CALL TO ORDER – PRESIDENT HERNANDEZ

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.

DISCUSSION/ACTION ITEMS

1. BOARD MINUTES PRACTICE AND POLICY (including but not limited to retention of tapes, specificity of contents, and availability on District website)

2. SUCCESSION PLAN

3. FIVE YEAR STAFFING PLAN FISCAL YEARS 2013/14 – 2017/18 PRESENTATION

4. 2013/13 BUDGET PROCESS AND PROGRESS PRESENTATION

*****END OF DISCUSSION/ACTION ITEMS*****

OTHER BUSINESS

5. DIRECTORS’ COMMENTS / FUTURE AGENDA ITEMS

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

CLOSED SESSION

6. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (ONE CASE)
Urban Villages v. Vallecitos Water District
San Diego Superior Court Case No. 37-2012-00102327

7. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 549567.6 CONFERENCE WITH LABOR NEGOTIATOR
Agency designated representative: General Manager
Employee Organization: Vallecitos Employee’s Association

*****END OF CLOSED SESSION*****
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 4:00 p.m., Thursday, April 4, 2013.

Diane Posvar
President Hernandez called the Committee meeting to order at the hour of 4:00 p.m.

Present:  
Director Evans  
Director Ferguson  
Director Martin  
Director Poltl  
Director Hernandez

Staff Present:  
General Manager Lamb  
Assistant General Manager Scaglione  
Legal Counsel Scott  
Director of Engineering and Operations Gerdes  
Administrative Services Manager Emmanuel  
Finance Manager Fusco  
Principal Engineer Gumpel  
Accounting Supervisor Owen  
Water Operations Supervisor Pedrazzi  
Executive Secretary Posvar

Others Present:  
Michael McDonald

ORAL COMMUNICATIONS

None.

DISCUSSION/ACTION ITEMS

BOARD MINUTES PRACTICE AND POLICY

General Manager Lamb stated that he distributed a copy of the memo that went to the Board in May 2008. At the last Board meeting there was a question on the retention policy with respect to the recordings. A copy of pages from Resolution No. 1304 was provided; the entire resolution was not provided as it is 34 pages which includes retention information for many other items. He referred the Board to the page that addressed retention of audio tapes. The policy that was adopted at that time followed Secretary of State guidelines that were established in California. That is where the criteria came from for the 30 day retention of District minutes.

Director Martin thanked the General Manager for the copy and asked about the Secretary of State.

Legal Counsel Scott stated that in the late 90’s, 2,000 era there was a lot of frustration with special districts and some of the other public agencies in California as to how long
do they keep all their records. There are all these records that accumulate over the decades and maybe what needs to be done is have more of an organized, more consistency with public agencies. He thinks CASA was one of them that spearheaded it. There were a number of organizations involved – he thought ACWA was involved. What they come up with was what made sense from a special district perspective for record retentions. There is a list that they can go through. Legislation was passed and he believed it was earlier than the 2008 time period. It took a couple of years to come up with a model code that is used, State Code. The Secretary of State came up with a model record retentions code and that is basically what was adopted back in 2008; that’s been consistent. With respect to the minutes, that’s something that went back a long, long time. There is legislation pending this year specifically on tapes that says they ought to be kept for a couple of years. There is a provision in the Brown Act that talks about having to keep tapes for 30 days after they are approved. The question came up last week – there was some concern that the tapes were going to be destroyed. This policy wouldn’t have allowed that destruction because they were never approved. Until the minutes are actually approved, then the tapes are destroyed. There are occasions when things were said that can be detrimental to them later on in litigation that can be used against them in a public meeting. That policy has sort of fallen off, particularly with computers now, because more and more agencies are putting their tapes up on the website. So anybody, anytime, can go to their website and listen to the meeting. It’s sort of access to the recordings. They can be archived so if they want to go back two or three years, they can do that.

Director Evans clarified that they just put them on their web and leave them indefinitely.

