

Minutes of the Casitas Municipal Water District
Board of Directors Meeting Held
October 11, 2006

A meeting of the Board of Directors was held October 11, 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 four staff members and three members of the public in attendance. Director Kaiser led the group in the flag salute.

1. Public comments.

Pat Baggerly asked for clarification on a letter discussed at the Recreation Committee and if the letter had already been sent. Mr. Johnson explained that the letter would go to the Board before being sent to the Bureau. Pat Baggerly suggested that the letters be faxed and mailed certified.

2. Board of Director comments.

Director Hicks commented that the flag pole still needs to be painted.

3. Consent Agenda.

ADOPTED

- a. Minutes of meeting held September 27, 2006.
- b. Recommend approval of a purchase order to Fugro West Inc for an amount not to exceed \$10,000 for a water well feasibility study.
- c. Recommend approval of a claim for loss of Oak Trees due to the Mira Monte Well. Cost is \$1,375 and a release will be provided.
- d. Resolution approving Ernst & Young Audit Contract for the State Water Contractors on the State Water Project.
- e. Recommend approval of attendance of the Information Technology Administrator to attend the Consumer Electronics Show in Las Vegas January 8-11, 2007.

Director Hicks commented about wording in the minutes.

The consent agenda was offered by Director Word, seconded by Director Hicks and passed by the following roll call vote:

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

Resolution is numbered 06-43.

4. Bills.

APROVED

Director Word asked what happened to truck 24? Mr. Johnson explained that he has looked at a number of the trucks in the district and there are dents in many of the

trucks and he will get back to the board on that truck. There was discussion regarding reporting of incidents and Mr. Johnson explained that reports are to be filled out and this would be discussed in staff meetings.

Director Bennett asked about #22327 to Ojai Printing for frequent visitor agreement forms. Brian Roney explained that we had to reprint the frequent visitor agreement forms. These are the contracts for the annual decals.

Director Kaiser asked about #22325 to Oilfield Electric to repair a motor at Ojai Valley Pump Plant. Steve Wickstrum explained that this is a high speed motor put in 16 years ago and is notorious to having some issues.

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

5. Committee/Manager Report(s). APPROVED FOR FILING
- a. Report on specific issues.
 - b. Water Resources Committee Minutes
 - c. Executive Committee Minutes
 - d. Memo on the Monument Rule and Casitas Vista Pass Road.

Mr. Johnson discussed some issues of trespassing at Robles and also the Monument Rule regarding the area between Casitas Vista Pass Road and Santa Ana Road. Under the Monument Rule all roads and alleyways listed on tract map are in common ownership with all parcel owners. They have a right to go over the roads. The easement holders, everybody in the tract have the obligation to maintain the roads. Basically the property owners do not have any liability for maintenance that would be needed to keep the roads open. When it comes to liability on those roads the owners have no liability. Ownership of a parcel gives you the right to use it. The recommendation is that there is no need to change anything.

Director Hicks asked about the \$7.9 million spent on the fish ladder and if that includes the cost for operation and monitoring? Mr. Johnson explained that cost includes total cost of construction to date plus cost of operations for 04-05 and 05-06. It has a bit for 06-07. It does not include the value of lost water or the proposed projects still on the books that NMFS wants us to do.

On the motion of Director Word, seconded by Director Hicks and passed the Committee/Manager reports were approved for filing.

6. Resolution providing a variance and policy on the requirement to install a cross connection device at the meter. ADOPTED

Mr. Johnson explained that the cross connection ordinance says the cross connection device is to be located at the meter. The issue at 850 Baldwin Road is that the meter is on a different property. This is because of reasons the district had; there is a large transmission main and we don't like to tap into it for services and found a location where there was already a connection. The Water Resources Committee recommends to

give this person a variance and to do so again if a similar issue arises. If a different situation arises with different issues it would be brought back to the board.

The resolution was offered by Director Hicks, seconded by Director Bennett and passed by the following role call vote:

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

Resolution is numbered 06-44.

7. Presentation regarding the impacts to Robles Diversions and the assessment of water lost due to plugging issues.

Steve Wickstrum conducted a presentation on the impacts to the Robles Diversion and the water being lost due to the of the fish screens. Several years ago when the supply and demand study was completed we were still building Fish Passage facility and did not know about the impacts to supply in Casitas.

Winter 2006 we operated under the BO/BA. We released flows for fisheries through the fish ladder with favorable results with fish in the facility. There were maintenance shut downs to clean the screens. When it is shut down, the fish ladder is not working and we not diverting. The screens become totally plugged and we have to shut everything down to clean the screens. Figure 4 slide shows the 500 cfs line and shows the shut downs and diversion rates. When you shut down to clean the screens and try to get back to 500 CFS but then have to quickly shut it back down. Mr. Wickstrum noted that we only have one data point which is last year. There could be other data points and improvements to make this better but from last year this is the trend at this time.

The effect on Lake Casitas storage shows trends notable with loss of 1,118 acre feet per year we would end up dry at the lake much earlier and at the end of the wet period you don't reach full condition. We have to be aware of these things. There is a Cumulative impact; lose efficiency to water supply with reduction of diversion caused by the screen plugging during storm peaks. Options are physical changes or mechanisms to improve diversions conditions, better data on fish migration period, water use conservation and use reduction to offset loss of supply.

