

Agenda

Regular Adjourned Meeting of the Board of Directors of Yuima Municipal Water District

Monday, June 29, 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)

2:05-2:08 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 Adjourned Meeting of May 26, 2009.
2. Approval of Accounts Paid and Payable & Reporting under Government Code §53065.5 for May, 2009.
3. Acceptance of Monthly Financial Reports – May, 2009.
4. Proposed Resolution Approving Agreement for Water Service and Management Contract for the Lazy H Mutual Water Company and Rescinding Resolution No. 1179-08

Background: The contract provides for management, recordkeeping and maintenance services. There is no change in the services provided under the contract nor

is there any change in the monthly fee for fiscal year 2009/10. This item was reviewed by the Finance Committee earlier in the day.

Recommendation: That the Board adopt the proposed resolution.

5. Proposed Resolution Approving Agreement for Record Keeping and Secretarial Services for the Mootamai Municipal Water District and Rescinding No.1180-08

Background: The contract provides for secretarial and recordkeeping services. There is no change in the services provided under the contract nor is there any change in the monthly fee for fiscal year 2009/10. This item was reviewed by the Finance Committee earlier in the day.

Recommendation: That the Board adopt the proposed resolution.

6. Proposed Resolution Authorizing Agreement for Emergency and Support Services for the Rancho Estates Mutual Water Company and Rescinding Resolution No. 1181-08.

Background: Rancho Estates MWC has requested renewal of the emergency and support services agreement for their mutual water company. There is no change in the emergency services provided under the contract nor is there any change in the hourly rates for same. This item was reviewed by the Finance Committee earlier in the day.

Recommendation: That the Board adopt the proposed resolution.

7. Proposed Resolution Authorizing Agreement for Emergency and Support Services for the Pauma Valley Mutual Water Company and rescinding Resolution No. 1182-08.

Background: The Pauma Valley Mutual Water Company has requested renewal of the emergency and support services agreement for their mutual water company. There is no change in the emergency services provided under the contract nor is there any change in the hourly rates for same. This item was reviewed by the Finance Committee earlier in the day.

Recommendation: That the Board adopt the proposed resolution.

8. Proposed Resolution Authorizing Execution of Agreement for Mutual Fire Protection Aid (Yuima, Pauma & Mootamai Joint Powers and San Diego County Fire Authority)

Background: Mutual Aid Agreements with Pauma &

Mootamai Joint Powers and Cal Fire, Valley Center Fire Protection District, Pala Indian Reservation Fire Department, San Pasqual Indian Reservation Fire Department, Rincon Reservation Fire Department, Pauma Reservation Fire Department and the County of San Diego were approved in May. The newly formed San Diego County Fire Authority has now been added to the Mutual Aid Matrix.

Recommendation: That the Board approve the proposed Resolution.

9. Proposed Resolution Accepting the Construction Project known as the Partial Replacement of the Hegardt Pipeline (Jimenez, Inc. dba, MJC Construction)

Background: The project has been completed in accordance with the provisions of the agreement. Two changes orders were approved for additional work requested while on site and additional charges for rock and thrust blocks. Total contractor cost \$78,369.

Recommendation: That the Board adopt the proposed resolution.

2:08-2:10 P.M.

II. SPECIAL REPORTS

1. Joint Powers Fire Report Johnson
Battalion Chief Jeff Johnson will be present to report

2:10-2:30 P.M.

III. ACTION/DISCUSSION

1. Public Hearing to Receive Comments and Consider Adoption of the Proposed Schedule of Water Rates and Charges Knutson

Background: A public hearing will be held at 2:10 p.m. to hear comments on the proposed Water Rate Schedule

- 1-A Proposed Resolution Adopting Increases in Water Rates and Charges and Amending Rules and Regulations Governing Water Service (Schedule of Rates, Rentals, Fees, Deposits and Charges (Sections 4.1.1, 11.5, 16.1; 16.2; 16.3; 16.3.1;16.4; 16.5 & 18.3.6) Knutson

Recommendation: That the board adopt the Resolution as presented or amended.

2. Proposed Resolution Adopting the Operating and Knutson

Capital Budget for Fiscal Year 2009-10

Background: This item was reviewed by the Finance Committee earlier in the day.

Recommendation: That the Board approve the Resolution as presented.

