

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
YUIMA MUNICIPAL WATER DISTRICT
June 24, 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 24th day of June, 2013.

**Regular Meeting
6/24/13**

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
Jeff Scott, General Counsel
Chief Cristina Williamson, CalFIRE
Captain Rick Johnson, CalFIRE
Tom Warnham, Board Chair, SDCWA
Dennis Cushman, Asst. GM SDCWA
Jeremy Jungreis, Rutan and Tucker
Melinda Houser, Rancho Pauma Mutual Water Company
Jeff Pape, Rancho Pauma Mutual Water Company

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.

Public
Comments:

I. CONSENT CALENDAR

Director Anderson moved approval of the Consent Calendar, consisting of the *Approval of the Minutes of the Regular Adjourned Meeting of May 20, 2013; Approval of Accounts Paid and Payable for May 2013; Acceptance of the Monthly Financial Reports for May 2013; Resolution No. 1492-13 Approving Agreement for Water Service and Management Contract for the Lazy H Mutual Water Company and Rescinding Resolution No. 1433-12; Resolution No. 1493-13 Approving Agreement for Record Keeping and Secretarial Services for the Mootamai Municipal Water District and Rescinding Resolution No. 1434-12; Resolution No. 1494-13 Approving Agreement for Record Keeping and Secretarial Services for the Upper San Luis Rey Watershed Authority and Rescinding Resolution No. 1442-12; Resolution No. 1495-13 Approving Agreement for Emergency and Support Services for the Rancho Estates Mutual Water Company and Rescinding Resolution No. 1435-12; Resolution 1496-13 Approving Agreement for Emergency and Support Services for the Pauma Valley Water Company and Rescinding Resolution No. 1436-12; Resolution 1497-13 Authorizing Change to Employer Paid Member Contribution CalPERS #1812; Resolution 1498-13 Amending Employee Manual Sections 16-B Pension Plan 32-B & Job Descriptions and 33 Pay Range Schedule; Resolution 1499-13 To Nominate and Support John A. Coleman as a Candidate for the Position of ACWA President.* The motion was seconded by Director Stockton and approved by the following roll-call vote, to wit:

Consent Calendar
Approved

Regular and
Meeting Minutes
for May 20, 2013

May
Paid/Payables

May Financial
Reports

Res. # 1492-13
Lazy H Mgmt.

Res.#_1493-13
Mootamai Svcs

Res. # 1494-13
USLRWA Svcs.

Res. # 1495-13
Rancho Estates
Svcs.

Res. # 1496-13
PV Water Co.
Svcs.

Res. # 1497-13
CalPERS
Contrib. Change

Res.# 1498-13
Amend
Employee
Manual

Res. #1499-13
Coleman for
ACWA Pres.

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

ABSTAIN: None
ABSENT: None

II. SPECIAL REPORTS

Tom Wornham, Board Chair and Dennis Cushman, Asst. Gen. Mgr of the San Diego County Water Authority, respectively, made a presentation that covered recent developments concerning the Water Authority's rates and charges, the Met rate case, and other matters.

San Diego
County Water
Authority
Tom Wornham

Captain Johnson of CAL FIRE presented the monthly statistical report and stated that it has been a quiet month apart from a number of vegetation fires; a further increase in the number of grass fires is expected. The station remains at peak staffing (6 persons).

CAL FIRE
report Capt.
Johnson

Chief Williamson stated that San Pasqual Reservation Fire will be taking over the contract with Valley Center Fire Protection District. That CalFIRE will no longer be staffing the Lilac and N. Lake Wolford stations. She stated that the County is working on their 5-year agreements to coincide with the Cal Fire Agreements and the County has agreed to pick up the funding deficit for Yuima.

Chief
Williamson

III. ACTION/DISCUSSION

1. Public Hearing to Receive Comments and Consider Adoption of the Draft Negative Declaration Regarding the 1.2 MG Zone 4 Tank

Public
Hearing: 1.2
MG Zone 4
Tank

President Knutson declared the hearing open at 2:59 pm. There being no members of the public in attendance and wishing to address the matter, the hearing was declared closed at 3:00 pm.

