

Minutes of a Special Meeting of the Board of Directors of the  
PAUMA VALLEY COMMUNITY SERVICES DISTRICT (PVCSD)

Held on April 18, 2022

Directors Present: Michael Martello, Michael Esparza, Jodie Lawston, Betty Potalivo, and Roland Skumawitz  
RPMWC Directors: Chuck Bandy, Steve Wehr, Bruce Knox, and Laurie Kariya  
Also Present: Residents Charles Mathews, Peter Jordan, Steve Anderson of BB&K, General Manager Bobby Graziano, Office Manager Amber Watkins, and Administrative Assistant Marissa Fehling

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- 4.1 Call to Order: Special Meeting was called to order at 10:03 a.m. by President Martello.
- 4.2 Roll Call: Martello requested a Roll Call. Fehling verified that all directors were present at that time, to constitute a quorum.
- 4.3 Open for Public Comments:  
a. Any person may address the Board at this time upon any subject not identified on this Agenda, but within the jurisdiction of the District; however, any matter not on the agenda that requires action will be referred to staff for a report and action at a subsequent Board meeting. As to matters on the agenda, an opportunity will be given to address the Board when the matter is considered– Peter Jordan provided comment that during the Covid pandemic period, PVCSD meetings were held via zoom only and stated that the Board voted to eliminate the guns and dogs for patrol during that period. Jordan informed that armed patrol was attractive and that rate payers invested many funds to have those services. Jordan noted he and others are very unhappy with this decision. Jordan stated that he feels the community is now at higher risk for criminal activity and feels unsafe. Martello explained that he believes the decisions were made prior to the Covid pandemic and suggested that Jordan get together with Graziano to go over the timeline and details of these decisions. Graziano informed Jordan that Bill Jacobs, a previous Board member, has a wealth of information on these decisions as well. Martello thanked Jordan for the comments and noted that due to Brown Act constraints this item may not be discussed any further today and informed that if needed this topic can be put on a future Agenda for further discussion.
- 4.4 Joint Exercise of Powers Agreement Establishing The Upper San Luis Rey Groundwater Management Authority (USLRGMA):  
a. The Board will consider approving the JPA- Martello informed that General Counsel, Steve Anderson of BB&K would lead this discussion. Anderson explained the Joint Powers Agreement (JPA) and gave a brief history of Sustainable Groundwater Management Act (SGMA). Anderson recommended that the Board of Directors approve the JPA to form a new public entity to serve as the Groundwater Sustainability Agency (GSA). Anderson informed that the JPA only covers portions of the Valley that are not part of Tribal Reservations. Anderson recommended that the PVCSD Board approve this document, as they are the public agency, and give the General Manager authority to make minor changes as needed. Wehr mentioned that RCD's contributions are so minimal and explained that it is mandatory that they are involved as they are needed for full coverage of the basin. Anderson noted that the intent is to start charging pumping fees to all pumpers within the GSA. Kariya inquired on the Tribal land; Anderson informed that only land outside of the Trust would be subject to SGMA. Bandy noted that in regard to the pumping fees Anderson mentioned, the Memorandum of Understanding (MOU) have no actual enforcement ability. Mathews suggested changing the minimum of attendees needed in section 4.7 where it states that a "two-thirds vote of the Directors in attendance, but in no event less than five affirmative votes" was required. Bandy explained that the idea is to be able to pass important items without having Board Members not attend and block the vote. Potalivo inquired on how

the decision was made on how many representatives come from each entity. Anderson explained how that came to be. Graziano explained that PVCSD will be the member agency with RPMWC supporting them and will be reimbursing PVCSD for a portion of funds spent. Martello moved to approve the JPA as presented by counsel with the addition that Graziano has the authority to authorize non substantive changes as needed, seconded by Skumawitz and unanimously approved.

- 4.5 Third Amended and Restated Memorandum of Understanding between PVCSD and RPMWC Regarding Future Collaboration and Water Management Within the San Luis Rey Valley Groundwater Basin –
  - a. The Board will consider approving the MOU – Graziano informed that the biggest adjustment on this third amended MOU is the cost sharing for SGMA related fees. Now RPMWC will cover 90% and PVCSD 10%. Upon a motion by Martello, seconded by Skumawitz and unanimous vote, the MOU was approved by the PVCSD Board as presented. Knox moved to approve the MOU as presented, seconded by Kariya and unanimously approved by the RPMWC Board.
  
- 4.6 Announcements/Adjournment –
  - a. Special Meeting on May 16, 2022, at 10:00 a.m. for PVCSD – The next meeting date is scheduled for May 16, 2022, at 10:00 a.m. With nothing further to discuss, motion was made to adjourn at 10:48 a.m., seconded and unanimously approved.

*Marissa Fehling*

Marissa Fehling, Recording Secretary