3. Proposed Resolution Authorizing Execution of Sixth Amendment to Lease Agreement Between Yuima Municipal Water District and New Cingular Wireless, PCS, LLC (SD0476)

Burzell

Background: AT&T has requested upgrade of their Equipment and Yuima has requested removal of AT&T's antenna's from the tank. The sixth amendment addresses the new name for AT&T and the new location of their antennas. All cable runs for the new location of their antennas will be above ground.

Recommendation: That the Board approve the Resolution as presented.

4. Discussion as to whether the Board desires to have Best Best & Krieger to continue to represent the District in the CPUC proceeding and if so, authorization of additional legal Fees for Yuima's participation in the lawsuit against SDG&E

Burzell

Background: In September the board approved participation in the SDG&E litigation on behalf of Yuima not to exceed \$2,500 for legal expenditures. The limit was met on the BB&K February billing.

Recommendation: That the Board consider if continuing to participate in the litigation is viable and if so consider approving additional amounts to cover Yuima's share of the litigation charges.

5. Proposed Resolution Requesting Informal Approval by the San Diego County Water Authority, The Metropolitan Water District of So. California and the Local Agency Formation Commission of Concurrent Annexation to Said Agencies (Shadow Run Ranch, LLC, and Sherrill A. Schoepe, General Partner a maximum of 276.21 Acres)

Burzell

Background: In 2000 Schoepe Enterprises requested Yuima consider providing public services including water, sewer and fire protection to their proposed 263.17 acre development consisting of forty-six (46) residential

lots and two (2) open space lots. A package sewage treatment plant would be constructed by the developer and operated by Yuima upon approval by the Board of supervisors, completion of annexation, LAFCO approval and amendment to the district's sphere of influence. The project has been amended to forty-four (44) residential lots and three (3) open space lots. In addition, Sherrill A. Schoepe has requested her 2.94 acre parcel be included and has made a formal request to move forward on the annexation process. Yuima has received the required \$3,000 non-refundable processing fee. (Note actual acres annexed may vary in accordance with LAFCO's approval to include only portions of the open space parcels).

Recommendation: That the Board approve the resolution.

6. Proposed Ordinance Governing Water Conservation and Development/Redevelopment to Ensure Water Use Efficiency Burzell

Background: Pauma Ranch, LLC and Shadow Run Ranch have applied for annexation. Under the Water Authority's Annexation Policies they require a regulatory plan prior to final approval. The regulatory plan requires all new development within the proposed annexing territories and member agency's service area to incorporate water conserving design and improvements based on current Water Authority water-use-efficiency policies and reasonable conservation practices and measures. Draft agreements to offset increased demand are attached for review.

Recommendation: That the Board approve the Ordinance as presented.

7. Discussion and Setting Criteria for Retiree Eligibility under the Public Employees' Medical and Hospital Care Act (PEMHCA) (Directors) Burzell

Background: Under the PEMHCA program the board is required to determine what constitutes retiree eligibility for a director. It is suggested that 2 full 4-year terms as a director and at least 55 years of age be considered as eligibility criteria.

Recommendation: That the Board adopt eligibility criteria and direct staff to forward a certified copy of the minutes to CalPERS.

8. Proposed Resolution Opposing The Introduction of Steelhead Trout into the San Luis Rey River System Burzell

Background: The National Marine Fisheries Services and the California Dept. of Fish and Game have now circulated detailed plans calling for the introduction or “re-introduction” of steelhead trout into the San Luis Rey River. The scientific basis for these plans is extremely flawed and unsubstantiated. The draconian measures that would be required to make the river suitable for steelhead (assuming that they could be accomplished at all) would be extremely disruptive to existing uses of the river, with no corresponding societal benefit. The assumption in these plans that Colorado River water is available to substitute for the enormous releases of SLR water to the ocean is simply false.

Recommendation: That the Board adopt the proposed resolution opposing the introduction or reintroduction of steel in to the San Luis Rey River basin.

2:30-4:10 P.M.

IV. INFORMATION/REPORTS

1. Board Reports/Meetings

President	
San Diego County Water Authority/MWD/JPIA	Knutson
Other Meetings	

2. Administrative

General Information	
Slippage	
Well Levels	
District Water Purchased	Burzell

3. Capital Improvement Program

Burzell

4. Operations

General Information	
Rainfall Record	Fowler

5. District Engineer

Vacant

6. Counsel

Scott

7. Finance

General Information	
Delinquent Accounts	
Interim Report on the 9/80 workweek	Johnson

4:10-4:25 P.M.

V. OTHER BUSINESS

4:25-4:30 P.M.

VI. 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.