AGENDA FOR A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE VALLECITOS WATER DISTRICT
WEDNESDAY, AUGUST 3, 2011 AT 4:00 P.M.
AT THE DISTRICT OFFICE
201 VALLECITOS DE ORO, SAN MARCOS, CALIFORNIA

CALL TO ORDER – PRESIDENT POLTL
PLEDGE OF ALLEGIANCE – DIRECTOR HERNANDEZ
ROLL CALL

In the case of an emergency, items may be added to the Agenda by a majority vote of the Board of Directors. An emergency is defined as a work stoppage; a crippling disaster; or other activity which severely imperils public health, safety, or both. Also, items which arise after the posting of the Agenda may be added by a two-thirds vote of the Board of Directors.

ADOPT AGENDA FOR THE REGULAR MEETING OF AUGUST 3, 2011

PRESENTATION

Presentation of certificates to GiGi Downey, Tim King, and Alondra Guereca, the top three entrants in the Poster Contest selected to represent Vallecitos Water District in the North County Water Agency 2012 calendar.

ORAL COMMUNICATIONS

Persons wishing to address a matter not on the Agenda may be heard at this time; however, no action will be taken until the matter is placed on a future agenda in accordance with Board policy.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar will be voted upon by one motion. There will be no separate discussion of these items, unless a Board member or member of the public requests that a particular item(s) be removed from the Consent Calendar, in which case it will be considered separately under Action Items.

CONSENT CALENDAR

1.1 APPROVAL OF MINUTES

A. REGULAR BOARD MEETING – JULY 20, 2011

Approved minutes become a permanent public record of the District.

Recommendation: Approve Minutes
1.2 WARRANT LIST THROUGH AUGUST 3, 2011 - $2,747,814.68

Recommendation: Approve Warrant List

1.3 FINANCIAL REPORT

A. INVESTMENT REPORT – JUNE 2011

*****END OF CONSENT CALENDAR*****

PUBLIC HEARING

2.1 PUBLIC HEARING TO ADOPT A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLECITOS WATER DISTRICT ADOPTING ITS 2008 WATER, WASTEWATER AND RECYCLED WATER MASTER PLAN AND CERTIFICATION OF THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

The District’s 2002 Water, Wastewater, and Water Reclamation Master Plan is becoming dated as project priorities shift and land use agencies approve new zoning changes in the District’s boundaries, therefore a new Plan is needed.

RECOMMENDATION: 1) Hold Public Hearing
2) Adopt Resolution

ACTION ITEMS

3.1 RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLECITOS WATER DISTRICT EXPRESSING APPRECIATION FOR THE SERVICES OF CHERYL BRANDSTROM

Cheryl Brandstrom has retired after serving 26 years with the Vallecitos Water District.

Recommendation: Adopt Resolution

3.2 PROJECT ACCEPTANCE FOR CENTER DRIVE SEWER REPLACEMENT

All work by the contractor has been completed. A budget increase of $32,828 is requested for the total project.

Recommendation: 1) Approve budget increase of $32,828
2) Accept the project
3) Approve filing of Notice of Completion and release of all retention funds to the contractor within the 30-day notice period, provided no claims are filed.
3.3 MEADOWLARK TANK NO. 2 REFURBISHMENT APPROVAL OF SCOPE AND FEE FOR DESIGN AND INSPECTION

This project will provide new coatings and update the tank to current OSHA standards.

Recommendation: Approve the scope and fee submitted by Harper and Associates

*****END OF ACTION ITEMS*****

REPORTS

4.1 GENERAL MANAGER

4.2 DISTRICT LEGAL COUNSEL

4.3 SAN DIEGO COUNTY WATER AUTHORITY

4.4 ENCINA WASTEWATER AUTHORITY

4.5 ACWA/REGION 10

4.6 LAFCO

4.7 DIRECTORS REPORTS ON TRAVEL/CONFERENCES/SEMINARS ATTENDED

*****END OF REPORTS*****

OTHER BUSINESS

*****END OF OTHER BUSINESS*****

CLOSED SESSION

5.1 CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (ONE CASE)
Crosser v. Vallecitos Water District
San Bernardino Superior Court  Case No. CIVSS 707286

*****END OF CLOSED SESSION*****
6.1 ADJOURNMENT

*****END OF AGENDA*****

If you have any disability which would require accommodation in order to enable you to participate in this meeting, please call the Executive Secretary at 760.744.0460 ext. 264 at least 48 hours prior to the meeting.

