

Minutes of the Casitas Municipal Water District  
Board of Directors Meeting Held  
April 11, 2007

A meeting of the Board of Directors was held April 11, 2007 at Casitas' Office, Oak View, California. Directors Baggerly, Hicks, Handley and Kaiser were present. Director Word was absent. Also present were Steve Wickstrum, Interim General Manager, Rebekah Vieira, Clerk of the Board; and Attorney, Rob Sawyer. There were five staff members and 15 members of the public in attendance. Director Baggerly led the group in the flag salute.

1. Public comments.

Paul Jenkin encouraged the board to cut out of the lawsuit.

Alasdair Coyne of Keep Sespe Wild asked the board to consider the recommendation to terminate the lawsuit. It is a waste of rate payer's money.

Lorenz Schaller stated water is life. Many people feel same as I do and same point of view. Lawsuit has been a mistake from the beginning. The opportunity to consider the matter and terminate it would be the right move.

Bruce Kuebler – Retired Civil Engineer with LA Department of Water & Power. He read the amicus brief and he shared that nothing is forever. In the future another reevaluation if conditions change. He urged the board to look into conditions under which you might appeal to state water resources control board for re-evaluation.

Ray King spoke for himself and his wife. He urged that you terminate the lawsuit it looks like a losing battle. Money is better spent in water conservation programs and in keeping the system efficiencies.

Kathy Bennett encouraged the board to stop litigation.

Carol Bishop stated it is time to stop and you have spent enough money on this issue.

Daniel Quigg thought this is money poorly spend. He hoped you would reconsider and look at it perhaps ten years from now. Not is not the time.

Ruth Shinkle thought it was a very bad thing to continue with the suit. The fish have to have the water and it has to go over the ladder. We have to deal with it.

Jim Coultas expressed a different tact. Two weeks ago we discussed having a transparent session. Jim Word is not here today. He has been involved since 1990, he should have some input into your decision. Has the board investigated all the alternatives? Is there any way to settle and get something back? You could find information before you make a decision. Talk about it in closed session today but don't make a decision. Have the public meeting.

Steve Smith thought this is a local matter and should be dealt with locally. Don't understand the appeal to Federal Government in time of war. Highly unlikely they would allocate funds to this at this time. Response of the board to provide this service to fish that have lived here longer than we have.

George Hurtrado stated something this important should be brought up to the people that live here.

2. Board of Director comments.

President Baggerly asked about the meeting with the Bureau of Reclamation on the Interim Agreement. Mr. Wickstrum reported that Bob Epperson visited the district yesterday and had conversations with Brian Roney regarding the need to come to some common ground and discussed setting a meeting in May. President Baggerly then asked if they had provided us with the NEPA guidelines. Mr. Roney stated it had not been received. President Baggerly asked about the consultants narrative on WROS map and Mr. Roney replied he did not have it.

3. Consent Agenda

ADOPTED

- a. Minutes of March 28, 2007 meeting.
- b. Resolution awarding a contract to Consulting West Engineers to design electrical upgrades for the Rincon Pump Station for a not to exceed amount of \$77,500.

The consent agenda was offered by Director Kaiser, seconded by Director Handley and adopted by the following roll call vote:

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

Resolution is numbered 07-21

4. Bills

APPROVED

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

5. Committee/Manager Reports

APPROVED FOR FILING

- a. Finance Committee Minutes

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

6. Discussion regarding using the current auditor Charles Z. Fedak or going out to bid.

Denise Collin reported that she prepared a list of items that she has been pleased with and items that disappointed her. She is pleased with their services. Two items not pleased with are the fact that we did not receive the audit in time to apply for the GFOA. The firm lost a key employee specifically involved and knows our district. She did believe the auditing firm tried as much as they could to get us where we needed to be. Because of the schedule of the GM and Christmas holidays we were not able to review it to get to committee and to board. The other delay was due to fact the GM not able to continue the review because of other issues that were a higher priority. Denise suggested we continue with these auditors for the fact that they know our needs and present procedures and familiar with our system. They keep us up to date on changes. They brought to our attention Prop 218 and IRS issues pending with other districts.

On the motion of Director Hicks, seconded by Director Kaiser and passed the decision was made to retain Charles Z. Fedak as the auditor for this

7. Information items:

Level of lake –3/30/2007 - -557.80 feet above mean sea level 9.20 feet below spill elevation); present storage is 229,737 acre feet (24,263 acre feet below full capacity of 254,000 acre feet, 102,737 acre feet above half capacity, or 90.45% full capacity.

- a. Letter from Department of Boating and Waterways regarding payment of the balance of the grant.
- b. Letter regarding support of Brian Roney's appointment to the State Boating and Waterways Commission.
- c. Letter to Bureau of Reclamation regarding Encroachment over Casitas Main
- d. News Articles of Interest
- e. Investment Report

8. 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 - Anticipated Litigation Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (one potential case).
- c. Conference with Real Property Negotiators (Section 54956.8):  
District Designated Negotiators: Steve Wickstrum, Rebekah Vieira, Pete Kaiser, 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
- d. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 Government Code. Name of Case: Aaron Stittler vs. Casitas Municipal Water District, Case number: CIV246325.

President Baggerly convened to closed session at 4:51 p.m. regarding Government Code 54956.9 and 54956.8. President Baggerly reconvened the open session at 5:50 p.m. stating no reportable action was taken in closed session. He added to watch for notification of an upcoming meeting maybe on the 19<sup>th</sup> for public comment and review of the case. President Baggerly adjourned the meeting at 5:52 p.m.

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Secretary