

Agenda

**Regular Meeting
of the Board of Directors of
Yuima Municipal Water District**
Monday, March 23, 2009 - 2:00 P.M.
34928 Valley Center Road, Pauma Valley, California

Bill Knutson, President
Douglas Anderson, Vice President
George Stockton, Secretary/Treasurer

Mike Fitzsimmons, Director
Ron W. Watkins, Director

AGENDA TOPICS

2:00-2:05 P.M.

1. **Roll Call** – Determination of Quorum.
2. **Approval of Agenda** – At its option, the Board may approve the agenda, delete an item, reorder items and add/or an item to the agenda per the provisions of Government Code §54954.2.
3. **Public Comment** – Opportunity for members of the public to address the Board on matters within the Board's jurisdiction, inquiries pertaining to an item on the agenda will be received during deliberation on that agenda item. No action can be taken unless specifically listed on the agenda (Government Code §54954.3)

2:05-2:10 P.M.

I. CONSENT CALENDAR

Consent Calendar items will be voted on together by a single motion unless separate action is requested by a Board Member, staff or member of the audience.

1. Approve minutes of the Regular Meeting of February 23, 2009.
2. Approval of Accounts Paid and Payable & Reporting under Government Code §53065.5 for February, 2009.
3. Acceptance of Monthly Financial Reports – February, 2009.
4. Proposed Resolution Extending its Appreciation to John B. Lyttle for his Distinguished Service as a Member of the Board of Directors of Yuima Municipal Water District.

Background: John B. Lyttle served as a Director for more

than eight years on the board in division three. A resolution of appreciation has been prepared.

Recommendation: That the Board approve the proposed resolution.

5. Proposed Resolution Setting Forth the Time and Place of Hearing and Giving Notice of Hearing for the Fire Mitigation Fee Multi-Year Facilities and Equipment Plan for the Yuima, Pauma and Mootamai Municipal Water Districts.

Background: Section §66000-66002 of the Government Code and the Fire Mitigation Fee Ordinance requires that the Facilities and Equipment Plan for the use of funds be adopted annually at a noticed public hearing. The Annual Multi-Year Facilities and Equipment Plan will be presented for review and adoption at the April meeting of the Board. A draft is included in the packet.

Recommendation: That the Board approve the proposed Resolution which sets the hearing before the Board at 2:10 o'clock p.m. on the 27th of April and direct staff to publish the required notice.

6. Proposed Resolution Making the Annual Required Finding Of the San Diego County Fire Mitigation Fee Ordinance and Reestablishing a Fire Mitigation Fee Program for Fiscal Year 2009-10

Background: The Fire Mitigation Fee Review Committee, established by the Board of Supervisors, annually evaluates the program along with the Multi-Year Facilities and Equipment Plans and ensures proper allocation of fee revenue as outlined in the County's Fire Mitigation Fee Ordinance. The committee has analyzed the costs of construction, as required under Section §810.310 of the Ordinance. Following the Fire Mitigation Fee Committee's review they propose no increase in the Fire Mitigation Fee for 2009-10. The fees for 2009-10 will remain at 46 cents/sf for residential construction and 15 cents/sf for agricultural buildings.

Recommendation: That the Board adopt the proposed resolution to continue to participate in the Fire Mitigation Fee Program and that the County continue to collect 100% of the ceiling amount from applicants for building permits on our behalf. Further that staff be directed to send a certified copy of said resolution to the County before April 16th.

7. Proposed Resolution Setting Forth the Time and Place of Hearing and Giving Notice of Hearing for the Proposed Ordinance Fixing Compensation of Directors.

Background: District Ordinance 98-08, Section §8 specifies that compensation to members of the Board of Directors shall be adjusted annually by the “*lesser of (a) the maximum amount allowed by statute now in effect or enacted hereafter, or (b) a percentage equal to the cost of living adjustment applied to the salaries of District employees for the prospective fiscal year, pursuant to a resolution which shall be considered annually prior to July 1st of each year*”. Pursuant to the provisions of the Ordinance the compensation rate would increase 2.4% from \$195.00 to \$199.68 per day for each day’s attendance at meetings of the Board, or for each day’s service rendered as a member of the Board by request of the Board in excess of four (4) hours, or \$99.84 for each day’s service rendered under four (4) hours as a member of the board by request of the Board. A public hearing will be set for April 27th at 2:15 pm for the new amount to be effective July 1, 2009.

Recommendation: That the Board approve the proposed Resolution which sets the hearing before the Board at 2:15 o’clock p.m. on the 27th of April and direct staff to publish the required notice.

8. Proposed Resolution Authorizing Checking, Savings and Investment Accounts with Various Banking Institutions and Rescinding Resolution 947-04

Background: Resolution and signature cards are required to approved the new authorized signers on the bank accounts. This removes John B. Lyttle who resigned on January 26th and adds Director Ron W. Watkins.

Recommendation: That the Board approve the proposed resolution.

9. Proposed Resolution Approving Specifications and Other Contract Documents for the Hegardt Partial Replacement of the Hegardt Pipeline and Authorizing the Advertisement of Invitation for bids.

Background: The plans and specifications and contract

documents are ready for bid which covers approximately 1,100' of the Hegardt Line replacement.

Staff Recommendation: That the Board approve the Resolution and referenced documents and direct staff to advertise the Invitation for Bids for Hegardt Pipeline Replacement.

