

**LAKE HEMET MUNICIPAL WATER DISTRICT  
BOARD OF DIRECTORS MEETING  
February 15, 2024  
3:00 p.m.**

**Via Zoom**

<https://us02web.zoom.us/j/87048097831?pwd=T3RiUFU3cFNON0QzWDc4RmdGUzRXUT09>

Meeting ID: 870 4809 7831

Passcode: 473714

**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**

It was discovered prior to the meeting there were some technical difficulties with the zoom link. Staff requested that IT troubleshoot the problem. It was determined there was an error with the zoom link. Another zoom link was created and there were instructions in the published link to redirect participants to the new link. This process delayed the start of the meeting for half an hour.

President Foutz called the meeting to order at 3:30 p.m.

**II. Roll Call**

PRESENT: Directors, Elam, Foutz & Pastor

ABSENT: Director Marshall & Minor

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

**III. Agenda Approval**

Agenda approved as amended, adding Item No: VII;6: Consideration of Rescinding the Irrigation Rate IR1 that was implemented on January 1, 2024. Said item needs an unanimous vote to place on agenda.

**Director Pastor moved and Director Elam seconded a motion to approve.**

Motion carried by the following roll call vote:

**AYES: Elam, Foutz, Pastor**

**ABSENT: Marshall and Minor**

**IV. Public Comment Period**

None

**REGULAR SESSION OF THE BOARD OF DIRECTORS**

**V. Response Items / Reports**

**1. General Manager Report – Mike Gow**

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

Lake Hemet is at 131.9 feet.

The WaterMaster meeting will be held on February 26, 2024, Director Pastor will be in attendance. The main topic will be the Safe Yield, a lot of assumptions and guessing with this model. Director Foutz reiterated that the Boards direction is no adjustments to our base rights.

Our phones were not working for quite some time, we temporarily used Ring Central during the outage. A fiberline was cut in San Bernardino and the repairs took longer than originally anticipated.

Flume Road: The property previously owned by John Thomas in which we had an agreement with us to provide service, he sold said property to PB Toledo Group, we are having an issue with them encroaching onto our property right away. If they do not rectify the situation, we will be referring to our legal representatives.

Project Status Report-Sprage Heights, our crews will be installing a newly manufactured tank, which weighs 10k lbs., the best way to get it up there and installed is by renting a crane to lift the tank. This will be done on February 22, 2024. It will go over our existing tank, will not go over any residences. Director Foutz asked to provide pictures, possibly drone shots as well.

**2. Board Member Reports**

None

**VI. Board Action Items**

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

- a. Ratify January 2024 Expenditures

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

|                |                            |
|----------------|----------------------------|
| <b>AYES:</b>   | <b>Elam, Foutz, Pastor</b> |
| <b>ABSENT:</b> | <b>Marshall, Minor</b>     |

4. **Minute Order** – Approve Minutes of the Board Meeting on January 18, 2024

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

|                |                            |
|----------------|----------------------------|
| <b>AYES:</b>   | <b>Elam, Foutz, Pastor</b> |
| <b>ABSENT:</b> | <b>Marshall, Minor</b>     |

5. **Minute Order** – Approve and Authorize Ground Lease with Nick Nuciforo for Portion of APN's 568-06-012 and 568-060-014

This item was heard first.

Mr. Nuciforo stated he has to replace 800 feet of fence due to the water levels and is grateful for the ability to use the property. Director Foutz asked Mr. Nuciforo what he would propose his new agreement should be? Due to the fact that he also mows the sage to keep the fire danger at a minimum, he believes \$3,000 a year would be fair.

Director Elam asked what type of fence did he have to replace? Mr. Nuciforo stated barbed wire.

Director Foutz stated that fair market value is \$3000 a year and directed GM Gow to amend the agreement to reflect the following changes:

\$3,000 a year, with a credit of \$500 if Mr. Nuciforo incurs the costs of repairing the fence and installing signage on an annual basis.

Approved as amended above.

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

|                |                            |
|----------------|----------------------------|
| <b>AYES:</b>   | <b>Elam, Foutz, Pastor</b> |
| <b>ABSENT:</b> | <b>Marshall, Minor</b>     |

6. **Minute Order** - Consideration of Rescinding the Irrigation Rate IR1 that was implemented on January 1, 2024.

Rescind IR1 Irrigation Rate Increase that was effective January 1, 2024. Credit accounts for January 2024 water usage based on rescission at an estimated total of \$9,964. Account for updated rate in comprehensive cost of service study later this year.

Director Foutz stated that when you meet with ag rate payers, please show them the rate stabilization fund, as in some point, it will be depleted. This is why we are prepared for those times.

See attached PowerPoint

Recessed to closed session at 4:27 p.m.

**VII. Closed Session**

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

No reportable action

**Director Pastor moved and Director Elam seconded a motion to adjourn.**  
Motion carried by the following roll call vote:

|                |                            |
|----------------|----------------------------|
| <b>AYES:</b>   | <b>Elam, Foutz, Pastor</b> |
| <b>ABSENT:</b> | <b>Marshall, Minor</b>     |

- VIII. Adjourned** at 4:29 p.m. to Thursday, March 21, 2024 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 February 15, 2024, a copy of the minutes was sent to each board member for review prior to the May 16, 2024 meeting. Motion to approve was made by Director Pastor with a second from Director Elam. It carried by the following roll-call vote:

|                 |                            |
|-----------------|----------------------------|
| <b>AYES:</b>    | <b>Foutz, Elam, Pastor</b> |
| <b>ABSTAIN:</b> | <b>Marshall, Minor</b>     |



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