

OTAY WATER DISTRICT
BOARD OF DIRECTORS MEETING
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CALIFORNIA

MONDAY
December 15, 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 SPECIAL MEETING OF SEPTEMBER 18, 2008
6. CUSTOMER GAN'S APPEAL
7. PUBLIC HEARING ON RATE INCREASES

THE BOARD WILL BE HOLDING A PUBLIC HEARING TO CONSIDER THE PROPOSED RATE INCREASES TO BE IMPLEMENTED IN CALENDAR YEAR 2009. THE BOARD INVITES THE PUBLIC TO PROVIDE COMMENTS ON THESE PROPOSED INCREASES

- a) APPROVE THE IMPLEMENTATION OF RATE CHANGES AS PROPOSED FOR THE FISCAL YEAR 2008-2009 OPERATING AND CAPITAL BUDGET; AND ADOPT ORDINANCE NO. 518 REPLACING SECTION 25, RATES AND CONDITIONS FOR WATER SERVICE; AND AMENDING SECTION 53, FEES, RATES, CHARGES AND CONDITIONS FOR SEWER SERVICE OF THE DISTRICT'S CODE OF ORDINANCES (BEACHEM)

CONSENT CALENDAR

8. 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) AWARD A MAINTENANCE CONTRACT TO LAYFIELD ENVIRONMENTAL SYSTEMS CORPORATION FOR THE MAINTENANCE OF THE FLOATING COVERS ON FOUR POTABLE AND TWO RECYCLED RESERVOIRS IN AN AMOUNT NOT-TO-EXCEED \$119,138 FOR ONE-YEAR AND FOUR ONE-YEAR RENEWAL OPTIONS AT THE DISTRICT'S DISCRETION
 - b) AWARD A CONSTRUCTION CONTRACT TO NATGUN CORPORATION IN THE AMOUNT OF \$2,373,220 FOR THE 1296-3 RESERVOIR – 2.0 MG PROJECT
 - c) APPROVE CHANGE ORDER NO. 5 TO THE EXISTING CONTRACT WITH PACIFIC HYDROTECH CORPORATION FOR THE CONSTRUCTION OF THE 640-1 AND 640-2 RESERVOIRS PROJECT IN THE AMOUNT OF <\$432,652.84>
 - d) UPDATE REPORT ON DIRECTORS' EXPENSES FOR THE 1ST QUARTER OF FISCAL YEAR 2009

ACTION ITEMS

9. PRESENTATION OF MUNICIPAL INFORMATION SYSTEMS ASSOCIATION OF CALIFORNIA'S AWARD FOR EXCELLENCE IN INFORMATION TECHNOLOGY PRACTICES (JENKINS)
10. BOARD
 - a) DISCUSSION OF THE 2009 BOARD MEETING CALENDAR

INFORMATIONAL ITEMS

11. 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 2007 AND 2008 ANNUAL WATER CONSERVATION BEST MANAGEMENT PRACTICE REPORT (GRANGER)
 - b) INFORMATIONAL REPORT ON THE PROPOSED REVISIONS TO THE CALIFORNIA URBAN WATER CONSERVATION COUNCIL'S MEMORANDUM OF UNDERSTANDING REGARDING URBAN WATER CONSERVATION IN CALIFORNIA (GRANGER)

REPORTS

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

RECESS TO CLOSED SESSION

- 15. CLOSED SESSION
 - a) CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION [GOVERNMENT CODE §54956.9(a)]
 - (I) MULTIPLE CASES RELATED TO THE FENTON BUSINESS CENTER AND FILED WITH THE SUPERIOR COURT OF THE COUNTY OF SAN DIEGO CONSOLIDATED UNDER CASE NO. 37-2007-00077024-CU-BC-SC
 - (II) AMERICAN PROTECTION INSURANCE V. OTAY WATER DISTRICT, DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, #08-CV-0662-JM-POR
 - b) CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION [GOVERNMENT CODE §54956.9(b)]

3 CASES

RETURN TO OPEN SESSION

- 16. REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION. THE BOARD MAY ALSO TAKE ACTION ON ANY ITEMS POSTED IN CLOSED SESSION
- 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.

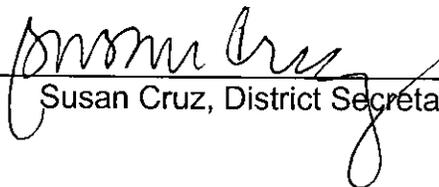
The Agenda, and any attachments containing written information, are available at the District's website at www.otaywater.gov. Written changes to any items to be considered at the open meeting, or to any attachments, will be posted on the District's website. Copies of the Agenda and all attachments are 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 December 11, 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 December 11, 2008.



Susan Cruz, District Secretary