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MINUTES OF THE
BOARD OF DIRECTORS REGULAR MEETING
OTAY WATER DISTRICT
December 16, 1998

1. The meeting was called to order by President Poveda at 1:35 p.m. in the District Boardroom, 2554 Sweetwater Springs Boulevard, Spring Valley, California.

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

DIRECTORS ABSENT: Director Watton

STAFF PRESENT: General Manager Lewinger
Admin Services Dept Head Alvarez
Engineering Dept Head Stanton
Finance Dept Head Chambers
Attorney Harron
District Secretary Bartlett-May
Public Affairs Administrator Cassens
Others as per attached list

2. After the Pledge of Allegiance, President Poveda stated he would like to amend the agenda to move Item 19a to after the Demands.

General Manager Lewinger stated Resolution No. 3781 should be removed from the agenda.

A motion was made by Director Poveda, seconded by Director Price, and unanimously carried, to approve the agenda as amended.

3. A motion was made by Director Inocentes, seconded by Director Laudner, and unanimously carried, to adopt the Minutes of the Regular Meeting of November 18, 1998.

1 4. A motion was made by Director Price, seconded by Director
2 Laudner, and unanimously carried, to approve the Demands as listed.

3 5. President Poveda thanked his fellow Directors and Staff for their
4 support and patience during the year and stated being chairman of the Board has
5 been an honor. He recapped some of the District's accomplishments during 1998
6 including the partnership with the Chula Vista YMCA, the awarding of the
7 Interconnect Pipeline, the groundbreaking of the Water Conservation Garden, and
8 the lease agreements with the golf course and KURS radio station. He stated he
9 was looking forward to the Board continuing to work together into the 21st century.

10 Directors Price, Laudner and Inocentes thanked Director Poveda for his
11 outstanding job as chairman and also thanked Staff for their support.

12 6. President Poveda inquired if anyone in the audience desired to
13 address the Board on any item not on the agenda.

14 Mr. Bill Ayers, representing veterans in San Diego County, stated he is
15 concerned about the water connection cost of \$500,000 for the Veterans' Home in
16 Chula Vista. The veterans feel that each jurisdiction should share in the obligation
17 to the veterans and give them a hand in their older years. He requested the Board
18 consider whatever they can do to reduce these fees because it was the veterans
19 who made it possible for everyone to live in a wonderful country. He stated he
20 understood that General Manager Lewinger had had some fruitful discussions with
21 the City of Chula Vista already.

22 Director Poveda stated the Board would be taking this into consideration
23 when they consider their commitment to the community as a whole. The District
24 has been looking at ways to mitigate these fees.

1 Director Price stated the veterans home is in her division and since her
2 family is involved in the Navy, she would hope that an agreement could be reached
3 that would help the veterans.
4

5 Director Inocentes stated part of his division is also in Chula Vista and he
6 commended Mr. Ayres for the hard work he has done. He stated he has had
7 several conversations with the Mayor of Chula Vista regarding the veterans' home
8 and the District will be looking for ways to help.
9

10 7. A motion was made by Director Price, seconded by Director
11 Laudner, and unanimously carried, to adopt the following resolutions commending
12 the members of the Confined Space Rescue Team:
13

14 a) RESOLUTION NO. 3772

15 A RESOLUTION OF THE BOARD OF DIRECTORS OF
16 OTAY WATER DISTRICT COMMENDING JIM
17 GUNSTINSON FOR VOLUNTEERING FOR THE
18 CONFINED SPACE RESCUE TEAM

19 b) RESOLUTION NO. 3773

20 A RESOLUTION OF THE BOARD OF DIRECTORS OF
21 OTAY WATER DISTRICT COMMENDING STEVE KOBLER
22 FOR VOLUNTEERING FOR THE CONFINED SPACE
23 RESCUE TEAM

