

LEUCADIA WASTEWATER DISTRICT
Minutes of a Regular Board Meeting
April 9, 2008

A regular meeting of the Board of Directors of the Leucadia Wastewater District (LWD) was held Wednesday, April 9, 2008 at 5:00 p.m., at the District Administration Office at 1960 La Costa Ave., Carlsbad, California.

1. Call to Order

President Sullivan called the meeting to order at 5:00 p.m.

2. Roll Call

DIRECTORS PRESENT: Sullivan, Kulchin, Juliussen, Hanson, and Omsted
DIRECTORS ABSENT: None
OTHERS PRESENT: General Manager Paul Bushee, District Counsel Wayne Brechtel, Administrative Services Manager Chuck LeMay, Field Services Manager Leo Schempp, Project Manager Robin Morishita, Executive Assistant Trisha Miranda, Richard Duffey with Brownell and Duffey, District Engineer Steve Deering

3. Pledge of Allegiance

4. Approval of Agenda

Upon a motion duly made by Director Juliussen, seconded by Director Hanson, and carried, the Board of Directors approved the agenda.

5. Public Comment

There was no public comment.

6. Presentations and Awards

A. Five Year Service Award presented to Maggie McEniry and Paul Bushee.

GM Bushee stated that Maggie McEniry and he passed their five year anniversary of employment at LWD. Maggie McEniry was unable to attend tonight's meeting to accept her certificate. Both GM Bushee and Maggie McEniry are eligible for a \$100 award under LWD's Incentive Program.

President Sullivan presented GM Bushee with his certificate and the Board of Directors congratulated GM Bushee and Maggie McEniry for their achievement.

7. Consent Calendar

- A. Minutes for the following meetings:
March 19, 2008 Regular Board meeting
April 2, 2008 Community Affairs Committee meeting
- B. Demands for March 2008/April 2008
Payroll Checks Numbered 13541 - 13580; General Checking – Checks numbered

35999 – 36135.

- C. Operations Report (A copy was attached to the original April 9, 2008 Agenda)
- D. Finance Report (A copy was attached to the original April 9, 2008 Agenda)

Following discussion and upon a motion duly made by Director Hanson, seconded by Director Juliussen, and carried, the Board of Directors approved the consent calendar.

8. Encina Wastewater Authority (EWA) Reports

- A. Encina Wastewater Authority Report – March 26, 2008 Board meeting.

Director Juliussen and President Sullivan reported on EWA's March 26, 2008 Board meeting.

GM Bushee reported that the April 9th MAM meeting was cancelled.

9. Committee Reports

- A. Community Affairs Committee meeting was held on April 2, 2008 – report by Director Omsted.

Director Omsted reported that Ideaworks presented an overview of the new website design. The CAC provided their comments to Ideaworks and staff. The new website is expected to be launched in June or July 2008. Director Omsted suggested that all Board members review the current website, and provide suggestions for improvement.

The CAC also reviewed the draft text and layout of the spring 2008 newsletter. The CAC provided numerous comments and suggestions for the newsletter layout and content. Staff will forward the newsletter to the Board members prior to mailing out. Director Omsted stated that the CAC recommended that the main topic for the next newsletter should be on recycled water.

Director Sullivan also suggested that Board members review their profile on LWD's website and submit any updates if needed.

- B. Engineering Committee meeting was held on April 7, 2008 – report by Director Juliussen.

Director Juliussen reported that the CAC reviewed Ordinance No. 119 Adopting the Leucadia Wastewater District Ordinance (Wastewater Ordinance) and concurred with staff to bring this recommendation to the Board. This item will be reviewed by the Board later in tonight's agenda.

The CAC also reviewed the proposed agreement with Zondiros Corporation for the construction of the Village Park No. 5 Force Main Replacement Project in an amount not to exceed \$253,700. The Committee concurred with staff to bring the recommendation forward to the Board. This item will be reviewed by the Board later in tonight's agenda.

In addition, the CAC reviewed the draft Fiscal Year 2009 Capital Improvement Budget and provided their comments. A draft CIP budget will be presented to the Board of Directors at the May Board meeting.

10. Old Business

None.

11. Public Hearing

- A. Public Hearing to Consider Adoption of the Leucadia Wastewater District Wastewater Ordinance.

GM Bushee stated the purpose of the public hearing is to receive public comment on Ordinance No. 119 Adopting the Wastewater Ordinance.

No public input was received at the Public Hearing. President Sullivan closed the Public Hearing.

12. New Business

- A. Adopt Ordinance No. 119 Establishing the LWD Wastewater Ordinance.

FSM Schempp presented the subject recommendation. FSM Schempp stated that this wastewater ordinance will replace a series of older interlocking resolutions and ordinances that had been adopted over time to define appropriate sewer use and generally protect District facilities. FSM Schempp stated that Ordinance No. 119 was developed with the help of LWD's General Counsel Brechtel. General Counsel Brechtel and staff developed an ordinance that establishes a new set of comprehensive rules and regulations that governs the design, construction, maintenance, and use of public and private sewer facilities that meets the State Discharge Requirements.

