

OTAY WATER DISTRICT

BOARD OF DIRECTORS MEETING  
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD  
SPRING VALLEY, CALIFORNIA

**THURSDAY**

**November 13, 2008**

**3:30 P.M.**

**AGENDA**

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. 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
5. APPROVAL OF THE MINUTES OF THE REGULAR MEETINGS OF JUNE 10 AND AUGUST 6, 2008

**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 AMENDMENTS TO TWO (2) SEPARATE UTILITY AGREEMENTS (NOs. 31759 AND 31921) WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
  - b) APPROVE CHANGE ORDER NO. 1 TO THE EXISTING CONTRACT WITH ARB, INC. FOR THE CONSTRUCTION OF THE 20-INCH LANE AVENUE CONVERSION PROJECT IN AN AMOUNT NOT-TO-EXCEED \$78,938
  - c) APPROVE AN INCREASE TO THE FISCAL YEAR 2009 BUDGET OF \$80,000 FOR THE RALPH W. CHAPMAN WASTEWATER RECYCLING FACILITY – REVERSE OSMOSIS BUILDING AND METER SHOP RE-MODEL PROJECT REVISING THE PROJECT BUDGET FROM \$495,000 TO \$575,000

- d) ADOPT RESOLUTION NO. 4131 OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT APPROVING THE ANNEXATION TO OTAY WATER DISTRICT IMPROVEMENT DISTRICT NO. 18 OF THOSE LANDS DESCRIBED AS "ROBINSON SEWER ANNEXATION" [FILE NO. 0210-20.306]
- e) APPROVE AND RATIFY THE DISTRICT'S PARTICIPATION IN THE STATE OF CALIFORNIA PURCHASE CARD PROGRAM MASTER SERVICE AGREEMENT (MSA); RATIFY THE GENERAL MANAGER'S APPROVAL OF ADDENDUM TWO (2) TO MSA 5-06-99-01 ADDING THE OTAY WATER DISTRICT AS A PARTICIPATING AGENCY; AND, AUTHORIZE THE GENERAL MANAGER TO EXECUTE FUTURE AGREEMENTS AND OTHER REQUIRED DOCUMENTATION, INCLUDING ADDENDUMS TO MSA 5-06-99-01, AS REQUIRED TO CONTINUE THE DISTRICT'S PARTICIPATION IN THE STATE OF CALIFORNIA PURCHASE CARD PROGRAM
- f) AUTHORIZE NEGOTIATIONS WITH RANCHO SAN DIEGO INDUSTRIAL CENTER, LLC FOR THE PURCHASE OF VACANT LAND IDENTIFIED AS APN NO. 505-230-52-00 AND APPROVE AN AMENDMENT TO THE FISCAL YEAR 2009 CIP BUDGET TO ADD \$600,000 TO FUND CIP P2479, OPERATIONS YARD PROPERTY ACQUISITION, TO PROVIDE FUNDING FOR THE PURCHASE AND IMPROVEMENT OF THE SUBJECT PROPERTY

ACTION ITEMS

7. ENGINEERING AND WATER OPERATIONS

- a) APPROVE THE WATER SUPPLY ASSESSMENT REPORT DATED OCTOBER 2008 FOR THE PARAGON MANAGEMENT COMPANY OTAY BUSINESS PARK DEVELOPMENT PROPOSAL AS REQUIRED BY SENATE BILL 610 (PEASLEY)

8. ADMINISTRATIVE SERVICES, FINANCE AND INFORMATION TECHNOLOGY

- a) ACCEPT THE DISTRICT'S AUDITED FINANCIAL STATEMENTS, INCLUDING THE INDEPENDENT AUDITORS' UNQUALIFIED OPINION, FOR THE FISCAL YEAR ENDING JUNE 30, 2008 (CUDLIP)
- b) PROHIBIT THE PURCHASE OF BOTTLED WATER WITH DISTRICT RESOURCES

9. BOARD

- a) DISCUSSION OF 2008 AND 2009 BOARD MEETING CALENDARS

## INFORMATIONAL ITEMS

10. THESE ITEMS ARE PROVIDED TO THE BOARD FOR INFORMATIONAL PURPOSES ONLY. NO ACTION IS REQUIRED ON THE FOLLOWING AGENDA ITEMS.
  - a) INFORMATIONAL REPORT ON THE REQUEST FROM SYCUAN BAND OF THE KUMEYAAAY NATION FOR ANNEXATION TO THE OTAY WATER DISTRICT, SAN DIEGO COUNTY WATER AUTHORITY, METROPOLITAN WATER DISTRICT, AND LOCAL AGENCY FORMATION COMMISSION FOR WATER (SPECIFIED PARCELS ONLY) AND SEWER (CHARLES)

## REPORTS

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

## RECESS TO CLOSED SESSION

14. CLOSED SESSION
  - a) CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION [GOVERNMENT CODE §54956.9(a)]
    - (I) INFRASTRUCTURE ENGINEERING CORP. v. OTAY WATER DISTRICT, COUNTY OF SAN DIEGO, SUPERIOR COURT, CASE NO. 37-2008-00093876-CU-BC-CTL
    - (II) CITY OF BANNING v. JAMES JONES CO., COUNTY OF LOS ANGELES, SUPERIOR COURT, CASE NO. BC 321513
  - b) CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION [GOVERNMENT CODE §54956.9(b)]
    - 1 CASE

## 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. 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.

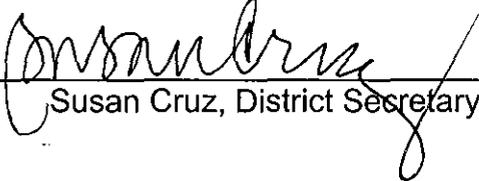
The Agenda, and any attachments containing written information, are available at the District's website at [www.otaywater.gov](http://www.otaywater.gov). Written changes to any items to be considered at the open meeting, or to any attachments, will be posted on the District's website. Copies of the Agenda 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 November 7, 2008, 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 November 7, 2008.

  
\_\_\_\_\_  
Susan Cruz, District Secretary