

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
YUIMA MUNICIPAL WATER DISTRICT
March 23, 2009**

The Regular Meeting of the Board of Directors of the Yuima Municipal Water District was held at the office of the District, 34928 Valley Center Road, Pauma Valley, California on Monday, the 23rd day of March, 2009.

**Regular Meeting
03/23/09**

1. ROLL CALL – DETERMINATION OF QUORUM

Call to Order

President Knutson called the meeting to order at 2:00 p.m..

Directors Present:

Present: All

W.D. Knutson, President
Douglas K. Anderson, Vice-President
George Stockton, Secretary
Mike Fitzsimmons
Ron W. Watkins

Directors Absent:

Absent: None

None

Present

Others Present:

Linden A. Burzell, General Manager
Lori A. Johnson, Director of Finance
Bob Fowler, Director of Operations & Maintenance
Jeff Johnson, Battalion Chief (CalFire)
Leigh Wood-Dudash, Layne GeoScience
Wade Cameron, EnerNoc

Following the roll call, President Knutson declared that a quorum of the Board was present.

Quorum Present

2. ADDITIONS TO AGENDA

Additions to agenda: none

There were no additions to the agenda.

3. PUBLIC COMMENTS

President Knutson opened the public comment period. No comments from the public were forthcoming.

At this point, President Knutson invited Chief Jeff Johnson of CalFire to make a presentation to the Board. Chief Johnson reported the fire hydrant testing program is moving forward and his staff have completed 70 fire hydrant inspections to date.

I. CONSENT CALENDAR

Following review of the Consent Calendar, Director Knutson requested that Item 7, *A Proposed Resolution Setting Forth the Time and Place of Hearing and Giving Notice of Hearing for the Proposed Ordinance Fixing Compensation of Directors*, be removed from the Consent Calendar, whereupon a motion was offered by Director Stockton, seconded by Director Watkins, to adopt the remainder of the Consent Calendar, namely; approval of the Minutes of the Regular Meeting of February 23, 2009; the Accounts Paid and Payable for February, 2009; the monthly financial reports for February, 2009; Resolution 1224-09 *Extending Appreciation to John B. Lyttle for his Distinguished Service as a Member of the Board of Directors of Yuima Municipal Water District*; Resolution No. 1225-09 *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*; Resolution No.1226-09 *Making the Annual Required Finding of the San Diego County Fire Mitigation Fee Ordinance and Re-Establishing a Fire Mitigation Fee Program for Fiscal Year 2009/10*; Resolution 1227-09 *Authorizing Checking, Savings and Investment Accounts with Various Banking Institutions and Rescinding Resolution 947-04*; Resolution No. 1228-09 *Approving Specifications and Other Contract Documents for the Partial Replacement of the Hegardt Pipeline and Authorizing the Advertisement of Invitation for Bids*; Resolution No. 1229-09 *Accepting the Construction Project Known as Station 8 Facilities Paving (Peters Paving & Grading, Inc.)*. The motion was adopted by the following roll-call vote, to wit:

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: None

II. ACTION/DISCUSSION

**Public
Comments:
None**

**CalFire
Report:**

Chief Johnson

**Consent
Calendar**

**Minutes of
Regular
Meeting
2/23/09**

**Accts. Paid &
Payable**

**Res. 1224-09
John B. Lyttle
Appreciation**

**Res. 1225-09
Fire Mit. Fee
Hearing**

**Res.1226-09
Fire Fee
Findings**

**Res. 1227-09
Checking
Accts.**

**Res. 1228-09
Hegardt Line
Plans &
Specs.**

**Res. 1229-09
Stn. 8 Paving
(Peters)**

II-1 Presentation from EnerNoc

Wade Cameron of EnerNoc Corporation presented an overview of EnerNoc's Demand Response Program. No action was taken.

**EnerNoc
Presentation:
Wade
Cameron**

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

After discussion and upon a motion by Director Fitzsimmons, seconded by Director Watkins, Resolution No. 1230-09 entitled *Resolution Authorizing Execution of Agreement for Use of Groundwater Using Yuima Well No. 26 (George and Gayle Tosello)*

**Res. 1230-09
Well No. 26
Use
Agreement
(Tosello)**

was adopted by the following roll-call vote, to wit:

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: None

II-3 Proposed Resolution Authorizing the Appropriation of \$330,000 from Yuima Capital Reserves to Yuima 2008/09 Capital Jobs for the Northern Route Pipeline Engineering, Design, Drawings and Bid Documents

After discussion and upon a motion by Director Fitzsimmons, seconded by Director Stockton, Resolution No. 1231-09 entitled *Resolution Authorizing the Appropriation of \$330,000 from Yuima Capital Reserves to Yuima 2008/09 Capital Jobs for the Northern Route Pipeline Engineering, Design, Drawings and Bid Documents* was adopted by the following roll-call vote, to wit:

**Res. 1231-09
\$330,000 to
Capital Jobs
for
Engineering,
Design & Bid
Docs for No.
Rte. Pipeline**

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: None

II-4 Resolution Awarding Contract for Construction of Eastside Station Pilot Hole and Cased Well.

