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MINUTES OF THE  
BOARD OF DIRECTORS REGULAR MEETING  
OTAY WATER DISTRICT  
September 1, 1999

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

DIRECTORS PRESENT: Directors Poveda, Price, Watton and Inocentes

DIRECTORS ABSENT: Director Laudner

STAFF PRESENT: General Manager Cardenas  
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, General Manager Cardenas stated he would request that Items 8b and 8d be removed from the agenda and Item 8e be moved to Closed Session.

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

3. Director Inocentes requested that the minutes be modified to reflect the discussion regarding hearsay information being included in staff reports and that he had requested this not be done in the future.

1 A motion was made by Director Price, seconded by Director Poveda, and  
2 unanimously carried, to adopt the Minutes of the Regular Meeting of August 18,  
3 1999 as amended.  
4

5 4. A motion was made by Director Poveda, seconded by Director Ino-  
6 centes, and unanimously carried, to approve the Demands as listed.

7 5. President Poveda inquired if anyone in the audience desired to ad-  
8 dress the Board on any item not on the agenda. No one wished to be heard.  
9

10 6. President Poveda presented

11 RESOLUTION NO. 3814

12 A RESOLUTION OF THE BOARD OF DIRECTORS OF  
13 OTAY WATER DISTRICT EXPRESSING APPRECIATION  
14 TO LARRY LEFEUVRE FOR TWENTY YEARS OF  
15 SERVICE TO THE DISTRICT

16 A motion was made by Director Inocentes, seconded by Director  
17 Price, and unanimously carried, to adopt Resolution No. 3814.

18 Operations Department Head Mahanke presented the resolution to  
19 Mr. LeFeuvre and thanked him for his years of service.  
20

21 7. A motion was made by Director Inocentes, seconded by Di-  
22 rector Price, and unanimously carried, to adopt the following items on the

23 Consent Calendar:

- 24 a) APPROVAL OF COUNTY OF SAN DIEGO REGISTRAR OF  
25 VOTERS PROPOSED RE-ALIGNMENT OF THE  
26 PRECINCT BOUNDARIES AND THE ADJUSTMENT OF  
27 DIVISION 2 AND DIVISION 4 BOUNDARIES
- 28 c) FOLLOW-UP INFORMATION ON CENTREX VS PBX AND  
29 AUTHORIZATION TO ISSUE PURCHASE ORDER TO NEC  
BUSINESS NETWORK SOLUTIONS IN THE AMOUNT OF  
\$74,287.78 FOR THE UPGRADE OF THE DISTRICT'S PBX  
SYSTEM

1 Director Price stated she would like to have the Directors' Division  
2 boundaries item brought back soon. She stated the ball is in her court and  
3 she will discuss this with Staff.  
4

5 8. Attorney Harron stated one of the District's customer service  
6 field representatives found a direct connection to a water lateral and re-  
7 ported it to the Water Use Investigator. Pictures were taken and the pipe  
8 was cut. The contractor was notified and informed of the unauthorized con-  
9 nection. He was told the charge for an unauthorized connection is \$1,000  
10 and he would be responsible for the charge. The contractor, Mr. Jim  
11 Sleight, has requested an opportunity to address the Board regarding this  
12 issue.  
13  
14

15 Mr. Sleight stated that he had purchased a temporary meter that he  
16 had moved from job to job and it was pulled from this job when it was no  
17 longer needed. The grading had been completed and he had applied for  
18 his permanent meter. He stated he was not told until later that the perma-  
19 nent meter had not been set because he needed to supply a copy of the  
20 building permit to engineering before the meter could be installed. He  
21 stated he had previously purchased a meter that had been installed without  
22 a building permit. When he thought the meter had been installed he in-  
23 structed his plumber to connect the line. The plumber connected the line  
24 directly to the curbstop. He then got a call from the Water Use Investigator  
25 about the charge.  
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1 Director Price stated the Staff Report indicated that when Mr.  
2 Sleight was informed that there was water in the line when it was cut, Mr.  
3 Sleight stated the plumber must have been using it.  
4

5 Mr. Sleight stated the plumber probably turned the valve on when he  
6 made the connection just to check it but no water was used.

7 Ms. Pam Johnson, the Water Use Investigator, stated the curbstop  
8 was wide open when the unauthorized connection was found.  
9

10 Director Watton stated when the District originally made this policy  
11 to hammer home the point that unauthorized connections were not accept-  
12 able and that meters needed to be purchased before water was used. He  
13 feels the large developers now understand the District's policy. He stated  
14 in this situation he feels the \$1,000 is too high because there was a tempo-  
15 rary meter and a permanent meter had been purchased. There was a mis-  
16 communication between Mr. Sleight and his plumber in this instance. He  
17 suggested a policy that would have a charge of \$100 for the first instance,  
18 \$500 for the second and then \$1,000 thereafter.  
19  
20

21 Director Inocentes stated the District has already modified the policy  
22 to allow a \$500 charge for an unauthorized connection where no water was  
23 used and he feels this has been successful. He would not want to set a  
24 precedent by reducing the charge further. The developer should go after  
25 the plumber for incurring the charge.  
26

27 Director Poveda stated there was another instance where the Dis-  
28 trict had reduced the fine when there was confusion between the developer  
29 and another party but it is necessary for everyone to understand that it is not

1 OK to take water through an unauthorized connection and that someone  
2 must pay for that water since the District is revenue neutral. He would like  
3 to look at what was done in the other instance with Contreras Construction.  
4

5 Director Inocentes inquired if it appeared water had been used any-  
6 where on the property.

7 Ms. Johnson stated the water line ran from the meter box to the  
8 graded area.  
9

10 Director Inocentes stated he could look at this as a dry usage and  
11 charge \$500 per the policy since that was done for Contreras.

