

OTAY WATER DISTRICT

BOARD OF DIRECTORS MEETING
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CALIFORNIA

WEDNESDAY
November 4, 2015
3:30 P.M.

AGENDA

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. APPROVE THE MINUTES OF THE BOARD MEETING OF AUGUST 13, 2015
5. 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

CONSENT CALENDAR

6. 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 A CONSTRUCTION CONTRACT WITH MONTGOMERY CONSTRUCTION SERVICES, INC. FOR THE OPERATIONS YARD PROPERTY ACQUISITION IMPROVEMENT PROJECT IN AN AMOUNT NOT-TO-EXCEED \$449,611.05
 - b) ADOPT THE MITIGATED NEGATIVE DECLARATION FOR THE CAMPO ROAD SEWER REPLACEMENT PROJECT
 - c) AUTHORIZE THE GENERAL MANAGER AND DISTRICT STAFF TO EXPLORE, NEGOTIATE AND ENTER INTO A LETTER OF INTENT OR MEMORANDUM OF UNDERSTANDING (LOI/MOU) BETWEEN THE DISTRICT AND CADIZ, INC. FOR THE PURCHASE OF 5,000 ACRE-

FEET PER YEAR (AFY) OF RAW WATER AND TO APPROVE THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NOTICE OF EXEMPTION FOR THE POTENTIAL WATER PURCHASE.

- d) APPROVE AN AGREEMENT WITH THE LAW FIRM OF STUTZ, ARTIANO, SHINOFF AND HOLTZ, A PROFESSIONAL CORPORATION, FOR A TERM OF TWO (2) YEARS THROUGH DECEMBER 31, 2017, TO PROVIDE GENERAL COUNSEL SERVICES
- e) APPROVE A FINE OF \$22,000 TO SHARP CHULA VISTA FOR MULTIPLE VIOLATIONS OF THE DISTRICT'S CODE OF ORDINANCES

ACTION ITEMS

7. FINANCE, ADMINISTRATION AND INFORMATION TECHNOLOGY

- a) APPROVE THE DISTRICT'S AUDITED FINANCIAL STATEMENTS INCLUDING THE INDEPENDENT AUDITOR'S UNQUALIFIED OPINION FOR FISCAL YEAR ENDED JUNE 30, 2015 (DYCHITAN)

8. WATER OPERATIONS AND ENGINEERING

- a) APPROVE AMENDMENT NO. 4 TO THE EXISTING CONTRACT WITH AECOM TECHNICAL SERVICES, INC. (AECOM) FOR THE DESIGN OF THE OTAY MESA DESALINATION CONVEYANCE AND DISINFECTION SYSTEM PROJECT; INCREASING THE CONTRACT BY \$22,425, RESULTING IN A HIGHER CONTRACT AMOUNT NOT-TO-EXCEED \$3,800,863 (COBURN-BOYD)
- b) APPROVE TWO (2) AGREEMENTS FOR METERED EMERGENCY INTERCONNECTIONS BETWEEN OTAY AND THE HELIX WATER DISTRICT AT BLOSSOM LANE AND IVY STREET (BEPPLER)

9. BOARD

- a) DISCUSSION OF THE 2015 BOARD MEETING CALENDAR

INFORMATIONAL ITEM

- 10. THE FOLLOWING ITEM IS PROVIDED TO THE BOARD FOR INFORMATIONAL PURPOSES ONLY. NO ACTION IS REQUIRED ON THE FOLLOWING AGENDA ITEM:
 - a) RECEIVE THE FINDINGS OF THE 2015 CUSTOMER AWARENESS AND OPINION SURVEY (BUELNA)

REPORTS

11. GENERAL MANAGER'S REPORT
 - a) SAN DIEGO COUNTY WATER AUTHORITY UPDATE
12. DIRECTORS' REPORTS/REQUESTS
13. PRESIDENT'S REPORT/REQUESTS

RECESS TO CLOSED SESSION

14. CLOSED SESSION
 - a) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

1 CASE
 - b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION [GOVERNMENT CODE §54957.6

TITLE: GENERAL MANAGER

RETURN TO OPEN SESSION

15. REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION. THE BOARD MAY ALSO TAKE ACTION ON ANY ITEMS POSTED IN CLOSED SESSION
16. CONSIDER AND APPROVE AMENDMENTS TO GENERAL MANAGER'S CONTRACT INCLUDING COMPENSATION
17. 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.

The Agenda, and any attachments containing written information, are available at the District's website at www.otaywater.gov. Written changes to any items to be considered at the open meeting, or to any attachments, will be posted on the District's website. Copies of the Agenda and all attachments are also available through the District Secretary by contacting her at (619) 670-2280.

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 (619) 670-2280 at least 24 hours prior to the meeting.

Certification of Posting

I certify that on October 30, 2015, 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 72 hours in advance of the regular meeting of the Board of Directors (Government Code Section §54954.2).

Executed at Spring Valley, California on October 30, 2015.

_____/s/ Susan Cruz, District Secretary