

Minutes of the Casitas Municipal Water District
Board Meeting Held
March 23, 2022

A meeting of the Board of Directors was held March 23, 2022. The meeting was held via teleconference.

1. CALL TO ORDER

President Brennan called the meeting to order at 5:00 p.m.

2. ROLL CALL

Directors Bergen, Kaiser, Cole, Hajas and Brennan are present. Also present are GM Flood, AGM Dyer, EA Vieira and Counsel Mathews.

3. AGENDA CONFIRMATION

No changes

4. PUBLIC COMMENTS - Presentation on District related items that are not on the agenda - three minute limit.

Ventura Resident Trevor introduced himself to the board stating it is helpful to have public meetings and as we have water issues ahead of us to see how our community can be of assistance.

5. CONSENT AGENDA

5.a. Accounts Payable Report.
Accounts Payable Report..pdf

5.b. Minutes of the March 9, 2022 Board Meeting.
3 09 2022 Min.pdf

5.c. Resolution proclaiming a local emergency persists, re-ratifying the proclamation of a State of Emergency by Executive Order, and re-authorizing remote teleconference meetings of the legislative bodies of Casitas Municipal Water District for the period March 24, 2022 to April 22, 2022 pursuant to Brown Act provisions.

Resolution Subsequent AB 361.pdf

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

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan

NOES: Directors: None
ABSENT: Directors: None

Resolution is numbered 2022-09

6. PUBIC HEARING ON REDISTRICTING OF CASITAS MWD DIVISION MAPS

6.a. Open Public Hearing.

President Brennan opened the public hearing opened at 5:06 p.m.

6.b. Receive Staff Report and Recommendations.
Board Memo for Redistricting Hearing 032322.pdf

GM Flood reviewed the maps explaining that Maps show census blocks and they are not perfect with our boundaries or voting precincts. We have worked with the election division and the recommendation tonight is to hear input on the proposed maps and to set a meeting for April 6th at 5:00 p.m. to review and adopt final maps. They need to be filed at the County by April 15th.

Consultants from GEOInovo explained that Division 2 is considered a VRA (Voting Rights Act) and discussed the various plans.

6.c. Report from the Clerk of the Board on any Written Communications.

Clerk of the Board stated there were no written communications.

6.d. Public Comments.

Burt Handy who lives in Ventura commented that splitting the hillside is not a good idea.

Russ Baggerly asked for more detailed maps and also for the community of Meiners Oaks to be placed in primarily the division with Ojai, not split among 3 divisions.

The Public Hearing was closed at 5:42 p.m.

6.e. Discussion by the Board of Directors and possible action on the Redistricting of Casitas MWD Division Maps.

Director Cole expressed concern about population north of foothill not being contiguous with the rest of the division.

Director Kaiser questioned the timing and consequences if not done by April 15th with the consultant explaining the consequences of not meeting the deadline.

Gm Flood suggested bringing back revised maps taking into account the input from the public and the board to the Special Meeting on April 6th.

On the motion of Director Kaiser, seconded by Director Hajas, a special meeting is

scheduled for April 6th at 5:00 p.m. and direction was given to staff on making modification to the draft division boundaries.

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

7. PUBLIC HEARING REGARDING POSSIBLE INCREASE OF BOARD COMPENSATION

7.a. Open Public Hearing.

President Brennan opened the public hearing at 5:58 p.m.

7.b. Receive Staff Report and Recommendations.
Memo-Board Compensation Hearing and Ordinance.pdf Ordinance 2022-02.pdf

Information was provided to the Board on compensation with Director Kaiser questioning why Ventura River and Meiners Oaks were not listed in the comparative.

7.c. Report from the Clerk of the Board regarding Written Communications.

The Clerk of the Board stated there were none.

7.d. Public Comments.

A member of the public said it is not that significant and look at what you are spending it on. As long as it is transparent it is up to the board to decide.

Peggy Wiles, President of the Board of Ventura River Water District commented that their board decided to not have an increase as we see ourselves as volunteers and we don't have as many challenges as you face. Our compensation is \$160 per meeting per month, we are smaller.

7.d. Close Public Hearing.

President Brennan closed public hearing at 6:06 p.m.

7.e. Discussion by the Board of Directors and Possible Adoption of an Ordinance increasing Board Compensation.

The Ordinance with an increase of 10% was offered by Director Hajas, seconded by Director Kaiser and adopted by the following roll call vote:

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

8. ACTION ITEMS

- 8.a. Authorize the General Manager to execute the Service Agreement with the US Bureau of Reclamation (USBR) for 30% Design of Hollow Jet Valve at Casitas Dam in an amount not to exceed \$150,000.00.
220323 - Hollow Jet 30% Design Board Memo.pdf
Casitas Reclamation Service Agreements (CGB and TSC).pdf

On the motion of Director Cole, seconded by Director Kaiser, the above recommendation was approved by the following roll call vote:

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

- 8.b. Award the contract for the Mutual Well #6 Rehabilitation, Specification No. 21-448, to General Pump Company, Inc. in the amount of \$131,175, and the President of the Board execute an agreement for said work.
220323 - Board Memo for Mutual Well #6 Rehabilitation.pdf
220311 - Bid Summary - 20-438.pdf

On the motion of Director Cole, seconded by Director Kaiser, the above recommendation was approved by the following roll call vote:

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

- 8.c. Approval of a Lake Casitas Recreation Area Commercial Permit fee.
Board Memo Commercial Activity Fee 032322.pdf

On the motion of Director Kaiser, seconded by Director Bergen, the above recommendation was approved by the following roll call vote:

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

- 8.d. Set a hearing for the proposed adjustment of certain user fees at the Lake Casitas Recreation Area for April 13, 2022.
Board Memo - LCRA Fee Survey 032322.pdf
LCRA Proposed User fee schedule 032322 ATT1.pdf

On the motion of Director Bergen, seconded by Director Kaiser the above recommendation was approved by the following roll call vote:

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

- 8.e. Adoption of a resolution supporting the annexation of the parcels within the Tico Mutual Water Company to the Ventura River Water District.
Board Memo VRWD Annexation Request
032322.doc Ltr to Casitas Tico Mutual Annexation
032322 ATT1.pdf

The resolution was offered by Director Kaiser, seconded by Director Hajas and adopted by the following roll call vote:

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

Resolution is numbered 2022-10.

