

Borrego Water District
MINUTES
Special Meeting of the Board of Directors
October 18, 2011
9:00 a.m.
806 Palm Canyon Drive
Borrego Springs, CA 92004

I. OPENING PROCEDURES

- A. Call to Order: President Hart called the meeting to order at 9:00 a.m.
- B. Pledge of Allegiance: Those present stood for the Pledge of Allegiance.
- C. Roll Call: Directors: Present: President Hart, Vice President Lyle Brecht, Secretary/Treasurer Marshal Brecht, Estep
Staff: Jerry Rolwing, General Manager/Operations Manager
Wendy Quinn, Recording Secretary
Public: Ray Delahay Casey Jones, *Borrego Sun*
Jim Engelke, Lundberg Dan Mayko
- D. Approval of Agenda: *MSC: L.Brecht/Estep approving the Agenda as amended (moving Item II.J to the first Current Business Matter).*
- E. Comments from Directors and Requests for Future Agenda Items: President Hart thanked the staff for preparing a display honoring the late Judy Meier.
- F. Comments from the Public and Requests for Future Agenda Items: None

II. CURRENT BUSINESS MATTERS

- J. Discussion of condensing minutes: After discussion, it was agreed to try a condensed format for the minutes to facilitate the possible transition to a new Recording Secretary.
 - A. Discussion of Christmas Circle consideration requests: President Hart reported on the October 11 Christmas Circle Ad Hoc Committee meeting. A Parks Coalition comprised of Christmas Circle Park, Borrego Village Association, Community Park Committee and Community Plan Committee has been formed and is requesting that Borrego Water District activate its park powers and serve as a conduit for funding. The issue will be considered at the October 26 Board meeting.
 - B. Discussion of District saving measures and selling of District assets: A summary of District cost saving measures since December 2010 was included in the Agenda. The Board discussed the possible sale of some District assets, including real estate and vehicles, but it was the consensus not to sell at this time. The reasons were that it didn't make financial sense to the District and the ratepayers, there are safety issues supporting retention of the vehicles, the property values for the real estate are at a low level and the property may be needed later for mitigation.
 - C. Discussion of Proposition 218 Governance: President Hart prepared a synopsis of Proposition 218, short and long versions, for information to the public and the Parks Coalition. It will be included on the District website.
 - D. Discussion of FY 2011 audit progress: Director Lyle Brecht reported that the audit process began last July and he hoped to have a presentation in December.

President Hart declared a recess at 10:45 a.m. Thereafter, the Board reconvened.

- E. Discussion and possible action regarding San Diego County Groundwater Mitigation Ordinance and MOA with the BWD: Mr. Rolwing distributed a marked up copy of Special Minutes: October 18, 2011

the County Groundwater Mitigation Ordinance and MOA. Discussion followed regarding the irrigation efficiency rating, water credit banking issue, the addition of "or any other lawful use" to the requirement that remaining irrigation of fallowed land be limited to single family residences, rounding of partial credits, and the issue of whether to date fallowing from the date the easement was applied for versus the date it was issued. Mr. Rolwing will discuss these issues with Jim Bennett at the County before the next meeting.

F. Discussion regarding ABD-IRWM grant proposal budget development and 25% share: The Board discussed the issue of whether BWD could contribute part of its in-kind contributions to other IRWD members. A concern is whether, for example, Canebrake could take part of our in-kind contributions to the USGS study since they did not benefit.

G. Discussion of availability charges collection: Director Marshal Brecht, with Diana Del Bono's assistance, had investigated the origin of the availability charges. Mr. Rolwing confirmed that they are renewed annually. President Hart reported that the County needs to see the originating document in order to advise on collection procedures. Mr. Rolwing will prepare a spread sheet showing which owners in Montesorro owe availability charges and how much. If necessary, Lisa Foster will be consulted.

H. Discussion of power cost pass through charges: This matter was referred to the Due Diligence Committee.

I. Discussion and possible approval of Cal Pers Second Tier Plan: Director Marshal Brecht presented options to save money on the District's retirement plan. Canceling the existing plan would be costly, but we could add a Second Tier for new hires at less expense. *MSC: Estep/L.Brecht requesting Ms. Foster to draft a resolution for the October 26 Board meeting implementing a Second Tier Cal Pers retirement plan for future employees.*

K. Consideration of moving the November and December Regular Board meeting dates: A resolution will be presented to the Board at its next meeting, consolidating the workshop and regular meetings and setting them for November 16 and December 14.

Mr. Rolwing reported that Bill Mills had resigned from his position as District consultant. The radios used in the Supervisor Control and Data Acquisition System (SCADA) are ten years old and failing rapidly. The Board concurred in expending approximately \$25,000 to replace them.

III. CLOSED SESSION

A. Conference with Real Property Negotiators pursuant to Govt. Code section 54956.8:

Property: 199-080-21
Agency negotiators: Lee Estep, Beth Hart, and Jerry Rolwing
Negotiating party: Jack Cameron
Under negotiation: price and terms

The Board adjourned to closed session at 12:30 p.m., and the open session reconvened at 1:10 p.m. Mr. Rolwing announced no reportable action.

IV. CLOSING PROCEDURE

Adjournment: There being no further business, the meeting adjourned at 1:10 p.m. The next Regular Meeting of the Board of Directors is scheduled for October 26, 2011 at the Borrego Water District.