

OTAY WATER DISTRICT

BOARD OF DIRECTORS MEETING  
DISTRICT BOARDROOM

2554 SWEETWATER SPRINGS BOULEVARD  
SPRING VALLEY, CALIFORNIA

**WEDNESDAY**  
**August 6, 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 MINUTES OF THE REGULAR BOARD MEETING OF MAY 7, 2008 AND SPECIAL MEETING OF JUNE 23, 2008

**CONSENT CALENDAR**

6. 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 FIVE YEAR CONTRACT (TWO YEARS WITH THREE OPTION YEARS) TO WILLIS RISK AND INSURANCE SERVICES FOR CONSULTING SERVICES FOR BENEFITS AND AS THE DISTRICT'S BROKER OF RECORD IN THE AMOUNT OF \$35,000 PER YEAR FOR THE FIRST TWO YEARS AND UP TO THREE ADDITIONAL TERMS WITH COSTS INCREASES LIMITED TO A MAXIMUM OF 3% PER YEAR
  - b) AWARD A CONSTRUCTION CONTRACT TO FOX CONSTRUCTION FOR THE REGULATORY SITE STORAGE BINS AND EQUIPMENT COVER RELOCATION PROJECT IN AN AMOUNT NOT TO EXCEED \$225,000
  - c) ADOPT THE MITIGATED NEGATIVE DECLARATION FOR 1296-3 RESERVOIR CONSTRUCTION PROJECT

- d) ADOPT THE 2008 LEGISLATIVE PROGRAM
- e) ADOPT A "SUPPORT" POSITION ON SENATE BILL 1XX – PERATA RELATED TO FUNDING FOR WATER QUALITY, FLOOD CONTROL, WATER STORAGE AND WILDLIFE PRESERVATION PROJECTS

#### ACTION ITEMS

#### 7. ENGINEERING AND WATER OPERATIONS

- a) ADOPT RESOLUTION NO. 4128 OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT REQUESTING FORMAL TERMS AND CONDITIONS FROM THE SAN DIEGO COUNTY WATER AUTHORITY AND METROPOLITAN WATER DISTRICT FOR THE CONCURRENT ANNEXATION OF TERRITORY DESCRIBED AS "SYCUAN RESERVATION" TO THE OTAY WATER DISTRICT (CHARLES)
- b) ADOPT THE MITIGATED NEGATIVE DECLARATION FOR THE JAMACHA ROAD 36-INCH POTABLE WATER PIPELINE AND 12-INCH POTABLE WATER PIPELINE REPLACEMENT PROJECT (RIPPERGER/COBURN-BOYD)
- c) ADOPT RESOLUTION NO. 4129 OF THE BOARD OF DIRECTORS OF THE OTAY WATER DISTRICT WAIVING BOARD POLICY NO. 21 AND AWARDDING A PROFESSIONAL ENGINEERING DESIGN SERVICES CONTRACT TO LEE & RO, INC. FOR THE COMPLETION OF THE DESIGN OF THE 36-INCH PIPELINE, SDCWA OTAY FCF NO. 14 TO THE REGULATORY SITE PROJECT TO LEE & RO, INC. IN AN AMOUNT NOT TO EXCEED \$769,000 (RIPPERGER/GRUNOW)

#### 8. GENERAL MANAGER

- a) ADOPT AN "OPPOSE UNLESS AMENDED" POSITION ON AB 2986 (LENO) RELATING TO WASTE DISCHARGE REQUIREMENTS (BUELNA)

#### 9. BOARD

- a) DISCUSSION OF 2008 BOARD MEETING CALENDAR

#### INFORMATIONAL ITEMS

10. THIS ITEM IS PROVIDED TO THE BOARD FOR INFORMATIONAL PURPOSES ONLY. NO ACTION IS REQUIRED ON THE FOLLOWING AGENDA ITEM.

- a) UPDATE ON DROUGHT RESPONSE CONSERVATION PROGRAM (SARNO)

## REPORTS

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

## RECESS TO CLOSED SESSION

### 14. CLOSED SESSION

- a) CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION [GOVERNMENT CODE §54956.9(b)]

1 CASE

- b) CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION [GOVERNMENT CODE §54956.9(a)]

MULTIPLE CASES RELATED TO THE FENTON BUSINESS CENTER AND FILED WITH THE SUPERIOR COURT OF THE COUNTY OF SAN DIEGO RECENTLY CONSOLIDATED UNDER CASE NO. 37-2007-00077024-CU-BC-CTL; AND TWO NON-CONSOLIDATED CASES, NOS. 37-2008-83163-CU-PO-CTL AND 37-2008-00086689-CU-PO-CTL

1 CASE - AMERICAN PROTECTION INSURANCE V. OTAY WATER DISTRICT, DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA, #08-CV-0662-JM-POR

OTAY WATER DISTRICT V. NORTHROP GRUMMAN

## RETURN TO OPEN SESSION

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

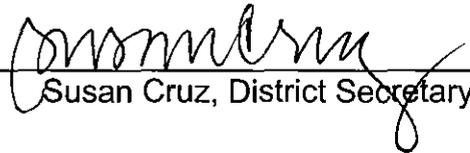
All items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

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 670-2280 at least 24 hours prior to the meeting.

#### Certification of Posting

I certify that on August 1, 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 August 1, 2008.

  
Susan Cruz, District Secretary