1-A Proposed Resolution Adopting the Negative Declaration, Making Findings Regarding the Environmental Effects of the Project and Authorizing the Filing of a Notice of Determination for the 1.2 MG Zone 4 Tank.

Upon a motion by Director Watkins, seconded by Director Fitzsimmons, Resolution 1500-13 Adopting the Negative Declaration, Making

Res # 1500-13
Neg Dec. Zone
4 Tank

Findings Regarding the Environmental Effects of the Project and Authorizing the Filing of a Notice of Determination for the 1.2 MG Zone 4 Tank was approved by the following roll call vote, to wit:

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

2. Public Hearing to Receive Comments and Consider Adoption of the Draft Negative Declaration Regarding the Forebay Gas Engine Project.

President Knutson called the Public Hearing to order at 3:04 pm. There being no members of the public present and wishing to testify, President Knutson declared the Public Hearing closed at 3:05.

**Public
Hearing:
Forebay Gas
Engine**

2-A. Proposed Resolutions Adopting the Negative Declaration, Making Findings Regarding the Environmental Effects of the Project, and Authorizing the Filing of a Notice of Determination for the Forebay Gas Engine Project.

Upon a motion by Director Anderson, seconded by Director Fitzsimmons, Resolution No. 1501-13 *Adopting the Negative Declaration, Making Findings Regarding the Environmental Effects of the Project, and Authorizing the Filing of a Notice of Determination for the Forebay Gas Engine Project* was approved by the following roll-call vote, to wit:

**Res. 1501-13
Forebay Gas
Engine Project**

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

3. Proposed Resolution Approving the Design, Determining the Wage Scale, Approving Contract Documents, and Addenda and Authorizing the Advertisement of Invitation for Bids for 150 hp Submersible Turbine Pump and Motor for the V/O Well No. 2 Project and Rescinding Resolution No. 1483-13

Upon a motion by Director Stockton, seconded by Director Fitzsimmons, Resolution No. 1502-13 *Approving the Design, Determining the Wage Scale, Approving Contract Documents, and*

**Res #1502-13
150 hp Pump
and Motor
(V/O)**

Addenda and Authorizing the Advertisement of Invitation for Bids for 150 hp Submersible Turbine Pump and Motor for the V/O Well No. 2 Project and Rescinding Resolution No. 1483-13 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 Awarding the Contract for the 150 hp Submersible Turbine Pump and Motor for the V/O Well No. 2 Project.

Upon a motion by Director Fitzsimmons, seconded by Director Anderson, Resolution No. 1503-13 Awarding the Contract for the 150 hp Submersible Turbine Pump and Motor for the V/O Well No. 2 Project (Hidden Valley Pump Systems, Inc. \$129,303.51) was approved by the following roll call vote, to wit:

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

5. Proposed Resolution Adopting the Operating and Capital Budgets for Fiscal Year 2013-2014.

After discussion and upon a motion by Director Fitzsimmons, seconded by Director Watkins, Resolution 1504-13 Adopting the Operating and Capital Budgets for Fiscal Year 2013-2014 was approved by the following roll call vote, to wit:

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

6. Proposed Resolution Adopting Adjustments and Changes in Schedule of Rates, Rentals, Fees, Deposits and Charges and Amending the Rules and Regulations Governing Water Service (Sections 2.27 and 16.3.1).

After discussion and upon a motion by Director Anderson, seconded

**Res #1503-13
Award V/O
Pump and
Motor
Contract to
Hidden Valley
Pump
(\$129,303.51)**

**Res. # 1504-13
Adopting
Operating and
Capital
Budgets (FY
2013/14)**

**Res. # 1505-13
Adopting
Rates &
Charges**

by Director Fitzsimmons, Resolution No. 1505-13 Adopting Adjustments and Changes in Schedule of Rates, Rentals, Fees, Deposits and Charges and Amending the Rules and Regulations Governing Water Service (Sections 2.27 and 16.3.1) was approved by the following roll call vote:

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

7. Proposed Resolution Approving Encroachment Permit No. 2013-1 (Metta Forest Monastery, Wat Metta Van Aram, A California Non Profit Religious Corporation APN 128-151-02-00 Authorizing Encroachment Permit – Metta Forest).

