

LEUCADIA WASTEWATER DISTRICT
Minutes of a Regular Board Meeting
July 8, 2009

A regular meeting of the Board of Directors of the Leucadia Wastewater District (LWD) was held Wednesday, July 8, 2009 at 5:00 p.m., at the District Administration Office at 1960 La Costa Ave., Carlsbad, California.

1. Call to Order

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

2. Roll Call

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

3. Pledge of Allegiance

4. Approval of Agenda

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

5. Public Comment

There was no public comment.

6. Presentations and Awards

None.

7. Consent Calendar

A. Minutes for the following meetings:

June 8, 2009 Human Resources Committee Meeting
June 9, 2009 Investment & Finance Committee Meeting
June 10, 2009 Regular Board Meeting
June 23, 2009 Special Board Meeting
June 29, 2009 Engineering Committee Meeting

B. Demands for June/July 2009

Payroll Checks Numbered 14337 – 14380; General Checking – Checks numbered 37941 – 38079

C. Operations Report. (A copy was included in the original July 8, 2009 Agenda)

D. Finance Report. (A copy was included in the original July 8, 2009 Agenda)

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

8. Encina Wastewater Authority (EWA) Reports

A. Encina Wastewater Authority Report – June 24, 2009 Board meeting.

Director Sullivan reported on EWA's June 24, 2009 Board meeting.

Member Agency Manager Meeting – July 8, 2009.

GM Bushee reported on the July 8, 2009 Member Agency Manager meeting.

9. Committee Reports

A. Engineering Committee (EC) meeting was held June 29, 2009.

Vice President Juliussen reported that the EC reviewed the agreement with ADS Environmental Services for the maintenance and analysis of data for seven flow meters. This item will be on tonight's agenda for approval.

The EC also received an update on the Site Improvement Project and toured the new building facilities.

10. Old Business

None.

11. New Business

A. Adopt Resolution No. 2197 - Adopting an Identity Theft Policy.

ASM LeMay presented the Identity Theft Policy along with background information on the reasons for the policy. ASM LeMay stated that Counsel Brechtel reviewed the policy and staff has received "Red Flag" training. ASM LeMay provided a brief overview of what is included in the policy.

Following discussion, Resolution No. 2197 was passed and adopted by the following vote:

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

B. Adopt Resolution No. 2202 – Supporting CSDA Board of Directors Region 6, Seat A nomination.

ASM LeMay stated that staff received a memo from the CSDA Elections and Bylaws Committee requesting nominations for the CSDA Board of Directors Region 6, Seat A position. LWD also received a letter from Vista Irrigation District's (VID) General

Manager, Roy Coox requesting LWD's support and a nomination of VID Director Joe MacKenzie. ASM LeMay noted the deadline for submitting the nomination and staff had no recommendation.

Following discussion, the Board of Directors decided not to nominate anyone for the position.

C. Receive and file the Fiscal Year 2009 (FY 09) Tactics and Action Plan Report.

GM Bushee presented the FY 09 Tactics and Action Plan Report. He stated that staff had a successful year and accomplished a majority of the tactics as well as additional tasks that had come up throughout the year that were not included on the list. GM Bushee noted that there are a few tactics that are still in progress. GM Bushee offered to provide a PowerPoint presentation of the FY 09 Tactics and Action Plan report; however, the Board of Directors decided that the staff memo and attached list of tactics were sufficient.

President Kulchin questioned one of the tactics that was not completed. ASM LeMay provided background information on the employee job descriptions tactic stating that it is an ongoing tactic item each fiscal year.

Following discussion, the Board of Directors received and filed the FY09 Tactics and Action Plan Report.

D. Receive and file the Disclosure of Reimbursements Report for January 1, 2009 through June 30, 2009.

GM Bushee stated that per Government code, the District is required to disclosure reimbursement of \$100 or more on an annual basis. GM Bushee stated that LWD exceeds the disclosure requirement and prepares the report every six months.

Following discussion, the Board of Directors received and filed the Disclosure of Reimbursements Report for January 1, 2009 through June 30, 2009.

