

LEUCADIA WASTEWATER DISTRICT

Minutes of a Regular Board Meeting

May 8, 2013

A regular meeting of the Board of Directors of the Leucadia Wastewater District (LWD) was held Wednesday, May 8, 2013 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 5:02 p.m.

2. Roll Call

DIRECTORS PRESENT: Sullivan, Kulchin, Juliussen, Omsted, and Hanson

DIRECTORS ABSENT: None.

OTHERS PRESENT: General Manager Paul Bushee, District Counsel Wayne Brechtel, Administrative Services Manager Chuck LeMay, Technical Services Manager Robin Morishita, Field Services Superintendent Jeff Stecker, Executive Assistant Trisha Hill, Field Services Supervisor Marvin Gonzalez, Field Services Technician I Mauricio Avalos, District Engineer Steve Deering with Dudek, CPA Richard Duffey with Brownell & Duffey, Jamie Fagnant with Infrastructure Engineering Corp., Mark Jennette with NeWest Construction, Hank Steizl with Paul Ecke Elementary School, Chuck Parsons with Sancon, Jodi Greenberger with Park Dale Lane Elementary School, Thomas Baugh with Olivenhain Pioneer Elementary School, Jennifer Beales and Lois Humphreys with TRG & Associates, Jeff Bills with Confidence Consulting and Jessica Fernandes, a member of the public.

3. Pledge of Allegiance

4. General Public Comment Period

President Sullivan stated that Jessica Fernandes, a member of the public would like to address the Board of Directors.

Mrs. Fernandes stated that she is a local resident and that she would like to acknowledge LWD staff members for receiving excellent customer service that was provided to her recently. She provided a brief summary of her customer service experience with the Field Services staff, noting that they found her wedding ring in the sewer main. She expressed her appreciation to Field Services Technicians James Hoyett, Gabe Mendez, Marvin Gonzalez, Todd Amos and the crew for finding her wedding ring.

Vice President Kulchin suggested that Mrs. Humphreys with TRG draft a news article about Mrs. Fernandes' story.

5. Approval of Agenda

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

6. Presentations and Awards

A. Teacher Grant Awards.

EA Hill stated that at the March Board meeting, the Board of Directors approved three teacher grants. She stated that the teachers are present at tonight's meeting to provide a brief description about their project. She introduced each teacher to present their project.

Each teacher presented information about their school's project relating to water conservation and their school's garden. They all thanked the Board of Directors for providing a teacher grant program to help support their programs.

President Sullivan thanked the teachers for their efforts and stated that she was pleased to see them at tonight's meeting.

B. CWEA Awards

GM Bushee stated that he would like to acknowledge Field Services Supervisor Marvin Gonzalez for receiving the CWEA State Supervisor of Year award at the 2013 CWEA Annual Conference. In addition, GM Bushee acknowledged Mauricio Avalos for receiving the 2nd place award in the CWEA State Collection Person of Year competition as well.

The Board of Directors congratulated Marvin and Mauricio for their efforts.

CONSENT CALENDAR

7. Approval of Board and Committee Minutes

Minutes of the following meetings:

April 10, 2013 Regular Board Meeting

May 1, 2013 Engineering Committee Meeting

8. Approval of Demands for March/April 2013

Payroll Checks numbered 16675-16717; General Checking – Checks numbered 43736-43867

9. Operations Report (A copy was included in the original May 8, 2013 Agenda)

10. Finance Report (A copy was included in the original May 8, 2013 Agenda)

11. Quarterly Treasurer's Investment Report (A copy was included in the original May 8, 2013 Agenda)

Upon a motion duly made by Director Hanson, seconded by Director Omsted, and carried, the Board of Directors approved the consent calendar.

EWA and COMMITTEE REPORTS

12. Encina Wastewater Authority (EWA) Reports

A. EWA Board Report – Meeting was held on April 24, 2013.

Director Juliussen reported on the April 24, 2013 EWA Board of Directors meeting.

