

LEUCADIA WASTEWATER DISTRICT
 Minutes of a Regular Board Meeting
 November 12, 2014

A regular meeting of the Board of Directors of the Leucadia Wastewater District (LWD) was held Wednesday, November 12, 2014 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 5:02 p.m.

2. Roll Call

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

DIRECTORS ABSENT: None.

OTHERS PRESENT: General Manager Paul Bushee, General Counsel Wayne Brechtel, Technical Services Manager Robin Morishita, Executive Assistant Trisha Hill, Engineer Steve Deering with Dudek, CPA Richard Duffey and resident/homeowner Kevin Scanlon.

3. Pledge of Allegiance

Vice President Juliussen led the pledge of allegiance.

4. General Public Comment Period

President Kulchin stated that one speaker slip was received from resident Mr. Kevin Scanlon.

Mr. Scanlon stated the purpose of his attendance indicating that his appeal to pay the District's capacity fee for his granny flat project was rejected. He had asked that the Board consider a reduction in the capacity fee for his project. He stated that he had spoken with staff and understands the reason behind the capacity fee for a granny flat noting that there is potential for a homeowner to use the granny flat as rental property; however he stated that his will only be used for his parents that will visit his family for a few weeks per year.

The Board of Directors asked several questions relating to his project.

General Counsel Brechtel reminded the Board that they can ask questions relating to his request; however they would need to add an agenda item to a future Board meeting to take action.

GM Bushee answered the Board's questions and stated that staff can further review other options for the Board's consideration at the December Board meeting.

5. Approval of Agenda

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

Director	Vote
President Kulchin	Aye
Vice President Juliussen	Aye
Director Omsted	Aye
Director Hanson	Aye
Director Sullivan	Aye

6. Presentations and Awards

A. Achievement of a Individual Objective.

GM Bushee introduced Field Services Technician III Gabe Mendez stating that he recently received a certificate of achievement in Public Works Management Level II from Palomar College. He noted that Gabe had to complete eleven courses over a two year period to complete the program. He congratulated him for his efforts and stated that Gabe is eligible for a \$500 incentive as authorized under LWD's Incentive Program.

President Kulchin presented Gabe with his certification and an incentive check for \$500 as authorized under LWD's Incentive Program.

The Board of Directors congratulated Gabe for his efforts.

CONSENT CALENDAR

GM Bushee noted that Director Omsted had brought to his attention a typo in the Disclosure of Reimbursement Report. He noted the typo and stated that staff had made the correction to the report.

7. Approval of Board and Committee Minutes

Minutes of the following meetings:

- October 3, 2014 Engineering Committee Meeting
- October 8, 2014 Regular Board Meeting
- October 15, 2014 Community Affairs Committee Meeting
- October 22, 2014 Ad Hoc Committee Meeting

8. Approval of Demands for October/November 2014

Payroll Checks numbered 17578-17630; General Checking – Checks numbered 45900-46055

9. Operations Report (A copy was included in the original November 12, 2014 Agenda)

10. Finance Report (A copy was included in the original November 12, 2014 Agenda)

11. Quarterly Treasurer's Investment Report

This report discloses investments for the quarter ending June 30, 2014. (A copy was included in the original November 12, 2014 Agenda)

12. Disclosure of Reimbursements

This report discloses travel expense reimbursements for the month of October 2014. (A copy was included in the original November 12, 2014 Agenda)

Director Sullivan requested that the Disclosure of Reimbursement report include a note that indicates the names of the Directors that carpool to the conferences. GM Bushee stated that staff will include this on future reports.

Upon a motion duly made by Director Omsted, seconded by Director Sullivan, and unanimously carried, the Board of Directors approved the consent calendar with the revised disclosure of reimbursements report by the following vote:

Director	Vote
President Kulchin	Aye
Vice President Juliussen	Aye
Director Omsted	Aye
Director Hanson	Aye
Director Sullivan	Aye

EWA and COMMITTEE REPORTS

13. Encina Wastewater Authority (EWA) Reports

- A. EWA Board Report – Meeting was held on October 22, 2014.

