

1 MINUTES OF THE  
2 SPECIAL MEETING OF THE BOARD OF DIRECTORS  
3 OTAY WATER DISTRICT  
4 January 23, 2002

5 1. The meeting was called to order by General Manager Griego at  
6 11:00 a.m. in the District Boardroom, 2554 Sweetwater Springs Boulevard,  
7 Spring Valley, California.

8 DIRECTORS PRESENT: Bonilla, Croucher, Inocentes, Lopez and  
9 Lewis (left at 2:05 p.m.)

10 STAFF PRESENT: General Manager Griego  
11 Chief of Engineering and Water Ops.  
12 Gunstinson  
13 Chief of Administrative Svcs. and Finance  
14 Alvarez  
15 Special Counsel Garcia  
16 Asst. Chief of Operations Porras  
17 Asst. Chief of Finance Beachem  
18 Asst. Chief of Engineering Arbabian  
19 District Secretary Cruz  
20 Others per attached list

21 2. Upon conclusion of the Pledge of Allegiance, a moment of silence  
22 was observed in memory of the families and victims of the September 11, 2001  
23 terror attack. General Manager Griego then opened the meeting with the  
24 election of officers.

25 A motion was made by Director Bonilla, seconded by Director Inocentes  
26 and carried with the following vote:

27 Ayes: Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
28 Noes: None

29 to elect Director Lopez as President, Director Croucher as Vice-President and  
30 Director Lewis as Treasurer.

31 The Board recessed at 11:02 a.m. and was reconvened by President  
32 Lopez at 11:05 a.m.

Approval  
of  
Agenda

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3. General Manager Griego presented the agenda for approval.

A motion was made by Director Inocentes, seconded by Director Bonilla and carried with the following vote:

Ayes: Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
Noes: None

to approve the agenda.

4. President Lopez presented the minutes for approval.

A motion was made by Director Inocentes, seconded by Director Croucher and carried with the following vote:

Ayes: Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
Noes: None

to approve the minutes of November 27, 2001, December 7, 2001 and December 28, 2001.

4. President Lopez presented the demands for approval.

Director Inocentes asked clarification on the following checks:

- check number 100251 for Prepaid Legal Services, Inc.:  
Director Croucher indicated that it is an employee deduction that is similar to Board benefits in which employees can buy into pre-paid legal services through a payroll deduction.  
Director Inocentes asked when the benefit became available.  
Mr. German Alvarez indicated that it became available about a year ago. He indicated that informational materials can be provided to the Director's on the program.
- check numbers 100319 and 100834 for PRM Consulting:  
Mr. German Alvarez indicated that the checks were

Approval  
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Minutes

Approval  
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Demands

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installments for the months of October through December 2001.

- check numbers 100391 and 100570 for Burke, Williams and Sorensen: He indicated that he had asked staff to provide him copies of the billings prior to the Board meetings so he could vote. He stated that he would not be able to vote on this check today as he has not yet seen the billings. He asked for copies of the bills so he may review them.
- check number 100473 for Off Duty Officers: Mr. German Alvarez indicated that it was for security services for the October 30 Board meeting. It was discussed that a special officer was brought in for that meeting as it was the meeting in which the vacancy of Division 5 seat was discussed. Security was brought in at the Board's request.
- Check number 100559 for Mark Watton. Director Inocentes indicated that he would not be supporting this check.

Director Inocentes also asked if staff could provide the demands list in both formats, check order and department order, as they had been provided in the past. General Manager Griego indicated that he would look into it.

A motion was made by Director Bonilla, seconded by Director Lewis and carried with the following vote:

Ayes: Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
Noes: None

1 to approve the demands as listed. Director Inocentes voted “yes” with the  
2 exception of the checks for Burke, Williams and Sorensen, PRM Consulting and  
3 Mr. Mark Watton.