Legal Counsel Scott stated yes. What districts do is they put them up on a website and it might have the whole year there. And there might be another section for the year before. But they are easily accessible if they wanted to go up and listen to the tape of the meeting, the recording of that meeting, they can do that. The advantage of doing that is they don’t have to worry about preserving the tapes because after about ten years, there are a lot of tapes that accumulate of Board meetings and they're always saying what are we going to do with these tapes. They could be put in a closet and pretty soon the closet gets full.

Director Evans clarified they are just electronically filed now.

Legal Counsel Scott stated yes; now it is just like digital music. They can be put up there electronically so it doesn’t take up space that it once did.

President Hernandez asked if this is what is done presently; do they put the minutes on the web.

Legal Counsel Scott stated that they adopted this policy and haven’t don’t that, but it is before them now for discussion and possible action.
General Manager Lamb stated that the minutes are all posted, maintained on the website, but the digital recording is not.

Director Martin referred back to the last page and stated obviously the state came out and these were minimums not maximum.

Legal Counsel Scott stated of course not, it was suggested.

Director Martin stated it was suggested keep them at least 30 days.

Legal Counsel Scott stated after they are approved. Once they had the minutes then they said they could look at the actual written minutes or what their records are then.

Director Martin stated he thinks that’s a great idea and he thinks if they are reported as action items, Board took an action, Board didn’t take an action, Board talked about it, that’s fine and dandy. But once they get into sixteen page transcripts of what was said, that leaves open a lot of opportunity to accidental incorrectness being put down. He asked if that made sense. Once you had a sentence or something you could be accidentally, a comma’s not there, parenthesis not there, or something’s not there on the paper, which was his view of when he looked back and asked to wait until March 6. And as he went back to March 6, he’s repeating this, he brought this up at the last meeting, but Dennis wasn’t there for full benefit. When he went back and checked on a few of the things, he came in and listened to the tape. Number one, he was a little concerned because he couldn’t take a copy of the tape. Obviously there is no way for you to do that and he would like to see that corrected that there is a way for them to get a copy.

Legal Counsel Scott stated he wanted to address what he just said, he couldn’t take a tape. They like to protect the integrity of the tape; they don’t want something happening to the tape.

Director Martin stated he thought they should keep their copy.

Legal Counsel Scott stated that what’s been done in the past, if somebody made a public records request for a tape, which has happened, they have the tape, there are services in San Diego to go out and copy the tape for them. They’ve done this in various stages when somebody asks for it. If Director Martin wants it reproduced, they can make another copy. They just want to try to maintain the integrity of the original so it’s not out there floating around.

Director Martin stated he agreed, he’s just asking if copies can be available if they’re doing a verbatim or assumptive verbatim story, he wants to listen to the tape to make sure it’s exactly what was said and there wasn’t an accidental error or omission made, which can happen easily by somebody.
General Manager Lamb stated that one of the items that the Board last year when they did his review, one of the key items that he brought up that he thought needed to be updated was this policy to begin with. So this is in one of his tasks this year for him to complete by the end of the year was actually updating the records retention policy. From a timing standpoint, any feedback would be great because it's on the list for him this year. With respect to the minutes, historically what’s happened is whenever they’ve had a hearing, a long conversation with the Board, something that is not necessarily followed by a staff report, because what they will see a lot of the minutes will have a staff report and then say general conversation ensued. Normally, the bulk of whatever the topic was, was contained and discussed in the staff report. That's why they will see just general discussion followed, because the bulk of the issue is right there. Through the whole presentation that James did for two weeks, seemed like two weeks of presentations, they’ll see there might be some minor comments but what Diane does is just paraphrase all the presentation because there is a staff report that's in there that's included. Whenever they get into a topic that’s historically been a long discussion item, they've gone to the detail talked about. If it’s a public hearing with respect to raising fees or just a public hearing on an assessment district, they’ll see a lot more minutes put in there versus what they would normally see. It’s not an all or none issue, it’s just more of the item that’s being held for discussion.

Director Martin stated that there are on the tape other things that were said that are not written here.

General Manager Lamb stated yes, because they are not verbatim but they’re close.

Director Martin stated but it might have something to do with the record, he might want to have that on the record; he himself might want to have it on the record.

