

# Agenda

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

Monday, March 22, 2010 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/or add an item to the agenda per the provisions of Government Code §54954.2.
3. **Public Comment** – This is an 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. Consider Approval of the minutes of the February 22, 2010 Regular Board of Directors Meeting.
2. Approval of Accounts Paid and Payable & Reporting under Government Code §53065.5 for February, 2010.
3. Acceptance of Monthly Financial Reports – February Treasurer's Report & Cash Statement
4. 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 26<sup>th</sup> day of April and direct staff to publish the required notice.

5. Resolution Setting Forth a Schedule of Water Availability Charges Proposed to be Established for the District (2010-11) and Fixing the Time and Place of Hearing and Giving Notice of Hearing

*Background:* The levy of the Water Availability Charge collects \$10/acre within the District's boundaries or, approximately \$79,500, for the capital budget each year. This is not a new or increased charge and is not subject to the provisions of Proposition 218.

*Recommendation:* That the Board approve the proposed resolution which sets the hearing before the Board at 2:15 o'clock p.m. on the 26<sup>th</sup> day of April and direct staff to publish the required notice.

2:10-2:15 P.M.

**II. SPECIAL REPORTS**

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

2:15-2:50 P.M.

**III. ACTION/DISCUSSION**

1. Proposed Resolution in Support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010 Burzell

*Background:* California voters have overwhelmingly passed separate ballot measures to dedicate local funding sources to essential local services and to prevent the State from shifting or raiding local government, transit, and transportation funds. Despite this, the State recently passed a budget that borrows and takes approximately \$5 billion in city, county, transit, redevelopment, and *special district funds in 2010*. The adoption of the proposed resolution would not directly increase or decrease the District's current revenues. However, when the State borrows or raids existing local government funds, this puts pressure on local governments to find monies elsewhere in order to protect vital services. In turn, the potential for newly-imposed local taxes and fees rises dramatically, increasing

the District's financial exposure and potentially resulting in higher pass-through charges to our customers. Approval of the Protection Act effectively eliminates this financial threat.

*Recommendation:* Consider the endorsement of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, which is a proposed constitutional amendment and authorize the listing of the Yuima Municipal Water District in support of this initiative.

2. 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 2010-11 Burzell

*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 2010-11. The fees for 2010-11 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.

2. Best Best & Krieger, LLP Request for Additional Allocation for Legal Fees for the SDG&E Matter Burzell

*Background:* The board authorized a total expenditure not to exceed \$8,500 for Yuima's share of the legal fees in regards to the SDG&E Red Flag matter. BB&K was notified of their limitation in advance. Nevertheless, BB&K is requesting an additional \$16,500 plus a percentage of the on going legal fees in this matter. Given the clear advance notice of the Boards maximum authorization in connection with the SDG&E litigation, BB&K's request is difficult to justify.

*Recommendation:* For review, discussion and possible action.

3. Review Status of Layne GeoSciences Pauma Groundwater Basin Surface Gravity & Geotechnical Survey Burzell

*Background:* Manager Burzell will update the board on the status of the Geotechnical Survey and discussions concerning alternative ways of proceeding. Jack Wittman, PhD, the National Director from Layne GeoSciences will be here to answer questions.

*Recommendation:* Information Item

4. Information & Discussion on Horizontal Well Drilling – IDA Burzell

*Background:* Manager Burzell will describe a plan for horizontal drilling of small diameter test wells at one or more locations in the alluvial fan in IDA.

*Recommendation:* Information Item

6. Proposed Resolution Authorizing the Reserve Fund Transfers Burzell

*Background:* A transfer of reserve funds is required to fund the capital projects in progress and clear the prior year capital fund deficit.

*Recommendation:* That the Board adopt the proposed resolution.

2:50-3:30 P.M.

**IV. INFORMATION/REPORTS**

**1. Board Reports/Meetings**

President

San Diego County Water Authority/MWD/JPIA

Knutson

Other Meetings

**2. Administrative**

Burzell

General Information

Update on Zone of Influence IDA Wells

Slippage

Well Levels

District Water Purchased

**3. Capital Improvement Program**

Burzell

**4. Operations, Maintenance & Engineering**

Engstrand

General Information

Rainfall Record

5. **Counsel**

Scott

6. **Finance**

Johnson

General Information

Delinquent Accounts

Report on Annual Review of Policies – (*FACTA Requirements*)

*Identity Theft Prevention Program*

*Fraud Policy*

Update on OPEB Financial Reporting requirements under

GASB 43/45/57 & CalPERS Employers' Retiree Benefit Trust

3:30-3:45 P.M.

**V. OTHER BUSINESS**

3:45-4:00 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.*