24 c) RESOLUTION NO. 3774

25 A RESOLUTION OF THE BOARD OF DIRECTORS OF
26 OTAY WATER DISTRICT COMMENDING TADEO
27 VASQUEZ FOR VOLUNTEERING FOR THE CONFINED
28 SPACE RESCUE TEAM

29 d) RESOLUTION NO. 3775

A RESOLUTION OF THE BOARD OF DIRECTORS OF
OTAY WATER DISTRICT COMMENDING JASON

1 CAVENDER FOR VOLUNTEERING FOR THE CONFINED
2 SPACE RESCUE TEAM

3 e) RESOLUTION NO. 3776

4 A RESOLUTION OF THE BOARD OF DIRECTORS OF
5 OTAY WATER DISTRICT COMMENDING GERARDO
6 CHAVARELA FOR VOLUNTEERING FOR THE CONFINED
7 SPACE RESCUE TEAM

8 f) RESOLUTION NO. 3777

9 A RESOLUTION OF THE BOARD OF DIRECTORS OF
10 OTAY WATER DISTRICT COMMENDING GILBERT
11 RUBALCAVA FOR VOLUNTEERING FOR THE CONFINED
12 SPACE RESCUE TEAM

13 g) RESOLUTION NO. 3778

14 A RESOLUTION OF THE BOARD OF DIRECTORS OF
15 OTAY WATER DISTRICT COMMENDING JAKE
16 VACLAVEK FOR VOLUNTEERING FOR THE CONFINED
17 SPACE RESCUE TEAM

18 h) RESOLUTION NO. 3779

19 A RESOLUTION OF THE BOARD OF DIRECTORS OF
20 OTAY WATER DISTRICT COMMENDING WAYNE
21 SCHOEN FOR VOLUNTEERING FOR THE CONFINED
22 SPACE RESCUE TEAM

23 i) RESOLUTION NO. 3780

24 A RESOLUTION OF THE BOARD OF DIRECTORS OF
25 OTAY WATER DISTRICT COMMENDING BRIAN CHISNELL
26 FOR VOLUNTEERING FOR THE CONFINED SPACE
27 RESCUE TEAM

28 Each member of the team was given their resolution and thanked for
29 their volunteerism.

Director Laudner proposed that each volunteer be given a monthly
bonus for their service.

1 Director Poveda referred this back to staff to explore that possibility.
2 He stated perhaps this should be discussed as part of negotiations.

3 Director Price requested that Staff pursue ACWA JPIA recognition
4 for the team.
5

6 General Manager Lewinger stated Staff is currently looking into that
7 type of recognition.

8 8. Director Poveda stated that he has received a request from Mr.
9 Greg Brown to remove Item 8i from the Consent Calendar.
10

11 Director Price requested that Items 8e and 8g be removed from the
12 Consent Calendar.

13 A motion was made by Director Laudner, seconded by Director
14 Inocentes, and unanimously carried, to adopt the remaining items on the
15 Consent Calendar:
16

17 a) RESOLUTION NO. 3782
18

19 A RESOLUTION OF THE BOARD OF DIRECTORS OF
20 OTAY WATER DISTRICT FIXING TERMS AND CON-
21 DITIONS FOR THE ANNEXATION TO OTAY WATER
22 DISTRICT IMPROVEMENT DISTRICT NO. 22 AND NO. 27
23 OF THOSE LANDS DESCRIBED AS "SAN DIEGO GAS &
24 ELECTRIC PROCTOR VALLEY SUBSTATION" AND
ANNEXING SAID PROPERTY TO OTAY WATER DISTRICT
IMPROVEMENT DISTRICT NO. 22 AND NO. 27 (WO
8952/DIV. 4)

25 b) RESOLUTION NO. 3783
26

27 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
28 OTAY WATER DISTRICT COMMENDING BRAD WILSON
THE OUTGOING PRESIDENT OF THE CHULA VISTA
CHAMBER OF COMMERCE

