

AGENDA FOR A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE VALLECITOS WATER DISTRICT
TUESDAY, MAY 11, 2010, AT 4:00 P.M.
AT THE DISTRICT OFFICE
201 VALLECITOS DE ORO, SAN MARCOS, CALIFORNIA

CALL TO ORDER – PRESIDENT FERGUSON

PLEDGE OF ALLEGIANCE – DIRECTOR HANNAN

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 MAY 11, 2010

INTRODUCTION

Human Resources Technician Weaver will introduce new employee – **Virginia Ramirez**, Office Assistant.

PRESENTATION

Systems Construction Worker, **Brian Spencer**, received his Certification of Achievement and his Associates in Arts Degree in Water Technology Education from Palomar College.

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 – APRIL 21, 2010

Approved minutes become a permanent public record of the District.

Recommendation: Approve Minutes

- 1.2 WARRANT LIST THROUGH MAY 11, 2010 - \$2,243,829.40

Recommendation: Approve Warrant List

- 1.3 FINAL ACCEPTANCE FOR LIFT STATION NO. 1 IMPROVEMENTS

Lift Station No. 1 upgrades were necessary to increase the capacity from 2 million gallons per day (MGD) to 3.5 MGD in order to transfer more flow to the Meadowlark Reclamation Facility for treatment.

Recommendation: Accept Lift Station No. 1 Improvements; filing of a Notice of Completion; authorization to release all retention funds to the contractor within the 30-day notice period, provided no claims are filed

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

ACTION ITEMS

- 2.1 APPROVAL OF CONSTRUCTION AGREEMENT FOR COSTCO WAREHOUSE
(COSTCO WHOLESALE CORPORATION)

The project is located within the Nordahl Marketplace just west of the existing Costco building. The project will sit on the entire 16.3 acres just west of Center Drive.

Recommendation: Approve the Construction Agreement for Costco Warehouse

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

REPORTS

- 3.1 GENERAL MANAGER
3.2 DISTRICT LEGAL COUNSEL

- 3.3 SAN DIEGO COUNTY WATER AUTHORITY
- *Summary of Formal Board of Directors' Meeting – April 22, 2010*
- 3.4 ENCINA WASTEWATER AUTHORITY
- 3.5 ACWA/REGION 10
- 3.6 LAFCO
- 3.7 DIRECTORS REPORTS ON TRAVEL/CONFERENCES/SEMINARS
ATTENDED

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

OTHER BUSINESS

4.1 MEETINGS

WaterReuse 14th Annual Water Reuse & Desalination Research Conference
May 24 – 25, 2010 – Grand Hyatt, Tampa, FL

ACWA Region 3 Tour: Water Storage on the Foresthill Divide
July 9, 2010 – Foresthill, CA

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

CLOSED SESSION

- 5.1 CLOSED SESSION WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT
CODE SECTION 54956.9(b)(1) – DISCUSSION WITH LEGAL COUNSEL
CONCERNING POTENTIAL LITIGATION (One Case)

*****END OF CLOSED SESSION*****

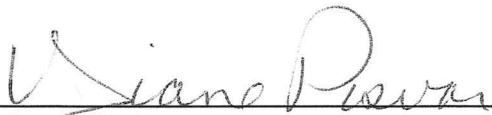
6.1 ADJOURNMENT

*****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, May 7, 2010.



Diane Posvar

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE VALLECITOS WATER DISTRICT
TUESDAY, MAY 11, 2010, AT 4:00 PM AT THE DISTRICT OFFICE,
201 VALLECITOS DE ORO, SAN MARCOS, CALIFORNIA

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

Director Hannan led the pledge of allegiance.

Present: Director Ferguson
Director Gentry
Director Hannan
Director Poltl
Director Shell

Staff Present: General Manager Lamb
Legal Counsel Scott
Legal Counsel Dodson
Finance Manager Scaglione
Administrative Services Manager Caudle
District Engineer Gerdes
Principle Engineer Gumpel
Operations & Maintenance Manager Arrant
Public Information Specialist Webb
Human Resources Technician Weaver
Executive Secretary Posvar

ADOPT AGENDA FOR THE REGULAR MEETING OF MAY 11, 2010

10-05-01 MOTION WAS MADE by Director Shell, seconded by Director Hannan, and carried unanimously, to adopt the agenda for the Regular Board Meeting of May 11, 2010.

INTRODUCTION

Human Resources Technician Weaver introduced new employee, Virginia Ramirez, Office Assistant.

PRESENTATION

President Ferguson presented Brian Spencer with his Certification of Achievement and with his Associates in Arts Degree in Water Technology Education from Palomar College.

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

10-05-02 MOTION WAS MADE by Director Hannan, seconded by Director Shell, and carried unanimously, with Item 1.3 removed for discussion, to approve the Consent Calendar as presented.

1.1 Approval of Minutes

A. Regular Board Meeting – April 21, 2010

1.2 Warrant List through May 11, 2010 - \$2,243,829.40

10-05-03 MOTION WAS MADE by Director Poltl, seconded by Director Hannan, and carried unanimously, to approve Item 1.3 of the Consent Calendar as presented.

