

*The minutes presented herewith are not a verbatim transcription of the Regular Board meeting held June 10, 2014. The intent is to provide a synopsis of key points of discussion and to chronicle decisions and actions taken by a quorum of the Board of Directors (ref: Roberts Rules of Order, Section 48). For more information or background, please refer to the applicable board packet.*

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
RINCON DEL DIABLO MUNICIPAL WATER DISTRICT  
June 10, 2014

A Regular meeting of the Board of Directors of the Rincon Del Diablo Municipal Water District was held on Tuesday, June 10, 2014 at 6:00 p.m. at the offices of the District located at 1920 North Iris Lane, Escondido, California 92026.

DIRECTORS PRESENT: Drake, Towne, Murtland

DIRECTORS ABSENT: Quist, Draper.

STAFF PRESENT/GUEST: Greg Thomas, General Manager; Thomas Butler, Board Secretary; Scott Heil, Legal Counsel, Redwine & Sherrill; Tish Berge, Director of Administration & Finance; Clint Baze, Director of Operations & Engineering; Randy Whitmann, Senior Engineer; Mike Lowry, Fire Chief, Escondido Fire Department; Herb Griffin, Escondido Fire Department; Mark Elliot, Atkins; and Doug Gillingham, Gillingham Water.

Vice President Drake called the meeting to order at 6:00 p.m. and welcomed guests. The Board of Directors recited the pledge of allegiance to the flag of the United States of America.

Item 3-A, Presentation of Winners of the 2014 Water Awareness Month Poster Contest was moved after the Pledge of Allegiance in consideration of time to accommodate guests. Director Towne announced the winners of the 2014 Water Awareness Month Poster Contest through three local elementary schools in our service area. This was part of the greater north San Diego County water agencies outreach and conservation effort. First place was awarded to student Kellen Willey who received an \$85.00 gift card and is from Mr. Johnstone's class of North Broadway Elementary School. Second place was awarded to student Kayden Hecker who received a \$50.00 gift card and is from Mrs. Ruggles's class of Bernardo Elementary School and third place was awarded to student Griffen Chaffin-Quiray who received a \$35.00 gift card and is from Mr. Boyce's class of Bernardo Elementary School. Additionally, a teacher incentive of \$100 for classroom art supplies was awarded to the teacher for each of his/her students that placed in the poster contest.

After the awards ceremony, Vice President Drake recessed the meeting at 6:12p.m. for the students and teachers to have refreshments and take photos with the Board of Directors. Vice President Drake reconvened the meeting at 6:22p.m.

### **ADDITIONS TO AGENDA**

There were none.

### **ORAL COMMUNICATIONS TO THE BOARD**

There were none.

### **SECTION 1 - CONSENT ITEMS**

The following items were pulled for discussion:

- 1-A Minutes of the Regular Board of Directors Meeting of May 20, 2014.
- 1-B General Fund Disbursements, May 2014.

**In a motion by Director Towne, seconded by Director Murtland, and unanimously carried, the Board of Directors passed the following consent items:**

- 1-C Investment Portfolio Report, March 2014.
- 1-D Financial Statements, March 2014.
- 1-E Board of Director's Per Diem Fees and/or Expense Reports, May 2014.

**In a motion by Director Towne, seconded by Director Murtland, and unanimously carried, after directing change in name on page 2 of May minutes, the Board of Directors passed the following consent item:**

- 1-A Minutes of the Regular Board of Directors Meeting of May 20, 2014.

**In a motion by Director Murtland, seconded by Director Towne, and unanimously carried, after questions and answers on several disbursements, the Board of Directors passed the following consent item:**

- 1-B General Fund Disbursements, May 2014.

Item 5-A, Review and File Master Plan was moved after Consent Items for consideration of time to accommodate guests.

Mark Elliott of Atkins and Doug Gillingham of Gillingham Water provided a presentation and overview on the final Rincon Water 2013 Water Master Plan. After the presentation, Mark Elliot and Doug Gillingham answered questions of the Board of Directors. Several items included discussion on water supply reliability and how Rincon Water is positioned for emergencies, to which Mark Elliott replied District is in overall good shape; further discussions on capacity fees and recommendation to go to the "Buy-In" method; and discussions on the master plan recommendations of capital projects and cost associated specifically the amount related to dual fire flow. This further led to a discussion on Rincon Water's dual fire flow requirements, which are being reviewed in both Engineering and Long-Range Planning and Emergency Preparedness and Fire Services Committees. The Board of Directors received and filed the final Rincon Water 2013 Water Master Plan.

## **SECTION 2 – FIRE SERVICES; EMERGENCY PREPAREDNESS & OPERATIONAL READINESS**

2-A **PUBLIC HEARING** – Resolution No. 14-858-22 of the Board of Directors of the Rincon del Diablo Municipal Water District Reaffirming an Already Established Special Tax for Fiscal Year 2014-15 on Properties within the Boundaries of Improvement District E (ID E).

