

**MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF  
YUIMA MUNICIPAL WATER DISTRICT  
April 16, 2014**

A Special 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 16<sup>th</sup> day of April, 2014.

**Special Meeting  
4/16/14**

**1. ROLL CALL – DETERMINATION OF QUORUM**

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

**Call to Order  
2:00 p.m.**

Directors Present:

**Present: 5**

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

Directors Absent:

**Absent: 0**

None

Others Present:

**Others Present**

Linden A. Burzell, General Manager  
Lori A. Johnson, Director of Finance  
Todd Engstrand, Director of Operations & Engineering  
Jeffrey Scott, General Counsel  
Arthur Kidman, Kidman Law  
Daren House  
Roland Simpson  
Kim Alvarado, RPMWC

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**

No changes to the posted Agenda were proposed.

**Approval of Agenda**

#### 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. No comments from the public were forthcoming.

**Public  
Comments:**  
  
**None**

##### I. ACTION/DISCUSSION

1. Proposed Resolution Cancelling Agreement to Lease Well Site (V/O Well #1); Cancelling Agreement to Purchase Well Water (V/O Well #2) and Quit Claim of Well Site and Pipeline Easement and Right of Way (V/O Pauma Development, L.P. – APN 130-100-17 & 26 and Rescinding Resolution Nos. 1328-10, 1331-10 & 1507-13)

**Action/  
Discussion**

**Res #1547-14  
Cancelling  
Agreement to  
Lease Well Site  
V/O 1 and V/O  
2 & Quit  
Claim  
Easement**

Manager Burzell stated that a Notice of Termination has been received from V/O's counsel, Cynthia Eldred, providing notice of termination of the Agreements between Yuima and V/O Pauma Development, L.P. Upon a motion by Director Stockton, seconded by Director Fitzsimmons, Resolution No. 1547-14 *Cancelling Agreement to Lease Well Site (V/O Well #1) Cancelling Agreement to Purchase Well Water (V/O Well #2); and Quit Claim of Well Site Pipeline Easement and Right of Way V/O Pauma Development, L.P* was approved by the following roll-call vote, to wit:

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

2. Proposed Resolution Approving Quit Claim of Well Site and Pipeline Easement (V/O Well #2 Well Site and Pipeline Easement)

Manager Burzell stated that the termination action of the V/O Pauma Development Well Agreement necessitates a quit claim of the Easement for the well site and pipeline right of way. Upon a motion by Director Watkins, seconded by Director Anderson, Resolution No. 1548-14 *Resolution Quit Claim of Well Site and Pipeline Easement (V/O Well #2 Well Site and Pipeline Easement)* was approved by the following roll-call vote, to wit:

**Res #1548-14  
Approving  
Quit Claim of  
Well Site &  
Pipeline  
Esmt. VO 2**

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

3. Proposed Resolution Terminating the Water Purchase Agreement with Rancho Pauma Mutual Water Company

Res #1549-14  
Approving  
Quit Claim of  
Well Site &  
Pipeline  
Esmt. VO 2

Manager Burzell stated that the termination action of the V/O Pauma Development Well Agreement necessitates a quit claim of the Easement for the well site and pipeline right of way. Upon a motion by Director Anderson, seconded by Director Stockton, Resolution No. 1549-14 *Resolution Quit claim of Well Site and Pipeline Easement (V/O Well #2 Well Site and Pipeline Easement)* was approved by the following roll-call vote, to wit:

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

**II. OTHER BUSINESS**

**CLOSED SESSION: Conference with Legal Counsel – 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**

Closed Session  
Litigation

After motion duly made and seconded, the Board adjourned to closed session at 1:17 p.m., and emerged from closed session at 2:44 p.m.

**REPORT AFTER CLOSED SESSION**

The Board directed Staff and Counsel to take appropriate action with respect to the existing litigation matter.

**III. 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 2:50 p.m.

Adjourn at 2:50  
p.m.

ATTEST:

\_\_\_\_\_  
Original signature on file at District office. \_\_\_\_\_  
George Stockton, Secretary

\_\_\_\_\_  
Original signature on file at District office. \_\_\_\_\_  
W.D. "Bill" Knutson, President