

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF  
YUIMA MUNICIPAL WATER DISTRICT  
October 26, 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 26<sup>th</sup> day of October, 2009.

**Regular Meeting  
10/26/09**

**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 Johnson, Director of Finance  
Bob Fowler, Director of Operations & Maintenance  
Jeff Scott, Esq. Counsel  
Chief Johnson, CalFire  
Anthony Cinquini

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

**Quorum Present**

**2. ADDITIONS TO AGENDA**

Upon a motion by Director Stockton, seconded by Director Watkins, and approved unanimously, the following item was added to the *Agenda: III-6, Proposed Authorization for*

**Additions to agenda: III-6: Approve up to \$38,000 for SDCWA review of FCF Plans and**

*Payment of up to \$38,000 to the San Diego County Water Authority for Review of Plans and Specifications for the Northern Route Pipeline Flow Control Facility and increase the Yuima Capital Facilities Northern Route Project budget by the same amount.*

**Specs**

### **3. PUBLIC COMMENTS**

President Knutson opened the public comment period. There were no comments from the public.

**Public Comments: None**

### **I. CONSENT CALENDAR**

**Consent Calendar**

Following review of the Consent Calendar, a motion was offered by Director Anderson, seconded by Director Watkins, to adopt the Consent Calendar, namely; approval of the Minutes of the Regular Meeting of September 28, 2009; the Accounts Paid and Payable for September, 2009; the monthly financial reports for September, 2009; Resolution No. 1276-09, *Accepting the Construction Project Known as the Eastside Station Pilot Hole and Cased Well – Well #29 (SoCal Pump and Well Drilling, Inc.);* and Resolution No. 1277-09 *Approving Plans & Specifications for the Kahlstrom Line Emergency Section Replacement.* The motion was adopted by the following roll-call vote, to wit:

**Minutes of Reg. Meeting of 9/28/09**

**Accts. Paid & Payable for Sept. '09**

**Monthly Fin. Reports for Sept. '09**

**Res.1276-09 Accepting Well #29 (SoCal Pump)**

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSENT: None

**Res.1277-09 Plans & Specs Kahlstrom Line**

### **II. SPECIAL REPORTS**

Chief Johnson of CalFire reported that Rincon Station personnel responded to 35 incidents during September, a 50% reduction from the previous month. Additional supplies are needed for fire hydrant maintenance. A recent meeting of representatives of CalFire, the Pauma Reservation Fire Department and the District pointed out several useful changes that could be incorporated when the current Mutual Aid Agreement is renewed.

**Special Report CalFire Capt. Johnson**

**III. ACTION/DISCUSSION**

**III-1 Public Hearing to Receive Comments and Consider Adoption of the Draft Negative Declaration – Shadow Run Ranch, LLC (252.8 acres)**

**Public Hearing on Neg Dec. for Shadow Run Ranch Annexation  
Res.1278-09 Approving the Neg. Dec. (Shadow Run Ranch, LLC)**

President Knutson declared the Public Hearing open at 2:20 p.m. No members of the public wishing to testify, President Knutson declared the Public Hearing closed at 2:22. Upon a motion by Director Fitzsimmons, seconded by Director Stockton, a motion to approve Resolution No. 1278-09 Approving the Negative Declaration – Shadow Run Ranch LLC (252.8 acres) was adopted by the following roll-call vote:

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: None

**III-2 Hearing on Two IAWP Accounts for Exceeding Established Allocations Three or More Times During CY 2009**

**Hearing on Accounts Exceeding IAWP Allocations**

Upon a motion by Director Fitzsimmons, seconded by Director Watkins, a motion to instruct the General Manager to flow-restrict IAWP accounts that have exceeded their quotas three times or more during CY 2009, and to lock off any IAWP accounts that have exceeded their annual IAWP quota, such lock-off to remain in effect until January 1, 2010, passed unanimously by the following roll-call vote:

AYES: Knutson, Anderson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: None

**III-3 Proposed Water Purchase Agreement Concept/Template with Wholesale Water Agencies.**

**Water Purchase Agreement Concept**

Manager Burzell outlined his intention to provide the District with additional local water by entering into agreements with interested local well owners. Manager Burzell and

Counsel Scott will work together to develop guidelines and standard contract provisions for such agreements. No formal Board action was taken.

