

Casitas Municipal Water District

FINANCE COMMITTEE

Cole/Hajas

The meeting will be held in person at the district office  
1055 Ventura Ave. Oak View, CA

And via teleconference

Join Zoom Meeting

<https://us06web.zoom.us/j/97847647252?pwd=NVR0SVIDQ1k1VDNiampLU2NvUIZYQT09>

Meeting ID: 978 4764 7252 Passcode: 490295

To attend via telephone please call Toll Free  
(877) 853-5247 or (888)788-0099  
Meeting ID: 978 4764 7252# Passcode: 490295#

**August 18, 2023**

**10:00 a.m.**

**Agenda**

1. Roll call
2. Public comments
3. Board/Management comments
4. Review of Cost Sharing Request for Rehabilitation of the Fairview Reservoir Site Access Road (unbudgeted project).

**Right to be heard:** Members of the public have a right to address the Board directly on any item of interest to the public which is within the subject matter jurisdiction of the Board. The request to be heard should be made immediately before the Board's consideration of the item. No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of ¶54954.2 of the Government Code.

*If you require special accommodations for attendance at or participation in this meeting, please notify our office in advance (805) 649-2251 ext. 113. (Govt. Code Section 65954.1 and 54954.2(a). Please be advised that members of the Board of Directors of Casitas who are not members of this standing committee may attend the committee meeting referred to above only in the capacity of observers, and may not otherwise take part in the meeting. (Govt. Code Sections 54952.2(c)(6).*

# MEMORANDUM

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TO: Finance Committee  
From: Michael L. Flood, General Manager  
RE: **Review of Cost Sharing Request for Rehabilitation of the Fairview Reservoir Site Access Road (unbudgeted project)**  
Date: August 11, 2023

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## RECOMMENDATION:

Finance Committee review the attached information and provide staff direction.

## BACKGROUND:

In April of 2023, District staff was contacted by Steve Barnard of Barnard Properties, LLC regarding cost sharing of the rehabilitation of the access road for Casitas' Fairview Reservoir Site access road.

The project involves rebuilding of the road that passes through the Barnard property orchards and includes both an upper and lower road rehabilitation in the amount of \$171,868.

Barnard Properties, LLC has requested a cost share of 50% of this cost or \$85,934.

While Casitas owns an easement for this access road, the easement agreement does not currently have a provision for road maintenance.

The Finance Committee reviewed this item at the June 2023 Committee Meeting and directed staff to meet with the property owner and their contractor to discuss the details of the road remediation and ensure it is adequate.

The Finance Committee reviewed this item at the July 2023 Committee Meeting and asked that the road intersections be reviewed for stability.

## DISCUSSION:

This access road provides necessary access for Casitas staff to the Fairview Reservoirs in order to conduct maintenance, water quality testing, and other tasks related to the operation of the drinking water system.

The access road is in a poor condition due to years of use which has been exacerbated by this year's storm activity (pictures attached).

The project involves the rehabilitation of approximately 38,400 square-feet of paved surface.

Staff has reviewed this cost and believes it is in line with what the District's recent cost expectations expects for its paving projects.

In the absence of a road maintenance agreement, State law requires the users of a private road to share in its maintenance costs in proportion to their use:

*Appendix E - California Civil Code Section 845*

*§845 Private Easement Maintenance by Owner of Easement or Land Easement Attached to - Apportionment of Cost - Actions*

*(a) The owner of any easement in the nature of a private right-of-way, or of any land to which any such easement is attached, shall maintain it in repair.*

*(b) If the easement is owned by more than one person, or is attached to parcels of land under different ownership, the cost of maintaining it in repair shall be shared by each owner of the easement or the owners of the parcels of land, as the case may be, pursuant to the terms of any agreement entered into by the parties for that purpose. If any owner who is a party to the agreement refuses to perform or fails after demand in writing to pay the owner's proportion of the cost, an action for specific performance or contribution may be brought against that owner in a court of competent jurisdiction by the other owners, either jointly or severally.*

***(c) In the absence of an agreement, the cost shall be shared proportionately to the use made of the easement by each owner.***

Due to the value to the District of the use of this road and a cost that appears commensurate with the project's scope and the District's proportional use (40%), staff recommends that the District share in the amount not to exceed \$68,747.

