

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF  
YUIMA MUNICIPAL WATER DISTRICT  
April 22, 2013**

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 22<sup>nd</sup> day of April, 2013.

**Regular Meeting  
4/22/13**

**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  
Douglas K. Anderson, Vice-President  
George Stockton, Secretary/Treasurer  
Mike Fitzsimmons  
Ron Watkins

Directors Absent:

**Absent: 0**

None

Others Present:

**Others Present**

Linden A. Burzell, General Manager  
Lori A. Johnson, Director of Finance  
Todd D. Engstrand, Director of Operations & Engineering  
Chief Cristina Wallace, CalFIRE  
Captain Rick Johnson, CalFIRE

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**

Upon a motion by Director Fitzsimmons, seconded by Director Anderson and approved unanimously, the following items were added to the agenda:

**Approval of Agenda**

Item III-7. Proposed Resolution Authorizing the Execution and Delivery of an Installment Sale Agreement and Authorizing and Directing Certain Actions in Connection with the Refinancing of Agreement #04-0419-AF

**Addition to agenda**

(Municipal Finance Corporation)

And:

Item III-8. Proposed Resolution Authorizing the Execution and Delivery of an Installment Sale Agreement, and Authorizing and Directing Certain Actions in Connection with the Refinancing of Agreement #07-039-AF (Municipal Finance Corporation)

#### 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. CONSENT CALENDAR

Director Stockton moved approval of the Consent Calendar, consisting of the *Approval of the Minutes of the Regular Meeting of March 25, 2013; Approval of Accounts Paid and Payable for March 2013; Acceptance of the Monthly Financial Reports for March, 2013; Resolution 1473.1-13 Adopting an Annual Statement of Investment Policy and Rescinding Resolution No. 1418-12.* The motion was seconded by Director Fitzsimmons and approved by the following roll-call vote, to wit:

**Consent Calendar Approved**  
**25 March Minutes**  
**March Paid/Payables**  
**March Financial Reports**  
**Annual Statement of Investment Policy**

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

#### II. SPECIAL REPORTS

Battalion Chief Wallace of CAL FIRE presented the monthly statistical report. She stated that Fire Season was called on April 15<sup>th</sup> which is earlier than normal. This means that our Type 1 engine utilized during the Amador period was replaced with a Type 3 engine that is utilized up and down the State.

**CAL FIRE report Chief Wallace**

Captain Johnson reported they continue working on the hydrant maintenance program.

**III. ACTION/DISCUSSION**

1. Public Hearing on Proposed Schedule of Water Availability Charges

President Knutson declared the Public Hearing open at 2:11 pm. No members of the public being present and wishing to present testimony, the hearing was declared closed at 2:12 pm.

1-A. Proposed Ordinance Fixing a Water Availability Charge for the District (2013/14)

Upon a motion by Director Stockton, seconded by Director Watkins, Ordinance No. 113-13 *Fixing a Water Availability Charge for the District (2013/14)* 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 Authorizing an Amendment to the Agreement Between the County of San Diego and Yuima MWD for use of Fire Protection Funds and Extending Agreement Through Fiscal Year 2013/14 (County Contract #510681 – Amendment No. 3)

Upon a motion by Director Fitzsimmons, seconded by Director Watkins, Resolution No. 1474-13 *Authorizing an Amendment to the Agreement Between the County of San Diego and Yuima MWD for use of Fire Protection Funds and Extending Agreement Through Fiscal Year 2013/14 (County Contract #510681 – Amendment No. 3)* 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 Authorizing the Entry into the Cooperative Fire Protection Services Agreement with the California Department of Forestry and Fire Protection for Fiscal Years 2013/2014 Through 2017-2018

**Public  
Hearing:  
Water  
Availability  
Charges**

**Ord. 113-13  
Water  
Availability  
Charge**

**Amend County  
Fire Contract**

**Res. 1474-13  
Amend. To  
County  
Contract Fire  
Protection  
Funds**

Upon a motion by Director Fitzsimmons, seconded by Director Anderson, Resolution No. 1475-13 Authorizing the Entry into the Cooperative Fire Protection Services Agreement with the California Department of Forestry and Fire Protection for Fiscal Years 2013/2018 was approved by the following roll call vote, to wit:

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

4. Proposed Resolution Levying a Special Fire Tax (Fire Protection) for the Fiscal Year 2013/14 (Amador)

After discussion and upon a motion by Director Fitzsimmons, seconded by Director Anderson, Resolution 1476-13 *Levying a Special Fire Tax (Fire Protection) for the Fiscal Year 2013/14 (Amador)* was approved by the following roll call vote, to wit:

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

5. Local Area Formation Commission (LAFCO) – Independent Special District Member – (One Vacant Position)

No action taken.