AFFIDAVIT OF POSTING

I, Diane Posvar, Executive Secretary of the Vallecitos Water District, hereby certify that I caused the posting of this Agenda in the outside display case at the District office, 201 Vallecitos de Oro, San Marcos, California by 3:00 p.m., Friday, July 29, 2011.

Diane Posvar
MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE VALLECITOS WATER DISTRICT
WEDNESDAY, AUGUST 3, 2011, AT 4:00 PM AT THE DISTRICT OFFICE,
201 VALLECITOS DE ORO, SAN MARCOS, CALIFORNIA

President Politi called the Regular meeting to order at the hour of 4:00 p.m.

Director Hernandez led the pledge of allegiance.

Present: Director Ferguson
Director Gentry
Director Hernandez
Director Shell
Director Politi

Staff Present: General Manager Lamb
Legal Counsel Scott
Finance Manager Scaglione
Administrative Services Manager Caudle
District Engineer Gerdes
Operations & Maintenance Manager Arrant
Principal Engineer Gumpel
Capital Facilities Engineer Scholl
Public Information & Conservation Supervisor Urabe
Public Information Specialist Webb
Public Information Specialist Yerman
Executive Secretary Posvar

ADOPT AGENDA FOR THE REGULAR MEETING OF AUGUST 3, 2011

11-08-01 MOTION WAS MADE by Director Hernandez, seconded by Director Gentry, and carried unanimously, to adopt the agenda for the Regular Board Meeting of August 3, 2011.

PRESENTATION

President Politi presented certificates to GiGi Downey, Tim King, and Alondra Guereca, the top three entrants in the Poster Contest to represent Vallecitos Water District in the North County Water Agency 2012 calendar.

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

11-08-02 MOTION WAS MADE by Director Shell, seconded by Director Gentry, and carried unanimously, to approve the Consent Calendar as presented.
1.1 Approval of Minutes
   A. Regular Board Meeting – July 20, 2011

1.2 Warrant List through August 3, 2011 - $2,747,814.68

1.3 Financial Report

PUBLIC HEARING

PUBLIC HEARING TO ADOPT A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLECITOS WATER DISTRICT ADOPTING ITS 2008 WATER, WASTEWATER AND RECYCLED WATER MASTER PLAN AND CERTIFICATION OF THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

President Poltl opened the hearing as duly noted and posted. The hearing was opened at 4:04 pm.

General Manager Lamb provided a brief history on the Master Plan process and provided the following information regarding public meetings in the PEIR process as well as letters that had been received from various agencies and interested parties on the Draft PEIR.

General Manager Lamb reviewed the history of approvals and public meetings in the PEIR process as follows:

- PEIR Notice of Preparation public comment period commenced on July 26, 2010 and concluded on September 10, 2010. A total of 12 comment letters were received during this review period. A public scoping meeting was also held during this period on August 4, 2010, with 5 people from outside agencies or interested parties attending.
- Draft PEIR 45-day public review period commenced on May 10, 2011 and concluded on June 28, 2011. A total of 7 comment letters were received during the public review period and 2 comment letters were received following the conclusion of the comment review period. A public hearing was also held on June 7, 2011, but no outside agencies or interested parties attended.

The first 7 letters were received prior to the June 28, 2011 conclusion date of the public review period:

- The California State Water Resources Control Board submitted information on the environmental review requirements for projects requesting State Revolving Fund financing in the future.
The Native American Heritage Commission requested that the District consult with Native American tribes early in the CIP project planning stages in order to avoid unanticipated discoveries of cultural resources or burial sites.