Staff went out and gathered information regarding the road intersections and believes that further coordination with the contractor is necessary once the Committee reviews the attached information.

**Written Estimate of Access Road Rehabilitation Costs provided to Barnard**

H. D. SULSER & SON CONSTRUCTION, INC.  
7315 Balcom Canyon Rd.  
Sonoma, CA 93066  
Phone: 805-432-8340  
License # 452132

Date: 05/04/2023

Proposal submitted to:

Steve Barnard  
505 Fairview Rd.  
Ojai, CA 93023  
Phone: 805-444-5682

I hereby propose to furnish the materials as listed and perform the labor necessary for completion of:

1. UPPER ROAD

Move in, Pulverize 23,800 S.F. of failed pavement. Regrade and compact new base materials. Pave 23,800 S.F. with (3) compacted inches of 1/2 inch aggregate grade asphalt mix. Install (4) inch drivable berm on edges of road in existing locations.

PRICE: \$119,496.00

2. LOWER ROAD

Thoroughly clean existing pavement. Apply SS1H binding oil to pavement surface. Pre-fill low areas. Overlay 14,592 S.F. with (2) compacted inches of 1/2 inch aggregate grade asphalt mix.

PRICE: \$52,372.00

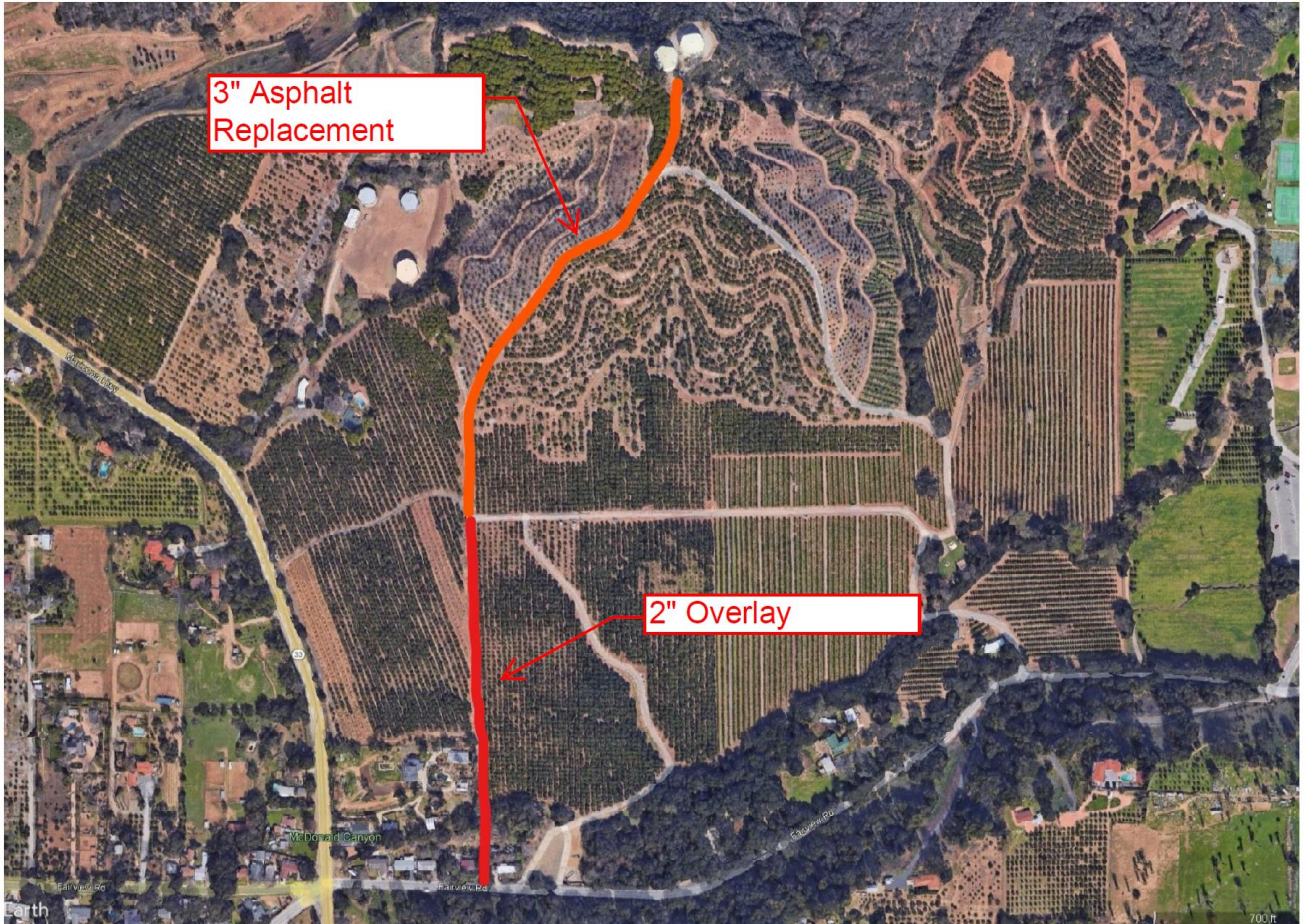
\*Note: Due to the rising cost of oil, this quote is good for 30 days. If job is not completed by quote date materials will have to be revised.