29 c) RESOLUTION NO. 3784

1 A RESOLUTION OF THE BOARD OF DIRECTORS OF
2 OTAY WATER DISTRICT COMMENDING ROBERT D.
3 FRIEDGEN UPON HIS RETIREMENT AS GENERAL
4 MANAGER OF HELIX WATER DISTRICT

4 d) AUTHORIZATION FOR THE GENERAL MANAGER TO
5 EXECUTE A JOINT USE AGREEMENT WITH THE SAN DIEGO
6 GAS & ELECTRIC COMPANY FOR THE INSTALLATION OF A
7 PORTION OF THE PIPELINE 2000 ACROSS THE DISTRICT
8 EASEMENT WITHOUT MONETARY COMPENSATION TO THE
9 DISTRICT

9 f) APPROVAL OF PAYMENT OF \$20,525 TO THE SAN
10 DIEGO REGIONAL TRAINING CENTER FOR THE CONSULTING
11 SERVICES OF LARRY MARION AND PATTY LYNN AND
12 \$6,504.02 FOR THE SERVICES OF JENNIFER DREYER

12 h) AUTHORIZATION FOR THE GENERAL MANAGER TO
13 EXECUTE A LETTER AGREEMENT BETWEEN THE DISTRICT,
14 PACIFIC BAY HOMES AND THE GOLF COURSE STATING THAT
15 EACH WILL FUND ONE-THIRD OF THE BURROWING OWL
16 MITIGATION PROGRAM COST, NOT TO EXCEED \$25,000

16 j) APPROVAL OF REVISIONS TO THE DISTRICT'S
17 INVESTMENT POLICY NO. 27

17 k) REVISION TO POLICY 25, DISTRICT FINANCIAL
18 POLICIES, FOR DEPRECIATION ALLOWANCES FOR FACILITY
19 RELOCATION

20
21 9. Director Price stated she pulled the information report on improving
22 response time on locking services because she wanted to commend Mr. Shackley
23 for the suggestion. She inquired how the 1000 hours the interns would work would
24 be divided.

25
26 General Manager Lewinger stated that would vary depending on the intern.
27 Some might work 20 hours a week for a year and some might work 40 hours a
28 week for six months.
29

1 Engineering Department Head Stanton stated there would only be one
2 intern hired to perform this service.

3 A motion was made by Director Price, seconded by Director Poveda, and
4 unanimously carried, to accept the informational report.
5

6 10. Director Price stated she pulled the denial of the Marcantonio claim
7 because she wanted to know if the District had a designated time period in which
8 to file a police report.
9

10 Attorney Harron stated there was no police report filed for this incident
11 because there was no damage and no injury.

12 Director Price stated she thinks the DMV report should have been filed
13 sooner and a police report should be filed for all accidents within 24 hours.
14

15 General Manager Lewinger stated Staff would look into this and provide
16 each Director with the current written procedure the District uses to report
17 accidents.
18

19 A motion was made by Director Price, seconded by Director Inocentes,
20 and unanimously carried, to deny the Marcantonio claim.

21 11. Mr. Greg Brown, a developer, stated the District has an existing
22 sewer lift station that serves 12 homes. His development will increase the number
23 of homes served to 27. Several months ago when he annexed the property, he
24 was told the potential for an annuity would be \$20,000 to \$30,000 predicated on
25 what Staff felt was a reasonable replacement cost of the lift station after a 20 year
26 period. He stated Staff is now proposing that the Board use 100 years as the life
27 of the lift station which will increase the annuity to \$130,526. He feels this is
28 unreasonable because the District does not use more than 20 years as the life for
29

1 any other facility. He stated there is a way to eliminate the pump station and serve
2 the homes by gravity. He has spoken to representatives from the City of El Cajon
3 and they were very receptive to serving these homes.
4

5 General Manager Lewinger stated the issue is that there are four lift
6 stations in the District that were built before this policy which are very expensive to
7 maintain and that cost is being subsidized by all sewer customers. The Board
8 adopted the current policy so that the developer would provide funds up front to
9 cover these costs. At issue today is what did the Board mean by "life." The issue
10 for this particular situation is moot if the City of El Cajon allows them to gravity flow
11 into their system, but the issue needs resolved for the remainder of the District.
12

