

**MINUTES OF THE REGULAR ADJOURNED MEETING
OF THE BOARD OF DIRECTORS OF
YUIMA MUNICIPAL WATER DISTRICT
September 25, 2015**

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 Friday, the 25th day of September, 2015.

**Regular Adj.
Meeting
9/25/15**

1. ROLL CALL – DETERMINATION OF QUORUM

President Knutson called the meeting to order at 2:07 p.m. A quorum was present.

**Call to Order
2:00 pm**

Directors Present:

Present: 5

W.D. “Bill” Knutson, President
Ron Watkins, Vice-President
Terry Yasutake, Secretary/Treasurer
Mike Fitzsimmons, Director
Laney Villalobos, Director

**Quorum
Present**

Directors Absent:

Absent: 0

None

Others Present:

Others Present

Linden Burzell, General Manager
Lori A. Johnson, Director of Finance
Todd Engstrand, Director of Ops. & Engineering
Jeff Scott, General Counsel
Gilbert Caballero
Bobby Graziano
Patsy Fritz
Alan & Ceclia Jorgensen
Ron Bourguignon
Tony Bolado

Roland Simpson
Daren House
Mindy Houser
Ron Currier
Doug Anderson
Mike Perricone
William Muhlhauser
Bill Winn
Tom Neubert
Neil Shaffer
Doug Ives

2. PLEDGE OF ALLEGIANCE

President Knutson led those present in the Pledge of Allegiance.

Pledge of Allegiance

3. APPROVAL OF AGENDA

There were no amendments to the agenda.

Approval of Agenda

4. PUBLIC COMMENT

Ron Currier stated he has been a resident and citrus grower in Pauma Valley for 23 years and spoke against the recall of Director Mike Fitzsimmons stating that everything in the recall petition document is a lie. If the recall happens, he will be forced to take action.

Public Comments:

Doug Anderson stated that he has been a Pauma Valley resident for 63 years and concurred with Mr. Currier’s statements. It is all to tear the District down and needs to stop. Ceclia Jorgenson asked how someone outside Director Fitzsimmons District could do a recall. Roland Simpson referred to Mike Fitzsimmons’ mailed letter and 200 word rebuttal to the recall petition stating that the facts contained in both were not correct. Roland stated for the record he does own property in the District on Rincon Ranch Road and on Citracado Road through a purchased partnership with his father-in-law Daren House. Mr. Simpson stated the Public Works Director in Torrance has a compensation is \$209K with benefits totals \$279K. This information was available on Transparent California. Mr. Simpson believes Director Fitzsimmons did not write the letter himself. Doug Ives stated he was the author of the recent article on the District in the newspaper and also that he is a qualified 30 year journalist, and a good one. He said that he spent weeks researching the article, and no one from the District returned any of his calls, and it was awful for Director Fitzsimmons to make reference to the article in his recent letter as “garbage”. Ceclia Jorgensen stated she has been in the District for 15 years and also received Director Fitzsimmons letter stating he is entitled to his own opinion. Patsy Fritz added that this is public comment period and suggested the Board include a response to public comment on the next agenda. Tony Bolado stated he is an avocado rancher and owns 40 acres on Quail Drive. Mr. Bolado stated he felt Mike’s letter was appalling and very offensive. Mr. Bolado pointed to the General Manager stating he is overpaid for the District. Mr. Bolado further

questioned the Board's actions in filling the vacant Division 5 seat without holding an election, believing it was done so the Board could retain its majority vote. Daren House stated he differs with Mr. Bolado's opinion on who wrote the letter and feels Manager Burzell wrote the letter for Director Fitzsimmons. Patsy Fritz stated it is reasonable to question actions of the Board. She stated she is a small rate payer with a very low water bill in the 3% range of users.

Mike Perricone requested the Board work towards more and better controls in order to maintain water rates where he will not have to remove sections of trees. He stated 3% matters when 90% goes away.

Patsy Fritz requested that the approval of the minutes be pulled from the consent calendar.

I. CONSENT CALENDAR

Director Watkins moved to approve of the Consent Calendar with the exception of the Regular Adjourned Meeting Minutes of August 28, 2015. The motion was seconded by Director Fitzsimmons and the Consent Calendar, consisting of the *Approval of the Accounts Paid and Payables, Treasures Report and Cash Statement for the month of August, and Resolution No. 1636-15 Setting Forth Water Connection Fees (Capacity Charges) for 2016 and Fixing Time and Place of Hearing and Giving Notice of Hearing* was approved by the following roll call vote, to wit:

AYES: Fitzsimmons, Watkins, Yasutake, Knutson
NOES: None
ABSTAIN: Villalobos
ABSENT: None

The minutes of the regular adjourned meeting of August 28, 2015 were discussed. It was noted by Patsy Fritz that the minutes should be corrected to reflect Jeff Scott administering the oath of office as "Notary Public". Upon motion offered by Director Fitzsimmons, seconded by Director Yasutake, the minutes with the correction as noted, were approved by the following roll call vote, to wit:

AYES: Fitzsimmons, Watkins, Villalobos, Yasutake, Knutson
NOES: None
ABSTAIN: None
ABSENT: None

Consent Calendar
Approved:
Accts Paid &
Payable; Financial
Reports – August

Res.#1636-15
Setting Public
Hearing for
Capacity Charges

Minutes of
August 28, 2015
approved with
correction noted

II. SPECIAL REPORTS

1. Joint Powers Fire Report

No report. Chief Williamson and Capt. Johnson were unavailable.