The above prices, specifications, payment terms and conditions are accepted. You are authorized to proceed with the work as outlined above.

ACCEPTANCE OF PROPOSAL

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Map of Fairview Reservoirs Access Road



## Map of Intersections and Tank Sites





Upper Tank Site



Location #1



**Location #2**

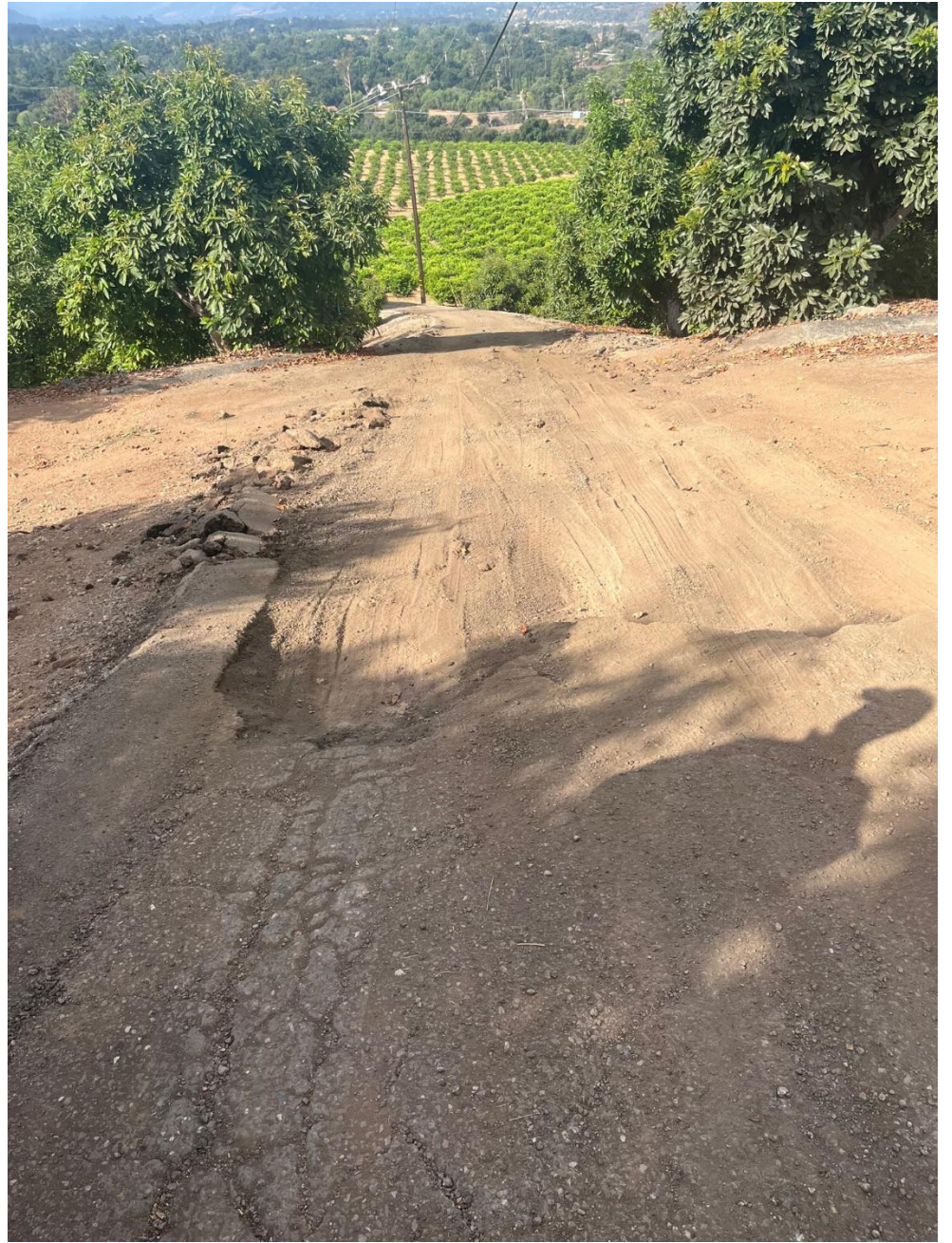


**Location #3**





**Location #4**



**Location #5**



**Lower Tank Site**



**Consumption Report**

**Water Sales FY 2022-2023 (Acre-Feet)**

Classification	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Month to Date	
													2022/ 2023	2021/ 2022
													Total	Total
AD Ag-Domestic	346	425	398	280	128	21	19	26	11	60	124	168	2,005	2,886
MAD Ag-Domestic Multi	15	15	16	12	7	1	3	1	1	3	5	6	85	107
AG Ag	218	260	237	183	91	8	8	25	6	58	80	122	1,294	1,932
C Commercial	125	120	106	72	46	28	26	28	27	43	53	48	722	922
DI Interdepartmental	22	7	6	3	1	1	1	4	1	5	12	17	81	155
F Fire	0	0	0	0	-	-	0	-	0	0	0	0	0	0
I Industrial	1	1	2	1	1	1	1	1	1	1	2	2	16	17
