

**MINUTES OF THE REGULAR ADJOURNED MEETING
OF THE BOARD OF DIRECTORS OF
YUIMA MUNICIPAL WATER DISTRICT
July 30, 2014**

The Regular Adjourned 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 Wednesday, the 30th day of July, 2014.

**Regular Adj.
Meeting
7/30/14**

1. ROLL CALL – DETERMINATION OF QUORUM

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

**Call to Order
2:00 pm**

Directors Present:

Present: 5

W.D. “Bill” Knutson, President
Ron Watkins, Vice-President
George Stockton, Secretary/Treasurer
Mike Fitzsimmons
Doug Anderson

Directors Absent:

Absent: 0

None

Others Present:

Others Present

Linden A. Burzell, General Manager
Lori A. Johnson, Director of Finance
Roland Simpson
Daren House
Tony Bolado
Lynne Villalobos

President Knutson declared that a quorum of the Board was present.

**Quorum
Present**

2. PLEDGE OF ALLEGIANCE

President Knutson led those present in the Pledge of Allegiance.

**Pledge of
Allegiance**

3. APPROVAL OF AGENDA

It was proposed that the Consent Calendar be amended to include three corrections to the Minutes of the June 5th Special Meeting, as follows (1) Douglas Anderson is no longer Vice President (2) Roland Simpson’s comments occurred

**Approval of
Agenda**

“during” the referenced discussion and (3) reverse the names of movers of the final two amendments offered to the motion to modify IDA’s percentage contribution to legal defense of the Strub lawsuit (Anderson for Fitzsimmons and *vice versa*).

**Amendments
to Consent
Calendar**

4. PUBLIC COMMENTS

President Knutson opened the public comment period, noting that comments regarding specific agenda items would be taken up when those items are being considered. Roland Simpson enquired as to the total cost of the tank spill that occurred during the commissioning of the new Zone 4 tank; directed the board’s attention to the stacked brush near the upper reach of the repaired fence; suggested that the drainage pattern in the canyon below the tank be further modified; believes that the brow ditches above the tank are constructed improperly; took issue with the construction of the new drain pipe that traverses the fill slope below the tank; and believes that immediate action should be taken in response to SB1168 which is pending in the state legislature.

**Public
Comments:**

Daren House and Roland Simpson commented extensively on the role of the Director of Operations in the overflow of the Zone 4 Tank during its initial hydraulic test.

I. CONSENT CALENDAR

**Consent Calendar
Approved**

Director Fitzsimmons moved approval of the Consent Calendar, consisting of the *Approval of the Minutes of the Regular and Special Meetings of June 23, 2014; Approval of Accounts Paid and Payable for June 2014; Acceptance of the Monthly Financial Report for June 2014 (Treasurer’s Report)*. The motion was seconded by Director Stockton and approved by the following roll-call vote, to wit:

**Regular and
Special Meeting
Minutes for June
23, 2014**

**June
Paid/Payables**

**June Financial
Reports (Treas.
Report only)**

- AYES: Watkins, Fitzsimmons, Anderson, Stockton, Knutson
- NOES: None
- ABSTAIN: None
- ABSENT: None

II. SPECIAL REPORTS

CalFire was represented by Chief Davenport who reported that the emergency calls increased somewhat compared to the previous month; that the new

**CAL FIRE
report Captain
Davenport**

Amkus “jaws of life” equipment has been received and installed; that a second grant application has been prepared to cover part of the cost of a second Amkus unit and/or a thermal imaging unit.

III. ACTION/DISCUSSION

1. Proposed Resolution Approving the Neighborhood Reinvestment Program Grant Agreement Between the County of San Diego and Yuima Municipal Water District (\$20,000)

**Res #1571-14
Approval of
S.D. County
Grant
Application**

Upon a motion by Director Stockton, seconded by Director Fitzsimmons, Resolution 1571-14 Approving the Neighborhood Reinvestment Program Grant Agreement Between the County of San Diego and Yuima Municipal Water District (\$20,000) was approved by the following roll call vote, to wit:

AYES: Watkins, Fitzsimmons, Anderson, Stockton, Knutson
NOES: None
ABSTAIN: None
ABSENT: None

2. Conflict of Interest Code Biennial Review

**Conflict of
Interest
Biennial
Review – no
amendments**

After discussion and upon a motion by Director Fitzsimmons, seconded by Director Watkins, the board found that no amendments to the Conflict of Interest Code are required, and directed staff to file the appropriate forms with the Clerk of the Board of Supervisors upon the following roll call vote, to wit:

AYES: Watkins, Fitzsimmons, Anderson, Stockton, Knutson
NOES: None
ABSTAIN: None
ABSENT: None

3. Proposed Resolution Accepting the Procurement Contract Known As Booster Station No. 6 – Vertical Turbine Pumps (Fain Drilling and Pump Company, Inc.)