III. ACTION/DISCUSSION

1. Resolution Transferring Well No. 22, Including all Ancillary Facilities, Easements and Other Assets, From the Books of Account of the General District to those of Improvement District A, and Directing the Destruction of Monitoring River Well No. 15

Manager Burzell stated using the net book value of this 22 year old facility as the transfer value to Improvement District A was a fair and auditable calculation of that asset. He stated that Well No. 22 was drilled into hard rock in excess of 1,000 feet deep and at a 1,000 foot ground surface elevation as noted on the maps in the 1990's. Subsidence issues may be the explanation of why the surface elevation is 997.5 feet today. In light of the recent Court interpretation of the Strub Stipulated Judgment, staff recommends the transfer of Well No. 22 to IDA, and its production be accounted for in the annual 1,350 acre foot limitation total. Director Watkins moved approval of the proposed resolution. The motion was seconded by Director Fitzsimmons, and approved by the following roll call vote, to wit:

AYES: Fitzsimmons, Villalobos, Watkins, Yasutake, Knutson

NOES: None

ABSTAIN: None

ABSENT: None

2. Resolution Calling For a Special Election for Submission of the Question of the Recall of Board Member Michael Fitzsimmons and the Election of a Candidate to Fill the Vacancy if the Recall Prevails.

Director Villalobos moved that the election should be set the earliest day possible which is December 22, 2015. Patsy Fritz suggested the board consider a date later in light of the holidays. Director Knutson moved for approval of the resolution setting the date of the election on January 26th, 2016. The motion was seconded by Director Watkins, and approved by the following roll call vote, to wit:

AYES: Watkins, Yasutake, Knutson

NOES: Villalobos

ABSTAIN: Fitzsimmons

Res. #1637-15
Transfer Well
#22 to IDA &
Destroy
Monitoring
River Well No.
15

Res. #1638-15
Calling for
Special Election
January 26,
2016 for the
Recall of
Fitzsimmons

ABSENT: None

Doug Ives asked if there will be a press release on the recall election and date. General Manager Burzell stated he will prepare one.

3. Resolution Directing the Issuance of Notices of Termination of The District's Wholesale Account Agreements.

Wholesale Agreements – Item Tabled No Action

Director Watkins asked if the Wholesale Customers were receptive or offered any input on this matter. Manager Burzell stated he planned to discuss this further with them. Director Watkins moved that this item be moved to next month's Board meeting, the motion was seconded by Director Villalobos and carried unanimously. *Director Watkins left the meeting at 3:59 pm.*

IV. INFORMATION/REPORTS

IV-1. Board Reports/Meetings

President Knutson stated the ACWA/JPIA liability insurance was reissued at \$40 million. No other updates to report.

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 and Engineering Engstrand highlighted to the Board that staff has completed the permanent marker post installation along the 20' inch mainline and also made a verbal correction to the operations report regarding the new deadline for the CalTrans SR-76 Roundabout water line relocation design plans

Operations & Engineering Report

and specifications to November 10th from December 4th. Director Villalobos inquired about the Districts preparation for the potential winter storms. Staff is currently identifying areas of vulnerability and developing plans. Large leaks are alarmed by tank levels changes and pumps can be turned off remotely. Roland Simpson asked about the 23-foot elevation difference between Zone 4 tank and Dunlap Tank. Director of Operation and Engineering Engstrand stated that the site was selected based on the Zone 4 Tank Siting Study and hydraulic model prepared by the District's consultant, Atkins, because of the hydraulic advantages as well as very importantly the District already owned the property. Roland Simpson also mentioned the pressure problems he continues to experience at the 3-inch meter off Twin Canyons. Director of Operations and Engineering Engstrand stated staff had tested the pressure at the meter and it was in the range of 140 to 150 psi. He would personally come out and flow test the meter the first part of next week.

IV-5. Counsel's Report.

Counsel Scott made no additional report.

Counsel's Report

IV-6. Finance Report

Director of Finance Johnson reviewed the delinquent accounts listing and stated there are no concerns at this time. She stated she was happy to report that the District received the APT Certificate of Excellence Award for the Disaster Preparedness Policy. Doug Ives stated this is positive press for the District and asked if he could get a press release on that. Manager Burzell stated he would get that over to him.

Finance Reports

Disaster Preparedness Award

Director of Finance Johnson stated that staff is working with the property owners on the easement documents for the three above ground facilities in IDA.

IDA Above ground facilities requiring easements

V. OTHER BUSINESS

none

none

VI. ADJOURNMENT

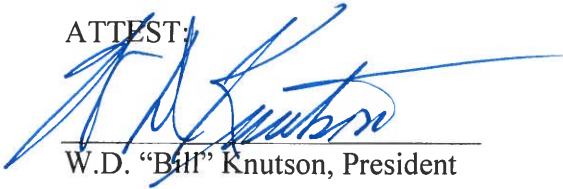
There being no further business to come before the board, President Knutson declared the meeting adjourned at 4:52 p.m. The next meeting of the Board will be held on Monday, October 26, 2015 at 2:00 p.m.

Adjourn @ 4:52
p.m.



Terry Yasutake, Secretary

ATTEST:


W.D. "Bill" Knutson, President