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MINUTES OF THE
BOARD OF DIRECTORS REGULAR MEETING
OTAY WATER DISTRICT
JANUARY 7, 1998

1. The meeting was called to order by President Laudner at 1:31 p.m. in the District Boardroom, 2554 Sweetwater Springs Boulevard, Spring Valley, California.

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

DIRECTORS ABSENT: None

STAFF PRESENT: General Manager Lewinger
Operations Dept Head Mahanke
Engineering Dept Head Stanton
Finance Dept Head Chambers
Attorney Harron
District Secretary Bartlett-May
Others as per attached list

2. After the Pledge of Allegiance, President Laudner turned the meeting over to General Manager Lewinger who announced that the next item of business was the election of officers. He requested nominations for the Office of President. Director Inocentes nominated Director Poveda. There being no other nominations, the nominations were closed and Director Poveda was elected unanimously to the Office of President.

President Poveda assumed the chairmanship of the meeting and requested nominations for Vice-President. Director Inocentes nominated Director

1 Price. There being no other nominations, the nominations were closed and
2 Director Price was elected unanimously to the Office of Vice-President.

3 President Poveda requested nominations for the Office of Treasurer.
4 Director Poveda nominated Director Watton. There being no other nominations,
5 the nominations were closed and Director Watton was elected unanimously to the
6 Office of Treasurer.
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8 3. A motion was made by Director Price, seconded by Director
9 Laudner, and unanimously carried, to approve the Minutes of the Regular Meeting
10 of December 17, 1997.
11

12 4. A motion was made by Director Laudner, seconded by Director
13 Price, and unanimously carried, to approve the Demands as listed.
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15 5. President Poveda inquired if anyone in the audience desired to
16 address the Board on any item not on the agenda. No one wished to be heard.

17 6. A motion was made by Director Inocentes, seconded by Director
18 Poveda, and unanimously carried, to adopt the following items on the Consent
19 Calendar:
20

21 a) RESOLUTION NO. 3700

22 A RESOLUTION OF THE BOARD OF DIRECTORS
23 OF OTAY WATER DISTRICT ACCEPTING WORK
24 COMPLETED UNDER AN AGREEMENT WITH RANCHO
25 DEL REY INVESTORS, L.P. FOR CONSTRUCTION
26 OF WATER FACILITIES FOR "RANCHO DEL REY
27 SPA III, PHASE 3, UNIT 2, PHASE B,
28 SHEETS 4 AND 5, VIA MIRALESTE AND SHEET
29 8, CAMINO CALABAXO" (WO 8377 – ID 22 AND
27 – DIV. 2)

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b) RESOLUTION NO. 3701

A RESOLUTION OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO THE AGREEMENT WITH ROBINHOOD HOMES, INC., A CALIFORNIA CORPORATION, FOR CONSTRUCTION OF A WATER SYSTEM FOR "EMPIRE CENTRE UNIT 3" (WO 8495 – ID 7 – DIV 1)

RESOLUTION NO. 3702

A RESOLUTION OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO THE AGREEMENT WITH ROBINHOOD HOMES, INC., A CALIFORNIA CORPORATION, FOR CONSTRUCTION OF A WATER SYSTEM FOR "EMPIRE CENTRE UNIT 4" (WO 8496 – ID 7 – DIV 1)

RESOLUTION NO. 3703

A RESOLUTION OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO THE AGREEMENT WITH ROBINHOOD HOMES, INC., A CALIFORNIA CORPORATION, FOR CONSTRUCTION OF A WATER SYSTEM FOR "EMPIRE CENTRE UNIT 5" (WO 8497 – ID 7 – DIV 1)

RESOLUTION NO. 3704

A RESOLUTION OF THE BOARD OF DIRECTORS OF OTAY WATER DISTRICT AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO THE AGREEMENT WITH ROBINHOOD HOMES, INC., A CALIFORNIA CORPORATION, FOR CONSTRUCTION OF A WATER SYSTEM FOR "EMPIRE CENTRE UNIT 6" (WO 8498 – ID 7 – DIV 1)