General Manager Lamb stated that part of what Lisa is doing on the new website, is that’s part of what’s being looked at. There is a component of the new website that new guidelines came out from CSDA, and it’s a certification that the District can get from this organization that is a transparency certification. Part of that is everything from all policies being posted on the web that pertain to the Board, minutes from the Board, he didn’t think it said recording but that could be added very easily namely because space for a recording now is simple. It used to eat up hard drive space like crazy. The only thing they would have to do is actually download a player onto their computer, sort of like Adobe Acrobat. Putting them on the web in the future is a piece of cake to do.

Director Martin stated that going back to his question, he thinks that if they do part of the minutes in action item and they do part of the minutes verbatim, that leaves a lot of choice as to what. Who picks and chooses, is that something he does.

General Manager Lamb acknowledged he did.
Director Martin stated that he picked and chose the March 6 agenda.

General Manager Lamb stated pick and chose because of the extent of the conversation. Like he said, if they had had a hearing, he would have had the same type of detailed response to it. There is no backup to the whole topic. What he wants to do is put it on as a recording so the record’s clear. This is not currently done. It is done by putting it in minutes because the tapes got destroyed. If they’re switching the other way that it’s however the Board tells him they want to do it, is discussion followed, then it would be done and that’s put on the web, that’s fine. However the Board wants to do it. That method is not currently at practice, so that’s why the more detailed conversation will take place. As far as him picking and choosing, it’s more a practice of whatever is coming before the Board. If there’s not a big staff report explaining what took place, because they don’t record or put anything on the web right now, the disclosure to the public as to what took place was put in the minutes.

Director Martin stated but at his discretion.

General Manager Lamb stated yes.

President Hernandez stated that if someone from the public and/or the Board requested an extension of the 30 days, is that just a standard, because of going out of town.

General Manager Lamb stated that if the Board wants to change policy, that’s fine.

President Hernandez stated not the policy, just on an individual basis. If somebody shows up at the counter and says they want to listen to the tape but will be gone, etc., can they extend that 30 days, is that a big deal.

General Manager Lamb stated absolutely. It’s never happened but they’re not trying to hide anything. That’s just what the policy was adopted. If they want to change it to five years, three days, whatever.

Director Poltl stated that he thinks the answer is what Jeff was saying, post it online. It’s always there and in the minutes they could say this is not verbatim. He certainly didn’t think it was verbatim. It’s just trying to give the general concept or the concept of what went on. If they wanted to listen to it, 30 days he doesn’t care about that. It could stay on there for three years, ten years, he really doesn’t care. He thinks the answer would probably be to do it electronically, put it on the website. Easy enough.

President Hernandez asked both the minutes and the tape.

Director Poltl stated yes.
General Manager Lamb stated that the minutes go as part of the packet no matter what. When they got the packet, the minutes were attached as the draft to the Board to adopt.

Director Poltl stated he thinks the minutes could always be contested about how things were said or attitude or anything else. Because they aren’t going to get that on paper but he thinks the idea of having it audible, being able to access that any time is the answer.

General Manager Lamb stated that it could just be indicated somehow that maybe in the minutes that they’re also going on the web.

Legal Counsel Scott stated that once they are put up on the web it’s fine.

President Hernandez stated that as that’s planning to be part of the new webpage, ultimately, if they all agree to go with the televising/taping, putting that on the webpage as well, he thinks that should pretty close solve the problem.

General Manager Lamb asked if could give a quick update since President Hernandez brought that up. They’ve gotten the quotes on the cameras. He thinks one of the comments needed from the Board, is either do two camera systems or these meetings take place in the Board room, so that only one system is done. They’re coming in fairly close. Staff is meeting on Wednesday with the company that does the modifications and does the agendas, can get a quote on that. The only hang-up right now is there is no time. Palomar College has the time slot from 4:00 p.m. – 10:00 p.m. every day. City of San Marcos staff is negotiating with them right now to see if they’re willing to give up an hour or two in that timeframe so that they can actually post our stuff. They are working through that right now so staff can’t really move forward with too much until they actually free up time that can be used.

President Hernandez asked if any idea on timeframe.

General Manager Lamb stated it will be back on the agenda next week for discussion. They will have the cost and everything else, just doesn’t know if the City will have worked out the issue with time.

