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MINUTES OF THE  
BOARD OF DIRECTORS REGULAR MEETING  
OTAY WATER DISTRICT

April 7, 1999

1. The meeting was called to order by President Poveda at 1:34 p.m. in the District Boardroom, 2554 Sweetwater Springs Boulevard, Spring Valley, California.

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

DIRECTORS ABSENT: None

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

2. After the Pledge of Allegiance, Director Price stated she would like to add a Closed Session to the agenda to discuss appointment of a general manager. A motion was made by Director Poveda, seconded by Director Inocentes, and unanimously carried, to approve the amended agenda.

3. A motion was made by Director Inocentes, seconded by Director Price, and unanimously carried, to adopt the minutes of the Regular Meeting of March 3, 1999.

A motion was made by Director Laudner, seconded by Director Poveda, and unanimously carried, to adopt the Minutes of the Regular Meeting of March 24, 1999.

1 A motion was made by Director Inocentes, seconded by Director Laudner,  
2 and unanimously carried, to adopt the Minutes of the Adjourned Meeting of March  
3 25, 1999.

4  
5 Director Price inquired if the District's agreement with the City for recycled  
6 water had been before the City Council.

7 Acting General Manager Harron stated there is no agreement at this point  
8 because the District needs to finalize the arrangements with U.S. Generating be-  
9 fore it can enter into an agreement with the City. The District is still first on the list.  
10

11 4. Director Price inquired about the check on the demands list to the  
12 YMCA. She asked what the YMCA is doing for a water conservation program.

13  
14 Acting General Manager Harron stated they are conducting training for the  
15 people who will be involved in the children's programs and the conservation gar-  
16 den at the YMCA and they are using low flow shower heads and toilets.

17  
18 Director Price asked that Administrative Services Department Head Alva-  
19 rez start including an update on the YMCA programs in his monthly report occa-  
20 sionally. She also suggested the children be given a tour of the treatment plant.

21 A motion was made by Director Poveda, seconded by Director Laudner,  
22 and unanimously carried, to approve the Demands as listed.

23  
24 5. President Poveda inquired if anyone in the audience desired to ad-  
25 dress the Board on any item not on the agenda. No one wished to be heard.

26  
27 6. Acting General Manager Harron presented the Employee of the  
28 Quarter award to Jim Clements of the Information Systems Department. He stated  
29 comments made about Mr. Clements included that he was responsible, patient, a

1 terrific help, and did not always assume the problem was with the employee and  
2 not the computer.

3 Mr. Clements stated that it was a pleasure working for the District and be-  
4 ing able to help his fellow employees.

5 President Poveda thanked Mr. Clements on behalf of the Board of Direc-  
6 tors.  
7

8 7. Director Laudner pulled Item 8a from the Consent Calendar.

9 Acting General Manager Harron stated Staff has presentations on  
10 both 8b and 8c.  
11

12 8. Director Laudner stated he pulled Item 8a so it could be  
13 acted upon separately.  
14

15 President Poveda presented

16 RESOLUTION NO. 3795

17 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OTAY  
18 WATER DISTRICT EXPRESSING APPRECIATION TO RICARDO  
19 MUNIZ FOR TEN YEARS OF SERVICE TO THE DISTRICT

20 A motion was made by Director Laudner, seconded by Director Ino-  
21 centes, and unanimously carried, to adopt Resolution No. 3795.

22 9. Mr. Ron Ripperger, Civil Engineer, made a presentation re-  
23 garding the consultant selection for professional engineering services for  
24 the 711-3 Reservoir project. He stated this reservoir is to be phased in two  
25 8 MG cells with the second cell being constructed when the demand in-  
26 creases. Also extensive siting coordination is necessary with developers  
27 and the City of Chula Vista. Seventeen firms responded to the RFP and  
28 three were shortlisted. The interview panel recommended ASL. The origi-  
29

1    nal scope of work included profit management and coordination with the  
2    District, preparation of plans and specifications, provision of survey ser-  
3    vices to support design, preparation of engineer's cost estimate and  
4    schedule, regulatory agency coordination and permitting and services dur-  
5    ing bidding. After the interviews were conducted several items were added  
6    to the scope of work. These included grading outside the Department of  
7    Safety of Dams jurisdiction, geotechnical embankment design, golf course  
8    coordination and two bid packages, design of the second basin, a hydro-  
9    logy study and an inundation study. The addition of these items to the  
10   scope of work would increase ASL's fee from \$119,000 to \$200,000. He  
11   recommended the Board authorize the Acting General Manager to execute  
12   a contract with ASL Consulting Engineers in the amount of \$200,000.