4 5. General Manager Griego indicated that we have a presentation by  
5 Mr. Steve Bilson of ReWater Systems, Inc., and Jim Clements, a member of the  
6 audience, who wishes to address the Board.  
7

8 Mr. Steve Bilson, Chairman and CEO of ReWater Systems, Inc.,  
9 provided a presentation on the Greywater Irrigation Recycling Program. He  
10 indicated that greywater is simply the recycling of water from showers, tubs,  
11 bathroom sinks and the clothes washer (approximately half the water used by a  
12 household). He indicated that the recycled water was used for home irrigation  
13 purposes. He stated that the biggest driving force for water recycling is the  
14 increase of new home building in the west and that these homes all draw from  
15 the same water resource. He stated this system would help to reduce the  
16 demand of expensive imported water. Mr. Bilson presented photo’s of the  
17 system, how the system works and homes in which the system is currently  
18 being pilot tested. He stated that the system was inspected by the County  
19 Environmental Health Department. Mr. Bilson indicated that the City of Chula  
20 Vista is currently participating and the City Council has approved a 25%  
21 reduction of their sewer connection fees to participating homeowners (worth  
22 \$360,000). He stated also that the Developer’s irrigation budget already has an  
23 irrigation system factored in and the State Water Resources Control Board is  
24 providing a low interest loan of \$1 million for the program which will be paid  
25 back over a period of 20 years by the City. He indicated that the last gap in the  
26 funding is Otay’s participation. He indicated that he was asking that Otay  
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Public  
Participa-  
tion

1 contribute through the reduction in their meter connection fee (worth  
2 approximately \$849,000). Mr. Bilson stated that the present value of the  
3 recycled program is \$1,111,000 which is a \$161,000 value to the District. He  
4 stated that the system overall would help lower water rates as it would reduce  
5 the purchase of imported potable water.  
6

7 General Manager Griego indicated to Mr. Bilson that staff would provide  
8 the Board background information and that the District would be in-touch with  
9 him.  
10

11 Mr. James Clements indicated that he was a long-term District employee  
12 who was laid off in March 2001. He stated that he had addressed the Board on  
13 December 5, 2001 and had requested that they act to compensate and/or rehire  
14 all employees who were laid off last year. He stated that Director Inocentes had  
15 responded that he supported such action, but that it was the responsibility of the  
16 General Manager to take the lead and initiate such action. He stated that it had  
17 been two months since he addressed the Board and no action has been taken.  
18 He further indicated that he had applied for the open position of Network  
19 Support Analyst, but was not contacted for an interview. He stated that he had  
20 called the District to request information about the position and was informed  
21 that the position had been filled. He stated that District management, however,  
22 would not indicate the individual chosen for the position nor the reasons he was  
23 not considered for the position. Mr. Clements noted reasons he should have  
24 been hired for the position and asked why he was not hired for the Network  
25 Support Analyst position.  
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29 6. General Manager Griego presented the following items on the  
consent calendar for approval:

Consent  
Calendar

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- a) APPROVE FORM OF GENERAL MANAGER'S WRITTEN CONTRACT
- b) ADOPT RESOLUTION NO. 3936 OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT FIXING TERMS AND CONDITIONS FOR THE ANNEXATION TO OTAY WATER DISTRICT SEWER IMPROVEMENT OF THOSE LANDS DESCRIBED AS "KAISER PERMANENTE SEWER ANNEXATION" (APN 502-030-26) AND ANNEXING SAID PROPERTY TO OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT NO. 18
- c) ADOPT SERVICE RESOLUTION NO. 3934 OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT EXPRESSING APPRECIATION TO CARLOS R. PERDOMO FOR TEN YEARS OF SERVICE TO THE DISTRICT

Director Inocentes indicated that he wished to pull item 8a from the consent calendar.

A motion was made by Director Bonilla, seconded by Director Inocentes and carried with the following vote:

Ayes: Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
Noes: None

to approve the consent calendar with the exception of item 8a which is to be pulled for discussion.

