

Minutes of the Casitas Municipal Water District
Board Meeting Held
November 13, 2010

A meeting of the Board of Directors was held November 13, 2010 at Casitas' Office, Oak View, California. Directors Handley, Kaiser, Word, Baggerly and Hicks were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were two staff members and ten members of the public in attendance. President Handley led the group in the flag salute.

1. Public comments.

Sholom Joshua addressed the board stating he has lived in Ojai for 33 years. I am concerned about the now well known Casitas fence. I have driven around the lake, seen the existing fence and seen how important that stretch is for wildlife in the area. I think it is a mistake and cruel if it is replaced with chain link topped with 3 strands of barbed wire. This doesn't provide any additional value to the people in the area and not to the animals in the area. Seems to have been announced and not something I knew about to vote on or express an opinion on. It is a serious issue and he would like to be informed on any action being taken.

Suza Francina addressed the board stating she has lived in Ojai since 1957. I am a founding member of Ojai Wildlife League. The league was formed in response to a bear that wondered into town and well established that he was looking for water. I have concerns about the fence. A number of us have walked the area with the map and tried to see where the openings would go. I am concerned they don't respond to existing corridors. It will fence in the length of Santa Ana Rd. The winery is fenced. There are a number of fences on Hwy 150. More forward thinking scenic areas are moving to permeable fencing. I ask that you issue a moratorium and reconsider other options. Permeable or wooden stakes and old fashioned signage with strict fines. I want to support the comments that Shalom made and hope you read my editorial in the OVN. We would like to be included in any meetings you have regarding this with the Bureau or biologist and be kept in the loop.

Pam Edwards, residing in Oak View stated that the past 15 years the biggest joys is walking early in the morning around the lake and the trail. There is few times I have walked that road when I haven't seen a coyote, deer or fox come over the hillside, cross the road and fence to get some water. I think putting the fence up would be cruel. I spoke with Steve at a CERT meeting and he described the fence. From what I heard and I understand it if a person can't get through how can a deer or a bear. I appreciate being informed of meetings or actions taking place.

Patty who resides in Ojai expressed concerns about the fence. It does not make sense to keep the wildlife out. It is a main source of water for the animals.

What is the funding source for the fencing and have you considered other options that would make more sense and maybe cost less money.

Sue Williamson with Ojai Wildlife League asked if there could be a discussion afterwards. Mr. Mathews stated the board generally does not respond to questions. They can give direction to staff to bring it back to the board. Public comment does not involve back and forth. Ms. Williamson added she is not clear how to proceed. Mr. Mathews added you can ask a question and the board can respond now or direct to staff. Ms. Williamson asked if the district received money from homeland security? Other questions are how this has been done regarding CEQA. Look into permeable fencing and I spoke with a man from Fish and Game that said if you want to keep boats out not put a fence up but dig a ditch. Have you considered these things? There are many options beside the chain link with the barb wire on top. It is frustrating. We would like to participate with you and be included in this. I know there is a better solution and hope we can work together and participate and inform us as much as you can.

Marjorie Emerson, a water customer expressed concerns about the fence. I drive out to Taft on a regular basis. On Santa Ana I always see deer early in the morning. To put a fence up I think we will have animals hit by cars. Maybe a deer and fawn, one can jump and the other not. I see fox and coyote. Not fair to the animals. Hoping we can come up with something better than the proposed plan.

Ingrid Boulting who has lived in this community for 25 years stated my feelings concerning this proposed fence have been expressed. I don't think County or state regulation would approve this fence. Wildlife and SRP would say you can't have this type of fencing. Concern is not just for animals it is for animals and their young. I have photographs of deer hanging on fencing and rest of family hanging around. It is also for the people. I see the animals crossing. Sometimes the animals run back. They don't understand cars. I know there are alternatives and we have to start thinking from our hearts and not just through our heads. Have compassion for all of life. Hope you consider us all.

Director Baggerly added there seems to be a lot of misunderstanding and the administrative process. This was approved by this board with the Mitigated Negative Declaration. 30 days after it is approved it can not be challenged. Bureau of Reclamation did an environmental document and they approved the fence. The fence is not a mile long chain link fence. 25% of it has openings for animals to cross. We will make sure that openings and depressions and hillocks will have smooth wire on top and perhaps on the bottom. So that animals can get through. That is the permeable fence. I saw tracks leading directly to the place we are leaving those openings. We didn't get money from homeland security. This is on federal land. The agenda is posted 72 hours in advance of every meeting. You could come to the meetings and state your opinions. It was approved and the Bureau reviewed it and did NEPA. They sent approval back to us a few weeks ago. We tried to make the fence accommodate the idea of the permeable fencing along with the security issues.

Director Baggerly added the measurement on the fence from the top is the one Suza sent to me and suggested. The three strand barb wire will be designed like what Suza sent to us. It will not change the contract. That takes care of the security issues and the animal crossing issues. We will look for some signage for those animal crossings. Mr. Wickstrum added the county will look to Fish and Game for crossing signs.

Director Kaiser added I walked the length of the project and agree with Director Baggerly. There are multiple areas for crossings that coincide with the wildlife corridors. There is plenty of access to make their way to the water. Director Baggerly added there are no other meetings on this. It is done.