B. Encina Member Agencies Manager's (MAM) Meeting was held on May 7, 2013.

GM Bushee reported on the May 7, 2013 MAM Meeting.

13. Committee Reports

A. Engineering Committee meeting was held on May 1, 2013.

Director Juliussen reported that the EC reviewed an agreement with NeWest Construction Co. for construction of the Leucadia Pump Station Generator Replacement Project in an amount not to exceed \$467,000. He stated that the EC concurred with staff's recommendation and it will be presented later in the agenda.

He also reported that the EC reviewed an agreement with Sancon Engineering Inc. for construction of the Abedul and Persa Streets Gravity Line Repair Project in an amount not to exceed \$60,520. He stated that it will be presented later in the agenda.

In addition, he reported that the EC reviewed Ordinance No. 128, updating the District's Wastewater Ordinance. He noted that the Ordinance will be reviewed later in the agenda and that the EC concurred with staff's recommendation.

He also stated that the EC received an update on the Batiquitos Pump Station Rehabilitation project.

PUBLIC HEARING

14. Public Hearing to consider the following:

A proposal to consider Adopting Ordinance No. 128, The Update to the Leucadia Wastewater District's Wastewater Ordinance.

President Sullivan opened the public hearing for comments.

ASM LeMay stated that the notice of the public hearing announcement was posted at the District office on May 1, 2013, advertised in the local paper and a copy of the proposed Ordinance was available for public review. He noted that to date, staff has not received public comment.

No public comments were provided. President Sullivan closed the public hearing.

ACTION ITEMS

15. Strategic Planning Session Summary.

Receive and file the Strategic Planning Summary Report.

GM Bushee presented the item stating that Mr. Bills is at tonight's meeting to present an overview of the Strategic Planning Session Summary. He also noted that last month the Board reviewed the revised strategies and they are included with the summary report.

Mr. Bills presented an overview of the Strategic Planning Workshop. He stated that during the workshop the Board discussed their common concerns on key issues, completed an exercise to

assess the Board's current Strategic Initiatives, and then followed up with a forced analysis on those initiatives. He noted that following the forced analysis process, the Board directed staff to revise the language of the strategic initiatives and present them to the Board for approval at another Board meeting.

He stated that staff completed the revised strategic initiatives, which are included with this summary report.

The Board of Directors thanked Mr. Bills for the report. Director Juliussen noted that tonight's customer service story was an example of how the District provides excellent customer service. Director Omsted stated that the summary report was a good report.

President Sullivan stated that the Strategic Planning session was very productive day and it helped to improve the District's strategic initiatives.

GM Bushee noted that staff will add the revised strategies to the Board's Strategic Plan and present them at the June 2013 Board meeting as a consent calendar item.

Following discussion, upon a motion duly made by Director Juliussen, seconded by Director Omsted, and carried, the Board of Directors received and filed the Board of Director's Strategic Planning Workshop Summary Report.

16. Leucadia Pump Station Generator Replacement Project – Construction Contract Award.

Authorize the General Manager to execute an agreement with NeWest Construction Company for construction of the Leucadia Pump Station Generator Replacement Project in an amount not to exceed \$467,000.

TSM Morishita presented the item stating that it was reviewed by the EC on May 1st. He noted that this project is a goal in the FY 13 Tactical Plan.

He provided background information on the project noting that the Board previously authorized the project's design which has been completed. He stated that staff advertised for bids and six bids were received with NeWest as lowest bidder. He also stated that IEC reviewed the bids and they recommended that NeWest Construction Co. be awarded the contract as the lowest responsive and responsible bidder. He noted that their bid of \$467,000 was 6% lower than the engineer's estimate.

TSM Morishita also stated that there are sufficient funds in the FY 13 budget to cover the initial project construction costs; however, staff is requesting an additional appropriation in the FY 14 budget to cover the full cost of the project. TSM Morishita noted that the cost increase was due to the increase in generator output capacity from 600kW to 800kW.