7. Item 8a, approval of General Manager's written contract was presented for discussion. Director Inocentes asked General Counsel how the contract differed from what was discussed at the December 28, 2001 Board meeting. General Counsel Bonifacio Garcia indicated that in drafting the contract there was an ambiguity with regard to what the Board meant by nine months severance. He asked if the Board meant nine months severance plus benefits or if they had meant just straight pay (salary). Legal Counsel Garcia stated that the District has the practice of providing a severance paid monthly along with benefits. Staff had decided that they would bring the contract

Approval  
of GM  
Contract

1 forward for clarification. Director Inocentes asked General Counsel Garcia to  
2 clarify the benefits and if it included the use of the District vehicle and credit  
3 card. General Counsel Garcia indicated that it did not and that it would apply to  
4 traditional employee benefits like medical, dental, etc. Director Inocentes  
5 suggested that in section 3c of the General Manager's employment agreement,  
6 that the wording be changed to "Employee shall receive a performance  
7 evaluation after April of each year." It was discussed that by indicating that the  
8 evaluation would be handled in May, then it provides a guideline to staff that if  
9 must be addressed in May. When the issue is brought forward to be addressed  
10 in May, the Board can decide at that point how it wishes to address the issue.  
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13 A motion was made by Director Croucher, seconded by Director Bonilla  
14 and carried with the following vote:

15 Ayes: Directors Bonilla, Croucher, Lewis and Lopez  
16 Noes: Director Inocentes

17 to approve the General Manager's written contract.  
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19 8. General Manager Griego indicated that the next item on the  
20 agenda is a Redistricting Workshop. He stated that PRM Consulting would be  
21 presenting a report on the redistricting process, legal requirements, division  
22 boundaries and options. He stated that Mr. Richard Babcock and Mr. Steve  
23 Castaneda, PRM Consulting, was retained last April to start reviewing data and  
24 preparing a redistricting presentation for the Board. Following the presentation,  
25 the Board will then be asked to either accept/approve or provide direction to  
26 staff on the process.  
27

28 There was discussion that PRM Consulting was retained back in April,  
29 however, they were asked to hold off working on the project until the District

Redistricting  
Workshop

1 could address some issues they were facing with governance at that time.  
2 PRM Consulting was then asked to move forward with the project in October  
3 2001. Director Inocentes indicated his concerns that there may be a conflict of  
4 interest with PRM Consulting working with the District. There was further  
5 discussion that because PRM Consulting had worked on the project of  
6 redistricting and that they put together a recommendation and presentation on  
7 redistricting for the Board, that the Board would like to move forward and hear  
8 it.  
9

10 Mr. Steve Castaneda indicated that he and his partner, Mr. Richard  
11 Babcock, would be providing a presentation on the process of redistricting and  
12 provide recommendations based on the analysis they have made of the  
13 District's current division boundaries and the U.S. Constitution's requirements  
14 following the adoption of the census (2000 census).  
15

16 Mr. Castaneda provided some background on his firm and indicated that  
17 they have been in business since 1996 and that he and Mr. Babcock have 30  
18 years of combined local government experience. He stated that they had also  
19 worked a number of years with the City of San Diego at various levels, for both  
20 elected officials and to appointed positions. He stated that PRM Consulting  
21 specializes in government advocacy, land use and transportation, geographic  
22 information systems (GIS) and demographics.  
23

24 Mr. Castaneda stated that redistricting is where a single election district  
25 is remapped to have equal populations. He indicated that this is generally  
26 triggered by the completion of a census every 10 years. Following the  
27 completion of a census, each election district must determine if their divisions  
28 satisfy the US Constitutional requirements of a population deviation of 10% or  
29

1 less between divisions with the greatest and least populations and if this is not  
2 true, the election district must rebalance the population by redrawing its district  
3 boundaries (redistricting).

4 Mr. Casteneda indicated that the Otay Water District has approximately  
5 170,000 residents. He stated that each division should ideally have  
6 approximately 35,000 residents or voters. He noted that with the “census units”  
7 which they are required to utilize, it was impossible to get exactly 35,000 per  
8 division, so a population deviation of 10% or less is employed.