13 Director Price requested that Staff find out how other agencies handle this
14 situation.
15

16 Mr. Brown stated he is not building a new pump station but simply adding
17 homes to an existing facility. This pump station has pumps that are not being used
18 currently. He offered to place something on the titles to the properties to notify the
19 homeowners that the sewer fee may be changed due to the increase in the cost of
20 pumping.
21

22 Director Poveda inquired if Mr. Harron thought this type of disclosure would
23 work.
24

25 Attorney Harron stated he would prefer the Board adopt this policy but
26 suspend its application for some period of time and then if it is still necessary, the
27 District could apply a fee.
28

29 Mr. Brown inquired if the suggestion is to have the developer put up an
annuity for 20 years and then the District would allocate the true costs to each lot.

1 Director Laudner stated if this is done, homeowners would get a charge in
2 20 years they weren't expecting.

3 Director Poveda stated the real question now is what is perpetuity?
4

5 Director Laudner suggested this be sent back to Staff to see if they can
6 come up with something.

7 Engineering Department Head Stanton stated the current ordinance
8 provides that the pump station O&M and replacement costs can be satisfied by a
9 lump sum payment by the developer or by a special connection fee for each unit or
10 by a monthly fee to the homeowners.
11

12 General Manager Lewinger stated the odds are this pump station will not
13 be needed but the question must still be answered for other pump stations that will
14 need to be built in the District.
15

16 Director Price stated Staff is recommending using 100 years as the life of a
17 pump station.
18

19 General Manager Lewinger stated that was recommended based on the
20 workshop that he and Director Laudner attended.

21 Director Poveda stated he feels the life of the pump station should be the
22 life of the property it is going to serve.
23

24 A motion was made by Director Poveda to move Staff's recommendation.

25 Mr. Brown stated he did not know how the District could make a decision
26 today when no one knows what the number is going to be. He stated these will be
27 expensive homes and can absorb a higher fee than the average home. He asked
28 that the Board consider that he took the District off of a pump station previously
29

1 and did not ask the District for any compensation. He appreciates the fact that the
2 District wants full disclosure but there are other options.

3 Director Poveda rescinded his motion. He stated he wanted to be fair to all
4 parties. He pointed out that the Board must keep all rate payers in mind when
5 making these decisions.
6

7 Director Poveda stated he would like to refer this back to Staff to calculate
8 the numbers.
9

10 Mr. Stanton stated he would still need some direction on what the life of a
11 pump station would be. From that he could look at the three different ways to
12 cover the cost that he mentioned previously.
13

14 Director Poveda stated it is unfortunate that Director Watton is not present
15 today since he and Director Laudner were here when the issue of perpetuity was
16 first raised.
17

18 Director Price inquired if Mr. Brown would be adversely affected if the
19 Board deferred this to its January meeting.

20 Mr. Brown stated he does not have time to extend his map and he does not
21 have \$130,000 to give the District. He stated he had spoken to Mr. Kreuter in the
22 Engineering Department about an agreement for an annuity to be paid per lot. He
23 now understands something different.
24

25 Mr. Stanton stated that was a deferral agreement that would be linked to the
26 sale of the homes but the agreement would be for a limited number of years and
27 would require interest be paid. That is not the same agreement as having the
28 homeowners pick up the expense of the pump station.
29

1 Mr. Brown stated he likes the recommendation of sending this back to Staff
2 to get definite numbers but he would like the Board to note that this is the only type
3 of facility that the District does this for. He needs to get his map signed and he is
4 ready to pay his inspection fees. He will also be working on getting the easements
5 so that gravity sewer can be used into El Cajon.
6

7 General Manager Lewinger stated the District cannot sign the map without
8 the fees. He inquired if Mr. Brown could put up a bond for the \$130,000.
9

