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MINUTES OF THE  
BOARD OF DIRECTORS REGULAR MEETING  
OTAY WATER DISTRICT  
May 3, 2000

1. The meeting was called to order by President Price at 1:33 p.m. in the District Boardroom, 2554 Sweetwater Springs Boulevard, Spring Valley, California.

DIRECTORS PRESENT: Directors Price, Inocentes, Laudner, Poveda and Watton

DIRECTORS ABSENT: None

STAFF PRESENT: General Manager Griego  
General Counsel Harron  
Operations Department Head Mahanke  
Admin. Services Department Head Alvarez  
Finance Department Head Chambers  
Government Affairs Admin. Bartlett-May  
District Secretary Smith  
Others as per attached list

2. Upon conclusion of the Pledge of Allegiance, a motion was made by Director Inocentes, seconded by Director Laudner and unanimously carried, to approve the Agenda.

3. General Manager Griego stated that Staff had received requests from Directors recently to put specific quotes in the minutes and the policy in the past had been to summarize. To avoid Staff getting in the middle, he wanted direction in how the Board wanted the minutes prepared.

A motion was made by Director Laudner to keep the minutes in summary form. Director Poveda said that he felt minutes were to report and summarize what took place and not transcriptions of the meeting.

Director Price stated that the law required the minutes to report only the action or direction given by a Board to be incorporated in the minutes.

1 Director Inocentes stated the minutes should be written in a neutral  
2 manner by Staff and if there are concerns regarding what Directors want in the  
3 minutes then possibly the two issues in question should be verbatim.

4 Director Poveda seconded Director Laudner's motion for summary min-  
5 utes. The motion carried with Director Inocentes abstaining.  
6

7 4. A motion was made by Director Watton, seconded by Director  
8 Laudner, and unanimously carried to approve the Demands as listed.

9 5. President Price inquired if anyone in the audience desired to ad-  
10 dress the Board on any item not on the Agenda. She stated she had a request  
11 by Mr. John Parungao to speak.  
12

13 Mr. Parungao, the Republican nominee for the 79<sup>th</sup> District Assembly,  
14 stated he was there as part of the Otay Water Ratepayers' Alliance. He pre-  
15 sented 300 signatures of people who are opposed to lending public funds for  
16 the completion of the Auld Goff project. He also stated the District only needed  
17 approximately \$60,000,000 in reserves and demanded the remainder be  
18 rebated to the ratepayers. Mr. Parungao asked how much money the District  
19 held in its reserve accounts.  
20

21 President Price referred the question to Staff for response.  
22

23 Mr. Parungao said he felt personal attacks on Board Members were  
24 uncalled for. He stated that Director Inocentes had brought issues regarding  
25 the legality of dumping and interest-free loans before the Board and the Board  
26 shouldn't divert attention from these issues by making personal attacks. He  
27 stated the public perception is that they are covering up for one another.  
28

29 President Price thanked him for his remarks. She stated there was a  
second request to speak by Thelma Chinalpan.

1 Thelma Chinalpan stated she was a resident of Otay Water District but  
2 did not wish to give her address.

3 She stated she had attended the last meeting and was very upset due to  
4 the personal attacks on Director Inocentes. She stated he had brought up  
5 business issues and they were attacking him personally.  
6

7 6. A motion was made by Director Laudner, seconded by Director  
8 Watton, and unanimously carried to adopt the following items on the Consent  
9 Calendar:

10 a) ADOPTION OF PROCLAMATION

11 RESOLUTION NO. 3855

12 A RESOLUTION OF THE BOARD OF DIRECTORS OF  
13 OTAY WATER DISTRICT PROCLAIMING NATIONAL  
14 PUBLIC WORKS WEEK

15 b) ADOPTION OF POLICY NO. 33, STAFF TRAVEL POLICY

16 c) ADOPTION OF ANNEXATION RESOLUTION

17 RESOLUTION NO. 3856

18 A RESOLUTION OF THE BOARD OF DIRECTORS OF  
19 OTAY WATER DISTRICT FIXING TERMS AND  
20 CONDITIONS FOR THE ANNEXATION TO OTAY WATER  
21 DISTRICT SEWER IMPROVEMENT DISTRICT OF  
22 THOSE LANDS DESCRIBED AS "EK SEWER  
23 ANNEXATION" (APN 517-111-48) AND ANNEXING SAID  
24 PROPERTY TO OTAY WATER DISTRICT SEWER  
25 IMPROVEMENTS DISTRICT (WO 0210-20.228/DIV.5)