After discussion and upon a motion by Director Anderson, seconded by Director Fitzsimmons, Resolution No. 1506-13 Approving Encroachment Permit No. 2013-1 (Metta Forest Monastery, Wat Metta Van Aram, A California Non Profit Religious Corporation APN 128-151-02-00 Authorizing Encroachment Permit – Metta Forest) was approved by the following roll call vote:

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

8. Proposed Resolution Approving and Ratifying Agreement to Purchase Well Water with V/O Pauma Development and Proposed Resolution Approving Revised Pipeline Easement and Rescinding Resolution No. 1488-13 and 1489-13.

After discussion and upon a motion by Director Fitzsimmons, seconded by Director Anderson, Resolution No. 1507-13 Approving and Ratifying Agreement to Purchase Well Water with V/O Pauma Development and Resolution No. 1508-13 Approving Revised Pipeline Easement and Rescinding Resolution No. 1488-13 and 1489-13 was approved by the following roll call vote:

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

**Res. #1506-13
Encroachment
Permit – Metta
Forest**

**Res. # 1507-13
Water
Purchase
Agreement –
V/O Pauma
Development
Res.# 1508-13
Approving
Pipeline Esmt.**

IV. INFORMATION/REPORTS

IV-1. Board Reports/Meetings

- President Knutson reported that ACWA/JPIA has engaged a new broker, Aeon, whose proposal will reduce brokerage fees by about 30%. For the first year of the agreement, the broker will receive a fee equal to 20% of savings actually achieved.
- Director Watkins reported that he attended the groundbreaking/ dedication ceremony for the Carlsbad Desalination project. There have been two recent favorable rulings in the Met rate case related to discovery. Water Authority rate increases this year have been lower than in the past five years.
- Counsel Scott emphasized that the District takes public records requests under the Public Records Act very seriously, and that all recent PRA requests have now been fulfilled.

Board Reports

Knutson

Watkins

Scott

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 Fitzsimmons inquired whether the cut slope created as part of the Zone 4 Tank grading would be hydro seeded. The cut slope has a very hard face that would make placing hydro seed very difficult and would likely not grow very well. After the slope has weathered a bit, staff will reevaluate the need to hydro seed it.

Operations & Engineering Report

Director Watkins asked about the discrepancy in Horizontal Well No. 46 production rates. Staff clarified that current estimate flow rates from the well were in

the range of 50 to 60 gallons per minute. He also asked about when Harich Construction would be starting Horizontal Well No. 47. Director of Operations and Engineering stated that Harich Construction has the alignment for Well No. 47 and was currently preparing the site pad and moving the drill rig into position.

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 repayment of the State borrowed property tax revenues will be reimbursed in July. Yuima will receive \$31,704 and IDA will receive \$5,161. This includes \$2,298 in interest.

Finance Reports

V. OTHER BUSINESS

**CLOSED SESSION: Conference with Legal Counsel – Existing
Litigation Pursuant to Government Code Section 54956.9 (a) (one case)
Name of Case: Strub v. Palomar Mutual Water Company – San Diego
County Superior Court Case No. 162650**

Closed Session
Litigation

The Board entered closed session at 4:04 and emerged from closed session at 5:04 pm. Staff and Counsel were directed to take appropriate action with respect to the litigation matters discussed.

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 Stockton and carried unanimously, the meeting was adjourned at 5:05 p.m. to Monday, July 29th, 2013 at 2:00 pm.

Adjourn @ 5:05 p.m.
Next meeting:
July 29, 2013

Signature on file at District Office.

George Stockton, Secretary

ATTEST:

Signature on file at District Office.

W.D. “Bill” Knutson, President