10 Mr. Brown suggested the District sign a statement indicating that water
11 meters will not be provided until the sewer fee is paid.
12

13 Mr. Stanton stated the Board can direct Staff to do this but it is not
14 according to the Code or current practice. Other developers would have to be
15 given the same consideration. He pointed out that this same criteria is used if a
16 development needs a hydropneumatic pump station. In Eastlake several millions
17 dollars in bonding has been provided to assure that everything is in place to build
18 facilities.
19

20 Director Laudner stated he would prefer a bond.

21 Attorney Harron stated lien agreements have been accepted in the past.
22

23 Director Poveda requested Staff run the numbers on a per lot basis using
24 between 20 and 100 years. In the meantime the District needs to find a way to get
25 Mr. Brown's map signed so he can move forward with the project.
26

27 Attorney Harron asked Mr. Brown if he would agree to a lien for the entire
28 \$130,000 on the property to secure the payment and reconsider this amount at the
29 next meeting.

1 Mr. Brown stated he already has a lien contract with the County and the
2 District would be behind that lien.

3 General Manager Lewinger stated he felt there was room to discuss the
4 lump sum or special connection fee options and arrive at a method of off setting
5 the extra \$100,000.
6

7 Director Price stated she could agree to Mr. Brown's giving the District the
8 \$30,000 he was planning on and also a lien to cover the other \$100,000 to provide
9 enough time to look at the options.
10

11 Director Inocentes stated the District's lien would be junior to the County's
12 lien.
13

14 Mr. Brown stated once the construction loan is funded everything would be
15 paid and there would be no liens. He stated to clarify he wants the Board to
16 understand that the \$35,000 he was speaking of paying today was the inspection
17 fee, not the original \$30,000 quoted for the pump station.
18

19 General Manager Lewinger stated a possible solution available today
20 would be to accept a lump sum payment of \$30,000, Staff would calculate what a
21 connection fee would be for the balance of the worst case if the pump station has
22 to be expanded. If the pump station does not have to be expanded, there would
23 be no connection fee and a portion of the \$30,000 would be returned to Mr. Brown
24 if the gravity sewer does not cost that much. The developer would pay the portion
25 that relates to the 20 years life and the connection fee would pay for everything
26 after the first 20 years.
27
28

29 Mr. Brown stated he would like to amend that a little. He stated he would
agree to use whatever the District decides is the life of the pump station based on

1 the industry at large, even if it is 100 years, but this whole fee should be paid upon
2 issuance of a building permit or a water meter for each lot. He stated that would
3 provide time to investigate using gravity sewer into El Cajon.
4

5 General Manager Lewinger stated he would recommend splitting it
6 between the developer and the homeowners but allow the developer to use a
7 deferral agreement for the lump sum to cover the 20 year cost.

8 A motion was made by Director Price to support Mr. Lewinger's
9 suggestion.
10

11 Director Poveda stated he would like to find out what the industry standard
12 is for life of a sewer pump station.

13 Director Price modified her motion to include Director Poveda's request.
14 The motion was seconded by Director Inocentes, and unanimously carried.
15

16 This will be brought back to the Board after the numbers are calculated.

17 12. Mr. Carl Bryant, an 11 year resident of the District, addressed the
18 Board regarding a high water bill he received. He distributed two graphs to the
19 Board indicating his water consumption at a previous account and at his current
20 residence. He stated there was a leak at the previous address for which he took
21 responsibility and paid the entire water bill. However, the September-October bill
22 at his current address indicated more than 450 units were used and he is certain
23 there was no leak. He stated both occupants were out of town when a message
24 was left that high usage had occurred. He stated he feels the meter must have
25 been inaccurate because a District employee walked the property and monitored
26 the meter and found no sign of a leak. He appreciates the employee taking the
27 time to try to locate a leak since he was out of town but he feels this supports his
28
29