OT Other	28	32	25	20	15	8	6	6	8	8	13	20	189	226
R Residential	239	226	242	197	131	95	74	81	81	106	138	157	1,767	2,092
RM Residential Multi	33	33	32	26	22	19	15	17	16	18	23	24	280	313
RS - P Resale Pumped	46	57	119	97	67	41	34	1	18	37	45	2	564	631
RS - G Resale Gravity	64	164	174	141	128	132	93	15	15	13	96	142	1,178	2,771
TE Temporary	3	3	2	1	1	1	0	0	0	0	2	2	17	15
<b>Total</b>	<b>1,141</b>	<b>1,342</b>	<b>1,359</b>	<b>1,034</b>	<b>638</b>	<b>356</b>	<b>281</b>	<b>205</b>	<b>185</b>	<b>352</b>	<b>592</b>	<b>712</b>	<b>8,198</b>	<b>12,067</b>
<b>CMWD</b>	<b>950</b>	<b>1,160</b>	<b>1,160</b>	<b>869</b>	<b>527</b>	<b>277</b>	<b>220</b>	<b>138</b>	<b>115</b>	<b>267</b>	<b>480</b>	<b>590</b>	<b>6,753</b>	<b>10,412</b>
<b>OJAI</b>	<b>191</b>	<b>183</b>	<b>199</b>	<b>165</b>	<b>110</b>	<b>79</b>	<b>60</b>	<b>67</b>	<b>70</b>	<b>84</b>	<b>112</b>	<b>123</b>	<b>1,445</b>	<b>1,655</b>
<b>Total 2021 / 2022</b>	<b>1,666</b>	<b>1,692</b>	<b>1,655</b>	<b>1,098</b>	<b>1,050</b>	<b>492</b>	<b>343</b>	<b>654</b>	<b>700</b>	<b>711</b>	<b>930</b>	<b>1,076</b>	<b>N/A</b>	<b>12,067</b>