Prior to commencement of discussion of this item, Director Anderson left the room in accordance with the requirements of law. Upon a motion by Director Fitzsimmons, seconded by Director Stockton, the Board approved Resolution No. 1232-09 entitled *Resolution Awarding Contract for the Construction of Eastside Station Pilot Hole and Cased Well* to SoCal Pump & Well Drilling, Inc. in the amount of \$193,775 by the following roll call vote, to wit:

AYES: Knutson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: Anderson

Upon conclusion of the roll-call vote, Director Anderson returned to the meeting.

II-5/ II-6 Resolution No. 1233-09 Authorizing Facilities Use Agreement with the State of California, Department of Forestry and Fire Protection (“CalFire”) and Resolution 1234-09 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.

After discussion, upon a motion by Director Watkins, seconded by Director Stockton, moved that the two foregoing resolutions, namely Resolution No. 1233-09 *Authorizing Facilities Use Agreement with the State of California, Department of Forestry and Fire Protection (“CalFire”)* and Resolution 1234-09 *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; be voted upon and approved together. The motion to consider together and to approve was passed by the following roll call vote, to wit:

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

**Res. 1232-09
Eastside
Station Pilot
Hole/Well

(So Cal Pump
& Well
Drilling, Inc.)**

**Res. 1233-09
Authorizing
CalFire
Facilities Use
Agreement

And

Res. 1234-09
Terminating
CalFire
Building and
Ground Lease
(L-2376)**

NOES: None

ABSTAIN: None

ABSENT: None

II-7 Resolution Adopting and Identity Theft Prevention Program.

After discussion, Director Fitzsimmons, seconded by Director Watkins, the Board approved Resolution No. 1235-09 entitled *Identity Theft Prevention Program* submitted by staff, without amendment.

The motion was passed by the following roll call vote, to wit:

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: None

**Res. 1235-09
Adopting an
Identity Theft
Prevention
Program**

II-8 CSDA Scholarship and Yuima Scholar Awards

Following the report and recommendation of the Board's Scholarship Committee, Director Stockton moved, seconded by Director Fitzsimmons, that the CSDA Scholarship nomination and Yuima Scholarship in the amount of \$500 be awarded to Rachel Hochstetler; and that an additional Yuima Scholarship of \$500 be awarded to Juan Melendez. The motion passed by the following roll call vote:

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: None

**2009 Scholar
Awards &
CSDA
Nomination**

III. REPORTS/MEETINGS

III-1. Board Reports/Meetings

Director Knutson reported that:

**Board
Reports
President**

- ✦ The Water Authority is fully occupied at present in trying to come to terms with the implications of major rate hikes expected from Met, as well as formulating plans to equitably distribute supply cutbacks among the member agencies if, as expected, Met institutes a supply reduction of about 13 - 15% in July, 2009;
- ✦ JPIA insurance rates are expected to remain unchanged or to decrease slightly in the case of worker's compensation coverage;
- ✦ The Colorado River Basin is still in a drought condition despite recent snowfall. Lake Powell currently has more water in storage than Lake Mead.
- ✦ The All American Canal Lining project is nearing completion, with a dedication ceremony scheduled for April 30th.
- ✦ Once constructed, the Drop 2 (Wm. H. Brock) Reservoir will save approximately 70,000 acre-feet per year.

Knutson

III-2. Administrative Report

Manager Burzell called the board's attention to his written Administrative report. There were no questions.

Admin. Report

III-3. Capital Improvement Program Review.

Manager Burzell drew the Board's attention to the Capital Improvement summaries; there were no questions.

Discussion on Capital Improvements

III-4. Operations Report.

Director of Operations & Maintenance Fowler called the Board's attention to his written Operations Report; there were no questions.

Operations Report

III-5. Engineer's Report.

None.

Engineer's Report

III-6. Counsel's Report.

Counsel Scott was not present.

**Counsel's
Report**

III-7. Finance Report

Director of Finance Johnson called the Board's attention to the staff report regarding the State Budget impact on Yuima's finances noting that the sales and use tax increase on items Yuima purchases will have an annual impact of approximately \$6,500.

Director of Finance Johnson updated the board on FEMA's response to our first appeal stating that staff will be filing a second appeal shortly. For FEMA to include the La Jolla and Rincon Indian Reservations and exclude the public agencies in between these two locations did not make good sense. Director Fitzsimmons suggested that the issue of sovereignty be addressed in our next appeal.

IV. OTHER BUSINESS

Leigh Wood-Dudash of Layne Christensen delivered the final maps and reports in connection with Layne's geo-technical surveys of the Pala and Pauma Groundwater Basins.

**Other
Business

Layne
Christensen
final report.**

V. ADJOURNMENT

There being no further business to come before the board and upon a motion by Director Watkins, seconded by Director Stockton, it was unanimously agreed that the meeting stand adjourned at 4:37 p.m.

**Adjournment
4:37 p.m.**

Original copy was signed and
approved on 4/27/2009.

George Stockton, Secretary

ATTEST:

Original copy was signed and
approved on 4/27/2009. _____
W.D. Knutson, President