

VALLEY CENTER MUNICIPAL WATER DISTRICT

Regular Board Meeting

Monday, August 1, 2022 – 2:00 P.M.

Place: Board Room

29300 Valley Center Road; Valley Center, CA 92082

A regular meeting of the Board of Directors of Valley Center Municipal Water District was held on Monday, August 1, 2022, via video conference and in-person, pursuant to Brown Act waivers provided under the Governor's Executive Orders and Assembly Bill 361. Members of the public were able to attend the meeting in-person or via live broadcast of the meeting (linked on our website).

The Valley Center Municipal Water District Board of Directors' meeting was called to order by President Polito at 2:00 P.M. President Polito established for the record that all Directors were able to hear the proceedings, that all members of the Board were able to hear the Directors participating by teleconference clearly, and that all votes would be taken by a roll call vote pursuant to the provisions of the Brown Act.

ROLL CALL

Board Members Present: President Polito, Vice President Ferro, and Director Smith (*present in-person*); with Directors Holtz and Ness teleconferencing.

Board Members Absent: None.

Staff Members Present: General Manager Arant, Director of IT Pilve, Executive Assistant/ Board Secretary Peraino; with District Engineer Grabbe, Director of Finance and Administration Pugh, Director of Operations and Facilities Lovelady, Safety and Regulatory Compliance Supervisor Olson, General Counsel de Sousa, and Federal Consultant Howells (HGR) teleconferencing.

PUBLIC COMMENTS / QUESTIONS

President Polito established for the record the process by which public comments are received by the Board; this process was also described in the Agenda for the meeting.

CONSENT CALENDAR

Action: Upon motion by Ferro, seconded by Smith; and unanimously carried, the following consent calendar items were approved:

1. **Make Findings Necessary to Continue Teleconferenced Board Meetings Pursuant to Assembly Bill 361 (AB 361);**
2. **Minutes of the Regular Board Meeting Held Monday, July 18, 2022;**
3. **Audit Demands for Check Nos. 163330 – 163458 for July 8 – 21, 2022;** and
4. **Renew Concept Approval for The Oaks Subdivision.**

ACTION AGENDA

5. **Adoption of Ordinance No. 2022-11, Terminating the Inactive Meter Charge (IMC) Program and Removing References to, in the District's Administrative Code:**

The Board was provided with an additional opportunity to review proposals for amendments to the District's Inactive Meter Charge (IMC) Program, which included possible action to terminate the charge, as well as hear additional public testimony. General Manager Arant gave the background and rationale for the charge and then a brief summary of the proposed amendments to the program, which were previously presented at the June 6 and July 18, 2022 Board Meetings.

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The proposed amendments were:

- 1) Adopt amendments to the District's Administrative Code, to include the following changes to the IMC Program:
 - Relinquish capacity rights with an agreement recorded against the property and cease paying the IMC.
 - "Virtually" downsize the meter with an agreement recorded against the property, and the customer then pays the downsized IMC going forward.

The termination option was:

- 2) Terminate the IMC Program, clear all account balances, and refund amounts previously paid to account holders. In this option, all outstanding unpaid balances would be waived, previously paid monies would be refunded, and all associated costs would be charged to non-water-related revenue, such as lease revenue.

After the brief review of proposed options, public testimony was heard from the following VCMWD customers (each voicing opposition to the program and supporting termination):

- Mr. Matthew Prickett, *in-person testimony*;
- Mr. Peter Schaner, *in-person testimony*;
- Ms. Lee Marzano-Schwarz, *requested a call, and was phoned by the Board Secretary*;
- Mr. Jim Faaborg, *submitted a written comment (read into the record by the Board Secretary)*;
- Ms. Kathleen Oliver, *submitted a written comment (read into the record by the Board Secretary)*;
- Mr. Noel Stehly, *submitted a written comment (read into the record by the Board Secretary)*;
- and
- Mr. Joe Veltri, *submitted a written comment (read into the record by the Board Secretary)*.

Action: Upon motion by Ferro, seconded by Holtz; the following Ordinance was unanimously approved:

ORDINANCE NO. 2022-11 (version 2)

**ORDINANCE OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER
MUNICIPAL WATER DISTRICT AMENDING THE ADMINISTRATIVE
CODE TO TERMINATE THE INACTIVE WATER METER SERVICE
CHARGE PROGRAM, AND REMOVING ALL REFERENCES TO
THE INACTIVE WATER METER SERVICE CHARGE PROGRAM**

was adopted by the following vote, to wit:

- AYES:** Directors Polito, Ferro, Holtz, Smith, and Ness
- NOES:** None
- ABSENT:** None

GENERAL MANAGER'S AGENDA

6. General Information:

The following general informational items were reported on by General Manager Arant:

- Water purchases for July 2022 were compared to July 2020 and July 2013:
 - July 2022 compared to 2020 showed a decrease of 430.63 AF (16.9%), and
 - July 2022 compared to 2013 showed a decrease of 1,167.13 AF (35.6%).

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- 60-days into the program, the WaterSmart customer portal has 3,200 registered accounts, or 30.3% of full-service eligible accounts.
- There was a statewide 7.5% decrease in water use from June 2022 compared to June 2020.
- SWRCB's Non-Functional Turf irrigation prohibition was summarized.

Action: No action required, informational item only.

DISTRICT GENERAL COUNSEL'S AGENDA

General Counsel de Sousa gave a brief update on pending legislation.

BOARD OF DIRECTORS' AGENDA AND REPORTS ON MEETINGS ATTENDED

None.

ADJOURNMENT

Action: Upon motion by Ferro, seconded by Smith; motion passes unanimously, the regular meeting of the Board of Directors was adjourned at 3:19 pm.

ATTEST:

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Robert A. Polito, *Board President*

Kirsten N. Peraino, *Board Secretary*

Approved at a regularly scheduled Board Meeting on Monday, August 15, 2022