*Director Anderson left the meeting at 2:56 p.m.*

III-4 Proposed Resolution Approving a Well Water Purchase Agreement with Rincon Oaks/Village Nurseries, Inc. and Reversal of Over Allocation Penalty

Upon a motion by Director Watkins, seconded by Director Fitzsimmons, the Board unanimously authorized the General Manager to negotiate a Water Purchase Agreement with Rincon Oaks/Village Nurseries that incorporates the principles outlined by Counsel Scott in a draft agreement; the final agreement will be brought back to the Board at its November meeting for final approval. Upon approval of the Water Purchase Agreement, Rincon Oaks/Village Nurseries would deliver no less than 5.38 acre-feet of water to the District, and the accrued Over Allocation penalty will be reversed.

AYES: Knutson, Fitzsimmons, Stockton, Watkins

NOES: None

ABSTAIN: None

ABSENT: Anderson

*Director Anderson returned to the meeting at 3:04 p.m.*

III-5 Approval of Draft Standard Well Agreement

After discussion and upon a motion by Director Watkins, seconded by Director Fitzsimmons, and subject to final review by District Counsel of the well destruction requirement language, the board unanimously approved the draft Standard Well Agreement.

III-6 Proposed Authorization for Payment of up to \$38,000 to the San Diego County Water Authority for Review of Plans and Specifications for the Northern Route Pipeline Flow Control Facility and Increase the Yuima Capital Facilities Northern Route Project Budget by the same amount.

After discussion and upon a motion by Director Fitzsimmons, seconded by Director

**Village Nurseries: Water Purchase Agreement and Terms of Reversal of Over Allocation Penalty.**

**Draft Standard Well Agreement**

**Approval of \$38,000 pmnt. To SDCWA for Review of**

Anderson, the board unanimously approved the payment of up to \$38,000 to the San Diego County Water Authority for the review of design, plans and specifications for the Flow Control Facility that would serve the proposed Northern Route Pipeline. In addition, the Northern Route Project Budget was increased by the same amount.

**No. Rte.  
Pipeline FC**

#### **IV. REPORTS/MEETINGS**

##### **IV-1. Board Reports/Meetings**

President Knutson reported that:

**Board  
Reports**

- The CWA board did not increase the General Manager’s signing authority to \$150,000 as proposed
- Sandra Kerl has been hired to replace the retiring Paul Lanspery
- IID price reset negotiations for QSA water are continuing
- Negotiations continue over the Water Authority’s dispute with Olivenhain W.D. concerning the effects of water from Lake Hodges on Olivenhain’s water treatment plant.
- Met is conducting a cost of service review, driven mainly by the effect of State Water Project wheeling expense in distorting the cost to certain member agencies of components of the un-bundled rates and charges.

**President  
Knutson**

Director Stockton reported on the Delta Tour he recently participated in.

**Director  
Stockton  
(Delta Tour)**

##### IV-2. Administrative Report

Manager Burzell called the Board’s attention to his written Administrative report.

**Admin.  
Report**

There were no questions.

##### IV-3. Capital Improvement Program Review.

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

**Discussion on  
Capital  
Improvement**

##### IV-4. Operations Report.

Director of Operations & Maintenance Fowler called the Board’s attention to his written Operations Report. Director Anderson asked that staff verify that the steel casing to be

**Operations  
Report**

used in Wells 29 and 30 be of American manufacture, in view of the corrosion problems encountered recently with imported steel.

IV-5. Engineer's Report.

None.

**Engineer's Report**

IV-6. Counsel's Report.

Counsel Scott reported that the Governor vetoed SB 802, which would have reduced allowable contract retention amounts from 10% to 5%.

**Counsel's Report**

IV-7. Finance Report

Director of Finance Johnson called the Board's attention to the 3 month budget report in the packet. She stated we are at 37% of our projected sales and all actual expenditure to budget for this time of year are within acceptable percentages.

**Finance Reports**

**V. OTHER BUSINESS**

None

**Other Business**

**VI. ADJOURNMENT**

There being no further business to come before the board and upon a motion by Director Fitzsimons, seconded by Director Watkins, it was unanimously agreed that the meeting stand adjourned at 4:17 p.m.

**Adjournment  
4:17 p.m.**

Original Minutes were signed and approved on November 23, 2009.

George Stockton, Secretary

ATTEST:

Original Minutes were signed and approved on November 23, 2009.

W.D. Knutson, President