The State Clearinghouse and Planning Unit submitted a Document Details Report at the conclusion of the 45-day review period that included a copy of the comment letter from the Native American Heritage Commission.

The County of San Diego Department of Public Works requested that the District provide environmental documents to the County for future CIP projects when they become available. The County also stated that the PEIR should evaluate the impacts for CIP projects that lie within the FEMA-designated floodplain.

The San Diego Local Agency Formation Commission requested that the PEIR discuss both the existing and proposed land use designations within the District’s service area. The Commission also requested that the PEIR discuss areas in other agencies’ jurisdictions where the District may provide service, and discuss the availability and capacity of the services.

The City of Carlsbad requested clarification on some inconsistencies in the PEIR and the 2008 Master Plan. Carlsbad also had concerns regarding the disposal of excess and unused recycled water produced at the Meadowlark Water Recycling Facility, odor issues related to the parallel land outfall, and alternatives for the parallel land outfall’s location.

The California Department of Fish and Game requested minor revisions to the wording in one of the biological mitigation measures to extend the construction activity avoidance buffer from active bird nests from 25 feet to 300 feet.

On June 30, 2011, the State Clearinghouse and Planning Unit submitted a second letter to the District stating that they had received a copy of the comment letter from the California Department of Fish and Game after the review period and attached it for the District’s reference.

On Jun 30, 2011, the Twin Oaks Valley Community Sponsor group submitted an unsigned, draft letter. The District responded acknowledging receipt of the document and also acknowledged that the letter was unsigned and identified as a draft letter.

On July 30, 2011, the Twin Oaks Valley Community Sponsor Group submitted an e-mail containing an unsigned letter stating their concerns. They believe that the land use assumed in the Master Plan and Draft PEIR is inconsistent with the County’s General Plan Update in that it assumes a significant loss of agricultural use. They also believe that the Master Plan is including CIPs to accommodate the proposed Merriam Mountain development. None of the items identified in their letter are included in the Master Plan and is clarified in Section 2.2.2 of the Master Plan.

General Manager Lamb reviewed the PEIR Findings with the Board and that they are certifying the Final PEIR based on their independent review and analysis of the Final PEIR. The Findings indicate that the projects, along with the proposed mitigation, will have no significant impact on the environment.
General Manager Lamb indicated that staff was recommending the Board take the following action:

1) Certify the Final PEIR and the VWD 2008 Master Plan;
2) Adopt the Findings set forth in the document entitled “California Environmental Quality Act Findings in connection with the approval of the Vallecitos Water District 2008 Water, Wastewater and Recycled Water Master Plan; 
3) Approve the VWD 2008 Master Plan Final PEIR Mitigation Monitoring and Reporting Program; and,
4) Approve the VWD 2008 Master Plan and require implementation of the Mitigation Measures and Mitigation Monitoring and Reporting Program included in the Final PEIR. General Manager Lamb stated that the proposed Resolution includes these two documents as Exhibit A and Exhibit B and recommended Board approval following the closing of the Hearing.

There being no persons wishing to address the Board, President Poltl closed the hearing at 4:15 pm.

11-08-03  MOTION WAS MADE by Director Ferguson, seconded by Director Hernandez, and carried unanimously, to adopt Resolution No. 1384 that: 1) certifies the Final PEIR for the VWD 2008 Master Plan; 2) adopts the Findings set forth in the document entitled "California Environmental Quality Act Findings in connection with the approval of the Vallecitos Water District 2008 Water, Wastewater and Recycled Water Master Plan"; 3) approves the VWD 2008 Master Plan Final PEIR Mitigation Monitoring and Reporting Program; 4) approves the VWD 2008 Master Plan and requires implementation of the Mitigation Measures and Mitigation Monitoring and Reporting Program included in the Final PEIR.

