

Agenda

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

Tuesday, May 27, 2014 2:00 P.M.
34928 Valley Center Road, Pauma Valley, California

Bill Knutson, President
Ron W. Watkins, Vice President
George Stockton, Secretary/Treasurer

Mike Fitzsimmons, Director
Douglas Anderson, Director

AGENDA TOPICS

- 2:00-2:05 P.M. 1. **Roll Call** – Determination of Quorum.
2. **Pledge of Allegiance**
3. **Approval of Agenda** – At its option, the Board may approve the agenda, delete an item, reorder items and add an item to the agenda per the provisions of Government Code §54954.2.
4. **Public Comment** – 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)

2:05-2:08 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. Approve minutes of the Regular and Special Meetings of April 28, 2014.
2. Approval of Accounts Paid and Payable & Reporting under Government Code §53065.5 for April, 2014.
3. Acceptance of Monthly Financial Reports – April, 2014 Treasurers Report and Cash Statement.
4. Proposed Resolution Establishing the Appropriation Limit for Fiscal Year 2014/15 Pursuant to Article XIII B of California Constitution

Background: Annually the District is required to calculate the annual appropriation limit pursuant to Article XIII B of the State Constitution. The public notice requirements under Government Code Section §7910 have been met.

Recommendation: That the Board adopt the proposed Resolution.

2:08-2:10 P.M. **II. SPECIAL REPORTS**

1. Joint Powers Fire Report
Battalion Chief Williamson will be present

Williamson

2:10-3:00 P.M. **III. ACTION/DISCUSSION**

1. Discussion and Possible Action Regarding the Allocation of Legal Fees to Improvement District A "IDA" as a result of the suit filed by the Rancho Pauma Mutual Water Company against Yuima.

Knutson

Background: In March the board requested staff to calculate the effect on the General District under an alternative allocation formula for the legal expenses in the current case. In 1968 the District hired the firm of Peasley Accountancy Corp. to prepare a study that would fairly allocate Yuima's General and Administrative Expenses to the new Improvement District A. It was determined that the equitable allocation would be based on a 3-factor formula based on the number of Customers, % of direct hours worked in each District and the value of Utility Plant. This allocation has been used since 1968. On average IDA pays 46% of the General and Administrative expenses monthly based on this formula. The formula with respect to the legal fees associated with the current lawsuit places an inequitable burden on IDA since they will not benefit from this action. IDA is limited to a maximum of 1,350 acre feet of water from the Rincon Basin from their 5 river wells. In April staff requested additional time to identify other allocations of revenue and expenditures to and from IDA to present a thorough analysis.

Recommendation: That the Board either find that the current allocation is fair or the Board adopt an alternative allocation of the legal expenses in the current case.

2:15-3:30 P.M. **IV. INFORMATION/REPORTS**

1. **Board Reports/Meetings**

President/JPIA
San Diego County Water Authority/MWD
Other Meetings

Knutson
Watkins

2. **Administrative**

General Information
Slippage
Well Levels
District Water Purchased

Burzell

- | | |
|--|-----------|
| 3. Capital Improvement Program | Burzell |
| 4. Operations, Maintenance & Engineering | Engstrand |
| General Information
Rainfall Record
Consumer Confidence Report for 2013 – (Retailer’s Report) | |
| 5. Counsel | Scott |
| 6. Finance | Johnson |
| General Information
Delinquent Accounts
Auditor Correspondence - SAS 114 Planning Letter from
TRS Teaman, Ramirez & Smith, Inc. | |

3:30-4:25 P.M. **V.** **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.**

At any time during the regular session, the Board may adjourn to closed session to consider litigation, personnel matters, or to discuss with legal counsel matters within the attorney-client privilege. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code Section 54956.9

4:25-4:30 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. The meeting begins at 2:00 p.m. The time listed for individual agenda items is an estimate only. 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.