26 d) ADOPTION OF ANNEXATION RESOLUTION

27 RESOLUTION NO. 3857

28 A RESOLUTION OF THE BOARD OF DIRECTORS OF  
29 OTAY WATER DISTRICT FIXING TERMS AND  
CONDITIONS FOR THE ANNEXATION TO OTAY WATER  
DISTRICT SEWER IMPROVEMENT DISTRICT OF  
THOSE LANDS DESCRIBED AS "THE RIDGE AT  
WILLOW GLEN SEWER ANNEXATION" (AN 518-212-64

1 AND APN 519-010-25) AND ANNEXING SAID  
2 PROPERTY TO OTAY WATER DISTRICT SEWER  
IMPROVEMENT DISTRICT (WO 0210-20.227/DIV.5)

3 7. President Price presented Resolution No 3854. A motion was  
4 made by Director Poveda, seconded by Director Watton and unanimously car-  
5 ried adopting the following resolution:  
6

7 RESOLUTION NO. 3854

8 A RESOLUTION OF THE BOARD OF DIRECTORS OF  
9 OTAY WATER DISTRICT PROCLAIMING MAY AS  
WATER AWARENESS MONTH

10 President Price said that she is pleased with the school programs that  
11 have developed over the years and that she was happy to recognize and adopt  
12 Arroyo Vista Elementary, Joseph Casillas Elementary and Thurgood Marshall  
13 Elementary as business/education partners with the District.  
14

15 President Price, Water Conservation Coordinator Tubiolo and School  
16 Education Specialist Rega presented the Principals with certificates and recog-  
17 nition items consisting of rulers, pencils and zipper pulls for the student pro-  
18 gram. Ms. Tubiolo stated that Pam Rega had been very instrumental in devel-  
19 oping the school programs.  
20

21 8. Pam Rega stated that each year the District sponsored a poster  
22 contest to teach children water conservation. She said we had received over  
23 300 entries this year and that those had been narrowed down to 50 posters that  
24 were voted on by the employees.  
25

26 Ms. Rega stated the winner of Category 1, Kindergarten through Third  
27 Grade, was Natalie Nomichith, a Third Grader. President Price presented  
28 Natalie with a certificate and a \$100 U.S. Savings Bond.  
29

1 Ms. Rega stated the winner of Category 2, Fourth through Sixth Grades,  
2 was Saul Flores, a Fourth Grader. President Price presented Saul with a cer-  
3 tificate and a \$100 U.S. Savings Bond.

4 Ms. Rega said that both of the posters would be entered into the Metro-  
5 politan Water District calendar contest.

6  
7 Ms. Tubiolo stated that Morgan Brown of Sweetwater Springs Commu-  
8 nity School was a winner of the Year 2000 Metropolitan Calendar Contest.  
9 She stated the District would present her with a \$50 U.S. Savings Bond.

10 Director Inocentes stated he felt Staff needed to look at partnering with  
11 the schools that are on the boundaries of the District because some of the chil-  
12 dren could be in the District. Ms. Tubiolo said she would be happy to contact  
13 Sweetwater Authority. She said that we do have a relationship with Helix and  
14 have gradually added four schools that were previously serviced only by Helix.  
15  
16

17 9. President Price stated the next item was a request for authoriza-  
18 tion to award a three-year insurance package.

19 A motion was made by Director Watton, seconded by Director Laudner  
20 and unanimously carried, to award a three-year insurance package as outlined  
21 in the Staff Report to Swanson/Potter/Kemper. Director Price said she felt it  
22 was helpful to see the full insurance packages and appreciated the work of the  
23 Insurance Ad Hoc Committee.  
24

25 10. General Manager Griego said there were two meetings, the Coun-  
26 cil of Water Utilities and the Water Agencies dinner, where reservations were  
27 made and the Directors didn't attend. He said the amounts were not significant  
28 but he needed the Board's direction on how they wanted Staff to proceed. Di-  
29 rector Watton said the policy is that the Directors who missed the function

1 should repay the District. President Price asked the Board if they wished to  
2 abide by the policy and the Board concurred.