10 Mr. Babcock indicated that from the data available from the census, they  
11 used the “total population” data to determine one person = one vote and the  
12 “voting age population” data to measure voting rights acts. Mr. Castaneda  
13 presented information showing where the District was currently in terms of  
14 population numbers for the current divisions which varied from 40,581 in its  
15 largest division (2) to 25,028 for its smallest division (5) and each divisions  
16 ethnic breakdown. He stated the deviation between the two division was  
17 45.51%. He then presented proposed boundaries for each division to balance  
18 the populations and ethnicity within those populations based on federal law  
19 requirements which include the 10% deviation requirement, that divisions must,  
20 to the extent possible, preserve identifiable communities of interest, must  
21 consist of whole census units, be contiguous territories with reasonable access  
22 between population centers, be geographically compact, be bounded by natural  
23 boundaries such as major streets, valleys, canyons, freeways, rivers, etc, and  
24 that they should not be drawn for the purpose of advantaging or protecting  
25 incumbents. He stated that the proposed division boundaries would have a  
26 population deviation of 8.37%, would unify communities of interest and would  
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1 establish divisions with contiguous boundaries. Mr. Castaneda also pointed out  
2 some problems with the existing division boundaries, that they were non-  
3 contiguous, separated communities of interest, did not observe significant  
4 geographic boundaries and separated census units.

5 Mr. Castaneda indicated that it is the board's discretion to either adopt  
6 the proposed boundaries or provide recommendations and direction to staff.  
7 He indicated they would be happy to answer any questions the Board may  
8 have.  
9

10 There was discussion on past redistricting procedures and guidelines  
11 and that the Engineering department had been involved in acquiring the  
12 precinct maps and producing the division maps in the past. It was also noted  
13 that two years ago, when the district last redrew its boundaries, the GIS  
14 Manager handled the process based on guidelines provided by the Board.  
15 Director Inocentes noted that the boundaries of the divisions were redrawn at  
16 that time because there was some concern by some of the Directors at the  
17 time, of the disparity in the population within the divisions due to the growth in  
18 the District. There was also discussions, because of continued growth, that the  
19 District should consider redistricting prior to the census. This posed a problem  
20 as the question two years ago was what data would be utilized to redraw the  
21 boundaries. At that time, the District selected to utilize meter counts within the  
22 divisions. Mr. Babcock indicated that legally the District should utilize SANDAG  
23 numbers between census data collections.  
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28 There were questions regarding other boundary options which PRM  
29 Consulting may have also come up with. Mr. Babcock indicated that they did  
have several options, however, the division boundaries they had presented this

1 afternoon was the best in terms of meeting redistricting requirements. He  
2 stated they would be happy to provide copies of the different options if the  
3 Board wishes. It was discussed that PRM Consulting had two months left on  
4 their contract and that the District would like to complete the redistricting  
5 process before the end of their contract. There were also questions on how the  
6 lines were drawn. It was noted that the lines were based on formulas and  
7 information input into an Arc View program and community interests,  
8 geographic guidelines, etc. were then taken into account to fine tune the  
9 boundaries. The process took approximately two weeks. Mr. Castaneda  
10 indicated that from 1990 to the 2000 census, the District's population had grown  
11 60%.

14 Special Counsel Garcia noted that the District must submit its new  
15 division boundary lines to the county by June 30, 2002.

17 A motion was made by Director Croucher, seconded by Director  
18 Inocentes and carried with the following vote:

19 Ayes: Directors Bonilla, Croucher, Inocentes, Lopez and Lewis  
20 Noes: None

21 that staff provide the Board a workshop on the issue of redistricting with  
22 Directors' prior input within one month.

24 There was discussion that Directors would provide the General Manager  
25 their issues prior to the Workshop to provide staff time to address their  
26 concerns at the Workshop.