1.3 Final Acceptance for Lift Station No. 1 Improvements

ACTION ITEMS

APPROVAL OF CONSTRUCTION AGREEMENT FOR COSTCO WAREHOUSE (COSTCO WHOLESALE CORPORATION)

General Manager Lamb reported that Costco Wholesale Corporation is building a new facility adjacent to the existing facility located in the Nordahl Marketplace just west of Center Drive. The project will construct approximately 496 linear feet of 12" D.I.P. water main. No new public sewer will need to be constructed. All fees have been paid in accordance with District policy and the developer has provided the District with standard surety bonds to guarantee completion of the project. Staff recommended approval of the construction agreement.

10-04-04 MOTION WAS MADE by Director Hannan, seconded by Director Shell, and carried unanimously, to approve the construction agreement for Costco Warehouse.

REPORTS

GENERAL MANAGER

None.

DISTRICT COUNSEL

Legal Counsel Dodson provided an update on Lake San Marcos. An application for cleanup and abatement funds will be submitted to the State through the City of San Marcos. These funds are being requested in order to assist with the cost and expenses for diagnostic work in the lake. At the last all hands meeting (lake owner, various homeowners and other parties), questions were raised regarding the use of these funds. Regional Board Counsel raised the issue that potential responsible parties might not be able to benefit from these funds. There was also concern that the State may sweep the cleanup and abatement accounts in its quest for general funds. Due to these concerns, it was decided not to move forward on the participation agreement at this time. This will allow for time to determine where the State will go with these funds and to continue working with all parties to resolve the interface issues between agencies and the Participaton Agreement. Legal Counsel Dodson remains reasonably optimistic that a reasonable amount of cleanup and abatement funds will be awarded.

Legal Counsel Dodson stated that as a part of the cleanup and abatement fund application process, the parties have been cooperating towards the design and development of a Scope of Work for conducting the diagnostic work. The County of San Diego has offered a highly qualified staff person to develop the Scope of Work and will cover the costs. A workshop will be held at the City of San Marcos on May 19, 2010, at which all parties can attend and provide input into the Scope of Work. A public notice for the workshop has also been distributed to the general public in hopes of obtaining strong participation.

SAN DIEGO COUNTY WATER AUTHORITY

Director Ferguson noted that the April 22, 2010, Summary of Formal Board of Directors' Meeting was provided in the agenda packet.

ENCINA WASTEWATER AUTHORITY

None.

ACWA REGION 10

Director Gentry reported that the meeting was held at the ACWA Conference last week. The Communications Committee also met last week.

The new edition of the National Geographic magazine as well as the new edition of the Water Tomorrow publication was released. Also distributed were new booklets on Sexual Harrassment Prevention for Board Members and Managers. Director Gentry provided a copy to each Board member. Director Gentry reported that the SBX7 provisions and requirements (Urban Water Management Plan) was mentioned. Staff may want to consider this topic at a future Board Workshop meeting.

LAFCO

Director Poltl provided Board members with a copy of the LAFCO Bulletin and a copy of two policy documents. There is no meeting this month.

DIRECTORS REPORTS ON TRAVEL/CONFERENCES/SEMINARS ATTENDED

President Ferguson noted that written reports were provided electronically. The reports are on file.

OTHER BUSINESS

None.

CLOSED SESSION

CLOSED SESSION WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1) – DISCUSSION WITH LEGAL COUNSEL CONCERNING POTENTIAL LITIGATION (ONE CASE):

10-05-05 MOTION WAS MADE by Director Shell, seconded by Director Gentry, and carried unanimously, to move into Closed Session pursuant to Government Code Section 54956.9(b)(1).

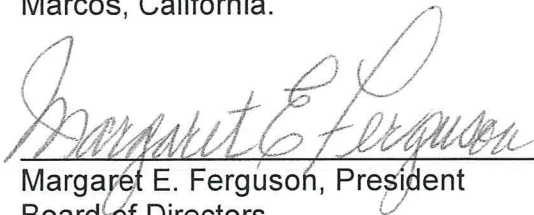
REPORT AFTER CLOSED SESSION

The Board reconvened to Open Session at the hour of 5:13 p.m. Staff and Counsel were directed to take appropriate action concerning the potential litigation matter.

ADJOURNMENT

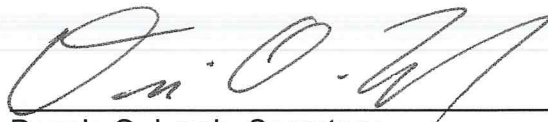
There being no further business to discuss, President Ferguson adjourned the Regular Meeting of the Board of Directors at the hour of 5:14 p.m.

A Regular Meeting of the Vallecitos Water District Board of Directors has been scheduled for Wednesday, May 19, 2010, at 4:00 p.m. at the District office, 201 Vallecitos de Oro, San Marcos, California.



Margaret E. Ferguson, President
Board of Directors
Vallecitos Water District

ATTEST:



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