

OTAY WATER DISTRICT

BOARD OF DIRECTORS MEETING
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CALIFORNIA

WEDNESDAY

July 1, 2009

3:30 P.M.

AGENDA

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 4, 2009
5. ACKNOWLEDGEMENT OF OTAY WATER DISTRICT STAFF FOR THEIR VOLUNTEER WORK (MAGANA)
6. 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

7. 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 THE PURCHASE OF A 400 KILOWATT GENERATOR FROM SLOAN ELECTRIC TO PROVIDE FULL EMERGENCY BACK-UP POWER TO THE DISTRICT HEADQUARTERS BUILDING FOR AN AMOUNT NOT-TO-EXCEED \$65,941
 - b) ADOPT RESOLUTION NO. 4139, IDENTIFYING THE GENERAL MANAGER AS THE OFFICIAL AUTHORIZED TO COMMIT THE DISTRICT TO FINANCIAL AND LEGAL OBLIGATIONS ASSOCIATED WITH THE POTENTIAL RECEIPT OF FINANCIAL ASSISTANCE GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION, FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 WATER MARKETING AND EFFICIENCY GRANTS PROGRAM (CHALLENGE GRANT PROGRAM)

- c) APPROVE THE FINAL SEWER SYSTEM MANGEMENT PLAN (SSMP) TO MEET THE REQUIREMENTS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER NO. 2006-0003
- d) APPROVE AN AGREEMENT FOR JANITORIAL SERVICES FOR THE DISTRICT'S ADMINISTRATIVE AND OPERATIONS FACILITIES WITH PROFESSIONAL MAINTENANCE SYSTEMS FOR AN AMOUNT NOT-TO-EXCEED \$32,100.84; AND, WITH AN OPTION FOR FOUR ANNUAL RENEWALS TO BE APPROVED AT THE GENERAL MANAGER'S DISCRETION
- e) REAFFIRM THAT THE PROPERTY, LISTED AS PARCEL NO. 7 ON THE STAFF REPORT PRESENTED TO THE BOARD ON JULY 2, 2003 AND DECLARED SURPLUS, INCLUDES BOTH APN 640-070-34 AND APN 640-142-08 AND IS SURPLUS TO THE DISTRICT'S NEEDS
- f) ADOPT RESOLUTION NO. 4140 APPROVING THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT'S PROPOSED FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES ASSESSMENT AND AUTHORIZING THE GENERAL MANAGER TO VOTE "YES" AND SIGN THE OFFICIAL ASSESSMENT BALLOTS (FOUR BALLOTS) ON BEHALF OF THE DISTRICT
- g) ADOPT RESOLUTION NO. 4138 TO ESTABLISH THE TAX RATE FOR IMPROVEMENT DISTRICT NO. 27 AT \$0.005 FOR FISCAL YEAR 2009-2010
- h) ADOPT RESOLUTION NO. 4142 TO CONTINUE WATER AND SEWER AVAILABILITY CHARGES TO BE COLLECTED THROUGH CUSTOMER PROPERTY TAXES FOR FISCAL YEAR 2009-2010
- i) ADOPT RESOLUTION NO. 4137 ALLOWING FOR THE REIMBURSEMENT OF CERTAIN EXPENDITURES FROM THE PROCEEDS OF THE DISTRICT'S DEBT OBLIGATIONS WHICH IS ANTICIPATED TO BE ISSUED DURING 2010
- j) AUTHORIZE THE GENERAL MANAGER TO NEGOTIATE A CONTRACT NOT-TO-EXCEED \$81,000 WITH HARRELL & COMPANY ADVISORS, LLC TO SERVE AS THE FINANCIAL ADVISOR FOR A DEBT ISSUANCE OF APPROXIMATELY \$41 MILLION IN CERTIFICATES OF PARTICIPATION (COPS), AND THE POTENTIAL REFINANCING OF THE ID 27 GENERAL OBLIGATION BONDS OF APPROXIMATELY \$9 MILLION
- k) REJECT JOEL O. ANINIPOK CLAIM

ACTION ITEMS

8. BOARD

- a) DISCUSSION OF 2009 BOARD MEETING CALENDAR

- b) ADOPT RESOLUTION NO. 4143 TO AMEND POLICY NO. 8, DIRECTORS COMPENSATION, REIMBURSEMENT OF EXPENSES AND GROUP INSURANCE BENEFITS, AND POLICY NO. 34, STAFF TRAVEL AND BUSINESS RELATED EXPENSES POLICY

INFORMATIONAL ITEMS

- 9. THESE ITEMS ARE PROVIDED TO THE BOARD FOR INFORMATIONAL PURPOSES ONLY. NO ACTION IS REQUIRED ON THE FOLLOWING AGENDA ITEMS.
 - a) CAPITAL IMPROVEMENT PROGRAM UPDATE REPORT FOR THE THIRD QUARTER OF FISCAL YEAR 2009 (RIPPERGER)
 - b) OVERVIEW OF THE SAN DIEGO COUNTY WATER AUTHORITY WATER SMART TARGET PROGRAM (GRANGER)

REPORTS

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

RECESS TO CLOSED SESSION

- 13. 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) CITY OF BANNING v. JAMES JONES CO., COUNTY OF LOS ANGELES, SUPERIOR COURT, CASE NO. BC 321513

RETURN TO OPEN SESSION

- 14. REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION. THE BOARD MAY ALSO TAKE ACTION ON ANY ITEMS POSTED IN CLOSED SESSION
- 15. 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.

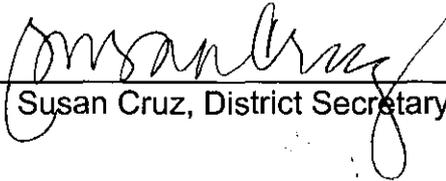
The Agenda, and any attachments containing written information, are available at the District's website at www.otaywater.gov. Written changes to any items to be considered at the open meeting, or to any attachments, will be posted on the District's website. Copies of the Agenda and all attachments are 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 June 26, 2009, 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 June 26, 2009.



Susan Cruz, District Secretary