

Minutes of the Casitas Municipal Water District
Board Meeting Held
March 22, 2023

1. CALL TO ORDER

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

2. ROLL CALL

2.a. Director Brennan will be attending the meeting remotely per the "Just Cause" provisions of AB 2449.

Directors Cole, Bergen, Kaiser and Hajas are present in person. Director Brennan is attending remotely per the Just Cause provisions of AB 2449 for the purpose of attending a meeting for another government agency. Director Brennan confirmed there was no one else present with him. Also present are GM Flood, AGM Dyer, EA Vieira and Counsel McNulty.

3. PLEDGE OF ALLEGIANCE

President Hajas led the Pledge of Allegiance

4. AGENDA CONFIRMATION

Items 7 a and b are being pulled from the agenda as Dr. Feiss is unavailable.

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

None

6. CONSENT AGENDA

6.a. Accounts Payable Report.
[Accounts Payable.pdf](#)

6.b. Minutes of the February 22, 2023 Board Meeting.
[2 22 2023 min.pdf](#)

On the motion of Director Brennan, seconded by Director Cole, the Consent agenda was adopted by the following roll call vote:

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

7. ACTION ITEMS

- 7.a. Deny request of Robert Feiss for refund of Casitas MWD 2013-1 property assessments for APN # 019-0-070-200 (910 El Toro Road, Ojai).
Board Memo on Dr. Feiss CFD 2013-1 Refund Request 032223.pdf
Email Request from Dr. Feiss Special Tax CMWD CFD 2013-1 Reimbursement for Overpayment ATT1 032223.pdf
CFD No. 2013-1 Taussig Response Letter to Feiss APN 019-0-070-200 ATT2 032223.pdf

This item was pulled from the agenda.

- 7.b. Approval of Casitas MWD Board of Directors Policy regarding refund of Casitas MWD Community Facilities District 2013-1 Assessment Funds.
CFD 2013-1 Refund Policy Draft 032223.pdf

This item was pulled from the agenda.

- 7.c. Deny the damage claim of Rosanna Garrison (12986 MacDonald Drive).
Board Memo Garrison Claim 032223.pdf
Garrison Claim Form 1-12-2023 ATT1 032223.pdf
Garrison Letter to CWD May 7, 2021 ATT2 032223.pdf
Garrison Driveway Repair_Replacement Estimates 1-12-2023 ATT3 032223.pdf

GM Flood explained that the recommendation is to deny the claim. There was no one present to speak on the item.

On the motion of Director Bergen, seconded by Director Cole the above recommendation to deny the claim was approved by the following roll call vote:

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

- 7.d. Discussion and possible action on Casitas MWD's provision of General Manager services to the Ojai Basin Groundwater Management Agency (OBGMA).

a. Direct Casitas MWD staff to develop an agreement between Casitas MWD and the Ojai Basin Groundwater Management Agency (OBGMA) for General Manager services.

b. Approve a temporary promotion of Engineering Manager, Julia Aranda to Assistant General Manager with Casitas MWD.

Board Memo for discussion of GM services to the OBGMA 032223.pdf

On the motion of Director Cole, seconded by Director Kaiser, staff is directed to develop an agreement for General Manager services for up to six months and promote Julia Aranda to AGM whenever appropriate.

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

- 7.e. Set a hearing for the April 26, 2023 Regular Meeting of the Casitas MWD Board of Directors for adjustments to fees at the Lake Casitas Recreation Area(LCRA) and Casitas Water Adventure (CWA).
[Board Memo on LCRA Fee Adjustment 032223.pdf](#)

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

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

- 7.f. Approve a five-year Casitas Water Adventure Temporary Seasonal Snack Bar Concession Agreement with Carlos Hernandez.
[Board Memo for CWA Snack Bar Concession 032223.pdf](#) [WaterAdvSnackBarConcessionAgr-FINAL ATT1 032223.pdf](#)

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

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

- 7.g. Adopt the Initial Study and Mitigated Negative Declaration for the Ventura-Santa Barbara Counties Intertie
[Board Memo_20230322.pdf](#)

Julia Aranda provided a presentation on the project including funding opportunities in the amount of \$21.3 million dollars for a total project cost of \$20-24 Million. The state board has asked if we need more money which we may be able to get through the ASADRA program. The board discussed the project with Director Brennan suggesting that he had heard that NEPA is taking twice as long as expected.

Public comments were made by Scott Vanderkar who manages family property on the west side of Casitas Pass. In discussions with neighbors who may be impacted by this project there is little objection that he has heard except for one comment regarding compensation for land. The majority of the drilling and pipeline will be snaking underground and is not disturbing the surface. He expressed concern on the cost of water and that the Rincon fault crosses in that area. Julia responded that we have done extensive geo tech and have recommendations on addressing that and the horizontal directional drilling will be 100 feet deep at some points. President Hajas thanked him for his support adding that the Rincon area may be the greatest beneficiary of this project.

