

OTAY WATER DISTRICT

BOARD OF DIRECTORS MEETING
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CALIFORNIA

WEDNESDAY

June 4, 2003

3:30 P.M.

AGENDA

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE
3. APPROVAL OF AGENDA
4. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MAY 7, 2003 AND SPECIAL MEETINGS OF MAY 1, MAY 12, AND MAY 20, 2003
5. PUBLIC PARTICIPATION – OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO SPEAK TO THE BOARD ON ANY SUBJECT MATTER WITHIN THE BOARD'S JURISDICTION BUT NOT AN ITEM ON TODAY'S AGENDA

CONSENT CALENDAR

6. ITEMS TO BE ACTED UPON WITHOUT DISCUSSION, UNLESS A REQUEST IS MADE BY A MEMBER OF THE BOARD OR THE PUBLIC TO DISCUSS A PARTICULAR ITEM:
 - a) ADOPT RESOLUTION NO. 3980 OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT FIXING TERMS AND CONDITIONS FOR THE ANNEXATION TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 18 OF THOSE LANDS DESCRIBED AS "ROBERT AND TOMI MARTIN PROPERTY" AND ANNEXING SAID PROPERTY TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 18 FOR SEWER SERVICE
 - b) APPROVE THE GENERAL MANAGER'S AMENDED EMPLOYMENT CONTRACT

c) RECEIVE LEGISLATIVE UPDATE REPORT AND ADOPT POSITIONS ON 2003-2004 LEGISLATION AS FOLLOWS:

	Recommended Position	Bill Number	Author	Topic
1	Support	AB 334	Goldberg	Water Softening and Conditioning Appliances
2	Support	AB 860	Bates	Electrical Corporations: Desalination Plants
3	Watch	SB 117	Machado	Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002: Colorado River Quantification Settlement Agreement
4	Support	SB 228	Alarcon	Workers' Compensation: Medical Fee Schedules
5	Support	SB 317	Kuehl	Salton Sea
6	Support	SB 354	Speirer	Workers' Compensation insurance: Fraud Limits
7	Support	SB 750	Machado	Safe Drinking Water, Water Quality, Flood Protection, and Water Supply Reliability Act of 2004
8	Support	SB 994	Hollingsworth	Imperial Valley Water Quality Protection Trust Account

INFORMATION / ACTION ITEMS

7. ENGINEERING AND WATER OPERATIONS

- a) ADOPT RESOLUTION NO. 3978 OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT FIXING TERMS AND CONDITIONS FOR THE ANNEXATION TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 9 OF THOSE LANDS DESCRIBED AS "LAKES KEAN ARGOVITZ RESORTS" AND ANNEXING SAID PROPERTY TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 9 (GARCIA)
- b) AWARD AN ENGINEERING SERVICES CONTRACT TO HDR ENGINEERING, INC. FOR ENGINEERING DESIGN SERVICES FOR GENERAL UTILITY CONFLICTS RECONSTRUCTION/RELOCATION IN THE AMOUNT OF \$200,000 (ARBABIAN)
- c) AUTHORIZE THE GENERAL MANAGER TO ENTER INTO AN AGREEMENT BETWEEN OTAY WATER DISTRICT AND THE CITY OF SAN DIEGO FOR THE PURCHASE OF RECYCLED WATER CAPACITY IN THE SOUTH BAY WATER RECLAMATION PLANT (ARBABIAN)

8. FINANCE AND ADMINISTRATION

- a) APPROVE THE FISCAL YEAR 2004 OPERATING AND CIP BUDGET AND DIRECT STAFF TO PROCEED WITH THE PROCESS TO NOTIFY THE SEWER CUSTOMERS OF A SEWER RATE INCREASE AND TO HOLD A PUBLIC HEARING (BEACHEM)
- b) APPROVE THE WAIVING OF THE COMPETITIVE BID PROCESS AND AWARD A CONTRACT FOR COMMUNICATIONS AND GOVERNMENTAL RELATIONS SERVICES FOR FISCAL YEAR 2004 TO MARSTON & MARSTON, INC. FOR \$130,000 (BUELNA)
- c) APPROVE PARTICIPATION IN THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) INSURANCE POOL FOR THE DISTRICT'S PROPERTY AND LIABILITY INSURANCE FOR A TOTAL PREMIUM OF \$277,011; AND ADOPT RESOLUTION NO. 3982 APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF FIFTH AMENDED JOINT POWERS AGREEMENT OF THE SDRMA (BURPEAU)

9. BOARD

- a) ADOPT RESOLUTION NO. 3983 OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT PLACING IN NOMINATION GARY CROUCHER AS A MEMBER OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES REGION 10 BOARD

REPORTS

10. GENERAL MANAGER'S REPORT

11. DIRECTORS' REPORTS/REQUESTS

ADJOURN TO CLOSED SESSION

12. CLOSED SESSION

- a) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [GOVERNMENT CODE §54956.9(b)(2)]
 - i) DASSARO v. BONILLA, GARCIA, GRIEGO, SISTOS, BURKE, WILLIAMS & SORENSEN, LLP; CASE NO. GIC 804495
 - ii) CALIFORNIA BANK & TRUST v. AULD GOFF COURSE, STRODE, OTAY WATER DISTRICT, RENO CONTRACTING, INC.; CASE NO. GIC 809701
 - iii) RUBEN RODRIGUEZ v. OTAY WATER DISTRICT
 - iv) DONNA BARTLETT-MAY, ET. AL. v. OTAY WATER DISTRICT

RETURN TO OPEN SESSION

13. REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

14. ADJOURNMENT

All items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

If you have any disability which would require accommodation in order to enable you to participate in this meeting, please call the District Secretary at 670-2280 at least 24 hours prior to the meeting.

Certification of Posting

I certify that on May 30, 2003, I posted a copy of the foregoing agenda near the regular meeting place of the Board of Directors of Otay Water District, said time being at least 72 hours in advance of the meeting of the Board of Directors (Government Code Section §54954.2).

Executed at Spring Valley, California on May 30, 2003.

Susan Cruz, District Secretary