Ms. Francina stated several of our members were here. The hour is late, the fence is not up. We feel there is a better way than building more chain link in the corridor. There will be dead animals everywhere. If legally it is done in your view, our concerns remain the same. Other issue is question of what a biologist thinks funneling the animals into these small areas.

Director Kaiser added there are multiple corridors for crossing of wildlife of all sizes. We have taken into consideration what you have provided to Director Baggerly, what you have presented to us.

President Handley thanked the speakers for providing input.

2. General Manager comments.

Mr. Wickstrum took notes of the threats that were just received from the exiting members of the public who spoke in public comments regarding the fence. He expressed concern of the comments to block fences and potentially contaminate the lake.

Mr. Wickstrum explained that there are a lot of projects and progress at this time. Ojai 4m and Oak View Reservoir are being painted. Filters are being done. The Ojai Valley 4m Pump Plant with electrical panels and the canal panels are being done. We will be posting signs when we dewater the tanks.

Regarding the Safety of Dams, I sent a letter several months ago requesting our willingness to meet in September or November. When I returned from DC I received a message from our Bureau contact stating they will be re-carpeting and painting the office building in November and she suggested meeting sometime early next year. I asked her to let us know their schedule and asked that they be prepared to meet with us.

Mr. Wickstrum reported that the meeting with the Bureau scheduled for November 17th has been cancelled by Don Glasser's office. In a conversation with his assistant today she confirmed a meeting on Thursday of the ACWA

conference for an initial meeting with Michael Jackson, Rick Woodley, the Resource Manager and the Deputy Director, Pablo Arroyave. Following this meeting they will brief Don Glasser and then there may be a meeting with Don Glasser. They have not assigned a time for the meeting yet. Director Word asked who would be attending that meeting from the District as Director Word is not attending the ACWA conference. Directors Baggerly and Kaiser will represent the District.

Mr. Wickstrum prepared a letter to the Bureau to remove water service to CRW 11 in 60 days. It is time to move forward without delay. They were supposed to move forward with their groundwater source and then we would remove the service and abandon that pipeline.

3. Board of Director comments.

Director Hicks passed on the positive comments he heard from a friend at Solimar who stated a Casitas employee named Andy was very helpful. Mr. Wickstrum explained that Andy Benetiz works in Engineering.

Director Kaiser suggested looking into the mirror lake pump station as it appears there is a little bit of flow. Mr. Wickstrum explained there can be a bit of leakage from the packing and when it rains there are drainages that collect there and go into the vernal pool.

4. Consent Agenda

ADOPTED

- a. Minutes of the October 13, 2010 Board Meeting.
- b. Recommend approval of a purchase order to Coastal Copy in the amount of \$6,200 for the purchase of a Kyocera copy machine for the Park Services Office. This is a partially unbudgeted expense.
- c. Resolution delegating authority to the General Manager to act on behalf of the District in matters relating to the CSAC Excess Insurance Authority.

The Consent Agenda was offered by Director Word, seconded by Director Kaiser and passed by the following roll call vote:

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

Resolution is numbered 10-33.

5. Bills

APPROVED

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

6. Committee/Manager Reports

APPROVED FOR FILING

- a. Finance Committee Minutes
- b. Recreation Committee Minutes

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

- 7. Recommend approval of a purchase order to The Fence Factory in the amount of \$26,452 for the Robles Canal Ranch Road Fence and Access Gates. APPROVED

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

- 8. Discussion and direction to staff regarding the election for the ACWA Health Benefits Authority Board of Directors. APPROVED

On the motion of Director Hicks, seconded by Director Baggerly and passed the decision to vote for Merle Ashire was approved.

- 9. Recommend appointing a voting delegate for the ACWA General Session on December 1 and if necessary, December 2. APPROVED

On the motion of Director Word, seconded by Director Kaiser and passed the decision for Director Hicks to be the nominee was approved.

- 10. Consideration for General Manager and one Board Member to participate in a charter workshop for the Matilija Dam Fine Sediment Removal to be held December 10th and subsequent meetings as necessary. APPROVED

On the motion of Director Hicks, seconded by Director Kaiser and passed the decision for Director Baggerly to participate was approved.

- 11. Discussion regarding board meeting dates in November and December.
Direction provided to staff

The Board discussed cancelling the November 24th, December 8th and 22nd meetings and holding one meeting in December on the 15th.

- 12. Information Items:
 - a. Monthly Cost Analysis for operation of Robles, fisheries and fish passage.
 - b. Recreation Area Report for September.
 - c. Notice from National Weather Service regarding La Nina.
 - d. News Articles
 - e. Investment Report

13. Closed session

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 Handley moved the meeting to closed session at 5:26 p.m. with Mr. Mathews explaining the need for closed session listed on the agenda.

President Handley moved the meeting back to open session at 5:45 p.m. with Mr. Mathews stating that the Board received a report from the General Manager concerning the lawsuit and no action was taken by the Board.

14. Adjournment

President Handley adjourned the meeting at 5:45 p.m.

Secretary