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

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

- 7.h. Adopt the Mitigation Monitoring and Reporting Program for the Ventura-Santa Barbara Counties Intertie.
[Board Memo_20230322.pdf](#)
[Casitas_VTA-SB Intertie MMRP_3-14-23.pdf](#)

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

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

- 7.i. Approve Amendment No. 3 for professional engineering services with Water Works Engineers, LLC, for the Ventura-Santa Barbara Counties Intertie for a fee increase not to exceed \$227,213 for a total fee of \$3,225,950.
[Board Memo_20230322.pdf](#)
[WWE_Amendment No. 3.pdf](#)

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

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

- 7.j. Award purchase of electrical switchgear for the Ventura-Santa Barbara Counties Del Mar Pump Plant (Booster Pump Station A) to CED Royal Industrial Solutions in the amount of \$123,760.28.
[Board Memo_20230322.pdf](#)
[PSG Quote 23-044 _ 1114219 _ CMWD VTA-SB Intertie Project _ Revised Expiration.pdf 91756-FE combined \(2\).pdf](#)

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

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

- 7.k. Public hearing and possible adoption of an ordinance updating the Casitas

Rates and Regulations for Water Service.

[CMWD Board Memo Rates and Regulations 032223.pdf](#)

[ATT1. DRAFT Rates and Regulations Ordinance No 23-XX](#)

[v3.pdf](#) [ATT2. DRAFT 2023 Rates and Regulations](#)

[v5_Updated.pdf](#)

[ATT3. DRAFT 2023 Rates and Regulations v5_Updated - Redline.pdf](#)

President Hajas opened the public hearing at 5:45 p.m. AGM Dyer provided the presentation on the rates and regulations. The Clerk of the Board reported that there were no comments received.

Public comments were made by Scott Vanderkar regarding allocations and penalties suggesting there may be a better way to do it suggesting a six year rolling average rather than a 12 month period. He also suggested that historic data does not take into account the lifecycle of where the trees are today. Mr. Vanderkar offered to be a part of any follow up discussions. He also added that his experience with Casitas staff in the field and in the office has been second to none adding there was a lot of contention in previous management days and he doesn't see that now.

There being no additional public comments, President Hajas closed the public hearing at 6:07 p.m.

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

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

8. DISCUSSION ITEMS/PRESENTATIONS

8.a. Discussion of Casitas MWD Board of Directors Workshop Retreats.

President Hajas suggested setting up a retreat/workshop for the board for long term planning to address issues we may deal with in the future. Staff will work out a schedule, possibly on a Saturday.

9. INFORMATION ITEMS

9.a. Hydrology Report February, 2023.
[Hydrology February 2023.pdf](#)

9.b. Consumption Report January 2023.
[Consumption 2022-2023.pdf](#)

9.c. Adjudication Charges Report.
[Adjudication Charges YTD 2.28.23.pdf](#)

9.d. CFD 2013 Report.

CFD 2013-1 Project Cost 2-28-2023.pdf

- 9.e. State Water Project Intertie Report.
SWP Intertie Project Cost 2-28-23.pdf
- 9.f. Financials December 31, 2022.
Financial Statements 12-31-2022 Summary.pdf
- 9.g. Investment Report.
Investment Report 2.28.23.pdf
- 9.h. Report of Current Accumulated Costs from the January 2023 Storm Event.
Board Memo for January 2023 Storm Damage Costs 032223.pdf
- 9.i. Recreation Committee Minutes.
Rec Minutes 031423.pdf

The information items were received.

10. GENERAL MANAGER COMMENTS

GM Flood reported that the lake level is 528.34 ft. above sea level. 62% of full at almost 78,000 AF. I could not have made that prediction a year ago. We are currently looking at some wet work to help empty that forebay next month. Staff is looking at that. We will put together a team of staff and contractors like we did in January to do that work. Will keep you up to date on that. The distribution system has been faring well. There are more storms next week.

At the April 12th meeting I will bring forth the 2024 water supply assessment for discussion on what we want to do regarding stage reductions.

11. BOARD OF DIRECTOR REPORTS ON MEETINGS ATTENDED

None

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

None

President Hajas moved the meeting to closed session at 6:17 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.

President Hajas moved the meeting back to open session at 6:48 p.m. with Mr. McNulty stating board met in closed session and no reportable action taken.

14. ADJOURNMENT

President Hajas adjourned the meeting at 6:49 p.m.



Mary Bergen, Secretary