12 Principal Engineering Technician David Charles stated that, in re-  
13 sponse to Mr. Sleight's claim that he had previously purchased a meter  
14 without a building permit, Staff does not install any permanent meters with-  
15 out having a copy of the building permit.  
16

17 Director Poveda stated whether intentional or unintentional, there  
18 was a connection with water in the line and since the policy is to discourage  
19 this practice, he would suggest assessing the entire \$1,000 charge.  
20

21 A motion was made by Director Poveda, seconded by Director Ino-  
22 centes, with Director Watton voting no, to deny Mr. Sleight's request.  
23

24 9. President Poveda presented

25 RESOLUTION NO. 3815

26 A RESOLUTION OF THE BOARD OF DIRECTORS OF  
27 OTAY WATER DISTRICT FIXING TERMS AND  
28 CONDITIONS FOR THE ANNEXATION TO OTAY WATER  
29 DISTRICT SEWER IMPROVEMENT DISTRICT OF THOSE  
LANDS DESCRIBED AS "PASCUA ANNEXATION" AND  
ANNEXING SAID PROPERTY TO THE OTAY WATER  
DISTRICT SEWER IMPROVEMENT DISTRICT

1 A motion was made by Director Price, seconded by Director Inocen-  
2 tes, and unanimously carried, to adopt Resolution No. 3815.

3  
4 10. General Manager Cardenas stated he had drafted an  
5 agenda for a Board workshop and would like to get a date scheduled. It  
6 was concluded that the workshop would be held on September 17, 1999  
7 from 10 am to 5 pm. The agenda will be the same as the draft with the item  
8 on working with Mexico deleted and all the personnel issues deferred to the  
9 Personnel Committee.  
10

11  
12 11. Mitch Young, Project Manager, updated the Board on the In-  
13 terconnect project. He reviewed the accomplishments for August including  
14 the continuation of tunneling of the North Eastlake Tunnel, the completion of  
15 the tunneling of the South Aqueduct Tunnel and the installation of the 30"  
16 pipeline, closing of Pipeline C contract, completion of the final punch list on  
17 Vault C Contract, continuation of Pipeline D construction in Alta Road, con-  
18 crete encasement of Pipeline G Vernal Pool area and the issuance of Bid  
19 Package A/B, E and F appurtenances contracts. He reviewed the action  
20 items for September and reported that the contract change orders are 1%  
21 of the contract amount. He then reviewed the estimated cash flow chart.  
22

23  
24 Mr. Glen Vita of Montgomery Watson updated the Board on the EBE  
25 outreach program for the Interconnect project. He stated that August's ac-  
26 complishments included the issuance of the Bid Package A/B appurte-  
27 nance contract to the J & M Construction Company, the issuance of the Bid  
28 Package E appurtenances contract to the Interlog Construction Group and  
29

1 the issuance of the Bid Package F appurtenance contract to L. E. Little  
2 Construction. In September the Bid Package A/B, E and F appurtenance  
3 contract will commence.  
4

5 12. General Manager Cardenas reported that he met with General Man-  
6 agers Dick Reynolds, Don Kuhl and Augie Caires. He stated he was encouraged  
7 because Sweetwater Authority's General Manager Reynolds stated he would like  
8 to sit down and talk about some issues. Consolidation/partnership programs were  
9 also discussed.  
10

11 He stated the Economic Study Group has made an offer to make presenta-  
12 tions to any District who would like one. He stated if the Board would like to hear  
13 the presentation, he would arrange to have that done as soon as possible. The  
14 Board agreed they would like to have the presentation.  
15

16 13. Director Watton reported that the Economic Study Group has been  
17 quiet at CWA but things will probably get more exciting when the rate study comes  
18 out. He also reported on his attendance at the last Metropolitan Water District  
19 meeting.  
20

21 14. Director Inocentes reported on his attendance at the 30 MG Reser-  
22 voir tour, the outreach forum, and the Little Hoover Commission in Sacramento.  
23

24 Director Price reported that she also attended the 30 MG Reservoir tour,  
25 the outreach forum and the Little Hoover Commission. She reported she is  
26 pleased to see that the new general manager is well known and respected wher-  
27 ever he goes. She also attended the ACWA Legislative Committee meeting  
28 where there was discussion regarding SB 1132 dealing with the ability to charge  
29 schools capital facility fees. There was also discussion on the Fair Competition

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and Taxpayer Savings Act which would allow public agencies to use private architects and engineering firms. She stated this will be on the ballot and ACWA is neutral on this now.

15. The Board went into closed session at 2:50 p.m. to discuss labor negotiations and Item 8e that was moved to closed session. The meeting was reconvened in open session at 4:00 p.m.

20. 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