President Sullivan asked if staff requires approval of the additional appropriation for the FY 14 budget. GM Bushee noted that staff will include the additional appropriation for this project in the FY 14 Budget.

Director Juliussen stated that the EC reviewed this project and that he was surprised at the low bid price. He thanked NeWest for submitting a bid for this project.

Director Hanson asked staff to confirm that the AMMP included 800kW generator. TSM Morishita confirmed that the AMMP included this project.

Following discussion, and upon a motion duly made by Director Juliussen, seconded by Director Omsted and carried, the Board of Directors authorized the General Manager to execute an agreement with NeWest Construction Company for construction of the Leucadia Pump Station Generator Replacement Project in an amount not to exceed \$467,000.

17. Ordinance No. 128 – Adopting the Update to the Leucadia Wastewater District’s Wastewater Ordinance.

Adopt Ordinance No. 128, an update of the District’s Wastewater Ordinance.

TSM Morishita presented the item stating that it was reviewed by the EC on May 1st. He noted that this project is a goal in the FY 13 Tactical Plan.

TSM Morishita stated that staff has been working with District Counsel Brechtel, along with District Engineer Deering to update the District’s wastewater ordinance. He noted the purpose of the ordinance and provided a brief summary of the recommended changes to the wastewater ordinance.

Director Omsted requested additional information on revised Article 5 in the ordinance. He asked for clarification on Article 5 regarding approval of swimming pool drainage. GM Bushee stated that since he has been at the District, he was not aware of any requests to drain pool water into the sewer. However, the Ordinance includes conditional provisions to drain swimming pools should there be a request.

Superintendent Stecker stated that over the past few years, he has only received one call from a customer asking for approval to drain their swimming pool water into the sewer. GM Bushee indicated that it is likely most pool owners do not request LWD approval but the language in the ordinance is designed to protect the District should a problem occur.

In addition, Director Omsted suggested revised language to Article V (d) to include “mass” discharges of such substances with pH lower than 5.0 or greater than 12.5. General Counsel Brechtel stated that the language in this section interprets that if a large amount is discharged into the sewer it will cause a meaningful change to the system.

Director Omsted also suggested that the CAC draft a one page handout that provides the public with consumer friendly information on the changes to the Private Lateral Maintenance section. General Counsel Brechtel agreed that providing the customers with information on how to maintain their sewer laterals would be a good idea.

Following discussion, and upon a motion duly made by Director Omsted, seconded by Director Juliussen and carried, the Board of Directors adopted Ordinance No. 128 – An Update of the District’s Wastewater Ordinance by the following vote:

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

18. Contract Award for Abedul and Persa Streets Gravity Line Repair.

Authorize the General Manager to execute a sole source agreement with Sancon Engineering, Inc. for the construction of the Abedul and Persa Streets Gravity Line Repair Project in an amount not to exceed \$60,520.

DE Deering presented this item providing a detailed description of the damaged pipeline and its location, indicating that the damage to the pipeline was due to the accumulation of calcite scale. He noted that this area of the District has high groundwater that causes the scale. He stated that District staff cleaned the lines with nozzle to remove the scale and that the nozzle may have removed a segment of the line. He stated that he had asked five contractors to submit a quote along with their solution to repair the lines.

He announced the results of the received quotes, recommending that Sancon be awarded the contract because of their unique approach to repairing the lines, along with their low responsive and responsible quote.

Following discussion, and upon a motion duly made by Vice President Kulchin, seconded by Director Omsted and carried, the Board of Directors authorized the General Manager to execute a sole source agreement with Sancon Engineering, Inc. for the construction of the Abedul and Persa Streets Gravity Line Repair Project in an amount not to exceed \$60,520.

19. Joint Professional Development Program with CSUSM.

Adopt Resolution No. 2232 Supporting the Establishment of a joint professional development program with California State University San Marcos (CSUSM).