**Res. #1572-14
Accepting
Procurement
Contract –
Station 6
Pumps (Fain)**

After discussion and upon a motion by Director Watkins, seconded by Director Anderson, Resolution No. 1572-14 Accepting the Procurement Contract Known as Booster Station No. 6 – Vertical Turbine Pumps (Fain Drilling and Pump Company, Inc.) was approved by the following roll call vote, to wit:

AYES: Watkins, Fitzsimmons, Anderson, Stockton, Knutson
NOES: None
ABSTAIN: None
ABSENT: None

4. Consideration of Request for Change of Service Designation & Meter Size (APN 130-070-11) 80 acres – Sierra Land & Livestock – Freeberg.

Change of Service - Freeberg

After discussion and upon a motion by Director Anderson, seconded by Director Watkins, the board found that there is sufficient capacity in the system to justify the service reclassification of the Freeberg service connection and upsize the existing 2 inch meter to a 3 inch meter, and staff was directed to implement said service modifications by the following roll call vote, to wit:

AYES: Watkins, Fitzsimmons, Anderson, Stockton, Knutson
NOES: None
ABSTAIN: None
ABSENT: None

5. Proposed Resolution Approving Boundary Adjustment and Compensation to Daren and Patricia House, Trustees, 77.5% Interest and Jennifer Simpson, 22.5% Interest (Grantors) (0.75 acre APNs 132-270-41 & 42)

No Action

Director Watkins moved to table, seconded by Director Fitzsimmons. The motion to table was approved upon the following roll call vote, to wit:

AYES: Watkins, Fitzsimmons, Anderson, Stockton, Knutson
NOES: None
ABSTAIN: None
ABSENT: None

IV. INFORMATION/REPORTS

IV-1. Board Reports/Meetings

- President Knutson reported that he attended the dedication of the newly raised San Vicente Dam. He reported that Mr. Laird of the State Water Board praised the San Diego region for constructing the project with local money. He also reported that the District's Jolyn Duff was singled out for praise at a recent JPIA seminar for her skills as the District's primary contact with the public.

**Board Reports
Pres. Knutson**

- Vice President Watkins reported on the extensive discussions at the Water Authority that resulted in the imposition of Stage II mandatory conservation measures. He also reported that the Carlsbad Desal plant and pipeline are more than 50% complete.

VP Watkins

IV-2. Administrative Report

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

Administrative Report

IV-3. Capital Improvement Program

Manager Burzell called the board’s attention to the Capital Improvement Program reports. There were no questions.

Capital Improvements

IV-4. Operations Report

Director of Operations Engstrand was not present.

Operations & Engineering Report

IV-5. Counsel’s Report.

Counsel Scott reserved his comments for Closed Session.

Counsel’s Report

IV-6. Finance Report

Director of Finance Johnson stated that one account in Yuima has a lien filed and the receivable for VO for the power bills for their grove water remain unpaid.

Finance Reports

The Water Availability Deferral report was reviewed next. It was noted that the Metta Forest 79 acre parcel that was approved for deferral last year is included in the 2,824 acres that have deferred water availability charges.

Director of Finance Johnson stated that the District will receive \$11,554 for the Pre-2004 mandated cost claims that we filed. The state budget for 2014-15 includes \$100 million to pay pre-2004 mandated claims in 2014-15.

She stated that the O’Connor matter (*Damages to District PRV/Vault & Blow-off*) is on the County’s Restitution Recovery Unit calendar for September 16th.

V. OTHER BUSINESS

CLOSED SESSION: Conference with Legal Counsel – Existing Litigation

Closed Session

Existing Litigation

**Litigation Pursuant to Government Code Section 54956.9 (a)
Name of Case: Strub v. Palomar Mutual Water Company – San Diego County Superior Court Case No. 162650. In the Court of Appeal of the State of California Fourth Appellate District, Division One: Rancho Pauma Mutual Water Company vs. Yuima Municipal Water District**

The Board entered closed session at 3:26 p.m. and emerged from closed session at 3:54 pm. Counsel Scott participated by telephone.

REPORT AFTER CLOSED SESSION

The Board directed Staff and Counsel to take appropriate action with respect to the existing case named.

VI. ADJOURNMENT

There being no further business to come before the board and upon a motion to adjourn the meeting offered by Director Anderson, seconded by Director Fitzsimmons and carried unanimously, the meeting was adjourned at 3:54 p.m.

Adjourn @ 3:54 p.m.

Original with signature on file at District Office.

George Stockton, Secretary

ATTEST:

Original with signature on file at District Office. _____

W.D. “Bill” Knutson, President