3 11. President Price said the next item, Directors' Travel Request, was  
4 brought back because she felt it was important for her to attend the ACWA  
5 State Legislative Committee Meetings in Sacramento. General Manager  
6 Griego said he spoke with Peggy Fletcher from ACWA who said our decision  
7 not to attend ACWA raised some concerns with ACWA and they extended an  
8 invitation to attend the ACWA conference. Director Laudner said he thinks the  
9 Board should authorize Staff, the General Manager and the Attorney, to attend  
10 the ACWA conference. A motion was made by Director Laudner and seconded  
11 by Director Inocentes, to approve the travel as listed and authorize the General  
12 Manager, and any Staff he felt appropriate, to attend ACWA in Monterey.  
13  
14

15 Director Inocentes said that he had received an e-mail from Urban Water  
16 Institute after the Agenda had gone out regarding their planning session in  
17 Newport Beach on May 16<sup>th</sup>. He asked that his attendance at the Urban Water  
18 Planning Session be added to the Request for Travel. Director Laudner said  
19 that he didn't wish to amend his motion.  
20

21 President Price called for a vote on the motion regarding the travel listed  
22 on the Staff Report and the addition of Staff being allowed to attend ACWA.  
23 Directors Price and Laudner voted aye, Directors Poveda and Watton voted no,  
24 and Director Inocentes abstained.  
25

26 12. Governmental Affairs Administrator Bartlett-May stated the Little  
27 Hoover Commission held a press conference and finalized its report without any  
28 discussion. She stated that Ben Clay attended the press conference and sent  
29 information that she distributed (copy attached). An error was made in the

1 material in that Otay was listed twice. She said it appears it looked at a lot of  
2 information from a few of the larger agencies and the main issues seem to be a  
3 lack of accountability and public involvement. The Commission has  
4 recommended merging some special districts. After she reviews the report Ms.  
5 Bartlett-May will give the Board a summary.  
6

7 13. Director Watton distributed a copy of a North County Times article  
8 regarding the Economic Study Group's comments (copy attached). He stated  
9 there was nothing new and that the City wants to lock down its participation in  
10 the emergency storage project. This is a great bonus to us in that the largest  
11 agency that could roll on and off the system, and leave us stranded with costs if  
12 they did roll off, is willing to pay the costs whether it is taking water or not.  
13

14 Director Price asked if they were building the Olivenhain Dam yet.  
15 Director Watton said there has been design work done, contracts that are ready  
16 to be let and he would anticipate contractual relationships before the contracts  
17 on the emergency storage project are let. The project is still moving forward but  
18 the desire of the majority of the Board Members and the agencies they repre-  
19 sent is that they want some type of contractual relationship.  
20

21 Director Watton stated there were a couple of agencies that are not  
22 interested in participating in the emergency storage project. Dan Hentschke,  
23 CWA's attorney, has set out some recommended guidelines, including public  
24 hearings, so that everyone understands what is going on if they don't participate  
25 in the Emergency Storage Project.  
26

27  
28 Director Watton also summarized the groundwater issue with the Native  
29 Americans and how that pertained to Met and the Inland Feeder.

1           14.     President Price stated that the next item was a clarification on the  
2 Code of Ordinances regarding Board Members and Staff Contacts. Director  
3 Poveda said his concern surfaced when individual Board Members requested  
4 information from Staff. He said the Code specifies that the General Manager  
5 will be the one working with the Board and feels it's important that the Board be  
6 reminded that any kind of special request goes through the General Manager.  
7 He also said that Staff should feel comfortable if a Board Member contacts  
8 them to say they would speak with the General Manager about the request.  
9

10           Director Poveda reminded the Board that the Water Conservation Gar-  
11 den Anniversary program will be held at the Garden on May 4th.  
12

13           Director Poveda said he had received a copy of a letter from Anthony S.  
14 DaVigo, Deputy Attorney General, to Mr. Henry Barbosa of Barbosa, Garcia  
15 and Sistos (copy attached) which he read. Director Poveda stated the Attorney  
16 General's office had found the application for leave to sue Fernando Poveda  
17 insufficient as to fact and law, the suit was denied and the file for this matter is  
18 being closed.  
19

20           Director Laudner said he attended the Point Loma Operations Center  
21 opening. He also attended the Metro Commission meeting Friday afternoon.  
22

23           Director Price said she had also attended the opening celebration for the  
24 Operations Center at Point Loma. She also wanted to publicly thank Mike and  
25 Jan Strode for hosting the golf course tour and barbeque. She expressed her  
26 appreciation to Larry Rega for the positive courtesy piece on the Telegraph  
27 Canyon Road Project that was mailed to the residents in that area.  
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29           Director Inocentes said the Board had a member of the public ask how  
much money the District had on reserve and he was sent to Staff and not an-

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swered by the Board. He felt this didn't serve the District or Board well to withhold information from the public. Director Price said by referring the individual to Staff he doesn't have to wait until the next Board Meeting. Director Inocentes said he would be attending ACWA in Monterey next week at his own cost.

15. The Board adjourned into closed session at 2:40 p.m. Attorney Harron said the last item, pending litigation, was moot and would not be discussed. Director Inocentes excused himself from the closed session.

16. With no further business to come before the Board, the meeting was adjourned at 3:30 p.m.

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President

ATTEST:

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District Secretary