1 contention that the meter was faulty. He stated he would have been able to hear
2 any running water from the main living quarters if anything had been left running.
3 He was home on the weekends during this time period. He stated the meter was
4 16 years old and he did not know if the meter was tested per the manufacturer's
5 recommendation and AWWA standards or if the internal components were tested.
6 He also stated there were two housing developments near him and his neighbor
7 was grading for a septic system. He feels air in the line may have caused the
8 meter to register usage. Also, the meter was changed and his water usage is now
9 back to a normal 19 units for two months. He stated he is standing up for the
10 principle today because he does not feel he is responsible for this water bill. He is
11 seeking an equitable solution before exercising other options.
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15 Ms. Elaine Henderson, Customer Service Supervisor, stated that this
16 happens frequently and she adjusts about five accounts a week that have higher
17 than normal water usage. She stated the reason the Board rarely has these
18 situations on their agenda is because most customers are satisfied once their bills
19 have been adjusted. She stated about 50% of these are determined to be caused
20 by leaks but the cause of the other 50% are rarely found.
21

22 General Manager Lewinger stated if the account's usage returns to normal
23 the District charges the customer for its cost of the water which is about half of the
24 normal rate. He stated the meter was tested by our meter shop and it tested
25 between 94% and 100% registration.
26

27 Mr. Bryant stated that the test results show that the less water that went
28 through the meter, the less accurate the meter was.
29

1 Mr. Lewinger stated the test result indicates the meter was reading 94% of
2 the water going through so it was actually under reading.

3 Mr. Dave Jones of the Meter Department stated the meter must be
4 between 98.5% and 101.5% accuracy. He followed the AWWA standards and the
5 District's testing tanks are calibrated.
6

7 Ms. Henderson stated the high read could have been caused by a running
8 toilet or something inside although it is usually something outside.
9

10 Director Laudner stated he felt the air theory could be discounted because
11 more than one meter in the area would have had this problem.

12 Mr. Bryant stated four days after the initial read, the meter reader read the
13 meter again and it read 29 units and he was home at that time. Now that the meter
14 has been replaced it has read 19 units in two months.
15

16 Director Laudner stated Dave Jones has been at this business a long time
17 and if he tested that meter and says it was accurate, he believes him.
18

19 Mr. Bryant stated he is not questioning any of the employees, just the
20 accuracy of the meter. He stated he would fight this and he would rather pay the
21 money to an attorney to fight for this principle.
22

23 Director Poveda stated he would applaud anyone for standing up for their
24 principles, Mr. Bryant must understand the situation the Board is in because this is
25 a revenue neutral agency and other rate payers must pick up the cost if it is waived
26 for him.
27

28 Mr. Bryant stated he feels a more equitable solution can be reached where
29 he would pay for the installation of the new meter including the employee time.

1 Director Inocentes stated since the meter was tested and actually was
2 under reading and Staff has already adjusted the water bill he feels the District has
3 done all it can.
4

5 A motion was made by Director Poveda, seconded by Director Inocentes,
6 and unanimously carried, to deny any further decrease in Mr. Bryant's water bill.

7 13. The meeting was recessed at 3:40 p.m. The meeting was
8 reconvened in open session at 4:00 p.m.
9

10 14. Mr. Ron Ripperger, Associate Engineer/Planner, stated Director
11 Price had requested a report on the condition of the District's concrete reservoirs
12 after the failure of a reservoir at Westminster, California. He explained that the
13 Westminster reservoir was an above-ground reservoir with precast concrete
14 sections which resist pressure with the assistance of steel straps that should have
15 been wrapped around the exterior of the reservoir. The straps, however were
16 stretched along the inside base of the tank and were exposed to the corrosive
17 effect of the water. The cause of the tanks failure was the corroded rebar and the
18 metal fasteners failing at the base of the tank. This caused the panels to detach. It
19 was also discovered that reinforcing rebars were missing around the entire base
20 of the reservoir that were included in the design.
21

22 Mr. Ripperger outlined the District's Reservoir Management Plan which will
23 document preventive maintenance procedures for each of the types of reservoirs
24 within Otay. The program will also define methods for early detection of potential
25 problems and repair procedures. Staff expects to complete this Plan in
26 approximately six months.
27
28
29

1 Director Price requested a presentation on the Plan when it is completed.
2 She thanked Mr. Ripperger for his presentation today.