FSM Schempp introduced General Counsel Brechtel to further discuss the details of Ordinance No. 119. General Counsel Brechtel presented Ordinance No. 119 in detail.

Following discussion, Ordinance No. 119 was passed and adopted by the following vote:

AYES:	Directors	Sullivan, Kulchin, Hanson, Juliussen, and Omsted
NOES:	None	
ABSENT:	None	
ABSTAIN:	None	

- B. Authorize the General Manager to execute an Agreement with Zondiros Corporation for the construction of the Village Park No. 5 Force Main Replacement Project in an amount not to exceed \$253,700.

PM Morishita presented the subject recommendation. PM Morishita stated that EC reviewed this item on April 7th and recommended this item be forwarded to the Board

for review.

PM Morishita reported in April 2007, the Board of Directors authorized Infrastructure Engineering Corporation (IEC) to commence design of the District's Satellite Pump Station Force Main Replacement Project. The design of the Forcemain project was completed in late 2007 and is presently awaiting approval of a Coastal Development Permit from the City of Encinitas.

In February 2008, Encinitas staff informed the District that they were planning a street overlay project for Encinitas Boulevard that will extend eastward past the Village Park No. 5 (VP5) Pump Station. Encinitas imposes a two year moratorium on projects impacting the streets after completion of its street overlays. To complete the VP5 Force Main Project by the Encinitas imposed deadline of June 1, 2008, staff decided to bid the VP5 project separate from the combined Satellite Pump Station Force Main replacement project. To allow the VP5 Project to be constructed prior to the street overlay, Encinitas staff also exempted VP5 Forcemain Project from receiving a coastal development permit.

On February 25th, the project was advertised for sealed bids. The bids were due on Tuesday, March 18, 2008 and six bids were received. Zondiros Corporation submitted the lowest bid at \$253,700. The bid price of \$253,700 is 58% less than the \$611,200 estimated construction cost. The low bid price can be attributed to the downturn in the development sector resulting in the public infrastructure industry seeing increased competition and lower bids.

Following discussion, and upon a motion duly made by Director Juliussen, seconded by Director Omsted, then carried, the Board of Directors authorized the General Manager to execute an agreement with Zondiros Corporation for the construction of the Village Park No. 5 Force Main Replacement Project in an amount not to exceed \$253,700.

13. Information Items

GM Bushee reviewed the following information items.

- A. Water Reuse 12th Annual Conference will be held at the Westin Tabor Center in Denver, Colorado on May 5 – 6, 2008.

President Sullivan stated she suggests that a Director attend this conference. Directors Omsted and Juliussen volunteered to attend this conference.

- B. CSDA 2008 Special Districts Legislative Day will be held at the Sheraton Grand Hotel in Sacramento, CA on May 12, 2008.

President Sullivan and Director Juliussen stated they will attend CSDA Legislative Day. President Sullivan requested that staff follow up with CSDA on whether appointments will be scheduled for Board members to meet with local legislatures. GM Bushee stated staff will follow up with CSDA staff.

C. LWD Board of Directors Updated Training Schedule and CSDA Education Calendar.

GM Bushee stated that some Directors are due for their AB 1234 Ethics training and that there is online training available for those Board members. President Sullivan stated that the Ethics training and CSDA's courses should be completed by all Board members this year.

14. Directors' Meetings

A. Water Reuse Conference was held at the Newport Beach Marriot Hotel on March 24 – 26, 2008 – report by Directors Juliussen and Omsted.

Directors Juliussen and Omsted reported that they attended the Water Reuse Conference. Directors Omsted and Juliussen reported on the sessions regarding recycled water.

15. Comments, Questions or Requests by Directors

Director Juliussen commended staff and Mr. Brechtel for their work on the Wastewater Ordinance.

16. General Manager's Report

The following items were reported:

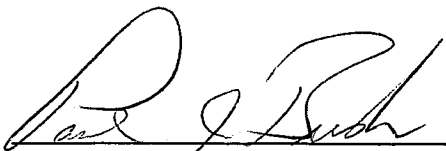
- A Special Board meeting is scheduled for Tuesday, April 22nd at 8:00 a.m. to review the Financial Plan. The meeting will take approximately two hours.
- Staff will send the Board members the Spring 2008 newsletter for review and comments prior to mailing to the public.
- The District recently hired Michael Ramirez to fill the Utility Worker position. He will start on Monday, April 14th.

17. General Counsel's Report

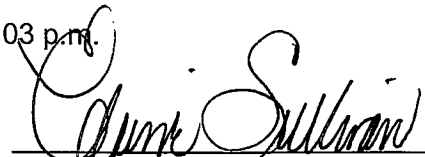
General Counsel Brechtel reported on the eminent domain propositions nos. 98 and 99. Also, Mr. Brechtel stated he is on a CASA committee that reviews regulations for private sewer laterals. Mr. Brechtel stated he will be included in a conference call this Friday to discuss the regulations for private sewer laterals.

18. Adjournment

President Sullivan adjourned the meeting at 6:03 p.m.



Paul J. Bushee
Secretary/General Manager
(SEAL)



Elaine Sullivan, President