27 Director Inocentes asked if deadlines fall before new boundaries can be  
28 drawn, what would occur. Mr. Babcock indicated that in 1990 the City of San  
29 Diego had a recall at the completion of a redistricting process. The Judge ruled

1 in that case that the candidates would to run in the recall in the district in which  
2 they had originally ran (within the old boundaries).

3 9. General Manager Griego indicated the next item on the agenda is  
4 a request that the Board authorize the purchase of two vehicles to be placed in  
5 the District fleet in the amount of \$56,090. He stated Mr. Steve Dobrawa was  
6 available to answer any questions the Board may have. Mr. Dobrawa indicated  
7 that staff is requesting funding to purchase two vehicles which were identified in  
8 the FY02 budget. He stated that in October 2001, six of the vehicles identified  
9 in the FY02 budget were purchased and these were the two remaining two.  
10

Purchase of  
District  
Vehicles

11 A motion was made by Director Croucher, seconded by Director  
12 Inocentes and carried with the following vote:  
13

14 Ayes: Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
15 Noes: None

16 to authorize the purchase of the two vehicles as proposed by staff.

17 10. General Manager Griego indicated that the next item on the  
18 agenda is the request to authorize staff to implement automated meter reading  
19 technolgy in new construction areas and through a district-wide retrofit  
20 program. Mr. Geoff Stevens indicated the presentation he was about to provide  
21 was also presented to the District's major developers and that the automated  
22 meter reading program received very good support from the group. He stated  
23 the program that staff was proposing utilizes a well tested technology called 900  
24 megahertz. It is a spread spectrum technolgy which increases its reliability.  
25 The new automated technology will allow the District staff to read up to 7000  
26 meters per day with 99.9% accuracy versus 600 meters per day with the current  
27 manual process. A video showing the automated system reading meters was  
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Authorize  
Imple-  
mentation  
of  
Automated  
Meter  
Reading  
Technology

1 presented. Mr. Stevens noted that the cost impact would be an increase of 2%  
2 to capacity fees (\$147 per meter which is the cost of the automated equipment).  
3 He noted that the system would be phased in and it would not affect staff (staff  
4 would not be laid off). He indicated the benefits of the new system, which  
5 included, that it would save approximately \$4.5 million by the time the District  
6 was completely "built-out," would be more efficient and would keep the District  
7 utility workers off the streets which would increase safety. He noted that initially  
8 the program would be to install the new automated systems in new construction  
9 areas, then those areas with safety concerns or which would provide significant  
10 savings, and then the remaining areas of the District would be retrofitted through  
11 the normal replacement plan.  
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14 Director Lewis asked if there would be any projected rate increases by  
15 implementing the system. Mr. Stevens indicated that the only increase would  
16 be to the cap fee by approximately 2% which is factored in when a meter is  
17 purchased by a developer. It should, however, decrease our operating costs.  
18

19 Director Croucher asked if customers would see an additional cost on  
20 their bill with the installation of the new reading system. Mr. Stevens indicated  
21 that they would not, it would all be part of the replacement budget. Director  
22 Croucher asked if a display of the system would be designed for the Garden.  
23 Mr. Stevens indicated that it can be done.  
24

25 Director Inocentes asked how long would it be before the District would  
26 see the cost savings? Mr. Stevens indicated approximately 15 years, which is  
27 the time it would take to work through the replacement process.  
28

29 A motion was made by Director Croucher, seconded by Director Bonilla  
and carried with the following vote:

1           Ayes:           Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
2           Noes:           None

3 to authorize the implementation of the automated meter reading program.

