board's direction to seek and review proposals from other law firms that are interested in becoming retained counsel. President Baggerly adjourned the meeting at 5:41 p.m.

Secretary