Director Evans stated that she is very excited for moving forward on televising, she thinks that’s fantastic. She really does like the idea that Mike actually brought up in oral comments last time about putting the minutes on auditorily. She thinks that’s wonderful and likes Jim’s idea that they should be left up there for three years or whatever because of electronic it’s saving space. She further stated that personally she would like to know, at the last meeting, she may have misunderstood, but Jeff had said something about they have the minutes and that someone could record the minutes or if they wanted to they could come and listen to them. And she didn’t get the feeling that
she as a Board member could ask for a copy. What she heard said today was anyone could have, they have had people ask for a copy of the tape.

Legal Counsel Scott acknowledged yes.

Director Evans stated that she would like to ask that she have a copy of the tape after; is that something she can request.

General Manager Lamb clarified of the recording.

Director Evans stated she is an auditory learner and she learns a lot when she hears afterward. Is that something that can be done.

General Manager Lamb clarified with the Executive Secretary if that was something that could be done.

Executive Secretary Posvar stated that I.T. staff would have to do this. Due to the setup of FTR, they’re not one long audio; the recordings are broken up into timed segments. I.T. staff would have to combine the segments into one audio.

Director Evans clarified if it could or could not be done.

General Manager Lamb stated they can. He expanded on how FTR functions.

Director Evans stated that would really help her because that’s how she really remembers the auditory. She further stated at the last meeting when they chose to bring this up, which she was excited that they did, Jeff had mentioned that the decision of the minutes, of how they were done, was basically policy directed by the Board. Her concern over the minutes that were held was the minutes had changed from this sort of generic simple thing to this sudden, much closer to verbatim, and to her it wasn’t verbatim. So someone decided which portions were verbatim and which portions could be forgotten, and which portions needed to be in there. And she felt she didn’t understand where that direction came from. Because it didn’t come from the Board, the minutes just changed.

General Manager Lamb stated the Board’s direction is only keeping it for 30 days.

Director Evans stated that her concern about what happened was to her they either do them all the same or they would do it verbatim. And that’s why she wanted to hear the tapes again and why she was concerned. When they decided that the long hearings or a long Board discussion were to be more detailed in the minutes, that’s a direction from the Board to him or this is just been what they’ve always done.

General Manage Lamb stated that this has been the practice, what has always been done.
Director Evans asked the discretion of what exactly is in there is at his or Diane’s.

Legal Counsel Scott stated that what they've done over the years is that when they have a hearing like Dennis was explaining, or they have something were they are going to adopt CEQA or going to do something that there is going to be some discussion, and it’s not necessarily like she said, many times they’ve got the staff report, it contains a lot of it. But for purposes of the minutes, it’s been the practice here, and it’s been done and the Board has been supportive of this practice through the General Manager, because they approve the minutes and if they have a question on the minutes, they correct them or whatever. The practice has been is when they have something that gets into some Board discussion, because staff doesn't always know whether it’s important for what particular Board member to make sure that they, because a lot of times it’s really important that they want to make sure that their clear in the record as to their position on a particular subject matter. So he thinks it’s been the simple practice that when they get into these Board discussions, that from a staff perspective, it's always been make sure they get that. It hasn’t been something that they've tried to take the policy out of the Board, it's just been basically that's the way things have been done. And he thinks in this case what happened was there was considerable discussion about something that really wasn’t as thoroughly briefed on the agenda as a subject matter; he thinks it came up at the end. So he thinks staff was thinking they want to make sure they get that on the record.

General Manager Lamb stated that there have been cases where there have been Board members who have been very clear that they want their position and statement on the record.

Director Evans stated she guessed this is just coming from never having seen that before and she was confused by the practice of doing it which she did not experience until those and the policy. And if the policy was to make sure words were on here, she thinks there is also some people who probably said things they wouldn't want on there. So when people start, this is where she thinks Hal is coming from, is where the verbatim, they get it all or they just get part of it. Her feelings are if they’re going to record it they should do it verbatim but it won’t be needed now because if they approve the minutes it’s sort of a moot point. She wanted him to understand where she was coming on it. And she did listen to those minutes that she asked for and it was exactly as the minutes said and she had misremembered it.