16           Director Price stated it seems that ASL was selected then Staff be-  
17   gan to think of things that had not been considered previously. She stated  
18   Staff has known about the golf course for a long time.

20           Mr. Ripperger stated the golf course schedule has accelerated.

21           Director Price inquired if Staff had gone back to the other two short-  
22   listed firms after negotiating with ASL.

24           Mr. Ripperger stated Staff did not talk to the other two firms. The  
25   slide entitled Additional Scope Comparison shows which items had been  
26   considered in the three firms proposals. Some of these items were in-  
27   cluded in the other two firms proposals. None of the items were included in  
28   the ASL proposal.

1           Engineering Department Head Stanton stated it is not unusual to  
2 add things to the scope of work after the interviews. Often a firm will have  
3 an idea that they have included in their proposal that was not included in the  
4 scope of work. Staff then decides whether that change should be made to  
5 the scope.  
6

7           Director Price inquired if the District could be liable in this situation.

8           Attorney Harron stated there is a specific exception for design engi-  
9 neers where the dollar amount is not the deciding factor in selecting a firm.  
10 It is relatively typical that once the interviews are completed, the District se-  
11 lects the firm it likes and adds anything that was discovered during the in-  
12 terviews to the scope of work.  
13  
14

15           Director Laudner stated the Staff Report and the agenda recom-  
16 mendation is for \$170,000 but the slide presentation requests \$200,000.

17           Mr. Ripperger stated the request is for a contract not-to-exceed  
18 \$200,000.  
19

20           A motion was made by Director Price, seconded by Director Laud-  
21 ner, and unanimously carried, to authorize the Acting General Manager to  
22 execute a contract with ASL consulting Engineers for the 711-3 Central  
23 System 8.0 MG Reservoir for a not-to-exceed amount of \$200,000.  
24

25           10. Mitch Young, Project Manager, updated the Board on the In-  
26 terconnect project. He reviewed the accomplishments in March including  
27 the completion of Bid Package A for the North Aqueduct Tunnel, comple-  
28 tion of drilling and blasting and commencement of installation of pipe for  
29 Bid Package C, pouring of base slabs for valve vaults and one set of valve

1 vault walls and the advertisement of bid documents for the Bid Package E  
2 and F pipelines. He reviewed the contracts that were issued during March.  
3 He reviewed the action items for April including completion of the excava-  
4 tion of the South EastLake Tunnel pits and the issuance of the first project  
5 newsletter.  
6

7 Mr. Glen Vita of Montgomery Watson updated the Board on the EBE  
8 outreach program for the Interconnect project. He stated they are identify-  
9 ing additional firms by contacting other agencies. He has been working  
10 with County Water Authority and their member agencies to determine other  
11 EBE firms that have successfully worked on CWA projects. They have ad-  
12 vertised Bid Packages E and F in minority publications. On March 24 there  
13 was a workshop on working with Otay Water District with the Contracting  
14 Opportunities Center with 11 attendees whose names were added to the  
15 outreach database. There was another workshop on March 25 with mem-  
16 bers of Minority Contractors Consulting Group (MCCG) with 31 attendees.  
17 Montgomery Watson has been working with MCCG, Latino Builders and  
18 the Black Contractors Association to identify EBE contractors. In addition  
19 to the workshops, they are also attempting to identify contractors repre-  
20 sented by those groups. Contracts are being awarded for less than  
21 \$25,000 through the negotiated procurement process. They are also moni-  
22 toring the impact of the outreach program on EBE participation and pro-  
23 curements. The total amount awarded in EBE contracts is now  
24 \$2,237,214. He reviewed an organizational chart indicating what each  
25 consultant has been doing in the outreach program. He stated this ap-  
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29

1 proach has been very effective as indicated by the fact that EBE firms have  
2 received 16% of the contract amounts without the pipe and valve contracts.

3  
4 Director Watton stated it appears the District's policy of breaking  
5 down the size of the projects and reducing the insurance requirements is  
6 getting more small business involved. He hopes that continues after this  
7 project as well.

8  
9 Mr. Vita stated the Board's commitment to its outreach program  
10 amazes the people attending these workshops.