Vice President Drake opened the Public Hearing at 7:18p.m. to receive public comments in regards to Resolution No. 14-858.22, "Reaffirming an Already Established Special Tax for Fiscal Year 2014-15 on Properties within the Boundaries of Improvement District E (ID E).

General Manager Greg Thomas provided an overview of the "Reaffirming an Already Established Special Tax for Fiscal Year 2014-15 on Properties within the Boundaries of Improvement District E (ID E) and answered questions of the Board of Directors related to zones and past Resolutions.

With no further discussion, and there being no one else wishing to speak, Vice President Drake closed the Public Hearing at 7:27p.m. and called for a motion:

**In a motion by Director Murtland, seconded by Director Towne, and unanimously carried, the Board of Directors Adopted Resolution No. 14-858.22, "Reaffirming an Already Established Special Tax for Fiscal Year 2014-15 on Properties within the Boundaries of Improvement District E (ID E)."**

2-B Oral Report by Escondido Fire Department Regarding Current Events and Community Fire Readiness Relating to Improvement District E.

Fire Chief Mike Lowry provided an update on the following:

- Provided follow-on update regarding Cocos Fire and cost apportionment.
- Weed Abatement Program and increase in inspections, especially with recent fires.
- Special Tax was approved and the Fire Department Budget will be taken to City Council on Wednesday, June 11<sup>th</sup>. Increase in Fire Department budget primarily due to increases in salary & benefits.
- Reminder about Rincon and City of Escondido Fire Open house at Fire Station #4 on Saturday, June 14<sup>th</sup> at 10:00a.m.
- Chief Lowry is guest of honor and will start the Walk-a-thon at Kit Carson Park Saturday, June 14<sup>th</sup> at 10:00a.m.

After the update, Chief Mike Lowry responded to questions of the Board. General Manager Greg Thomas had questions in regards to FEMA Operations related to the fires. Staff will provide Chief Lowry cost to the District supporting Cocos Fire and will attend upcoming meetings. In regards to weed abatement, Rincon is posting notices in bills and on the website.

2-C Receive and File the approved Emergency Preparedness and Fire Services (EP&FS) Committee Meeting Minutes of March 3, 2014.

The Board of Directors received and filed the approved Emergency Preparedness and Fire Services (EP&FS) Committee Meeting Minutes of March 3, 2014.

**SECTION 3 – PUBLIC INFORMATION & INTERGOVERNMENTAL RELATIONS**

3-A Presentation of winners of the 2014 Water Awareness Month Poster Contest.

(Item 3-A, moved after Pledge of Allegiance to accommodate time of guest.)

3-B Adopt Resolution No. 14.03, "Adopting the 2013 San Diego Integrated Regional Water Management (IRWM) Plan."

**After General Manager Thomas provided an overview of the IRWM Plan, how Rincon Water is integrated, and recap of past grant funds received and current grant funding request, and In a motion by Director Murtland, seconded by Director Towne, and unanimously carried, the Board of Directors Adopted Resolution No. 14-03, "Adopting the 2013 San Diego Integrated Regional Water Management (IRWM) Plan."**

3-C Proposed CSDA Bylaws Updates.

The Board of Directors reviewed and agreed upon the Proposed CSDA Bylaws Updates and made recommendations on content of the CSDA Bylaws, especially due to numerous inconsistencies in format, and directed the General Manager to submit the official ballot.

**SECTION 4 – FINANCE, INSURANCE & PERSONNEL**

4-A FY 2014-15 Rate Increase Update.

Tish Berge, Director of Administration and Finance provided a presentation and update of the FY 2014-15 Rate Increase. The Board of Directors passed the first two-year budget and rate increase for FY 2013-14 and 2014-15 in June 2013. Effective September 1, 2013, the rate increase was 6.8%. Effective September 1, 2014, the approved rate increase is 4.9% plus pass-through of any increase by the San Diego County Water Authority. Based on SDCWA rate increase, Director of Administration and Finance Tish Berge briefed total increase for FY 2014-15 will be 6.6%. This will be effective September 1, 2014. After the update, Tish Berge, Director of Administration and Finance answered questions of the Board of Directors.

**SECTION 5 – OPERATIONS; ENGINEERING & LONG-RANGE PLANNING**

5-A Receive and File Master Plan.

(Item 5-A, moved before Consent Items to accommodate time of guest speaker.)

5-B Northwest Broadway Recycled Water Expansion Project Award Approval.

Randy Whitmann, Senior Engineer provided an update of the Northwest Broadway Recycled Water Expansion Project. After the update, Randy Whitmann, Senior Engineer answered questions of the Board of Directors.

