

OTAY WATER DISTRICT

BOARD OF DIRECTORS MEETING
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CALIFORNIA

WEDNESDAY

November 5, 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 OCTOBER 1, 2003 AND JOINT BOARD MEETING OF SEPTEMBER 12, 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. 4004 OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT AMENDING THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT TO IMPLEMENT THE 2.7% @ 55 FULL FORMULA AND ONE-YEAR FINAL COMPENSATION
 - b) AWARD A CONSTRUCTION CONTRACT TO TELLIARD CONSTRUCTION IN THE AMOUNT OF \$212,160 FOR THE CONSTRUCTION OF THREE EQUIPMENT COVERS
 - c) AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH NEXTEL OF CALIFORNIA, INC. FOR THE INSTALLATION OF ITS

COMMUNICATIONS FACILITIES AT THE POND 1 RESERVOIR USE
AREA SITE

- d) ADOPT ORDINANCE NO. 502 OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT AMENDING SECTION 25, RATES AND CONDITIONS FOR WATER SERVICE, OF THE DISTRICT'S CODE OF ORDINANCES REVISING THE FIXED CHARGES FOR WATER SERVICE AND APPROVING THE IMPLEMENTATION OF PASS-THROUGH FIXED CHARGES FROM SAN DIEGO COUNTY WATER AUTHORITY AND METROPOLITAN WATER DISTRICT
- e) AMEND THE FISCAL YEAR 2004 OPERATING BUDGET BY \$50,000 TO REINSTATE THE ORIGINAL RECOMMENDED TELEPHONE BUDGET
- f) AMEND THE BOARD OF DIRECTORS POLICY 13, USE OF DISTRICT BOARDROOM/MEETING ROOM, TO INCLUDE IN THE RULES AND REGULATIONS THE STATEMENT, "THE GROUP/ASSOCIATION SHALL BE LIABLE FOR ALL THEFT AND/OR DAMAGES TO EQUIPMENT, FURNITURE, ETC. THAT MAY OCCUR DURING THEIR USE OF THE DISTRICT'S FACILITIES"
- g) ADOPT RESOLUTION NO. 4003 OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT FIXING TERMS AND CONDITIONS FOR THE ANNEXATION TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT OF THOSE LANDS DESCRIBED AS "OTAY RANCH VILLAGE 11, PHASE 2 ANNEXATION" (APN 643-612-01, 643-611-05, 643-610-06 and 643-611-04) AND ANNEXING SAID PROPERTY TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 22/27 (WO 9542/DIV. 2)

INFORMATION / ACTION ITEMS

7. ENGINEERING AND WATER OPERATIONS

- a) AWARD A PROFESSIONAL ENGINEERING AND ENVIRONMENTAL SERVICES CONTRACT TO MONTGOMERY WATSON HARZA (MWH) FOR THE 450-1 RECYCLED WATER RESERVOIR AND 680-1 RECYCLED WATER PUMP STATION PROJECT AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH MWH FOR A NOT-TO-EXCEED AMOUNT OF \$1,030,000 (ARBABIAN)

8. ADMINISTRATION AND FINANCE

- a) ADOPT ORDINANCE NO. 503 OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT AMENDING SECTION 53.11.D.1, SEWER SERVICE RATES AND CHARGES, OF THE DISTRICT'S CODE OF ORDINANCES TO MODIFY THE FORMULA FOR THE CALCULATION OF THE ASSIGNED SERVICE UNIT AND CHANGING THE STRENGTH FACTOR TO AN INDUSTRY-WIDE STANDARD; AND APPROVING THE IMPLEMENTATION OF A SERIES OF SEWER RATE PASS-THROUGH IN-

CREASES FROM THE CITY AND COUNTY OF SAN DIEGO OVER THE
NEXT THREE CALENDAR YEARS (BEACHEM)

9. GENERAL MANAGER

- a) APPROVE WAIVING ALL OUTSTANDING AND ACCRUED DEFERRED AVAILABILITY CHARGES ACCRUED PER THE AGREEMENT "PREVENTING WATER AND/OR SEWER USE AND PROVIDING FOR DEFERRAL OF CERTAIN WATER AND/OR SEWER AVAILABILITY STANDBY CHARGES" WITH THE HONEY SPRINGS RANCH, LLC CONCERNING LAND LATER TRANSFERRED TO AND CURRENTLY OWNED BY THE 2,022 RANCH, LLC (CALDERON)

REPORTS

10. GENERAL MANAGER'S REPORT

- a) SPECIAL REPORT ON EMERGENCY RESPONSE ACTIVITIES

11. DIRECTORS' REPORTS/REQUESTS

ADJOURN TO CLOSED SESSION

12. CLOSED SESSION

- a) CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
[GOVERNMENT CODE §54956.9(b)(2)]
 - i. DONNA BARTLETT-MAY, ET. AL. v. OTAY WATER DISTRICT
- b) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
[GOVERNMENT CODE §54956.9]

INITIATION OF LITIGATION PURSUANT TO 54956.9(c) – ONE (1) CASE

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 October 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 October 30, 2003.

Susan Cruz, District Secretary