4           11.     General Manager Griego indicated that the next item on the  
5 agenda is a request to award a professional engineering services contract to  
6 Cathcart, Garcia and Von Langen Engineers for the design of the La Mesa  
7 Sweetwater extension pipeline and the upper reservoir pipeline in the amount of  
8 \$72,225 and approve a new capital improvement program for the upper  
9 reservoir pipeline in the amount of \$300,000. Mr. Mehdi Arbabian indicated that  
10 there were two engineering projects, one is the installation of a 400 foot pipeline  
11 at our upper reservoir area to provide better water circulation to the Otay Mesa  
12 area. The other is the La Mesa Sweetwater pipeline extension which will allow  
13 the District to accept up to 8 million gallons per day from the Helix Water District  
14 treatment plant. He stated that the request for proposal on the project was sent  
15 to six consultants and they were ranked based on their written proposal, content  
16 of their report, qualification of the firm and the project manager, their  
17 participation in WBMBE and their references. Staff is requesting that the Board  
18 authorize the awarding of the contract as noted above. Mr. Arbabian indicated  
19 the second portion of the project was the approval of a new CIP project that  
20 was not identified in the FY02 budget for the water circulation at the Upper  
21 Reservoir. He noted that in FY02, approximately \$40,000 would be spent from  
22 the CIP and the remainder of the funds would be spent on the construction of  
23 the facility following the completion of the design.  
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28           A motion was made by Director Lewis, seconded by Director Inocentes  
29 and carried with the following vote:

La Mesa  
Sweetwater  
Extensions  
Program &  
Upper  
Reservoir  
Pipeline

1           Ayes:         Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
2           Noes:         None

3 to award the professional services contract and approve a new capital  
4 improvement project as proposed by staff.

5           12.     General Manager Griego indicated the next item is a request to  
6 award a construction contract to Leo's AC for the painting of the 850-3  
7 Reservoir and the repair and coating of the 978-2 reservoir in the amount of  
8 \$167,500. Mr. Arbabian indicated that this was for a construction contract that  
9 was competitively bid. He stated that this contract would provide the painting of  
10 the exterior of one reservoir and interior painting, sealing of concrete, and  
11 remedial work for another reservoir. Mr. Arbabian indicated that the project was  
12 advertised in December and bids were publicly opened in January. Staff is  
13 requesting that the contract be awarded to Leo's AC who was the lowest  
14 responsive contractor for the project.

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17           A motion was made by Director Croucher, seconded by Director Lewis  
18 and carried with the following vote:

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20           Ayes:         Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
21           Noes:         None

22 to authorize the award of the construction contract as proposed by staff.

23           13.     General Manager Griego indicated that next item is a request to  
24 award a construction contract to Guatay Equipment for pavement replacement  
25 at the 978-1 reservoir in the amount of \$53,912 and to waive minor irregularities  
26 of the submitted bid. Mr. Arbabian indicated that this is a construction contract  
27 for a paving project at the 978-1 reservoir. The project was competitively bid,  
28 however, the apparent low bidder had not listed his surety company which is  
29 required to carry an A7 bonding rate. The next best bonding rate is B++5 which

Construction  
Contract:  
850-3 and  
978-2  
Reservoirs

Construction  
Contract:  
978-1  
Reservoir

1 the lowest bidder did possess. Mr. Arbabian indicates staff consulted with legal  
2 counsel and was advised that as it was a small project and the rating is  
3 classified as an inconsequential variance, the Board could waive the minor  
4 irregularity if it so chooses.

5 A motion was made by Director Lewis, seconded by Director Inocentes  
6 and carried with the following vote:

8 Ayes: Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
9 Noes: None

10 to authorize the award of the construction contract as proposed by staff.

11 14. General Manager Griego indicated the next item is the request to  
12 award a professional services contract to Jones, Roach and Caringella, Inc. for  
13 the 680/944 pipelines project in the amount of \$30,000. Mr. Arbabian indicated  
14 that staff is soliciting professional services from a consulting company to  
15 provide an appraisal on a parcel of property in which the District must obtain  
16 easements in order to design and construct its facilities. He stated that the  
17 consultant would assist the District in obtaining the parcel plats and information  
18 from the title companies for seven property owners so the parcel may be  
19 appraised and the value of the rights to be acquired from the property owners  
20 could be identified.

23 A motion was made by Director Bonilla, seconded by Director Croucher  
24 and carried with the following vote:

26 Ayes: Directors Bonilla, Croucher, Inocentes, Lewis and Lopez  
27 Noes: None

28 to authorize the the award of the professional services contract as proposed by  
29 staff.

