

**LAKE HEMET MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS MEETING
September 21, 2023
3:00 p.m.**

Via Zoom

<https://us02web.zoom.us/j/86842954656?pwd=Sk5nZ2pGSFFzUjRHQzNtTnY0dUZxdz09>

Meeting ID: 868 4295 4656

Passcode: 546955

Means by which Members of the Public May Offer Public Comment During the Meeting:

Members of the public attending the meeting via the Zoom videoconferencing platform can express their desire to offer public comment or provide input on an agenda item at the appropriate time by utilizing the "Raise Hand" function.

Any member of the public can also observe and participate in this meeting by attending the meeting in person at 26385 Fairview Avenue, Hemet, CA 92544.

I. Call to Order and Pledge of Allegiance

President Foutz called the meeting to order at 3:00 p.m.

II. Roll Call

DIVISION 2 Seat is vacant due to the resignation of D. Joe Jorgensen

PRESENT: Directors, Foutz, Marshall, Minor & Pastor

OTHERS PRESENT: General Manager Gow, District Counsel Wojcik and District Secretary Billinger

III. Agenda Approval

Director Pastor moved and Director Minor seconded a motion to approve.

Motion carried by the following roll call vote:

AYES: Foutz, Marshall, Minor, Pastor

IV. Public Comment Period

None

REGULAR SESSION OF THE BOARD OF DIRECTORS

V. Board Discussion Items

1. Selection of Provisional Appointee to Division 2 for the Short Term until Board Election in November 2024 and Perform Oath of Office

Selection of Provisional Appointment to the Board Replacing D. Joe Jorgensen (Division 2)

The Candidate:

Darrell J. Elam

- a) Opening Statement by Candidate
- b) Questions by Directors

Director Foutz asked the board if they had any questions for Mr. Elam. Director Pastor thanked him for applying and has reviewed his application and appreciates his background.

Mr. Elam is happy to help and learn. He is thankful for the opportunity to sit on the board of directors.

Nomination:

Director Minor nominated Mr. Elam and Director Marshall seconded a motion to approve. Motion carried by the following roll call vote:

AYES: Foutz, Marshall, Minor, Pastor

Closing of the Nomination:

Darrell J. Elam was sworn in by District Secretary Kathleen Billinger

VI. Response Items / Reports

2. General Manager Report – Mike Gow

- a. Manager's Report
- b. Construction & Engineering
GM Gow reviewed written reports in agenda packet.

Our lake is only three feet from the top, highest ever at this time of the year. Due to remnants of hurricane Hillary and rainfall from the winter season.

GM Gow extended an invitation to the board to attend EMWD's State of the District on September 27, 2023 @ 7:30 a.m. He will be in attendance, representing Lake Hemet MWD.

Director Foutz, great news about the lake level, hopefully we will get more rain this winter and therefore have more recharge water.

3. **Board Member Reports**

Director Pastor attended, via zoom, the Countywide Oversight Board Meeting, the next meeting will be held in February.

VII. **Board Action Items**

4. **Consent Agenda Items** – Approval by Master Motion. Directors may separate items for discussion and voting.

Director Marshall asked if the district will be ok with the increase in gas prices? GM Gow stated yes, we are in the beginning of our fiscal budget, if needed, we will come back to the board. Director Foutz commented that it is built into the budget for instances of this nature. The District will continue to monitor.

- a. Ratify August 2023 Expenditures

Director Pastor moved and Director Minor seconded a motion to approve.
Motion carried by the following roll call vote:

AYES: Elam, Foutz, Minor, Marshall, Pastor

5. **Minute Order** – Approve Minutes of the Regular Board Meeting on July 20, 2023
Director Pastor moved and Director Marshall seconded a motion to approve.
Motion carried by the following roll call vote:

AYES: Foutz, Marshall, Pastor
ABSTAIN: Elam, Minor

6. **Minute Order** – Approve Minutes of the Regular Board Meeting on August 17, 2023
Director Minor moved and Director Marshall seconded a motion to approve.
Motion carried by the following roll call vote:

AYES: Marshall, Minor, Pastor
ABSTAIN: Elam, Foutz

7. **Minute Order** – Approve Water Supply Assessment for Citrus Valley Project
Director Minor moved and Director Marshall seconded a motion to approve.
Motion carried by the following roll call vote:

AYES: Elam, Foutz, Minor, Marshall, Pastor

Jason Venable presented the PowerPoint, mentioned the reason this item is before the board today is due to the fact that the project is over 500 homes, the amount of homes triggers this requirement.

GM Gow, stated the developers can drill their own wells. The Gless's are Watermaster members and that qualifies for about half of their needs. Director Foutz, stated they are not using any of their

current wells. More importantly, those decisions are determined way down the line, this is just a specific plan.

Director Marshall asked what is the timeline? GM Gow stated, it can take decades. Storm drain improvements, major infrastructure challenges. California Environmental Quality Act (CEQA) requirements will take years in itself.

Director Foutz, all we are determining today is that we cannot provide them the water, there has to be future mitigation that has to take place. As a board, let's not get caught up in all that is going on with this development. Only approving the water supply assessment.

GM Gow asked if anyone was online that wanted to discuss this item. Steven Henderson, just wanted to introduce himself, nothing to discuss.

Recessed to closed session at 3:36 p.m.

VIII. Closed Session

Item A will be heard last

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov. Code Section 54956.9(d); One Potential Case: Ordinance 176
Special Counsel, Lufti Kharuf of BBK Law

Due to a conflict of interest of the Boulders Housing Development Project, President Foutz and District Counsel Wojcik did not attend Closed Session for Item A and left the meeting at 3:59 p.m.

No reportable action

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Section 54956.9(d)(1); Southern California Edison v. California State Board of Equalization, et al.; District Counsel: Attorney Wojcik
Orange County Superior Court Case No: 30-2022-01258057-CU-MC-CJC
Orange County Superior Court Case No: 30-2023-01328239-CU-MC-CJC

No reportable action

C. CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Gov. Code 54957.6 District Negotiator(s): General Manager Gow/District Counsel Davis and Wojcik

1. Represented Employees: SEIU Local 721
2. Unrepresented Employees

No reportable action

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to Gov. Code Section 54957; Continued Review of the General Manager; Michael A. Gow

No reportable action

President Foutz and District Counsel Wojcik returned to the meeting at 4:16 p.m.

Director Minor moved and Director Pastor seconded a motion to approve.

Motion carried by the following roll call vote:

AYES: Elam, Foutz, Marshall, Minor, Pastor

IX. Adjourned at 4:17 p.m. to Thursday, October 19, 2023 at 3:00 p.m.



Kathleen Billinger, Assistant Secretary

President Foutz asked for a motion to approve the minutes for the Regular Board Meeting of July 20, 2023, a copy of the minutes was sent to each board member for review prior to the September 21, 2023 meeting. Motion to approve was made by Director Pastor with a second from Director Marshall. It carried by the following roll-call vote:

AYES: Foutz, Marshall, Pastor
ABSTAIN: Elam, Minor

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AYES: Marshall, Minor, Pastor
ABSTAIN: Elam, Foutz



Steven A. Pastor, Vice-President
Lake Hemet Municipal Water District