

OTAY WATER DISTRICT  
SPECIAL MEETING OF THE BOARD OF DIRECTORS  
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD  
SPRING VALLEY, CALIFORNIA

**SATURDAY**  
**May 1, 2004**  
**8:00 A.M.**

**AGENDA**

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. 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

**RECESS TO CLOSED SESSION**

5. CLOSED SESSION
  - a) CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION [GOVERNMENT CODE §54956.9(a)]
    - i. PAMELA AUBREY v. OTAY WATER DISTRICT
    - ii. RUBEN RODRIGUEZ v. OTAY WATER DISTRICT
  - b) CONFERENCE WITH REAL PROPERTY NEGOTIATOR [GOVERNMENT CODE §54956.8]

PROPERTY: AULD GOLF COURSE, 525 Hunte Parkway,  
Chula Vista

AGENCY NEGOTIATORS: BONIFACIO BONNY GARCIA  
YURI CALDERÓN

NEGOTIATING PARTIES: CALIFORNIA BANK & TRUST

UNDER NEGOTIATION: PROPOSED MODIFICATIONS TO  
TERMS AND CONDITIONS OF LEASE

## RETURN TO OPEN SESSION

6. REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION
7. APPROVAL OF MINUTES OF THE SPECIAL MEETINGS OF MARCH 20, 2004, MARCH 24, 2004 AND APRIL 13, 2004

## CONSENT CALENDAR

8. 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) APPROVE AN AGREEMENT WITH NEXTEL OF CALIFORNIA FOR THE INSTALLATION OF A COMMUNICATIONS FACILITY ADJACENT TO POND 1 IN THE USE AREA
  - b) AWARD A CONSTRUCTION CONTRACT FOR THE 458-1 & 2 RESERVOIR EXTERIOR COATING PROJECT
  - c) APPROVE RESOLUTION NO. 4017 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 "TINA STREET SEWER ANNEXATION" (APNs 517-021-23, 517-021-28, 517-021-29, 517-021-30 and 517-021-31) AND ANNEXING SAID PROPERTY TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 18 (WO 04-003/DIV. 5)
  - d) APPROVE THE SELECTION OF AN AUDITOR TO PROVIDE AUDITING SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2004
  - e) APPROVE THE SELECTION OF A BOND COUNSEL TO PROVIDE BOND AND DISCLOSURE COUNSEL SERVICES
  - f) APPROVE THE AGREEMENT WITH WILSON, PETTY, KOSMO & TURNER, LLP TO REPRESENT THE DISTRICT IN THE AUBREY v. OTAY WATER DISTRICT MATTER
  - g) REJECT LOZA CLAIM

## INFORMATION / ACTION ITEMS

9. ENGINEERING AND WATER OPERATIONS
  - a) AWARD A CONSTRUCTION CONTRACT FOR THE 1485-2 RESERVOIR PROJECT AND AUTHORIZE THE INCREASE OF THE BUDGET FOR THIS PROJECT FROM \$1,837,000 TO \$3,174,000 [CIP 028] (ARBABIAN)

- b) AUTHORIZE A REIMBURSEMENT AGREEMENT WITH BROOKFIELD SHEA OTAY, LLC IN THE AMOUNT OF \$2,146,135 FOR THE CONSTRUCTION OF VARIOUS PIPELINES [ASSOCIATED WITH CIPs W121, W133, W164, W169, W397, R031, R040 AND R041] FOR THE OTAY RANCH VILLAGE 11 DEVELOPMENT (POSADA)

10. BOARD

- a) DISCUSSION OF 2004 BOARD MEETING CALENDAR

WORKSHOP II

11. DISCUSSION OF FISCAL YEAR 2005 BUDGET (BEACHEM / BELL)

INFORMATION / ACTION

12. BOARD MAY TAKE ACTION TO PROVIDE DIRECTION TO STAFF WITH REGARD TO THE FISCAL YEAR 2005 BUDGET

13. 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 April 29, 2004, 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 24 hours in advance of the special meeting of the Board of Directors (Government Code Section §54954.2).

Executed at Spring Valley, California on April 29, 2004.

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Susan Cruz, District Secretary