c) ADOPTION OF REVISED POLICY 7, CONDITIONS FOR INSTALLMENT OR DEFERRED PAYMENTS TO THE DISTRICT

1 d) REIMBURSEMENT TO PACIFIC BAY HOMES FOR
2 INSTALLATION OF FACILITIES IN ROLLING HILLS ESTATES

3 7. Engineer Larry Rega stated he would be making a presentation
4 today regarding consultant selection for as-needed project management and
5 design service contracts. He stated the District had originally retained three
6 consultants in 1995 for use for planned and peak workloads, assistance in CIP
7 projects and other services. Each contract was in the amount of \$150,000. This
8 amount was increased to \$200,000 per contract the following year with individual
9 task orders limited to \$50,000. The District has been successfully using these
10 services for the past three years to accomplish the budgeted CIP workload. Last
11 year's contract limits of \$200,000 were insufficient and the limits were reached two
12 months before the contracts expired. Staff also found that fewer projects can be
13 issued with individual projects limited to \$50,000. He requested the Board
14 increase the number of consultants to four, increase the contract amounts to
15 \$250,000 per consultant per year, increase the task order limit from \$50,000 to
16 \$75,000, and change the contract duration to a two year term. To remain
17 consistent with the General Manager's current change order signatory authority of
18 \$50,000, new projects up to \$50,000 would continue to be approved by the
19 General Manager. New projects between \$50,000 and \$75,000 would be brought
20 to the Board for approval.
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25 Director Price stated she and Director Inocentes sat on the Engineering
26 Committee interview panel and the process was very thorough.
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1 Director Laudner stated he believes this process reduces competition and
2 that these projects should be bid out.

3 Director Inocentes stated he has been on the Engineering Committee since
4 its beginning and he has seen some very good companies interview for these
5 contracts and he believes the competition has gotten better each year. He
6 believes this process is saving the District money. The Committee makes a
7 diligent effort to make sure the District is well served and its policies are followed.
8 He is comfortable with the fact that anything over \$50,000 will come back to the
9 Board and a project could be put out to bid at that time if the Board chooses. The
10 firms the Committee selected are very good and can do this work.
11
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13 General Manager Lewinger stated the consultant selection process is not a
14 bidding process anyway. Price is only one of the considerations when making a
15 decision regarding hiring consultants.
16

17 Director Watton stated the lower limit of \$50,000 makes him feel more
18 comfortable with this streamlined process.
19

20 A motion was made by Director Inocentes, seconded by Director Price,
21 and carried, with Director Laudner voting no, to authorize the General Manager to
22 1) execute two year contracts with John Powell & Associates, Inc., Boyle
23 Engineering Corporation, Daniel Boyle Engineering, Inc. and ASL Consulting
24 Engineers to provide as-needed project management and design services for
25 amounts not-to-exceed \$250,000 per year and individual project limits not-to-
26 exceed \$75,000; and 2) execute change orders on individual as-needed projects
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1 provided the total amount does not exceed \$75,000 of the original project plus any
2 change orders.

3 8. General Manager Lewinger stated a Binational Regional Water
4 Council has been created to look at the Tijuana/San Diego border region and
5 opportunities to share resources and facilities between the two regions. Two
6 groups will carry out this mission; a governing board and an executive committee.
7 He stated he will serve on the executive committee since it is comprised of
8 member agency heads, but an elected official is required to sit on the governing
9 board. He requested the Board appoint one of the directors to the governing
10 board. He requested the Board appoint one of the directors to the governing
11 board.
12 board.

13 Director Inocentes suggested President Poveda attend the first meeting
14 and make an appointment after that. He stated new committee appointments are
15 usually made at the second meeting each year and he would like to review the
16 ACWA-USA appointment of the General Manager that was made last year.
17

18 President Poveda stated he would prefer the appointment to the Binational
19 Regional Water Council be made today. He stated he would be interested in the
20 governing board appointment himself. He inquired if anyone else was interested.
21

22 Director Price stated she was not interested but felt Director Watton should
23 be involved since these issues dovetail with the Colorado River Board issues.
24

25 Director Watton stated that the Council was actually created out of
26 discussion at the Colorado River Board regarding the need to get talks going
27 between lower level politicians on the common issues faced by the U.S. and
28 Mexico.
29

1 General Manager Lewinger stated the Council has asked for an alternate
2 as well as a commission member.

3 A motion was made by Director Price, seconded by Director Laudner, and
4 unanimously carried, to appoint Director Watton to the Binational Regional Water
5 Council and Director Poveda as the alternate.
6