E. Authorize the General Manager to execute a one year professional services agreement with ADS Environmental Services (ADS) for the maintenance and analysis of data from seven permanently installed flow meters in an amount not to exceed \$47,930.

PM Morishita presented the subject recommendation and provided background information on the permanent flow meters. The agreement is to renew the ADS services for an additional year to provide maintenance and analysis of the flow meters.

Following discussion, upon a motion duly made by Vice President Juliussen, seconded by Director Hanson, and carried, the Board of Directors authorized the General Manager to execute a one year professional services agreement with ADS Environmental Services for the maintenance and analysis of data from seven

permanently installed flow meters in an amount not to exceed \$47,930.

F. Discussion of attendance at the Water Environment Federation (WEF) TEC Conference in Orlando, Florida that is scheduled for October 10 – 14, 2009.

GM Bushee stated this item is included in the agenda based on a previous Board of Directors discussion to include out of state conferences on the agenda. Vice President Juliussen and Director Omsted stated they would like to attend the conference.

No action was taken.

G. Letter from Assemblyman Anderson requesting a letter of support for AB 1506.

EA Hill stated that LWD received a fax addressed to President Kulchin from Assemblyman Anderson's office requesting a letter of support for AB 1506. EA Hill stated that AB 1506 would allow organization and/or individuals to return the state of California's IOU to the state for any obligations they owe to the state. Attached to the staff memo is a sample letter that staff will use if the Board concurs to send the letter of support.

Following discussion, the Board of Directors directed staff to send the letter of support for AB 1506.

12. Information Items

A. Thank you letter from residents Mr. and Mrs. Armbrust.

GM Bushee noted that the District has received positive feedback regarding LWD's Lateral Grant Program from Mr. and Mrs. Armbrust.

Director Omsted questioned that if a sewer lateral verification occurred prior to the sale of a home, would this potentially prevent the new homeowner from a lateral backup. GM Bushee stated that there is no requirement for LWD to provide sewer verification prior to the sale of a home.

FSM Schempp noted that staff currently notifies residents if field services technicians locate any damage or roots to a lateral after televising the sewer mains.

B. Site Improvement Project Status Report – June 2009.

PM Morishita reviewed the status of the Site Improvement Project (SIP) and presented a PowerPoint of the SIP. He noted that the project is on schedule. To date, change orders have totaled approximately \$374,239.32 which represents 4.10% of the original contract amount.

13. Directors' Meetings

None.

14. Comments, Questions or Requests by Directors

Director Omsted stated he received excellent feedback regarding the LWD summer newsletter.

15. General Manager's Report

The following items were reported:

- GM Bushee will be on vacation from July 20 – August 5, 2009 and ASM LeMay will be the acting General Manager in his absence.
- ASM LeMay noted that the August Board meeting is scheduled for Monday, August 10, 2009. In addition, the Employee luncheon is scheduled for tomorrow, July 9, 2009.

16. General Counsel's Report

General Counsel reported that the California Fair Political Practices Commission (FPPC) issued a new regulation to govern gifts of tickets and passes to recreational activities. General Counsel Brechtel stated he would have to look further on whether LWD would be required to adopt a policy.

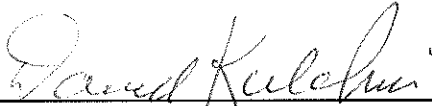
17. Closed Session

A. Personnel matters as authorized by Government Code §54957 to review the General Manager's Performance.

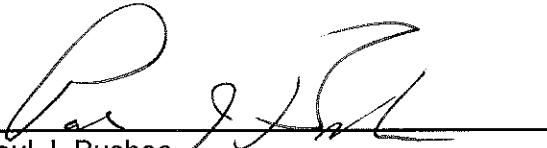
Following closed session, the Board of Directors reported that the General Manager received an excellent performance review. The Board approved a 7% pay increase.

18. Adjournment

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



David Kulchin, President



Paul J. Bushee,
Secretary/General Manager
(SEAL)