

Minutes of the Casitas Municipal Water District
Board of Directors Regular Meeting Held
November 9, 2005

A regular meeting of the Board of Directors was held November 9, 2005 at Casitas' Office, Oak View, California. Directors Hicks, Kaiser, Bennett, Baggerly and Word were present. Also present were John Johnson, General Manager, Rebekah Vieira, Clerk of the Board; and Attorney, Rob Sawyer. There were two staff members and one member of the public in attendance. Director Hicks led the group in the flag salute.

1. Public comments.
None
2. Board of Director comments.
None
3. Consent Agenda. ADOPTED
 - a. Minutes of regular meeting held October 26, 2005.
 - b. Recommend approval of Lake Casitas Recreation Area Policy for use of Recycled Products and Materials.
 - c. Recommend approval of Lake Casitas Recreation Area Waste Reduction and Recycling Directive.
 - d. Resolution approving Tire Derived Product Grant Application from California Environmental Protection Agency. The total amount requested for the grant will be provided at the meeting.
 - e. Recommend rejecting the claim of Christy Curtis for a damaged cell phone.
 - f. Recommend approval of comments on the proposed federal conduct on Reclamation property.
 - g. Recommend payment in the amount of \$238.00 for the road work by Delay Ranch for Easement Road Patch and Slurry at 5528 Casitas Road.
 - h. Recommend changing the meeting before Thanksgiving to Monday, November 21, 2005. All other board meetings are to remain the same as scheduled.

Director Baggerly asked to pull item f from the consent agenda and sought information from the general manager.

Director Bennett asked on item h if there was any chance to change the meeting to a different date. There was not an alternate date available.

Director Baggerly expressed his concerns over the response to the Federal Register and asked how it creates a taking. Mr. Johnson explained that it could allow for other things to be permitted on the land and water and it could take away the authority to

charge for camping which would impact the business. There was discussion that the letter might be too vague. On the motion of Director Bennett, seconded by Director Baggerly and passed the decision to approve the letter as written, seek further definition from counsel and contact Gallegly's office was approved.

The Consent Agenda was offered for adoption minus item f by Director Bennett, seconded by Director Baggerly and passed with the following roll call vote:

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

Resolution is numbered 05-77

4. Bills. APPROVED

There was a question on #19644 to Big T's and Mr. Johnson explained that this was for preventative maintenance service on equipment. Director Kaiser then asked about #19655 and Mr. Johnson explained that one invoice was misapplied to the wrong vendor, it was credited and corrected.

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

5. Committee/Manager Report(s). APPROVED FOR FILING

- a. Report on specific issues
- b. Recreation Committee Minutes
- c. Executive Committee Minutes
- d. Personnel Committee Minutes

Mr. Johnson explained that on the Recreation Committee minutes item 10 regarding CEQA issues and that the process will be to bring issues to the board before the approval discussion and it might take a few more meetings but we would have discussion before the vote. It was thought that this would be a better method. Mr. Johnson informed the board that the American Society of Civil Engineers would be dedicating a plaque on November 30th at 11:00 a.m. at the lake.

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

6. Resolution approving the Urban Water Management Plan. ADOPTED

President Hicks commended staff for putting together a comprehensive report. Ron Merckling reported that comments from golden state water company and the City of Ventura were incorporated in the plan and now requires board approval with the following five changes. 1, on page 156 regarding table format. 2, page 169 table format. 3, Page 19 is page 170 it needs to be inserted in the correct place. 4, correct page 19, 5,

correct A3 this was from the study that Entrix did. President Hicks mentioned a typo on page 7. Ron Merckling added that page 290 was inserted incorrectly. Director Baggerly added that on the map the places were listed incorrectly.

The resolution approving the Urban Water Management Plan as amended was offered by Director Kaiser, seconded by Director Word and passed with the following role call vote:

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

Resolution is numbered 05-78

7. Discussion regarding proposed fee changes for 2006 for Lake Casitas Recreation Area.

Brian Roney presented the information on proposed fee changes for the Lake Casitas Recreation area for 2006. He proposes to increase the daily vehicle entrance fee from \$7.00 to \$8.00, increase camping reservation fee from \$6.50 to \$7.50, basic sites would all be \$19.00. The basic hookup would go from \$25.00 to \$27.00. Executive would increase from \$44.00 to \$50.00. Annual fees for vehicles would increase from \$70.00 to \$80.00. Annual vessel would increase from \$60.00 to \$70.00. Reduce the annual kayak/canoe from \$60.00 to \$30.00 and eliminate all discounts from the former Frequent Visitor Card program with the exception of free pet. Other fee changes include increasing back in storage from \$60.00 to \$70.00, increasing pull through storage from \$75.00 to \$85.00.

Mr. Roney also commented that the increases could help to establish a balancing fund with the potential of generating a reserve to balance the budget in lean years but to also fully fund all improvements in the park.

Larry Yuva asked about where the money is coming from for the group cam conversion and he was told that it is coming from reserves. He then asked about the cost of chlorine going up and Mr. Roney explained that was for the waterpark. He explained that the waterpark generated \$240,000 surplus. Larry then asked when the last rate increase was and if there would be a public hearing on this. He was told that the last increase was last December and that there would be a public hearing.

Mr. Johnson asked if there was a motion to move this to a public rate hearing.

On the motion of Director Kaiser, seconded by Director Bennett and passed, a public hearing on the proposed rate increases will be held.

8. Information items:

Level of lake –11/02/2005 - -559.46 feet above mean sea level (7.54 feet below spill elevation); present storage is 233,856 acre feet (20,144 acre feet below full capacity of 254,000 acre feet, 106,856 acre feet above half capacity, or 92.06% full capacity.

- a. October Recreation Report
- b. Article regarding boat registration fees doubling in 2006.
- c. Commendation given to the Maintenance crew from Park Services Manager.
- d. Letter from NOAA regarding Performance Evaluation Plan for Robles Diversion Dam Fish Screen and Fishway Project.
- e. Investment Report of November 2, 2005.

Director Kaiser commended staff and Park Services Officer on how they handled a difficult situation.

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. Conference with Legal Counsel -- Existing Litigation (Subdivision (a) of Section 54956.9, Government Code). Name of Case: Matter pending before California State Water Resources Control Board, Casitas Municipal Water District and CalTrout.
- c. Conference with Legal Council- Anticipated Litigation
Significant exposure to Litigation-Facts and Circumstances that might result in litigation against the agency, but which the Agency believes are not yet known to a potential plaintiff or plaintiffs. Government Code Section 54956.9(b)(3)(A).
Agency Claimed against: Casitas Municipal Water District
- d. Public Employee Performance Evaluation
Title: Accounting Technician
- e. Conference with Real Property Negotiators (Section 54956.8):
District Designated Negotiators: John Johnson, James Word, Russ Baggerly
Property: Appropriative water rights, including future appropriative water rights, to the waters of Matilija Creek, and associated appurtenances including Matilija Conduit.
Negotiating Parties: Ventura County Watershed Protection District, County of Ventura, and California State Water Resources Control Board
Under Negotiation: Price, identification and nature of consideration other than cash, and terms of payment.

President Hicks adjourned the meeting to closed session at 4:10 PM under government code section 54956.9. President Hicks returned the meeting to open session at 4:34 PM,

stated that no action was taken during closed session and adjourned the meeting at 4:34 PM.

Secretary