6. Letter to Governor Brown *et al.* in Support of the Timely Release of the Remaining Sections of the BDCP EIR/EIS

Upon a motion by Director Stockton, seconded by Director Watkins, the General Manager was authorized by a unanimous voice vote to send the letter as presented.

7. Proposed Resolution Authorizing the Execution and Delivery of an Installment Sale Agreement and Authorizing and Directing Certain Actions in Connection with the Refinancing of Agreement #04-0419-AF (Municipal Finance Corporation)

**Res. 1475-13  
Entry into  
County  
Cooperative  
Fire  
Agreement  
2013-2018**

**Res. 1476-13  
Levying Fire  
Tax - FY  
2013/14**

**LAFCO  
Special District  
Member  
Vacancy  
No action**

**Authorizing  
letter to  
Governor  
Brown (BDCP  
EIR/EIS)**

And:

8. Proposed Resolution Authorizing the Execution and Delivery of an Installment Sale Agreement, and Authorizing and Directing Certain Actions in Connection with the Refinancing of Agreement #07-039-AF (Municipal Finance Corporation)

After discussion and upon a motion by Director Anderson, seconded by Director Fitzsimmons, to consider together, and to approve together as a single motion, Item 7 and Item 8, Resolution 1477-13 *Authorizing the Execution and Delivery of an Installment Sale Agreement and Authorizing and Directing Certain Actions in Connection with the Refinancing of Agreement #04-0419-AF (Municipal Finance Corporation)*

**Res. 1477-13 &  
1478-13  
Authorizing  
Refinancing  
Agreements**

AND

*Authorizing the Execution and Delivery of an Installment Sale Agreement, and Authorizing and Directing Certain Actions in Connection with the Refinancing of Agreement #07-039-AF (Municipal Finance Corporation) was approved by the following roll call vote, to wit:*

AYES: Fitzsimmons, Watkins, Stockton, Anderson, Knutson

NOES: None

ABSTAIN: None

ABSENT: None

#### **IV. INFORMATION/REPORTS**

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

1. President Knutson reported the insurance broker for JPIA for the last 20 years passed away and that JPIA is in the process of interviewing three other brokers.
2. Director Watkins reported that the CWA meeting will be on April 23<sup>rd</sup>.

##### IV-2. Administrative Report

Manager Burzell called the board's attention to his written Administrative report. There were no questions. He reported that Well 46 has been drilled to a depth of 550' and is currently producing about 130 gpm.

**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 Watkins inquired about the drop in flow rate in Horizontal Well No. 46. Staff explained that the initial flow has relaxed and in addition the 5-inch casing advancement has restricted the flow from the first water producing zone. The casing will be removed when the well is lined which should increase the flow.

**Operations & Engineering Report**

Director Stockton asked about the proposed connection with Valley Center Municipal Water District and the benefit to Yuima. Director of Operations Engstrand stated that the emergency connection would allow Yuima to take imported water from VCMWD to fill the McNally Tanks by gravity in the event the District’s CWA connection or Forebay Pump Station were out of service.

President Knutson inquired about the water quality trends in Pauma Valley. Staff explained that historical trends show increases and subsequent decreased in nitrate and perchlorate level as plumes move through the Valley. It is suspected these plumes are caused somewhat by the past application of Chilean fertilizers which were petroleum based.

IV-5. Counsel’s Report.

Counsel Scott noted some proposed legislation that would make it a misdemeanor for the Chair to prohibit public criticism.

**Counsel’s Report**

IV-6. Finance Report

Director of Finance Johnson stated that we have one locked off meter in Yuima. This property is under new ownership with a company that processes repossessed properties.

**Finance Reports**

Director of Finance Johnson reviewed the 9 month report noting that sales are on track for this reporting period showing 132 acre feet more in sales than this time

last year.

**V. OTHER BUSINESS**

**CLOSED SESSION: Conference with Legal Counsel -- Potential  
Litigation Pursuant to Government Code Section 54956.9 (one case)**

Closed Session  
2:59 --3:49 pm  
Potential  
Litigation

Counsel and staff were directed to take appropriate action with respect to the matters discussed.

Consider adjourning the May 27<sup>th</sup> regular meeting to Tuesday May 28<sup>th</sup> or Monday, May 20<sup>th</sup> due to the Memorial Day Holiday.

**VI. ADJOURNMENT**

There being no further business to come before the board and upon a motion to adjourn the meeting offered by Director Fitzsimmons, seconded by Director Watkins and carried unanimously, the meeting was adjourned at 3:50 p.m. to Monday, May 20<sup>th</sup>, 2013 at 2:00 p.m.

Adjourn @ 3:50  
p.m.

Next meeting:  
May 20, 2013

\_\_\_\_\_  
George Stockton, Secretary

ATTEST:

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W.D. "Bill" Knutson, President