Professional  
Services  
Contract:  
680/944  
Pipeline

1           15.    General Manager Griego indicated the next items on the agenda  
2 is the consideration by the board to appoint or reaffirm Board representatives to  
3 organizational interagency committees. He stated that it is required by policy  
4 that the Board review the list each year. Director Croucher indicated that since  
5 he had become the County Water Authority representative (CWA), they (CWA)  
6 had automatically assumed he would also become the Water Authority  
7 Reclamation Advisory Committee Representative (WARAC). He stated that  
8 they currently have him listed as the representative. He indicated that now that  
9 the District can have two CWA representatives, would it also have two WARAC  
10 representatives. Staff will confirm.  
11

12  
13           Director Inocentes indicated that the past practice in appointing  
14 representatives was that the President would make the recommended  
15 appointments and would bring his recommendations to the Board for  
16 affirmation. President Lopez indicated that he concurs and will bring back his  
17 recommendations to the next meeting. Director Croucher indicated that since  
18 the District currently has a vacant seat on the Board of CWA, he recommends  
19 that the Board appoint the CWA representatives at this meeting.  
20

21           A motion was made by Director Croucher, seconded by President Lopez  
22 and carried with the following vote:  
23

24           Ayes:           Directors Croucher, Inocentes, Lewis and Lopez  
25           Noes:            Director Bonilla

26 to appoint Director Croucher as the first representative and President Lopez as  
27 the second representative.

28           16.    General Manager Griego indicated that next item is the  
29 consideration of the Board to amend Exhibit A and Section D of Policy 8,

1 Directors Compensation, Reimbursement of Expenses and Group Insurance  
2 Benefits with regard to pre-approved meetings, per diem, travel and group  
3 insurance benefits. Director Croucher indicated that the changes  
4 recommended were from input from other Districts as far as what they currently  
5 do and clarifying attendance of in-county versus out-of-county functions. He  
6 stated that he worked with staff and Director Lopez and has brought the  
7 recommended changes forward for discussion. Director Inocentes indicated  
8 that his concern was with regard to per-diems for in-county functions which  
9 were listed on the new proposed exhibit A. He stated that several of the listed  
10 organizations do not hold functions within the county. Director Croucher  
11 indicated that those listed were organizations that are well known and if they  
12 should hold functions within the county that all Board members should be able  
13 to attend. However, should they hold functions outside of the county, rather  
14 than pre-authorizing a per diem, that a request would be forwarded to the full  
15 Board so all members would be aware of the function and should they wish, can  
16 request authorization from the Board to attend as well. It was dicussed that  
17 ACWA/JPIA should also be added to the list and Director Lewis suggested that  
18 with regard to section 3, rather than listing the appointed Board representatives  
19 within the policy, that a separate list be held with the current representatives  
20 listed. Director Lewis also suggested that in section 3 that verbiage be added  
21 indicating that an appointed replacement can be made should a designated  
22 Board member not be able to attend an event of the groups listed. It was  
23 discussed that any other requested changes can be discussed with the  
24 president and brought back for consideration by the board.  
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29

1 A motion was made by Director Lewis, seconded by Director Lopez and  
2 carried with the following vote:

3 Ayes: Directors Croucher, Lewis and Lopez  
4 Noes: Director Bonilla and Inocentes

5 to amend Exhibit A and Section D of Board Policy 8 with changes as noted  
6 above.

