

**Borrego Water District
MINUTES
Regular Meeting of the Board of Directors
Wednesday, July 25, 2012
9:00 AM
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, Delahay, Estep
Staff: Jerry Rolwing, General Manager
Kim Pitman, Administration Manager
Diana Del Bono, Administrative Assistant
Wendy Quinn, Recording Secretary
Public: Jim Engelke Kathy Johnston
Dick Walker Nicole Martin, AAWARE
Casey Jones, *Borrego Sun* Anne Meer
Marlene Engebretson

D. Approval of Agenda: *MSC: L.Brecht/M.Brecht approving the Agenda as written.*

E. Approval of Minutes:

Special meeting of June 19, 2012

MSC: L.Brecht/M.Brecht approving the Minutes of the Special Meeting of June 19, 2012 as written.

Regular meeting of June 27, 2012

MSC: Estep/M.Brecht approving the Minutes of the Regular Meeting of June 27, 2012 as corrected (changing Item II.B to read, ". . . the requirement to wait 30 days after a public notice hearing. . .")

F. Comments from Directors and Requests for Future Agenda Items: None

G. Comments from the Public and Requests for Future Agenda Items: None

H. Correspondence: None

I. Staff Reports:

A. Financial Reports - June 2012: Kim Pitman summarized the Financial Reports and offered to answer questions.

B. Manager/Operations Report: Jerry reported he had contacted County staff regarding USA Communications' request to locate an antenna on District property at Rams Hill. The County had also expressed interest in doing so, and is requesting assurance that USA's signals will not interfere with the County emergency services.

The District crew is addressing a few housekeeping items requested by the Department of Public Health, including converting a never-used reclaimed water tank to a potable water tank.

The Local Groundwater Assistance grant application has been submitted.

Mr. Rolwing participated in a conference call with parties involved in the Rams Hill bond foreclosure. No bids were received, and it is up to the bondholder whether to refile.

J. Attorney's Report: None

II. CURRENT BUSINESS MATTERS

A. Discussion and possible action of RESOLUTION 2012-07-02 AUTHORIZING THE SALE OF REAL PROPERTY OWNED BY THE DISTRICT LOCATED AT BORREGO SALTON SEAWAY (COUNTY ROAD S-22) TO ANZA BORREGO FOUNDATION: Mr. Rolwing reported that other government agencies had been offered the opportunity to submit offers on the property as required but they did not. ABF's offer of \$400 per acre for the 238-acre parcel appears fair based on appraisal and comparable sales, and Mr. Rolwing recommended approval. **MSC: *Estep/Delahay adopting Resolution 2012-07-02 Authorizing the Sale of Real Property Owned by the District Located at Borrego Salton Seaway (County Road S-22) to Anza Borrego Foundation.*** **RC: *AYES - Estep, Delahay, L.Brecht, M.Brecht, Hart.***

B. Discussion of developer's policy, developer's charges, and present groundwater mitigation policy for new connections to the District's infrastructure: Mr. Rolwing reported he was working with David Dale on a policy to reduce the mitigation ratio for developers to 1:1 and charge them a fee for connecting to the District's infrastructure. He hoped to present it to the Board in September. President Hart recommended including a provision whereby the District can pass through increase costs to the developer without going through Proposition 218 (subject to Lisa Foster's concurrence).

Jim Engelke announced that a developer had offered to build a new fire station. Along with the District's revised development policy, this will hopefully stimulate the local economy.

C. Consideration of canceling August Workshop and Regular Board meeting: **MSC: *L.Brecht/M.Brecht canceling the August Workshop and Regular Board meeting.***

III. COMMITTEE REPORTS & PROPOSALS

Ad Hoc Committees

1. Audit Committee

Director Marshal Brecht reported that the audit is in progress, and a report is anticipated at the October Board meeting.

2. Due-Diligence

No report.

3. Strategic Planning Committee/IRWM

President Hart reported that she and Mr. Rolwing had been discussing the IRWM planning grant application process. The governance group will be reconvened in September, and the stakeholders will be kept informed in the meantime via e-mail.

4. Executive Committee

No report.

5. Operations & Management Committee

Mr. Rolwing reported that the Committee had considered and rejected a proposal by a solar provider.

6. Asset Ad Hoc Committee

President Hart suggested disbanding the Committee, now that the sale of the District property has been approved.

7. Christmas Circle Committee

No report.

8. Negotiating (Rams Hill)

Mr. Rolwing reported the Committee would be meeting later today.

9. Development Committee

This report was presented under Item II.B.

IV. STAFF REPORTS

A. Water and Wastewater Operations Report - June 2012:

B. Water Production/Use Records - June 2012:

C. Year to Date Meter Installations:

D. Meter Installation History:

Mr. Rolwing invited the Board's attention to the fiscal year-end staff reports. Director Lyle Brecht relayed an inquiry from a customer as to whether the District could assist him in making his irrigation system more efficient. Mr. Rolwing suggested he seek the advice of a local landscaper via the phone book or the Chamber of Commerce. With the conclusion of the irrigation audits funded by the District Conservation Program, it is not appropriate for District staff to recommend a particular contractor. Mr. Rolwing agreed to update the conservation information on the District website.

V. INFORMATION ITEMS

None

VI. CLOSED SESSION

A. Conference with Legal Counsel - Existing Litigation Government Code 54956.9(a):

Santa Fe Patio HOA v. GHLA Montesorro Investors

Case Nos. 37-2010-00012982-SC-SC-NC; 37-2010-00012928-SC-SC-NC; 37-2010-00012927-SC-SC-NC; 37-2010-0001-2926-SC-SC-NC; 37-2010-00012925-SCSC-NC; 37-2010-00012924-SC-SC-NC; 37-2010-00012923-SC-SC-NC; 37-2020-00012922-SC-SC-NC; 37-2010-00012921-SC-SC-NC

B. Public employee discipline/dismissal/release - Reference Government Code § 54957:

The Board adjourned to closed session at 10:10 a.m. The open session reconvened at 10:30 a.m. There was no reportable action.

VII. CLOSING PROCEDURE

There being no further business, the Board adjourned at 10:30 a.m. The next Special Meeting of the Board of Directors is scheduled for September 18, 2012 at the Borrego Water District. The next Regular Meeting of the Board of Directors is scheduled for September 26, 2012 at the Borrego Water District.