General Manager Lamb stated that is part of why when they do get into that it’s because there is such discussion, so many things thrown around, it’s just to be clear.

Director Evans stated that she understood that and that’s also why she would like the minutes.
Director Martin stated he would also like a copy of the minutes they are going to approve on tape so he can listen to them again. He stated it just sounds awful lot like filtering, which is what it is. He’s the one that makes the decision as to where the discussion goes and where it doesn’t. There’s a filter of some type on what’s being said the way it’s currently done. He thinks from the 6th on, they post them it take the onus off of him. What’s said is said, what’s out there is out there.

Legal Counsel Scott stated there is still an obligation of the Board to approve some minutes. He thinks the nice way about going this way, is that like they say, they’re all there and then it takes a little bit of pressure off of the person that has to do the minutes because it’s a real pain in the butt. This way, we still want to have them, for example they have legal issues to the extent that they have hearings and things like that that they need to make sure the minutes are clear on the record; that they get the information that they need to for the permanent record in the minutes. He thinks, it may be his old way of doing things, but that makes them feel comfortable. They’ll still have to have the Board approve the minutes at least once a month or however they want to do it.

Director Poltl stated it’s tough because they can’t sit here and tell them what to put down and what not to put down. What they are all looking for is transparency. And what staff has learned over the years is, especially those things that are controversial or those things that could be picked up as being important to the public, need to be in the minutes and not hidden. What he means by hidden is, and maybe that isn’t a good selection of word, but not described. And so they could be reading the minutes and say well there’s been no conversation about anything, it was all staff, there wasn’t really anything about it. So he thinks they would like to read minutes, decide whether or not you want to hear it. Because if it’s a pretty bland meeting, they’re probably not going to go much further. But if there was discussion about budget, something about pay raises, whatever it might be, those are things that he thinks staff has the experience of knowing what the press, you don’t want the press to pick up on it just by hearing it. You would want them to know that it’s out in the open and be discussed.

General Manager Lamb stated that he thinks the recording and posting it will help.

Director Evans stated she agreed; transparency is important.

Director Poltl stated that if they are posted, they don’t need a tape of it, not that he’s against having a tape.

General Manager Lamb clarified that they are asking for an older one.

Director Martin stated that if they want him to approve them, he wants to hear them verbatim.
President Hernandez clarified he wants to hear the tapes.

Director Martin responded yes. That never came up until discussion of the 6th which made him realize the potential, not that it’s there, but the potential for filtering that he wasn’t really happy with. Because there were certain things that went on that were said that weren’t on the paper record, but certainly were on the tape.

Legal Counsel Scott stated that leads to the question though, what do they want. Let’s say they’ve got them, they can look to the minutes, the archived, rather the tape, and anybody who cares to can look at that. But when they get to the end and there’s this considerable discussion about something, there still has to be somebody, the General Manager or somebody still needs to make a decision as to, they want them to be thorough but on the other hand, they don’t have to be as detailed maybe now as they were before because they can go out and listen to them. So they have to at least put something out there so that they know what the topic was. The question is there has to be some decision making at this point.

General Manager Lamb stated there still has to be a discretionary process.

Director Martin stated that it’s the tape that he is going to be approving, not the decision making, the filtering.

General Manager Lamb stated, no, he is approving the minutes in the document, he does not approve the audio.

Director Martin stated that just means, and he doesn’t mind doing it, coming in here and listening to it every time, making the changes.

President Hernandez stated that would be his discretion to then modify the presented minutes and then approve those because they have to approve the minutes.

Legal Counsel Scott asked Director Martin when he was at the City Council don’t they have minutes that they would approve. Did he approve the video or what would he approve.

Director Martin stated he approved the minutes.

Legal Counsel Scott asked him if he watched the video.

Director Martin stated that he never watched the video all the years he was there. Other people did, he didn’t. He never had a reason to question. He thinks in all his years over there, that the March 6th meeting gave him a reason to question these. He thinks it’s his confidence. That night was brought up that a certain level of confidence and his confidence from reading the minutes was like it’s been filtered. Why. And
depending on where they’re standing, whose side do they think it was filtered on. That’s 
his concern with it, is that they were filtered.