10. Proposed Resolution Accepting the Construction Project Known As Station 8 Facilities Paving (Peters Paving & Grading, Inc.)

Background: The Facilities Grading and Paving Project is planned to be completed by the board meeting.

Recommendation: That the Board approve the proposed resolution.

2:15-2:20 P.M.

II. ACTION/DISCUSSION

1. Presentation from EnerNOC

Burzell

Background: Wade H. Cameron, Business Development Manager with EnerNOC, Inc. will be present EnerNoc's Clean Green California demand response program.

Burzell

Recommendation: Following review of the program direct staff to pursue an agreement if it is the boards desire.

2. Proposed Resolution Authorizing Execution of Agreement for Use of Groundwater Using Yuima Well No. 26 (George and Gayle Tosello)

Burzell

Background: In April of 2006 the district drilled a well in IDA on the Humphrey Highway 76 property. The pump tests revealed an estimated yield of 10 gallons per minute. It was determined that the best use of this well, due to the location and distance to existing district facilities would be for on site use. The new owners of the Humphrey parcel agree and have requested the district to consider an agreement for use of the groundwater on their parcel.

Staff Recommendation: That the Board approve the proposed resolution.

3. Proposed Resolution Authorizing the Appropriation

Burzell

of \$330,000 from Yuima Capital Reserves to Yuima 2008/09 Capital Jobs for the Northern Route Pipeline Engineering, Design, Drawings and Bid Documents

Background: The San Luis Rey Indian Water Authority has agreed to share the cost of engineering and design of the Northern Route Pipeline project on an equal basis. In addition, it is in the best interest of the District to be in a position to qualify for any relevant federal economic stimulus legislation funding. The proposed resolution transfers available capital funds from capital reserves and the Master Plan System Improvements for this portion of the project.

Staff Recommendation: That the Board approve the proposed resolution.

4. Proposed Resolution Awarding Contract for the Construction of Eastside Station Pilot Hole and Cased Well Burzell

Background: The results of the bid opening held on March 19th will be presented at the meeting.

Staff Recommendation: That the Board approve the Resolution awarding the contract to the lowest responsible bidder.

5. Proposed Resolution Authorizing Facilities Use Agreement with the State of California, Department of Forestry and Fire Protection (“CalFIRE”) Burzell

Background: The 32x 62’ building is complete. A Facilities Use Agreement is required during the period of time that CDF uses the building and until the lease is terminated and the building is turned over to the state.

Staff Recommendation: That the Board approve the proposed resolution.

6. Proposed Resolution Authorizing Termination of the Building and Ground Lease L-2376 with the State of California, Department of Forestry and Fire Protection (“CalFIRE”) effective July 1, 2009 Burzell

Background: The 32x 62' building is complete. In accordance with section 6 (b) *the district may terminate the lease by giving a written ninety (90) day notice to Lessee.* As stated in the lease, all improvements (the 32 x 62 fire apparatus building) will become property of the State effective 7/1/09.

Staff Recommendation: That the Board approve the proposed resolution.

7. Proposed Resolution Adopting an Identity Theft Prevention Program Burzell

Background: The Federal Trade Commission (FTC) has adopted regulations that require “creditors” holding consumer or other “Covered accounts” (which are defined to mean any account where customer payment information is collected in order to bill for services rendered) to develop and implement by May 1, 2009 an identity theft prevention program that complies with those regulations.

Staff Recommendation: That the Board approve the proposed Resolution.

8. CSDA Scholarship & Yuima’s Scholar Award Committee Report Burzell

Background: The Scholarship Committee consisting of Directors Knutson and Stockton will report on their nominee to be forwarded to the regional CSDA office. Also, the Committee will report on the winner of the Yuima \$500 Scholar Award. Yuima’s Scholar Award winner will be presented at the April 27th Board meeting.

Staff Recommendation: That Yuima’s nomination be forwarded to CSDA as one of the five \$1,000 scholarships.

2:20-4:10 P.M.

III. INFORMATION/REPORTS

1. Board Reports/Meetings

President

San Diego County Water Authority/MWD/JPIA

Knutson

Other Meetings

2. Administrative

Burzell

General Information

Slippage
Well Levels
District Water Purchased

3. **Capital Improvement Program** Burzell

4. **Operations** Fowler

General Information
Rainfall Record

5. **District Engineer** Vacant

6. **Counsel** Scott

7. **Finance** Johnson

General Information
Delinquent Accounts
Review of California Budget Impact
on Yuima's Finances
Update on FEMA Appeal
Update on Cell Site Agreement &
Possible Modification to AT&T Lease

8. **Joint Powers Fire Report**

Update on Fire Hydrant Maintenance
Incident Call Report
Battalion Chief Jeff Johnson will be present

Chief Johnson

4:10-4:25 P.M. **IV. OTHER BUSINESS**

4:25-4:30 P.M. **V. ADJOURNMENT**

NOTE: In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the Board meeting, please contact the General Manager at (760) 742-3704 at least 48 hours before the meeting to enable the District to make reasonable accommodations.

Any writings or documents provided to a majority of the members of the Yuima Municipal Water District Board of Directors regarding any item on this agenda will be made available for public inspection during normal business hours in the office of the General Manager located at 34928 Valley Center Road, Pauma Valley.