7 9. President Poveda presented

8 RESOLUTION NO. 3705

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10 A RESOLUTION OF THE BOARD OF DIRECTORS
11 OF OTAY WATER DISTRICT FIXING TERMS AND
12 CONDITIONS FOR THE ANNEXATION TO OTAY
13 WATER DISTRICT AND IMPROVEMENT DISTRICT
14 NO. 22 AND IMPROVEMENT DISTRICT NO. 27 OF
15 THOSE LANDS DESCRIBED AS "TRANGULAR
16 PORTION OF THE EASTLAKE DEVELOPMENT IN
17 THE VICINITY OF TURTLE CAY WAY AND BOCA
18 RATON DRIVE" AND ANNEXING SAID PROPERTY
19 TO OTAY WATER DISTRICT AND IMPROVEMENT
20 DISTRICT NO. 22 AND IMPROVEMENT DISTRICT
21 NO. 27 (WO 8249/DIV. 1)

22 Attorney Harron stated the Board initiated this annexation at its December
23 17, 1997 meeting and the resolution has been published and posted as required
24 by the Water Code. No written protests were received. Mr. Bill Ostrem,
25 representing EastLake, has agreed to pay the annexation fees.
26

27 President Poveda opened the public hearing at 2:05 p.m. No one wished
28 to be heard. The public hearing was then closed.
29

A motion was made by Director Watton, seconded by Director Inocentes
and unanimously carried, to adopt Resolution No. 3705.

1 10. Engineering Department Head Stanton stated the new headquarters
2 building has a few clean up items remaining and the old building should be
3 remodeled by March. He stated there would be some betterment projects for
4 changes from the original design in the future.

5 Director Watton stated while he had some issues with the budget for the
6 building, he recognized that more space was necessary and he commended Staff
7 for a good job in maintaining the rate payer relationship and constructing a
8 building that was proportionate with the size of the District.

9 Director Poveda requested a time line on the construction of floor to ceiling
10 walls in the Human Resources Department.

11 11. Finance Department Head Chambers presented the monthly
12 financial reports for November 30, 1997. She also distributed the cash
13 investments and receivables report for December 31, 1997.

14 12. General Manager Lewinger reported that LAFCO would be holding
15 public forums on January 12 and 13 regarding the possible consolidation of
16 County sanitation districts with water districts. The California Water Environment
17 awards banquet will be held at the Bahia Hotel on January 17. Directors
18 interested in attending should contact Dan Mahanke. He reported that a joint
19 board meeting with Padre Dam and Helix boards is being scheduled and he
20 would let the Board know the date. Tina Williams will be making a presentation to
21 the Board on February 18 regarding their grant request. The Chula Vista
22 Elementary School District request for a reduction in their penalties for overuse
23 was handled administratively by giving them a credit that offset their penalties.
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1 13. Director Inocentes reported that he has been approached to be the
2 chairman or vice-chairman of the ACWA Federal Affairs Committee.

3 Director Price thanked Charlie Cassens for his last communique which
4 addressed the issue of the repurification project.

5 Director Laudner stated he had attended a LAFCO Special Districts
6 Advisory Committee meeting where they changed the method of appointment.
7 The President made appointments previously but the entire committee will make
8 the appointments now.
9

10 Director Watton reported that Director of Water Resources Dave Kennedy
11 has made it clear that conserved water must be used or stored and not be wasted
12 when there is surplus water. Even in years when a surplus is declared, it may not
13 be enough to cover the full aqueduct so it is probable, using the Bureau of
14 Reclamation's numbers, that in many years, there will be surplus declared for a few
15 thousand acre feet which will allow the IID water to be wheeled. He reported on the
16 Colorado River Board meeting where Secretary Bruce Babbitt indicated he
17 wanted to make sure that there is not wasted water in Imperial Valley. He is very
18 supportive of the IID transfer and working out the wheeling issue. He also reported
19 that he had received a call from Adam Day of Supervisor Jacob's office regarding
20 the Regulatory site tour. He explained the purpose of the tour and they were very
21 pleased. He stated he told them that Staff would give them a tour of the site if they
22 cannot make it to the January 12 meeting.
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27 Director Poveda thanked Director Laudner for being past President and
28 congratulated Directors Inocentes and Watton on their appointments.
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14. The Board took a 5 minutes recess then went into Closed Session at 2:46 p.m. to discuss real property negotiations regarding a lease of the District's Use Area. The meeting was reconvened at 3:34 p.m.

15. A presentation on the new SCADA system was given in the Operations Center by Tom Monro, the District's Instrumentation and Electronic Technician. He gave an overview of the old system that was installed in 1987 at a cost of over \$2 million. The new system cost approximately \$400,000. He reviewed the disadvantages of the old system and the advantages of the new system. The Board thanked Mr. Monro for the presentation and commended him for the excellent work he has done.

16. With no further business to come before the Board, the meeting was adjourned at 4:12 p.m.

President

ATTEST:

District Secretary