Director Sullivan reported on EWA's October 22, 2014 Board meeting.

- B. A Encina Member Agencies Manager's (MAM) Meeting was held on November 3, 2014.

GM Bushee reported on the MAM's November 3, 2014 meeting.

14. Committee Reports

- A. Community Affairs Committee (CAC) meeting was held on October 15, 2014.

Director Sullivan reported that the CAC reviewed and commented on the text and layout of the newsletter and directed staff to move forward with the production of the newsletter after the revisions. She noted that the newsletter was mailed out the week of November 3, 2014.

She stated that the CAC also reviewed a list of topics and ideas to post on Facebook and an editorial calendar. She stated that the CAC authorized staff to proceed with the Facebook topics and the proposed calendar.

- B. Ad Hoc Committee meeting was held on October 22, 2014.

Director Omsted reported that the Ad Hoc committee reviewed and commented on the Board-General Manager/Staff Relations Policy. He noted that the committee suggested a few changes and that the Board will review the policy during tonight's meeting.

- C. Employee Recognition Committee (ERC) meeting was held on November 6, 2014.

Director Hanson reported that the ERC reviewed seven Employee of the Year nomination forms and selected the 2014 Employee of the Year recipient. She stated this item will be reviewed later in the agenda for the Board's approval.

ACTION ITEMS

15. Adopt Resolution No. 2254 – Adopting an Amended and Restated Revised Basic Agreement (RBA) for joint ownership of the Encina Wastewater Authority (EWA).

GM Bushee presented the item stating the purpose of RBA amendments. He provided a brief summary of the amendments noting that the revised RBA will reflect the new capacity and ownership percentages for the Encina Wastewater Pollution Control Facility and the methodology for allocating the expenses associated capacity and costs. In addition, the RBA was updated to

reflect current reclamation facilities and minor house-keeping administrative updates.

Following discussion, upon a motion duly made by Director Hanson, seconded by Director Sullivan, and unanimously carried, the Board of Directors adopted Resolution No. 2254 – Adopting an Amended and Restated Revised Basic Agreement (RBA) for joint ownership of the Encina Wastewater Authority by the following vote:

Director	Vote
President Kulchin	Aye
Vice President Juliussen	Aye
Director Omsted	Aye
Director Hanson	Aye
Director Sullivan	Aye

16. Adopt the revised Board-General Manager/Staff Relations Policy.

GM Bushee presented the item stating that the Ad Hoc Committee reviewed the policy and directed staff to make revisions to the policy. He added that staff made the revisions and noted the revisions in the policy.

Director Hanson stated that the policy was well written. President Kulchin stated the policy still reflects some flexibility, however, he believes that the policy seems to be more restrictive.

Upon a motion duly made by Director Hanson, seconded by Director Omsted, and unanimously carried, the Board of Directors adopted the revised Board-General Manager/Staff Relations Policy by the following vote:

Director	Vote
President Kulchin	Aye
Vice President Juliussen	Aye
Director Omsted	Aye
Director Hanson	Aye
Director Sullivan	Aye

17. Approve an award of \$1,000 to the recipient of the 2014 Employee of the Year Award.

GM Bushee presented the item stating that under the District's Incentive Policy, the Board is required to approve the \$1,000 Employee of the Year award. He noted that if a Board member would like to know the name of the recipient to contact him.

Upon a motion duly made by Vice President Juliussen, seconded by Director Omsted, and unanimously carried, the Board of Directors approved an award of \$1,000 to the recipient of the 2014 Employee of the Year Award by the following vote:

Director	Vote
President Kulchin	Aye
Vice President Juliussen	Aye
Director Omsted	Aye
Director Hanson	Aye
Director Sullivan	Aye

18. Calendar Year 2015 Board of Directors' Meeting Schedule.

Approve the Calendar Year 2014 Board of Directors' meeting schedule.

EA Hill presented the item stating that the Board approved Resolution No. 2205 that establishes the date, time and place for regular Board meetings. It also states that the Board meetings will be held on the second Wednesday of each month at 5:00 PM. She noted that staff developed the proposed CY 2015 Board meeting schedule and coordinated the meetings with upcoming 2015 conferences. She stated that staff proposed to move the November 2015 Board meeting to the third Wednesday of the month, since its original date falls on Veterans Day holiday, when the office will be closed.