3 15. President Poveda presented

4
5 ORDINANCE NO. 473

6 AN ORDINANCE OF THE BOARD OF DIRECTORS
7 OF THE OTAY WATER DISTRICT AMENDING
8 SECTIONS 1.08A, 9, 25, 27, 28, 51, 52
AND 60 OF THE CODE OF ORDINANCES

9 Mr. Jim Peasley, Principal Engineer, outlined the revisions being proposed
10 in this Ordinance to update, correct, organize, simplify and make the Code
11 Sections consistent relating to capacity and annexation fees. He stated Section 1
12 had the District address updated. Section 9 sets the annexation fee at \$3,819 per
13 EDU indexed it to the ENR CCI, and establishes that all sewer annexations will be
14 into ID 18. Section 25 has some sections from Section 28 included to improve the
15 organization of the content. Section 27 clarifies that water meter sizing will be
16 based on demand with a minimum 3/4-inch size meter. Multifamily residential
17 dwellings where each unit shall be metered will require a 3/4-inch meter. Where
18 there is a master meter, fees shall be computed based on demand for the facility
19 and fees will be collected based on meter size rather than on 70% of the number
20 of units in a building. Section 28 modifies the computation of water capacity fees
21 for multifamily residential dwellings to eliminate using 70% of the number of units.
22 Section 51 establishes a fine for unlawful sewer connections valued at the
23 annexation fee amount plus all other required fees. Section 53 had various
24 sections revised to account for the elimination of the sewer capacity fee and to
25
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1 make the sections easier to understand. Section 60 was modified to account for
2 the elimination of the sewer capacity fee.

3 Mr. Peasley added that code changes resulting in reduction of fees to
4 developers will take effect immediately while code changes resulting in increases
5 in fees will take effect 60 days from today. He explained that the financial impacts
6 will include a reduction of total sewer fees collected. Sewer annexation fees are to
7 be allocated to the replacement reserve fund to help control sewer rates.
8

9 Multifamily water capacity fees will be reduced by perhaps \$100,000.
10

11 A motion was made by Director Poveda, seconded by Director Inocentes,
12 and unanimously carried, to adopt Ordinance No. 473.
13

14 13. Administrative Services Department Head Alvarez presented his
15 Department's monthly report. He updated the Board on the positions being filled
16 and stated Mr. Rom Sarno will begin as the Principal HR Analyst on December 28.
17

18 He distributed copies of the RFP that will be sent out for the Classification
19 and Compensation Study. He stated he would be contacting members of the
20 Personnel Committee to see if they would like to be involved.
21

22 Director Inocentes requested the recruitment/promotion chart include the
23 number of internal applicants.
24

25 14. The Operation Department's monthly report was presented. General
26 Manager Lewinger pointed out that water sales have been very good so far this
27 year. The Department also spruced up the treatment plant in preparation for
28 submitting it to CWEA as treatment plant of the year. The District is also
29 submitting nominations for Lab Tech of the Year, Instrumentation Tech of the Year
and Mechanical Maintenance Tech of the Year.