General Manager Lamb stated he will have Diane go back and look, but from what he 
read and he recalled, because he went through and reviewed them himself, he doesn’t 
recall too many words that were stated that were not in the minutes.

Director Martin stated that there were a few statements that were made that were 
missed.

General Manager Lamb stated if there were a few that were missed, or couldn’t read or 
were missed, he would be more than happy to add them.

Director Martin stated that the only one he saw that was missed was his where it said 
“unintelligible”.

General Manager Lamb asked him if he could understand it.

Director Martin responded no. But he’s just saying that’s how detailed those minutes 
were. Unintelligible and yet in other places people made statements that weren’t on the 
written record.

General Manager Lamb stated he was trying to be fair and cover (unintelligble). There 
was no intent to filter anything.

Director Martin stated but it was filtered. If he goes back and looks at it, he will see for 
himself and will understand where he is coming from.

Director Poltl clarified that they are not making any recommendation right now, they’re 
just going to bring it back at a Board meeting.

President Hernandez stated that he heard that Directors Martin and Evans would like to 
get copies of the tapes and then they will, in the normal process, approve the minutes 
with the modifications as traditionally it is done.

Director Evans asked about putting the minutes on the website, that will be coming to 
the Board at a different time to approve.

President Hernandez stated he heard they were going to do it; didn’t know if it needed 
to be brought back for approval.

General Manager Lamb stated that when the new website is up and running, June or 
July, that is when they think they will have it available.
General Manager Lamb stated they kind of assumed they would be doing that anyway.

Director Poltl asked if they would be reviewing this policy as a whole before they put it on the website. Some of this stuff is kind of antiquated.

General Manager Lamb stated 32 pages of antiquated. He further stated it will be brought back to the Board Committee.

Director Martin stated that what he is saying is that he needs to see corrected minutes, at the minimum, from March 6 to reflect everything, if they want him to approve them. He stated he doesn’t have to approve them, he could say no to anything. He is one of five.

President Hernandez stated that they haven’t approved or disapproved, those items were trailed. He asked Director Martin to bring back his modifications so they can or can’t or he doesn’t have to. It will be taken care of at the next meeting.

Legal Counsel Scott stated that any suggestions or corrections when they get the tape of the minutes and they have an opportunity to listen to that tape, and they have the draft that was presented, if they have any suggested corrections or anything like that, it might be helpful for staff if they would let staff know what those are so that when the minutes are brought back, those are incorporated.

General Manager Lamb stated that will be done at the meeting.

Director Martin stated that any corrections he would ask he is doing them already. Anything he does will be reflected in the tape that is not now showing on the minutes. All he is asking for is to show what’s on the minutes.

Director Poltl stated that as they talked about when it was delayed, it was four that had said they approved the minutes and Hal held back. He can always say he doesn’t approve and give reasons why and that can be attached to the approval.

Director Evans stated that if they are not going to be putting the minutes on the website until June, she would at least like them to direct that they do not destroy any of the tapes even if they’re approved minutes at that point and that they can archive from March 6 forward.

The Board Committee consensus was agreement.

Director Martin stated he listened to the March 6 tape so he knows what needs to be changed. He has not listened to the other four and they are adding up pretty rapidly, so it’s a lot of work for somebody to do.
Legal Counsel Scott asked if staff could move forward to get this up on the website as soon as practicable.

Director Martin stated the sooner the better.

Director Ferguson stated that she didn’t feel comfortable with what he said. And for the tape, she is not comfortable with what the Attorney is saying, and that is that any changes or additions they bring forward to staff and staff changes the minutes before they all have a chance to go over them.

General Manager Lamb stated they will be brought forward to the Board. If Director Martin has a change that he wants to make to the minutes, he should do it on the record at the meeting. And if those changes are noted and accepted by the Board, those are the minutes.

Legal Counsel Scott stated that what he was trying to suggest was that when they come to the meeting, if they have some changes that they want to suggest, then it’s easier for staff rather than at the meeting. If there’s a lot of changes, unless they’re sitting there typing those changes as the meeting is being docketed, if they’re written out, then they are easier to incorporate if that’s what the Board approves. He is just trying to help make it easier.