7 17. General Manager Griego indicated the next item is the General  
8 Manager's report which has three items. The first is an informational report by  
9 Francisco Leal of the Legislative Advocacy Group. Mr. Leal introduced his  
10 associates Olga Sanchez and Jessie Ortega. He indicated that he wanted to  
11 present to the Board as early as possible in January as it is a critical time in the  
12 legislative process. He stated that this is time when an agenda needs to be  
13 defined by the District to assure that his organization covers all the District's  
14 needs, especially in the area of drafting, initiating and advocating any kind of  
15 legislation on behalf of the District. He indicated that they were also there to  
16 update the Board on a piece of Legislation which they had advocated for the  
17 District, AB 958. Ms. Olga Sanchez provided a presentation on the status of AB  
18 958, which was introduced on behalf of the District by Assemblyman Ed Chavez  
19 (D-La Puente). AB 958 required that any contracts or contract extensions  
20 entered into by an outgoing board be re-ratified by the incoming board if it was  
21 entered into during the time period between the election and the swearing-in of  
22 the new board members. She stated that the measure was initially well  
23 received, but ran into problems in the Assembly Local Government Committee.  
24 They were concerned with the effect the measure could have on the ability of  
25 board members to exercise their authority to enter into contracts and that the  
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GM Report

1 measure was too broad. She indicated that the measure was amended in  
2 response to such concerns, and the amended bill would only apply to  
3 employment contracts which a governing board has the authority to enter which  
4 are of a duration greater than 12 months. The newly amended bill also  
5 indicated that if the incoming board did not act on an employment contract  
6 within sixty days of taking office, the contract would be considered ratified by  
7 the incoming board and would be fully executed. She stated that the  
8 amendments, however, did not remove all the opposition and that  
9  
10 Assemblyman Chavez opted to pull the measure from consideration by the  
11 Assembly Local Government Committee at their meeting on January 9, 2002.  
12

13 Ms. Sanchez stated that Assemblyman Chavez indicated that he felt it would be  
14 prudent to let the bill die at this time and perhaps revisit the issue this year in a  
15 new vehicle or maybe next year. As a result, the measure will not be moving  
16 forward this year.  
17

18 Mr. Leal indicated that he would like an opportunity to meet with General  
19 Manager Griego and President Lopez to discuss issues the needs of the District  
20 with regard to their services. President Lopez indicated that he did not believe  
21 that the District had a need at this point and does not see a need to continue  
22 Legislative Advocacy's service. The Board concurred. He thanked Mr. Leal  
23 and his associates for their efforts and for pursuing AB 958 on behalf of the  
24 District and indicated that should an issue come up requiring their assistance,  
25 the District would certainly contact them.  
26  
27

28 18. General Manager Griego indicated the next item is a request that  
29 the Board approve Director Croucher's attendance of the Western Coalition of  
Arid States Winter Legislative Forum scheduled on February 20– 22 in

1 Albuquerque, New Mexico. Director Croucher indicated that he was not overly  
2 concerned in attending the forum and that is was something that was suggested  
3 by Jim Dowd, Sweetwater Authority, and if it is something the Board feels is  
4 appropriate for him to attend he would attend. He stated that he, however,  
5 would like to withdraw his request. He stated that the group does have a  
6 meeting scheduled in San Diego in June and that he would be attending that  
7 meeting instead. The request was withdrawn.  
8

9 19. General Manager Griego indicated the last item on his report is a  
10 presentation of the dates of the upcoming Board meetings. He noted the next  
11 two meetings are scheduled on February 6 and 20, and if Board members could  
12 let him know of conflicts they may have with any future dates. Director  
13 Croucher indicated that on February 6, he would be in required training for  
14 firefighters and asked that the meeting be moved to 6:00pm. Director Lewis  
15 indicated that 6:00pm would not work on his schedule. In further discussion it  
16 was decided that the meeting would be moved to Thursday, February 7, at  
17 3:30pm. Director Inocentes expressed his concerns in moving meeting dates  
18 as it affects the ability of the public to participate.  
19  
20

21 A motion was made by Director Croucher, seconded by Director Bonilla  
22 and carried with the following vote:  
23

24 Ayes: Directors Bonilla, Croucher, Inocentes and Lopez  
25 Noes: None  
26 Absent: Director Lewis

27 That the Board accept the General Manager's report with the exception of the  
28 February 6 meeting date and instead move it to Thursday, February 7 at  
29 3:30pm.