- 8.f. Approval of the transfer of eight acre-feet of Casitas MWD Stage 1 water supply allocation from the Tico Mutual Water Company to the Ventura River Water District. Board Memo Tico to VRWD Allocation Transfer 032322.pdf
Allocation Transfer - Tico - VRWD Consolidation Agreement wo attachments
032322 ATT1.pdf
Allocation Transfer - VRWD Engineers Report Tico Annexation 032322 ATT2.pdf

On the motion of Director Cole, seconded by Director Kaiser, the above recommendation was approved by the following roll call vote:

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

- 8.g. Adoption of the Draft Casitas MWD 2021 Water Supply and Demand Study.
Board Memo 2021 Casitas MWD Supply - Demand Study
032322.pdf Casitas MWD Draft Supply and Demand Study 2021
030922 ATT1.pdf

On the motion of Director Hajas, seconded by Director Cole, the above study was adopted by the following roll call vote:

AYES: Directors: Bergen, Kaiser, Cole, Hajas, Brennan
NOES: Directors: None
ABSENT: Directors: None

9. INFORMATION ITEMS

- 9.a. Hydrology report.
Hydrology Report.pdf

9.b. Recreation Committee Minutes.
Rec Minutes 030822.pdf

9.c. Casitas MWD Comments on Draft City of Ventura 2022 Comprehensive Water Resources Report.
CMWD_City_CWRRLetter 032322.pdf
City CWRR - CMWD_City_UWMPLetter_051421 ATT1.pdf

10. GENERAL MANAGER COMMENTS

GM Flood explained that the board room is ready to be used for live meetings again except in one aspect – there is an issue with integration with Zoom. A consultant came and viewed the system and made some recommendations on equipment but while the equipment is on order, there is a 26 week lead time. When the board is ready to return to the board room the public will not be able to see video but will be able to hear audio.

Mr. Flood also informed the board that the State Water Project is at 5% and they are asking various water agencies for health and safety numbers.

11. BOARD OF DIRECTOR REPORTS ON MEETINGS ATTENDED

Director Kaiser attended the UVRGA meeting and explained that the City of Ojai desires to become a member of the agency. He also attended the AWA meeting.

President Brennan attended both those meetings and attended the AWA Water Issues meeting.

Director Bergen attended the UVRGA meeting and AWA WaterWise meeting.

12. BOARD OF DIRECTOR COMMENTS PER GOVERNMENT CODE SECTION 54954.2(a).

None

President Brennan began to move the meeting to closed session and Mr. Baggerly asked to speak on that item informing the board that there are a couple of interesting things happening in the lawsuit. Parties have gotten together. The City of Ojai, Casitas, East Ojai group and put together a stipulation and recently this stipulation was put out with pueblo water rights attached to it. Ask the attorney about this. Why include it in the stipulation. Pueblo water rights are a direct threat to appropriative water rights in the Ojai basin. Stipulation groundwater entering San Antonio creek – this issue could be remedied by expert licensed professional. City of San Buenaventura is getting heat for hiring an unlicensed witness with a faulty one layer computer model that matched the city of Ventura's conclusion. Ask about it. The six month stay proposed is to try to come up with settlement discussions. Both the stipulation and the discussion regarding settlements are being talked about through a neutral party – mediation. This could cost a lot and remember mediation is non-binding. The stipulation and the stay leaves out all the other cross defendants in the case. You might want to ask attorney why you need six months to come up with a settlement. Ask the current physical solution be dropped. If it fails the city of Ventura will be right back to court asking for water rights claims and it would attack your appropriative water rights in the Ojai Basin. Ask legal representation on what is going on. Defeating Pueblo

water rights is key. I hope you take that to heart and ask questions of your attorney.

President Brennan moved the meeting to closed session at 6:41 p.m.

13. CLOSED SESSION

13.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(a) Santa Barbara Channelkeeper v. State Water Resources Control Board, City of San Buenaventura, et al.; and City of San Buenaventura v Duncan Abbott, et al., Cross Complaint; Superior Court of the State of California, County of Los Angeles, Case No. 19STCP01176.

13.b. Public Employee Performance Evaluation (Government Code 54957) Title: General Manager.

President Brennan moved the meeting back into open session at 7:41 p.m. with Mr. Mathews stating the board met with general and special counsel. No action was taken on the performance evaluation. On the existing litigation on a five to zero vote they authorized Special Counsel to enter into stipulation for a continuance of the trial for up to six months with the concurrence of the GM. The motion also included the stipulation would have adequate off-ramps for the board to exit the stipulation at any time during the six months.

14. ADJOURNMENT

President Brennan adjourned the meeting at 7:42 p.m.

A handwritten signature in black ink, appearing to be 'D. Brennan', written in a cursive style.