Director Ferguson stated that if that is the case, she wants all of them to have copies of all of these changes and additions, not just staff.

General Manager Lamb stated it would have to be done at the Board meeting as an amendment to the minutes. Don’t give it to staff; staff is not making these changes. If the Board wants to make an amendment to the minutes, the Board makes that on the record and whoever makes the motion, wants to accept it, they accept it, get a second and then they vote.

Director Evans asked if she could clarify one more thing – the minutes that are being deferred, the onus is going to fall on her if she is unhappy or uncertain with it, to bring forward what changes she thinks should be made. She should present them to the Board, who present them to the staff, and then bring it back to them to approve the changes.

General Manager Lamb stated they will vote on it right then and there.

Director Evans stated but the onus is on her; they’re not asking staff to go back and listen to all the minutes and rewrite them.

General Manager Lamb stated they will move forward the way they’ve always done minutes, in the normal process of how they do it. If the Board feels something should
have been stated, shouldn’t have been stated, was misstated incorrectly, whatever the case may be, that’s always been the practice and the rule. The discretion they are talking about here is if it’s a topic that did not have a staff report, it was a long conversation, with the whole theory of the public having access to the public, creating the public record the way it should be done, there has been past personalities on the Board that were very clear they wanted certain things on the record, that they stated it. So staff learned from many years of listening, this should be documented a little more carefully, this is just a standard adoption of a development agreement, standard approval of a contract, conversations ensued. Director Martin has asked questions about specific items on payables; it’s a question asked and staff answered. They just put a note in there that it was asked and answered. It wasn’t into the detail, well no this is somebody we hired and blah, blah, blah. So there is discretion, there is always going to be discretion on his part.

Director Martin stated that at the last meeting, Counselor said that he hadn’t seen this many problems with the minutes in 30 years of being here. He further stated that maybe that was because they didn’t have that level of conversation being (unintelligible).

General Manager Lamb stated there has been.

Legal Counsel Scott stated there have been occasions when there have been some issues have risen. All he was suggesting was trying to make it easy for them so that if they bring the changes they’re suggesting to the meeting and share with their colleagues, then it’s easy to approve, so they’re not trying to do it there.

Director Evans asked Director Martin if he understood that too.

Director Martin stated yes.

Director Ferguson stated any of them who have changes or additions or interpretations will bring them to the Board meeting.

**SUCCESION PLAN**

Administrative Services Manager Emmanuel stated the succession plan is part of the District’s Strategic Plan and provides continuity and sustainability by being prepared for the future. The purpose of the succession plan is to ensure the continuity of all key positions by identifying, assessing, and developing current employees who exhibit the potential to advance when the key positions are vacant. The succession plan is reviewed and updated as needed, no less than annually.

Administrative Services Manager Emmanuel presented an updated succession grid that reflected twenty four (24) key positions consisting of all management and supervisory positions and some professional and highly technical positions. The succession grid
also included the projected retirement of employees in the key positions and the number of potential internal candidates identified by management with input from the employees currently in the key positions. Seventeen (17) of twenty three (23) key positions have potential successors, several with more than one employee as a possible candidate. One position will be deleted.

The internal candidates were interviewed by herself and the employee’s supervisor and/or manager to determine their interest in future opportunities and willingness to participate in their own training and development. All employees included in the succession plan as potential candidates were informed that their participation did not guarantee them one of the key positions and that all vacant positions will be scrutinized to determine if there is a need to fill the position, and if so, through a competitive recruitment process that includes both internal and external candidates. An Individual Development Plan (IDP) was developed for each internal candidate and included a review of the position’s minimum qualifications (experience, education, training, licenses, and certifications) and other knowledge, skills, and abilities that would need to be further developed. Development plans include formal training, on-the-job training, mentoring, and job shadowing.

Based on projected retirements and potential internal candidates for the key positions, the District is in a strong position to maintain a knowledgeable and skilled workforce.

General discussion took place during the presentation.