1 15. Engineering Department Head Stanton presented his monthly
2 Engineering and Planning Department Report and the monthly status report for
3 CIP projects. He stated he is cautiously optimistic about the District's chances of
4 entering into an agreement with the City of El Cajon to provide sewer service.
5

6 16. Finance Department Head Chambers presented the monthly
7 finance report. She reported that a meeting of CWA Finance Directors was held
8 at the District and they discussed issues such as the IAC rate increase. She
9 stated it now appears this rate will increase from \$1.00 to \$1.65 over ten years.
10

11 17. Attorney Harron presented the monthly General Counsel report. He
12 reported at the request of the Hans Doe Trust he wrote a letter regarding the
13 commitment to the Water Conservation Garden and they will be submitting their
14 donation of \$150,000. He also mentioned the recent articles regarding a
15 challenge to a director-elect in Lakeside who is also a member of the local school
16 board. He stated the doctrine of "incompatible offices" prohibits a person from
17 holding two offices which could deal with issues where there could be conflicting
18 positions.
19

20 18. General Manager Lewinger reported that each department has had
21 a meeting to discuss the survey results. A Management Team meeting is now
22 being held monthly with the Executive Team and all managers and supervisors to
23 discuss issues of interest to make sure they are handled uniformly between
24 departments.
25

26 He stated if any of the Directors are talking to other elected officials they
27 might want to raise issues such as the South Bay Treatment Plant should be 15
28
29

1 MGD, the El Cajon sewer issue, and the emergency connection between Otay and
2 Tijuana.

3 He also reported that a poster from a student at Rancho San Diego
4 Elementary School won a place in the Metropolitan Water District Calendar. The
5 District will have a ceremony to recognize this student.
6

7 19. General Manager Lewinger reported that Francesca Krauel was
8 elected as Secretary of the County Water Authority and Jim Turner and Mark
9 Watton were appointed as the MWD delegates. He stated Director Inocentes
10 made a plea as a citizen that the chair of CWA ought to be an automatic member
11 of the MWD delegation. He stated a motion was made to add Joe Parker's name
12 to the list but Mr. Parker declined to put his name in nomination. There was also a
13 motion to table the item but it failed.
14
15

16 Director Inocentes stated he was disappointed because the majority of the
17 Otay Board supported Bud Pocklington for secretary but the District's vote went to
18 Ms. Krauel. He also thought there was a consensus on the Otay Board that if there
19 was a way to get Joe Parker to be an MWD delegate, it should be supported. The
20 motion to table the issue was made by Warren Buckner because there was no
21 need to rush the MWD delegate decision. Director Inocentes stated he felt there
22 were some members of CWA who wanted to consider the suggestion he made to
23 have the chair automatically become an MWD delegate. He was disappointed
24 that the District's vote was against tabling that motion. He stated he believes if the
25 votes were counted on a one to one basis, it would show the majority of the votes
26 supported his suggestion. He also feels that a lot of pressure was put on Joe
27 Parker to decline the MWD seat.
28
29

1 Director Price stated she felt Director Inocentes comments were
2 appropriate and appreciated. She pointed out that Mike Madigan mentioned that
3 there have been times when the CWA chair was not an MWD delegate. She
4 stated she respected Joe Parker's decision about the MWD seat.
5

6 Director Laudner stated he was also disappointed that the District's
7 representative did not vote for Bud Pocklington when the majority of the Board
8 supported him. He stated he did not think this was ethical and the Board should
9 remember this in the future. He stated when he votes at Metro and LAFCO, he
10 represents the best interests of the District and not his own personal view.
11

12 Director Poveda stated at the last Board meeting the majority of the Board
13 expressed an interest in Bud Pocklington as secretary, and for himself, he
14 indicated a leaning toward Bud Pocklington, but as is reflected in the minutes, the
15 Board did not direct the CWA representative to vote in any particular way. In the
16 future if the Board does not feel the representative is representing the Board's
17 desires, then a conversation needs to take place at that time as far as directing or
18 not directing the representative. He feels it should be left to the representative to
19 exercise their discretion.
20
21

22 Director Inocentes stated he agrees that the Board did not give any
23 direction, but when there is a definite consensus, the person who represents the
24 District should represent the views of the Board and not themselves as individuals.
25

26 Director Poveda stated Bud Pocklington wanted to continue with the
27 democratic process and he understood that he probably did not have the votes
28 and whether our representative voted for him or not, Bud would not have won that
29 position. The other issue was the City of San Diego and he thinks the District's