11  
12 Attorney Harron stated the public bidding law was changed to in-  
13 crease the threshold amount for going to formal bid from \$25,000 to  
14 \$35,000 so the District should start doing this.

15  
16 Director Inocentes stated he feels this program is looking very good  
17 and everyone is doing a good job at this point.

18  
19 Director Price stated she would echo that and added that she ap-  
20 preciates everyone taking time out of their busy schedules to attend today's  
21 meeting. She stated their efforts are very meaningful to the Board.

22  
23 Mr. H. J. Sims with the San Diego branch of the NAACP, stated they  
24 feel that the District's work is very important and he wanted to thank the  
25 Board for their conscientiousness and their sensitivity to the outreach pro-  
26 gram. They feel small emerging business is very important to the minority  
27 communities within the City of San Diego. The development of the labor  
28 force and expertise is a very important objective. It is easy to criticize but  
29 they also like to thank people when they try to do the right thing. He is also  
here in support of Mr. Rickey Laster of MCCG. It is his understanding that

1 Mr. Laster has submitted an executive summary to the Board for their re-  
2 view and out of respect for the Board's time, he will not go into Mr. Laster's  
3 qualifications but he did want to be here in case there were any questions  
4 or concerns.  
5

6 President Poveda thanked Mr. Sims for his comments and stated he  
7 would like everyone to understand how committed the Board is to the out-  
8 reach program and support of EBEs.  
9

10 11. Pedro Porras, Civil Engineer, stated he would address the  
11 Board today to update them on the status of the District's disinfection con-  
12 version effort and to obtain approval to execute Task Order Change No. 1  
13 for the final design to convert the chlorination facility at Regulatory site. The  
14 District retained Malcolm Pirnie, Inc. to complete a disinfection master plan  
15 in 1991 and accepted their plan in March of 1995. In July of 1995 the  
16 Board authorized Staff to commence with the conversion of the District's  
17 disinfection facilities. In June of 1996 the US EPA proclaimed the Acciden-  
18 tal Release Prevention Program and California implemented the California  
19 Accidental Release Prevention program which requires a Risk Manage-  
20 ment Plan. In May of 1997 the Board approved leaving the gaseous chlo-  
21 rine at the treatment plant facility. Since that time, five facilities have been  
22 converted, four have been removed and four remain to be converted. In  
23 December of 1998, Staff executed a task order in the amount of \$48,971 to  
24 have ASL, one of the District's annual consultants, prepare final plans,  
25 specifications and an engineer's estimate for the conversion of the Regula-  
26 tory site chlorination facility. During the Engineering management meeting  
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28  
29

1 design review, the need to remove walls and expand the existing building to  
2 accommodate the proposed modification was questioned. Engineering  
3 and Operations staff met with the consultant to redefine the criteria for both  
4 permanent and temporary facilities. Staff negotiated a proposed change  
5 order with ASL which is being presented today. He requested the Board  
6 approve Task Change Order No. 1 to the ASL Consultant Engineers task  
7 order.  
8  
9

10 A motion was made by Director Price, seconded by Director Inocen-  
11 tes, and unanimously carried, to authorize the Acting General Manager to  
12 execute Task Change Order No. 1 to the ASL consultant Engineers task  
13 order for an amount not to exceed \$16,637.  
14

15 12. President Poveda presented

16 RESOLUTION NO. 3796

17 A RESOLUTION OF THE BOARD OF DIRECTORS OF OTAY  
18 WATER DISTRICT FIXING TERMS AND CONDITIONS FOR THE  
19 ANNEXATION TO OTAY WATER DISTRICT IMPROVEMENT  
20 DISTRICT NO. 22 OF THOSE LANDS DESCRIBED AS  
21 "EASTLAKE TRAILS SOUTH" AND ANNEXING SAID PROPERTY  
22 TO OTAY WATER DISTRICT

22 The public hearing was opened at 2:43 p.m. No one wished to be heard  
23 and the hearing was closed at 2:43 p.m.

24 A motion was made by Director Price, seconded by Director Inocentes,  
25 and unanimously carried, to adopt Resolution No. 3796.  
26

27 13. Acting General Manager Harron stated that Dr. Garcia has provided  
28 samples of the style of brochure for recruitment of a new general manager to see  
29

1 which the Board prefers. The Board concurred that they preferred the bi-fold bro-  
2 chure.

