

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
KINNELOA IRRIGATION DISTRICT  
December 21, 2004**

**MEMBERS PRESENT:** Directors Barkhurst, Brain, Pickard, and Stock.  
Director Sorell joined the meeting during the public comment section of the meeting.

**STAFF PRESENT:** Melvin Matthews, Christopher Burt, and Shirley Burt

**CALL TO ORDER:** The meeting was called to order at 1935 hours by the Acting Chair, Maurice Pickard. He noted that there was a quorum of the Board present. The Agenda was unanimously approved as presented.

**PUBLIC COMMENT**

Mike Montoya, a resident of Pasadena Glen, expressed his concern about the proposed Delores Tunnel Production Plan that had been introduced at the prior Board Meeting. He stated that he thinks any attempts to modify the mitigation measures that were adopted in the 1999 Environmental Impact Report could not be made without an amendment to that Report. He also noted that the Report does provide for the termination of the release of water in the event of an emergency, which is defined in the report.

At this time the Chair, Steve Sorell, arrived and took over as presiding officer of the meeting.

**REQUEST TO PURCHASE LAND AT 1979 SIERRA MADRE VILLA**

The General Manager reported that a draft of a Revocable License Agreement to landscape the property surrounding the Brown Well been sent to Doug Snider and that a letter has been received from them declining that option but if in the future the District wished to sell the property they were making an offer of \$5,000.

Frank Griffith indicated that the North Kinneloa Ranch Homeowners Association would be interested in making use of the property as a turn around which the county is requesting.

**REVIEW PROPOSED RESOLUTION FOR DOLORES TUNNEL PRODUCTION PLAN**

The Chair introduced the topic and directed the following statement to the residents of Pasadena Glen that were in the audience.

"We have been giving this some thought and have talked among ourselves about how to proceed. And there are a couple of things I would like to pass along in terms of how we want to approach this. First of all we still believe that there is a need for some of this water. We are buying water now and that is a big change for this District to have to be purchasing water. We think that there is a change in the circumstances but rather than doing this confrontationally we would like to see if we can work out some kind of a resolution first. And to that end I would like to appoint a

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special committee consisting of the General Manager, and the Director of your Division to meet with Linda or whoever the representative is to see if we can't work through some kind of an arrangement that makes sense. I understand your concern that the definition of Emergency is too broad but we think it is not so narrow that it only comes up if something is broken. There is a change here and we have to look at it. We would like to see what can be worked out."

"I will tell you that we have had preliminary discussions with our counsel and he is certainly of the opinion that the additional modification to the EIR that came up after the EIR was approved, as a result of the settlement with Ray Towne, based on that if it came to blows we would be able to prevail. But I don't want to do that if I don't have to because it is wasteful of resources and it just leaves a bad feeling that we would like to avoid at this time. So hopefully you will be able to meet with them and come up with a proposal within the next month or so. In the meantime we won't take any action of course until after we have heard back. And we will get a better understanding, some of us are new on the Board, and will better understand what the legal situation is and right now what those options are. So we will know what our worst case scenario is basically."

Mr. Montoya stated that he appreciated the Board's willingness to talk, and requested a copy of the draft plan so that he could have a starting point to begin discussions. He questioned as to whether there was a motion

Director Barkhurst stated that the motion to approve the plan was tabled at the last meeting until such time as the Board receives sufficient new or more information that would take it off of the table, and that in setting up an informal Ad Hoc Committee to address those issues is just part of that process.

**ELECTION OF OFFICERS**

The Chairman requested nominations for the office of Chairman. Director Barkhurst was nominated by Director Sorell and the nomination was seconded by Director Stock. There were no further nominations from the Board. The Chairman then called for the vote and Director Barkhurst was unanimously elected to the office of Chairman.

The Chairman then requested nominations for the office of Treasurer. Director Sorell was nominated by Director Pickard and the nomination was seconded by Director Brain. There were no further nominations from the Board. The chairman then called for the vote and Director Sorell was unanimously elected to the office of Treasurer.

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The Chairman then requested nominations for the office of Secretary. Director Pickard was nominated by Director Sorell and the nomination was seconded by Director Brain. There were no further nominations from the Board. The chairman then called for the vote and Director Pickard was unanimously elected to the office of Secretary.

**GENERAL MANAGER'S REPORT**

The General Manager's Report was reviewed by the Board as presented in the Board Packet and the General Manager noted that he had signed an agreement to purchase 150 A/F of water for \$200. per A/F.

**REVIEW OF MINUTES**

The minutes of November 16, 2004 were unanimously approved as presented.

**REVIEW OF FINANCIAL REPORT**

The financial reports for November 30, 2004 was reviewed and unanimously approved for filing.

**ITEMS FOR NEXT AGENDA**

Consideration of Revocable License Agreement for Brown Well Property  
Report of the Dolores Tunnel Committee

**ADJOURNMENT**

The meeting was adjourned at 2100 hours and the next meeting will be on January 18, 2004.

Respectfully submitted,

Shirley Burt  
Secretary to the Board