Resolution No. 1384 - The roll call vote was as follows:

AYES: Ferguson, Gentry, Hernandez, Shell, Poltl
NOES:
ABSENT:
ABSTAIN:

ACTION ITEMS

RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLECITOS WATER DISTRICT EXPRESSING APPRECIATION FOR THE SERVICES OF CHERYL BRANDSTROM

Director Ferguson read the Resolution into the record expressing appreciation for Cheryl’s 26 years of service with the District and presented Cheryl Brandstrom with the Resolution.
Minutes of the Vallecitos Water District Regular Meeting
August 3, 2011

11-08-04  MOTION WAS MADE by Director Ferguson, seconded by Director Gentry, and carried unanimously, to approve the Resolution.

Resolution No. 1385 - The roll call vote was as follows:

AYES:   Ferguson, Gentry, Hernandez, Shell, Poltl
NOES:   
ABSENT:  
ABSTAIN:

PROJECT ACCEPTANCE FOR CENTER DRIVE SEWER REPLACEMENT

General Manager Lamb stated that the Board approved a Change Order in the amount of $19,817.64 at the July 20, 2011, Board meeting. The project has been completed along with the punch list items.

Staff recommended the Board approve and accept the project.

11-08-05  MOTION WAS MADE by Director Ferguson, seconded by Director Gentry, and carried unanimously, to 1) approve the budget increase of $32,828; 2) accept the project; and, 3) approve filing of the Notice of Completion and release of all retention funds to the contractor within the 30-day notice period, provided no claims are filed.

MEADOWLARK TANK NO. 2 REFURBISHMENT APPROVAL OF SCOPE AND FEE FOR DESIGN AND INSPECTION

General Manager Lamb stated that as an ongoing maintenance program of the District’s reservoirs, an annual Drinking Water Report is filed with the County of San Diego Department of Public Health. Tanks are identified in the report that need to be refurbished. Meadowlark Tank No. 2 was recently dive inspected and also included an inspection of the tank’s exterior. The results of the inspection showed that the interior and exterior coatings are in poor condition and in need of replacement. The project will provide new coatings and update the tank to current OSHA standards.

Staff requested a scope and fee for design and inspection services from Harper and Associates Engineering under their existing as-needed contract with the District. Harper and Associates submitted a scope and fee proposal dated July 26, 2011, for a not-to-exceed amount of $35,590. Staff reviewed and concurs with the scope and fee.

Staff recommended approval of the scope and fee submitted by Harper and Associates.

11-08-06  MOTION WAS MADE by Director Hernandez, seconded by Director Gentry, and carried unanimously, to approve the scope and fee submitted by Harper and Associates.
REPORTS

GENERAL MANAGER

None.

DISTRICT COUNSEL

Legal Counsel Scott reported that the SSC case has been moved out of court and will go into mediation in mid-September.

SAN DIEGO COUNTY WATER AUTHORITY

Director Ferguson stated that a copy of the July 28 Summary of the Formal Board of Directors Meeting was provided to the Board and made specific note of Item 1 in the summary.

ENCINA WASTEWATER AUTHORITY

Director Gentry stated that he did not attend the EWA Board meeting last week due to his being in Washington D.C.

General Manager Lamb stated that he attended the Board meeting on behalf of Director’s Gentry and Poltl. He further stated that there was no significant action with the exception that the EWA Board approved the annual operating budget.

ACWA REGION 10

None.

LAFCO

None.

DIRECTORS REPORTS ON TRAVEL/CONFERENCES/SEMINARS ATTENDED

Director Gentry noted that a copy of his report on the Washington, D.C. trip was provided to each Board member and provided feedback on the meetings.

OTHER BUSINESS

None.
CLOSED SESSION

CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (ONE CASE)
Crosser v. Vallecitos Water District
San Bernardino Superior Court Case No. CIVSS 707286

The Closed Session was not needed and did not take place.

ADJOURNMENT

There being no further business to discuss, President Poltl adjourned the Regular Meeting of the Board of Directors at the hour of 4:41 p.m.

A Regular Meeting of the Vallecitos Water District Board of Directors has been scheduled for Wednesday, August 17, 2011, at 4:00 p.m. at the District office, 201 Vallecitos de Oro, San Marcos, California.

James W. Poltl, President
Board of Directors
Vallecitos Water District

ATTEST:

Dennis O. Lamb, Secretary
Board of Directors
Vallecitos Water District