

Minutes of the Casitas Municipal Water District
Board of Directors Regular Meeting Held
February 8, 2006

A regular meeting of the Board of Directors was held February 8, 2006 at Casitas' Office, Oak View, California. Directors Kaiser, Bennett, Baggerly, Word and Hicks 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 no members of the public in attendance. President Kaiser led the group in the flag salute.

1. Public comments.
None

2. Board of Director comments.

Director Word mentioned the legislative symposium being held March 8th and offered his support if someone would want to attend.

Director Baggerly commented that the takings claim has cost the district over \$300,000. He further mentioned that from the CAFR report on page 40 it shows that recreation had a net loss of \$248,000 in 2004 and \$430,000 in 2005.

President Kaiser reported on the VCSDA meeting he attended which included a presentation on the delta system in Northern California and that it is in a major state of disrepair. This appears to be a significant issue and is why they are pushing hard on the bond measure.

Director Bennett said there should be an article in the newsletter showing both sides of the issue. President Kaiser said it would be heavily publicized in the coming months.

3. Consent Agenda.

ADOPTED

- a. Minutes of regular meeting held January 25, 2006.
- b. Approval of special offer items for the Fisheries Biologist.
- c. Approval of the 2006-07 Budget Process Schedule.
- d. Recommend approval of leak relief for Teen Challenge in the amount of \$632.21.
- e. Resolution authorizing membership in AWA in the amount of \$5000, Sponsorship in the amount of \$1,500 for the Symposium, \$1,000 for the Regan Library Event and \$535 for four one half page items in the newsletter.
- f. Resolution authorizing membership in California Pest Control for Gerry Grigsby in the amount of \$100.
- g. Recommend approval of the Annual Legislative Policy for 2006.

- h. Recommend payment of Workers compensation bills to St. John's hospital in the amount of \$19,887.19 and Medical auditing Service in the amount of \$7,060.17.
- i. Recommend approval of the National Notary Association membership and payment of errors and omissions insurance for four years at a cost of \$252.00.

Director Baggerly asked for items b, c, and h be pulled for discussion.

The Consent Agenda minus items b, c, and h was offered for adoption by Director Hicks, seconded by Director Word and passed with the following roll call vote:

AYES:	Directors:	Kaiser, Bennett, Word and Hicks
NOES:	Directors:	Baggerly (for item e only)
ABSENT:	Directors:	None

Resolutions are numbered 06-3 and 06-4.

Item number b regarding the fisheries biologist was discussed and it was suggested to look at some type of retention program requiring the person to stay in the position for a length of time or repay a prorated amount of tuition. Rob Sawyer recommended being cautious of a time frame for employment as it could be a guarantee of future employment. Director Baggerly will provide a sample policy.

On the motion of Director Bennett, seconded by Director Word and passed item b of the consent agenda was approved.

On item c, the adoption of the 2006-07 budget process schedule Director Baggerly said he supported the schedule but the rest of the memo is open for discussion. Mr. Johnson explained that a plan is needed to give direction to staff to prepare the budgets.

On the motion of Director Baggerly, seconded by Director Bennett and passed item c was approved.

Director Baggerly asked about this case and what it is related to. It is for a full time employee who no longer works for the district. Director Hicks asked when the individual was hired and how much were they checked out. He would like that information at the next personnel committee meeting.

On the motion of Director Word, seconded by Director Baggerly and passed item h was approved.

4. Bills.

APPROVED

Director Hicks questioned #20358 for a banner for Nordhoff girl's softball. He asked if this is the function of a public entity. Mr. Johnson explained that he had already blocked that payment as he did not think that it is within the policy or direction of the board. This check is exempt from this approval. Recreation has been asked to put together an advertising policy that will come back to the board for approval.

Check #20375 to Ventura County Sheriff's was questioned. This was for the toy run event. Mr. Johnson explained that the promoter funds this in advance and we hire the sheriff's office. Director Hicks suggested that we put that it is reimbursement on the explanation. Director Hicks asked about #20430 to the Bureau of Reclamation. This is for dam repayment and there are six more payments to be made. Director Word asked about #20353 and is there any FEMA reimbursement available? Mr. Johnson said that it is all FEMA funded. Director Bennett asked about the \$898 reimbursement to attend the Consumer Electronics Show and suggested that we attend every other year. He added that the Board is required to give a report. He would like to see a report from employees as well.

On the motion of Director Hicks, seconded by Director Bennett and passed the bills, with the exception of #20358 were approved.

5. Committee/Manager Report(s). APPROVED FOR FILING
- a. Report on specific issues
 - b. Finance Committee Minutes
 - c. Executive Committee Minutes
 - d. Personnel Committee Minutes
 - e. Water Conservation Public Affairs Manager monthly report

There was discussion regarding a policy that needs to be made on road repairs for roads that we access on other people's property. The board also discussed cleaning out the creek below the dam and the issues involved in doing that.

6. Recommend approval of the career path program for the Electrical and Mechanical Section. APPROVED

Mr. Johnson presented this item and explained that this is a career path for the Electrical and Mechanical section with the objective of advancement for employees. This would be in line with career path programs that have been put in place for most sections. There are four specialties, automation, electrical, mechanical and instrumentation controls. There are three people to cover this area, one supervisor and two employees. The supervisor covers two specialties. When the employees are at level four they will also cover two specialties. This will provide for cross training and incentives. Mr. Johnson recommended implementing this program. Director Hicks said it is a good plan. It is a good idea to cross train. Director Baggerly added that it is an excellent step and well deserved. Director Word commended Bob for a well thought out program.

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

Special Meeting item

1. Discussion regarding timing and issues to be discussed at a board planning meeting.

The board planning day set for this Saturday has been cancelled and the board determined that they would hold their next planning meeting for Friday, March 24th at 2:30 at the district office. A suggestion was also made to look for alternative locations for meetings that are currently being held at the Pierpont Inn. Mr. Johnson said he would find another location.

7. Information items:

Level of lake –1/30/2006 - -558.76 feet above mean sea level 8.24 feet below spill elevation); present storage is 232,048 acre feet (21,952 acre feet below full capacity of 254,000 acre feet, 105,048 acre feet above half capacity, or 91.36% full capacity.

- a. Letter from State Water Resources Control Board regarding Water Right Complaint of Cal Trout.
- b. Letter of response to Sandra Foraker regarding her request to consider a reminder notice and accept automatic payments.
- c. Letter of response to California Horse Rescue regarding their request for an Agricultural Exemption.
- d. Letter of response to Janice Sattler regarding her request for leak relief and our denial of leak relief.
- e. Letter to Bureau of Reclamation regarding CRW #65 - 10974 Santa Ana Road inspection of new construction.
- f. News Articles of interest
- g. Investment Report of February 1, 2006.

8. Closed Session

- a. 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.
- b. 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.

- 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
Pursuant to Government Code 54957
- e. 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 Kaiser adjourned the meeting to closed session at 4:00 PM regarding government code 54957, government code 54956.9, and government code 54956.8. President Kaiser returned the meeting to open session at 4:59 PM announcing that no action had been taken in closed session and immediately adjourned the meeting.

Secretary