FIVE YEAR STAFFING PLAN FISCAL YEARS 2013/14-2017/18 PRESENTATION

Administrative Services Emmanuel stated that the purpose of the staffing plan is to present a staffing analysis and projection as part of the District’s Strategic Plan. The first five-year plan was adopted in April 2008 and requested 32 new positions. Due to the recession, technology advances and other factors that impacted District finances, many of those positions were delayed or eliminated from the plan. Other methods used to meet the District’s staffing needs included reclassifications and/or transfers and two reorganizations over the past three years.

With so many changes to the 2008 plan, a new five-year plan beginning with fiscal year 2011/2012 was adopted in April 2011. The 2011 plan was much more conservative than the previous plan and included requests for 7 new positions. Changes are once again driving the need to update the plan. It is a working document and is reviewed annually because it ties into the budget. No new positions are being requested at this time; it will be included in the budget.

Administrative Services Manager Emmanuel facilitated a presentation on the Five year Staffing Plan which included:

- Background and purpose
2013 staffing plan
Full time equivalent employees
Authorized positions
Estimated cost of new positions
Comparison of San Diego County water districts
Local survey results
National survey results (AWWA 2011 benchmarking report)

General discussion took place during the presentation.

This item was presented for information only.

2013/14 BUDGET PROCESS AND PROGRESS PRESENTATION

Assistant General Manager Scaglione presented the budget process and progress as follows:

- Budget theme: Working Today for Water Tomorrow
- Revenue projections
  - Rates
  - Growth
  - Demands
- Operating budget
  - Water purchases
  - Salaries
  - Employee benefits
  - Sewer treatment
- Capital budget
  - Growth/replacement
  - Timeline
- Reserve budget and projection
  - Operating transfers
  - Capacity/Impact fees
  - Property tax
  - Capital expenditures
  - Debt service
  - Bottom line

General discussion took place during the presentation.

This item presented for information only.
OTHER BUSINESS

President Hernandez stated that a month or two ago they had looked at bringing forward for discussion the time payment for fees to be paid. He asked if this could be put on either the next committee meeting or the following committee meeting. And in the meantime ask Finance staff to check with some of the financial institutions to verify what he was told relative to some safe, bomb-proof vehicle that could be used so that they don’t have to worry that the money is not there. He asked that this be researched between now and when this item is brought back so that information can be available as well.

General Manager Lamb stated that this was one of the topics that came out of the joint conversation that President Hernandez had with the City as being one of the topics for that meeting. He asked President Hernandez if he wanted this pulled off of that agenda.

President Hernandez stated he can keep it on that agenda but he would like to discuss it here, as well or first.

Assistant General Manager Scaglione asked as it relates to our debt.

President Hernandez stated no, presently we have fees that are paid at building permit issuance time and he had asked about taking a look at moving that closer to occupancy. In order to do that, he would like to have a discussion about it.

Director Martin stated that the next coming full Board meeting, two of them are going up to Sacramento. If there is something that is not time conscious he asked that it be delayed until the next one.

Director Evans thanked President Hernandez for the Director’s Comments on the agenda.

CLOSED SESSION

CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (ONE CASE) Urban Villages v. Vallecitos Water District San Diego Superior Court Case No. 37-2012-00102327

CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 549567.6 CONFERENCE WITH LABOR NEGOTIATOR Agency designated representative: General Manager Employee Organization: Vallecitos Employee’s Association
The consensus of the Board Committee was to move into Closed Session pursuant to Government Code Sections 54956.9(a) and 549567.6.

REPORT AFTER CLOSED SESSION

The Board Committee reconvened to Open Session at the hour of 8:07 p.m. The Board Committee, in closed session, directed staff to schedule a Board Committee Meeting on April 29, 2013, to allow Mr. McDonald to make a presentation to the Board. No action was taken on the existing litigation.

ADJOURNMENT

There being no further business to discuss, President Hernandez adjourned the Board Committee meeting at the hour of 8:08 p.m.

A Regular Meeting of the Vallecitos Water District Board of Directors has been scheduled for Wednesday, April 17, 2013, at 4:00 p.m. at the District office, 201 Vallecitos de Oro, San Marcos, California.

____________________________________
James Hernandez, President
Board of Directors
Vallecitos Water District

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