There was discussion regarding when the screens can be pulled and the process for approval to pull a screen. The screens are in there to protect the small fish. It was a requirement of NMFS. This is the way the fish will be protected the most.

Mr. Johnson added we are trying to resolve this problem. If we can't solve the problem it will have an impact on your safe yield. We had a 360 acre foot per year shortage to provide water during long term drought. This is an additional 1,118 acre feet. We need to work with customers and others to avoid any impact to customers on supply issues because of long term drought. This probably takes us beyond what we can resolve with conservation measures. We need to solve the screen plugging problem. The next

item on the agenda is to bring a consultant in, staff has made suggestions and we still need to look at this further.

Mr. Johnson continued this is a key issue. We have to collect more data to make arguments to fisheries agencies about appropriate actions at appropriate times to maximize diversions and water for fish at the appropriate times. When we have to shut this down it also hurts the fish.

8. Recommend authorizing the General Manager to enter into an agreement with Montgomery Watson Harza for a not to exceed amount of \$38,000 to complete an investigation of the Robles Fish Passage screen cleaning system and appropriate \$38,000 to fund the project. APPROVED

Mr. Johnson explained that staff has already looked at solutions and we have applied them to the solution already. We have found an engineer to do an evaluation on the fish screen plugging issue. This would include a site visit, meetings with staff, review information and records on the problem and to try to do site investigation and measurement and have recommendations to resolve it. This is not a budgeted item and we will handle it the way we talked about approving unbudgeted items last time. Need to address water supply and fish issues and recommend approval.

President Kaiser asked if there is a possibility of a simulation being done at a university. Neil Cole explained it would be difficult to model with the debris size and he would recommend not going that route as it is very expensive and more art than engineering.

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

9. Resolution setting the policy on Committee Meetings according to Government Code Section 54954(a). TABLED

After discussion regarding the committee meetings it was determined that the policy required more work and the item was tabled

10. Discussion regarding CEQA Strategies for the Resource Management Plan at Lake Casitas Recreation Area.

Mr. Johnson reported that Reclamation has held a number of meetings that have suggested a number of issues you have dealt with in the past. The principal concern is the body contact type sports that reclamation is interested in. We went through a long evaluation in the past. The better solution is to have that outside of the lake. One of the strategies is to handle the CEQA part of our operation and to do it differently and not include body contact sports. The second issue is the fire station on the watershed and concern that it does not comply with the resolution. We are not involved in it for our CEQA as we will not fund it or get it approved. We need to proceed right now to try to put together a plan to look the kinds of things we want to do out there and do it on our timeframe to cover those things we want to do and have a discussion on those. That would also include a discussion of the contract. We will negotiate and sit down with

Reclamation when that time comes knowing we have finished the CEQA review. We would have federal and state review we could act once we got a contract. The proposal is to deal with those things in that contract now and not include the fire station issue and not include the body contact issue. We suggest moving ahead with evaluating the other projects your board has supported so when Reclamation gets to the end of their RMP we are ready to negotiate. Director Baggerly thought this was a good idea and Director Word also was supportive. Mr. Johnson mentioned that the board would probably see the CEQA document the next meeting. Director Baggerly commented that he has trouble with a water slide as he does not want it to be an amusement park.

11. Information items:

Level of lake –10/2/2006 - -561.00 feet above mean sea level 6.00 feet below spill elevation); present storage is 239,330 acre feet (14,670 acre feet below full capacity of 254,000 acre feet, 112,330 acre feet above half capacity, or 94.22% full capacity.

- a. Fisheries Report.
- b. Copy of Lake Casitas Recreation Area advertisement in the Fall 2006 RV Journal.
- c. Notice from County of Ventura Registrar of Voters regarding Appointment of Director to Casitas Municipal Water District Division No. 1 to be Bill Hicks as he was the only person who filed a declaration of candidacy.
- d. Letter from Association of Water Agencies of Ventura County expressing thanks of support for the Annual Membership Barbecue held at the Lake.
- e. Letter from Fox Canyon Groundwater Management Agency in support for Senate Bill 1425.
- f. News Articles of interest.
- g. Investment Report of September 20, 2006.

12. Closed Session

- a. Conference with Legal Council- Anticipated Litigation:
Decision whether to initiate litigation. One Case
Government Code Section 54956.9(c).
Agency Claimed against: Casitas Municipal Water District
- b. Conference with Real Property Negotiators (Section 54956.8):
District Designated Negotiators: John Johnson, James Word, Bill Hicks
Property: Rights to operate Lake Casitas Recreation Area under Federal Water Project Recreation Act.
Negotiating Parties: Bureau of Reclamation
Under Negotiation: Lease, price, identification and nature of consideration, and terms of payment
- c. 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 5:00 p.m. under government code 54956.9 Case of Casitas versus United States and government code 54956.9 c, conference with Legal Council on anticipated litigation. At 5:35 p.m. President Kaiser returned the meeting to open session stating no action had been taken in closed session and immediately adjourned the meeting.

Secretary