

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
KINNELOA IRRIGATION DISTRICT  
December 17, 2002**

**MEMBERS PRESENT:** Directors Brain, Pickard, Sorell and Stock  
Director Matthew was excused due to a prior commitment.

**STAFF PRESENT:** Bill Redcay, Chris Burt and Shirley Burt

**CALL TO ORDER:** The Meeting of the Board was called to order by the Acting Chair, Steven Sorell, at 1940 Hours. He noted that a quorum was present, and that the Agenda stands as presented.

**PUBLIC COMMENT**

Mrs. Williams stated that a summarization of public comments should be included in the minutes of the Board Meetings in the spirit of the Brown Act even though it is not legally required. She noted that it is the only way the public can know what other opinions were aired and the response they received and to ignore public comment is offensive. She further noted that the other alternative would be for voluminous written comments to be presented to the Board in their entirety that would have to be included in the District's permanent records.

Mr. Griffith stated that he agreed with Mrs. William's comments and further added that at present it is the only communication the Board has with the Public.

**APPROVAL OF AGREEMENT WITH KINCLAIR RIDGE HOMEOWNERS ASSOCIATION FOR EUCALYPTUS TUNNEL MONITORING PROGRAM**

The General Manager stated that the Agreement requires the District to take water samples, send them to the Laboratory for analysis, and submit these reports to the Homeowners Association. He noted that the District would invoice the Homeowners Association for these services and that the costs would be reviewed as the contract is renewed annually. It was M/S/C (Stock/Pickard) - **-"That the Board approve the Agreement with the Kinclair Ridge Homeowners Association to provide sampling of the Eucalyptus Tunnel water as required by the California Regional Water Quality Board "**.

**REPORT OF THE FINANCE COMMITTEE**

**2003 Budget:** The proposed 2003 budget was reviewed and it was M/S/C (Stock/Pickard) -- **"That the Board approve the Budget for the year 2003 as presented."**

**2003 Auditor:**The Board reviewed the four proposals that had been received for the 2002 Annual Audit and it was M/S/C (Stock/Pickard) -- **"That the company of Egan & Egan be retained to perform the Audit for the year 2002"**.

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**GENERAL MANAGER'S REPORT**

The General Manager reviewed his report as presented in the Agenda Packet. Additional information and action involved the following items.

**Kinclair Project:** Directors Sorell and Stock expressed concern regarding the budget impact in purchasing water from the City of Pasadena for the month that the Eucalyptus Reservoir would be out of service. They questioned as to whether there was any way to avoid this expenditure which is not included in the 2003 budget and is estimated to be around \$10,000. Following extensive discussion the Staff was directed to-- 1) investigate the merit of putting in a bypass station that would avoid the use of Pasadena water and also be of use in the future, and 2) Proceed with what ever decision that appears to have the best budget impact.

**Wilcox Well Extension:** The General Manager stated that Beylik Contractors, who had been awarded the contract for the job, notified the District that they had omitted items from the original estimate that amounted to approximately \$1300. He stated that this put their estimate above that of Layne Christensen Company and therefore recommended awarding the contract to Layne Christensen. It was M/S/C (Sorell/Pickard) -- **“That the contract to Beylik Construction be voided and that the contract for the Wilcox Well Extension be awarded to Layne Christensen for the sum of \$5175.”**

**REVIEW AND APPROVAL OF MINUTES**

**Regular Meeting of October 15, 2002:** Director Stock submitted written changes to the minutes which were included in the Board Packet. Director Brain stated that for the purpose of discussion he would move that Director Stock's proposed changes be approved. Director Stock seconded the motion.

Director Pickard questioned as to why the corrections to Public Comment should be made and Director Stock replied that he was trying to condensed the minutes, and clarify some of the content. He asked Mrs. Williams if she wanted the Public Comments included as presented. Mrs. Williams replied that she thought summarizing Public Comment was appropriate but she thought that the changes Director Stock made to his comments regarding the insurance company, while making it clearer, was an effort to sanitize what he had done. Director Sorell stated that the criticism by the Board as regards Mr. Stock's actions still remains in the minutes.

Director Sorell stated that presentation of the minutes has evolved over the years to a less voluminous pattern that has been working pretty well, and that in reviewing the letter from the Attorney regarding minutes it does not appear that the Board is doing anything wrong. He stated that in approving these changes, he has not heard a specific suggestion that we change what we

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are doing. He further stated that a summary of Public Comment should be included, by name where appropriate, without embellishments, and that he does not see these suggested changes to the minutes as an attempt to rewrite the minutes because someone does not like what they said.

Director Sorell then stated that he would like to make a comment about these minutes as they stand because they have Director Stock's comments that seem to suggest that the Auditor thinks we are at risk because we don't have proper segregation. Director Stock replied that that is not true and Director Sorell agreed it was not true but that that opinion still seems to remain in the edited version of the minutes, and that that needs to be corrected at some point as it is a misstatement of what the Auditor said.

It was M/S/C **"That the minutes of October 15, 2002 be approved with the changes as submitted by Director Stock."**

**Regular Minutes of November 12, 2002:** The minutes of the Regular Meeting of November 19, 2002 were reviewed and unanimously approved as presented.

Staff was direct by the Board -- 1) To include the letter from the Attorney regarding minutes in the procedural manual and 2) To identify the ayes and naves by Director in the minutes.

**REVIEW OF FINANCIAL REPORT**

The Financial Report of November 30, 2002 was reviewed and approved for filing.

**ITEMS FOR NEXT AGENDA**

Items for the next meeting: Election of Board Officers

**ADJOURNMENT**

The meeting was adjourned at 2135 and the next meeting will be held on December 17, 2002.

Respectfully submitted,

Shirley Burt

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Secretary To The Board