

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

Held on September 12, 2022

Directors Present: Michael Martello, Michael Esparza, Jodie Lawston, Betty Potalivo, and Roland Skumawitz
Also Present: Residents: Charles Matthews, Bill Jacobs, Pam Martello, Bill Winn, and Dick Nolan; RPMWC Directors Bruce Knox, and Laurie Kariya; Allison Alpert of Best Best and Krieger; and General Manager Bobby Graziano

- 9.1 Call to Order: Special Meeting was called to order at 10:03 a.m. by President Martello.
- 9.2 Roll Call: President Martello verified a quorum was present.
- 9.3 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
- b. In the interest of public health and safety this meeting will be held as hybrid (in-person and virtually). Please note, individuals have a limit of three (3) minutes to make comments and will have the opportunity when called upon by the presiding officer – Knox presented a memo and explained that Mr. Taylor sent Andy Mathews a text, he noted that it was a text conversation. Knox also noted that he said, in a prior conversation over the summer when Bobby was later for a meeting with him and Chuck Bandy, “Bobby as your friend, I’m telling you to look for another job.” Bobby was 45 minutes late to a meeting with RPM and when he arrived, he told Bruce and Chuck about the investigation. Bruce was worried for Bobby’s health, and made the statement above. Mathews then spoke. Mathews objects to being called a liar by Bruce Knox, when he is making a factual statement in the meeting on September 6, 2022. Mathews goes on to say that there is a lot of concern from the community about the discussions between Rancho Pauma Mutual Water Company (RPMWC) and PVCSD. Mathews asks where those conversations stand right now and would like an update from PVCSD. Kariya commented on the RPMWC minutes presented at the September 6, 2022, PVCSD meeting. Kariya highlighted the discrepancies in the RPMWC draft minutes and noted that the draft she approved was different than the draft presented in the PVCSD packet; words had been changed or added. She noted these types of changes can make something become very ambiguous or create an entirely different meaning. Kariya asked who made the changes and why? Graziano explained that Mr. Mathews asked if he could see the draft minutes. Graziano noted that this is commonly done, as Mr. Knox has done this in the past, Mr. Cerruti has done this in the past, and Mathews has done this in the past. Graziano gave the minutes to Mathews to make sure his comments were accurately captured. This is commonly done to make sure public comments are accurately reflected to the Board. Kariya asked that when that change is made, does the Secretary sign off on that? Kariya noted that she did not sign off on these changes. Graziano apologized that the minutes did not go back to her and explained the disconnect was for the minutes to go back to Kariya so she could review and approve them. Winn commented on the many rumors circulating about the dissatisfaction between RPMWC and PVCSD relationship. Winn also commented that he would like to see everyone working together for the betterment of the community. Some of these concerns go as far as removing the management of RPMWC from PVCSD, which would affect all of us economically. Winn also commented that if any direction is looked at in that matter, he would like to see the thinking and financials behind it. If it is communication, he would like to see why

they are not working better together. He would be against having Yuima manage our water system. Nolan also noted that there are many rumors flying around Pauma. Nolan noted that if RPMWC takes on a different management role we would need to understand it. It is critically important to keep the community informed. Nolan noted that minutes get buried and this is not the way to keep the community informed. The community needs to know the justification for a change, and he noted that transparency is key.

- 9.4 Consent Calendar: All items appearing on the Consent Calendar may be voted on by a single motion. Items shall be removed from the Consent Calendar if any member of the Board of Directors, or the public, requests removal prior to a vote on a motion to approve the items. Such items removed will be considered separately for action by the Board.
- a. AB 361 – Hybrid Meetings

Potalivo motioned to approve the consent calendar, seconded by Esparza and upon a unanimous vote was adopted.

A request was made by Mathews to move item 7 on the agenda to be discussed now.

- 9.7 Rancho Pauma Service Agreement Discussion
- a. Board will discuss the September 1, 2022 letter from Rancho Pauma Mutual Water Company and develop a response - Martello informs that PVCSD has taken a position that we are required to appoint a General Manager and others cannot dictate how our field and administrative positions work. The Board agreed that we would ask RPMWC to retract the letter they wrote. Mathews commented that it is his understanding the RPMWC has retained an employee that separated from PVCSD and that employee is to be responsible for the management of the water system. Mathews went on to say that he or she would need to have access to the SCADA system. Mathews question is, has this Board agreed with RPMWC the specific conditions under which such access can be given? Martello informed him that has not taken place yet and this question will come back to the Board on September 26, 2022. Martello went on to state that hopefully by then, there will be a different playing field with a retraction of the letter. Knox asked who owns the SCADA system? RPMWC believes that it owns the SCADA system. Knox also noted that RPMWC has said that they want to meet with PVCSD in public or private to discuss the situation between RPMWC and PVCSD. Esparza then distributed a revised draft of the response to RPMWC. Skumawitz was fine with the letter as is; Lawston asked that the word “threat” be removed. Potalivo suggested the word “intention” instead of “threat.” The Board agreed to send a shorter letter as edited by Esparza with “threat” removed and “ad hoc committee” removed. Knox inquired on the next meeting that RPMWC can attend. Mathews noted that RPMWC has held 4-5 closed meetings without minutes being reported. Mathews also noted that it is not the practice of RPMWC to post minutes on the website so the public has little knowledge as to what is happening. Mathews referenced a letter sent by RPMWC about their decision to stop paying their portion of the GM salary. Mathews asked in which meeting was this voted on and how was the decision recorded? Martello ended public comments on this item at 10:43 am.
- 9.5 Closed Session – Public Employee Performance Evaluation
- a. In accordance with Government Code Sections 54954.5 (e), and 54957 the Board will discuss the performance of the General Manager - The Board entered into closed session at 10:44 am. All exited the meeting except for the Board and legal counsel.
- 9.6 Open Session
- a. Reportable actions from Closed Session – The meeting reconvened to open session at 2:26 pm with no reportable actions.

9.8 Other Business –

- a. Requested items for next or future agendas (Directors and Staff Only) – None
- b. Board comments – None.

9.9 Announcements/Adjournment –

- a. Regular Meeting on September 26, 2022, at 10:00 a.m. – The next meeting date is scheduled for September 26, 2022, at 10:00 a.m. With nothing further to discuss, motion was made by Skumawitz to adjourn at 2:27 p.m., seconded by Esparza and unanimously approved.

Jodie Lawston

Jodie Lawston, Recording Secretary