ASM LeMay presented the item stating that over the past year Vallecitos MWD, Encina Wastewater District, and Rincon Del Diablo MWD have been meeting informally with CSUSM to discuss developing a certificate program that provides a curriculum to provide a level of education that enhances the existing skills and education of our workforce. He stated that within the next 5-10 years the industry will experience a loss of supervisors and managers. He added that CSUSM has a proposed program and the initial cost of the program is \$50,000 for the first year, noting that agencies will share this cost. He noted that the exact cost for each agency depends on how many agencies participate and no funds have been allocated in the FY 14 Budget.

Vice President Kulchin asked what the District's share of the \$50,000 would be. ASM LeMay stated that the agencies have not decided on each District's share of the costs. GM Bushee clarified that this resolution does not commit to the cost of the program; it is only to support the development of the program.

Following discussion, and upon a motion duly made by Director Hanson, seconded by Director Juliussen and carried, the Board of Directors adopted Resolution No. 2232 Supporting the Establishment of a Joint Professional Development Program with California State University San Marcos by the following vote:

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

INFORMATION ITEMS

20. Project Status Updates and Other Informational Reports

A. Website Traffic Summary Report.

EA Hill presented the item indicating that there has been a slight increase in website traffic since the last website traffic summary report. She also noted the top three pages receive the most hits.

B. Support Letters of SCA 11 and ACA 8.

GM Bushee provided a brief summary of the bills.

C. "Kulchin honored for environmental achievements" news article.

President Sullivan stated that the newspaper article about Ann Kulchin was a great article.

21. Directors' Meetings and Conference Reports

A. The CWEA 2013 Annual Conference was held at the Palm Springs Convention Center on April 16-19, 2013.

President Sullivan and Director Juliussen stated that they attended the CWEA conference. They each commented on the awards ceremony. President Sullivan and Director Juliussen stated that they supported the field service team in a collection system competition.

B. The CASA 2013 Spring Conference was held at the Marriott Newport Beach Resort & Spa on April 23-26, 2013.

All Board members attended the CASA Conference. Each Director reported on the sessions that they attended.

Director Hanson noted that Bobby Larson with CASA has made a positive difference with the program. President Sullivan and Director Juliussen agreed with Director Hanson. President Sullivan noted that this was the last CASA last spring conference.

Director Hanson also reported that she attended a LAFCO meeting last month and a Board vacancy was filled with a unanimous vote. She stated that the General Manager of Rainbow/Fallbrook PUD is the new Board member. She also reported that she attended the retirement dinner for Director Pat Conway from the North County Cemetery District.

22. General Manager's Report

General Manager Bushee reported on the following items:

- The Budget workshop is scheduled for tomorrow, May 9th at 9:00 a.m.;
- The CSDA quarterly meeting is scheduled for Thursday, May 16th at 6:00 p.m. He noted that he will carpool to the meeting and he will leave the District office at 5:30 p.m.
- The Encinitas Environmental Day is scheduled for Sunday, June 9th and the District will staff a booth at the event.

23. General Counsel's Report

General Counsel Brechtel provided information on a recent court decision in San Jose that affects elected officials. He stated that if public officials conduct public business with their private cell phones, texts, videos, etc. are considered a public record and are subject to public disclosure.

24. Board of Director's Comments

Director Omsted stated that he would like to attend the upcoming Watereuse Direct Potable Reuse Specialty Conference in Newport Beach. Director Juliussen indicated that he would like to attend as well.

Vice President Kulchin stated that the spring newsletter was outstanding. EA Hill noted that the District received positive feedback from the public on the newsletter.

25. Closed Session.


A. Conference with District Legal Counsel to discuss anticipated litigation pursuant to California Government Code Section 54956.9(b)(3)(A) and (C): Potential action regarding recycled water rebates.

General Counsel Brechtel stated the item.


Following closed session, he reported that the Board of Directors met in closed session and there was no reportable action.

26. Adjournment

President Sullivan adjourned the meeting at 6:38 p.m.



Elaine Sullivan, President



Paul J. Bushee
Secretary/General Manager
(SEAL)