**In a motion by Director Murtland, seconded by Director Drake, and abstained by Director Towne, the Board of Directors approved the Northwest Broadway Recycled Water Expansion Project and authorized General Manager to issue contracts.**

5-C Receive and File the approved Engineering and Long-Range Planning (ELRP) Committee Meeting Minutes of March 25, 2014.

The Board of Directors received and filed the approved Engineering and Long-Range Planning (ELRP) Committee Meeting Minutes of March 25, 2014.

Vice President Drake moved item 8-B(a)(b) Closed Session before SECTION 6 in the facilitation of telephonic conference with legal counsel:

8-B Closed Session

- a. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: Dion v. Rincon del Diablo Municipal Water District, San Diego Superior Court Case No. 37-2013-00070999-CU-WT-NC
- b. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One case.

The Board of Directors recessed to Closed Session at 8:30p.m. Vice President Drake reconvened to Open Session at 9:40p.m. and reported out with no reportable action.

**SECTION 6 – SDCWA DIRECTOR’S REPORT & DIRECTORS/STAFF ACTIVITIES REPORT**

6-A This portion of the agenda may be used by the San Diego County Water Authority representative to make informal reports on activities.

Director Murtland provided a summary of activities at the San Diego County Water Authority meeting including:

- Provided update on SDCWA’s third lawsuit filing against MWD
- That the Carlsbad Desal Plant is 41% overall complete in construction and anticipate being on line September 2015.
- Update on SDCWA potential project to build a pump station and electric power generation facility at San Vicente Reservoir, similar to Lake Hodges Facility.
- San Vicente Dam Raise Ribbon Cutting Ceremony is July 16.

6-B This portion of the agenda may be used by the Board of Directors or management to make informal oral reports on their activities.

Nothing to report.

6-C This portion of the agenda may be used by the Board of Directors to request items for future agendas.

There were no requests.

6-D Request Approval for a Board Member(s) to Attend Upcoming Meetings; Conferences; or Seminars for Those Not Authorized in the District’s Administrative Code, Section 502 “Authorized District Memberships.”

There were no requests.

6-E District Activities Report (DAR), April 2014.

The Board of Directors received and filed the DAR of April 2014.

6-F Discussion on official procedures for reporting Committee Minutes.

The Board of Directors discussed procedures for reporting Committee Minutes and received guidelines in relation to the Brown Act on Committee Minutes Reporting procedures from legal counsel. The main issue revolved around the time lag of when committee meeting minutes were finally reviewed at full board. Director Towne had asked if Committee meeting minutes could be reviewed and approved at the next scheduled full board meeting to reduce the often 2-3 month delay since Committees only meet on 2-3 month schedule. District Counsel stated normal procedure is for specific Committee to review and approve Committee minutes at next regular scheduled Committee meeting and that the important actionable items are taken to full Board without waiting for meeting minutes.

6-G Update on Drought and Rincon Conservation Efforts.

General Manager Greg Thomas provided a presentation and update on the Drought and Rincon Conservation efforts. After the presentation, General Manager Greg Thomas answered questions of the Board of Directors.

## **SECTION 7 – GENERAL MANAGER’S REPORT**

7-A General Manager’s Oral Report.

General Manager Greg Thomas reported on the following:

- Director Training Schedule and required training due by end of the calendar year
- Reminded Directors to go online to make a selection of their new Director Photos
- Provided a recap of past power outages and Rincon emergency procedures and how the Rincon emergency back-up generators function
- Provided an update on how the few remaining proposed water bonds are progressing and working thru legislative Committees and that effort was to reduce the bonds to \$8-9B range.
- Reminded Directors of ERP workshop scheduled July 8<sup>th</sup> before the full Board meeting, final Strategic Planning workshop on July 22<sup>nd</sup>, and Urban Water Institute Conference being held August 13-15<sup>th</sup>.

## **SECTION 8 – LEGAL MATTERS**

8-A District Counsel Oral Report.

Nothing to report.

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**ADJOURNMENT**

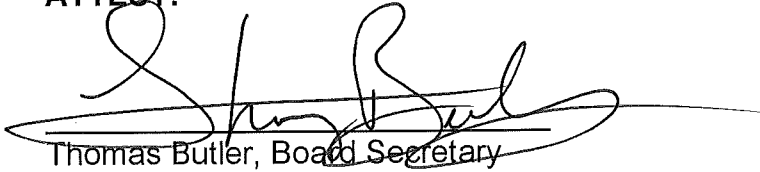
There being no further business before the Board of Directors, the meeting was adjourned by President Quist at 10:44p.m.

**APPROVED:**



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David A. Drake, Vice President

**ATTEST:**



Thomas Butler, Board Secretary