3           Acting General Manager Harron stated Dr. Garcia would like to get Board  
4 approval for the experience requirement for an advertisement to put in periodicals  
5 which have publishing deadlines coming up.  
6

7           Several recommendations were made regarding modifications of the lan-  
8 guage. Director Poveda stated the Board hired Dr. Garcia because of his experi-  
9 ence and understanding of the type of wording that should be used and he cau-  
10 tioned the Board not to try to second guess the wording.  
11

12           Director Inocentes stated he would like to keep it as broad as possible to  
13 encourage more people to respond. He would like to eliminate the words "public  
14 sector" from the finance statement.  
15

16           Director Price stated she agreed that the Board should be careful not to  
17 narrow the scope to just the public sector.  
18

19           Director Watton suggested the Board convey the thought that they do not  
20 want to narrow the search to just those with public sector experience and let Dr.  
21 Garcia decide which words to use.  
22

23           Director Inocentes suggested the reference to the car allowance amount be  
24 deleted and just a general statement that a car allowance is provided be included.

25           Director Poveda stated since Dr. Garcia just needs the salary, benefits and  
26 qualifications today, he suggested the Board review the remainder of the language  
27 and discuss that at a later date.  
28

29           Director Poveda summarized that the changes to be made to the salary,  
benefits and qualifications section will be 1) delete the car allowance dollar

1 amount, 2) under qualifications it will read "executive level" and not "public sector  
2 executive experience."

3           Director Price requested the Board be faxed a list of the publications this  
4 will appear in.  
5

6           14.     Finance Department Head Chambers presented the monthly finan-  
7 cial report. She reported that she included a report from the County Water Author-  
8 ity regarding the infrastructure access charge and had a listing of the equivalent  
9 meters for the member agencies. This shows how Otay is growing in relationship  
10 to the other Districts. She also reported excess revenue for the eight months  
11 ended February 28, 1999 is \$576,697.  
12

13           15.     Acting General Manager Harron reported that the opening of the  
14 Water Conservation Garden will be May 15 and the Garden should be 90% to  
15 95% complete at that time.  
16

17           He reported that Zach McReynolds will be sending a draft agreement re-  
18 garding the Western Water proposal and District Staff intends to discuss it with  
19 CWA Staff.  
20

21           Director Watton stated this should also be discussed with Staff at the City  
22 of San Diego.  
23

24           16.     Director Watton reported that IID and San Diego will be re-  
25 energizing their discussion regarding the transfer contract. This is not negotiations  
26 or a re-opening of the contract but is characterized by some issues at IID like the  
27 farmers sign up for conserved water and the wheeling deal with Metropolitan which  
28 need to be squared away. Joe Parker and Director Watton were appointed to be  
29 the San Diego team and Don Cox and Andy Horn will be the IID team.

1 He reported that Ron Gastelum is Metropolitan Water District's new general  
2 manager. He stated Mr. Gastelum was clearly a good candidate and it appears  
3 he is firm about wanting to get Staff under control. The San Diego delegates will  
4 do everything they can to support him.  
5

6 17. Director Price commended Chris Frahm for her leadership at the  
7 CWA and stated she will not be forgotten. She also stated she is greatly con-  
8 cerned with ACWA's positions and the fact that they never discuss the 4.4 Plan.  
9 She thought they needed a wake-up call about Southern California issues.  
10

11 Director Watton stated that probably stems from the time when ACWA took  
12 Metropolitan oriented positions and got their head handed to them so now they try  
13 not to talk about these issues at all.  
14

15 Director Price also thanked Mitch Young and Glen Vita for the pipe plant  
16 tour.  
17

18 Director Inocentes stated he would also like to express his appreciation to  
19 Staff and Montgomery Watson for the pipe plant tour.  
20

21 Director Laudner stated he enjoyed that tour as well. He reported he re-  
22 ceived a thank you note from Amanda Martinez, the poster contest winner, thank-  
23 ing him for the \$100 savings bond. He also attended the Use Area tour with Mike  
24 Strobe.  
25

26 18. The Board went into closed session at 3:35 p.m. to discuss a real  
27 property transaction and personnel matters. The meeting was reconvened in open  
28 session at 4:00 p.m.  
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19. With no further business to come before the Board, the meeting was  
adjourned at 4:00 p.m.

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President

ATTEST:

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District Secretary