Upon a motion duly made by Director Omsted, seconded by Vice President Juliussen, and unanimously carried, the Board of Directors approved the Calendar Year 2014 Board of Directors' meeting schedule by the following vote:

Director	Vote
President Kulchin	Aye
Vice President Juliussen	Aye
Director Omsted	Aye
Director Hanson	Aye
Director Sullivan	Aye

19. Batiquitos Lagoon Foundation Board Members 2014 Election.

Upon a motion duly made by Director Omsted, seconded by Director Sullivan, and unanimously carried, the Board of Directors voted for the following candidates on the Batiquitos Lagoon Foundation Board of Directors: Don Omsted (Incumbent), Liz Paegel and David Hill by the following vote:

Director	Vote
President Kulchin	Aye
Vice President Juliussen	Aye
Director Omsted	Aye
Director Hanson	Aye
Director Sullivan	Aye

20. Call for Nominations to the San Diego Chapter CSDA Board of Directors.

EA Hill presented the item stating that the District received notification from the San Diego Chapter CSDA Board of Directors that they are receiving nominations for the President, Vice President and

Treasurer positions.

Following discussion, the Board of Directors agreed not to nominate an individual to the San Diego Chapter CSDA Board of Directors.

21. Inclusion of a Credit Card Breakdown in the Monthly Board Agenda under the Demands Section.

Director Hanson presented the item stating that she recommends an additional report be included in the demands that show a detailed description of the credit card transactions. She provided an example of another agency that provides this information in their agenda.

Director Omsted asked if this new report would be possible to generate. GM Bushee explained how the financial software generates the demands report and that staff would have to create a separate supplemental report.

Upon a motion duly made by Director Omsted, seconded by Director Hanson, and unanimously carried, the Board of Directors directed staff to include an additional report in the monthly Board agenda under the demands that will display detailed credit card transactions by the following vote:

Director	Vote
President Kulchin	Aye
Vice President Juliussen	Aye
Director Omsted	Aye
Director Hanson	Aye
Director Sullivan	Aye

INFORMATION ITEMS

22. Project Status Updates and Other Informational Reports

- A. CSDA Quarterly Dinner Meeting is scheduled for Thursday, November 20, 2014 at The Butcher Shop Steakhouse in Kearny Mesa.

EA Hill announced the CSDA Quarterly Dinner Meeting date and asked the Board members to RSVP with her if they would like to attend.

President Kulchin, Vice President Juliussen and Directors Hanson and Sullivan indicated that they would like to attend.

GM Bushee stated that there will be a carpool from the District office and it will leave at 5:30PM.

- B. News article "Agreement Executed to Secure \$3.4 Million in State Grant Funds for North County Recycled Water Projects".

GM Bushee noted the press release by the North County Recycled Water Group. He stated that the San Diego Water Authority released funds to the North County Recycled Group for their overall projects. He stated the District's two projects and noted that the District must also

have an agreement with either Olivenhain Municipal Water District or the city of Carlsbad to move forward with these projects.

- C. LWD Holiday Luncheon is scheduled for Thursday, December 11, 2014 at Buca di Beppo.

23. Directors' Meetings and Conference Reports

- A. CSDA San Diego Local Section Board of Directors meeting.

Director Sullivan reported that she attended the three hour meeting and she provided a brief summary of the meeting.

- B. CSDA Professional Development Committee meeting.

Director Sullivan reported that she attended the meeting. She provided a brief summary of the meeting. She noted that the committee is reviewing possible new programs. She added that CSDA always reviews any feedback provided by their members and how important it is to provide information to CSDA.

24. General Manager's Report

- The Holiday Luncheon is scheduled for Thursday, December 11, 2014 at noon located at Buca di Beppo;
- Staff would like to schedule the Board Strategic Planning session for either February 18th or 19th. He stated that Brent Ives will be conducting the planning session. The Board of Directors scheduled the Strategic Planning Session on Thursday, February 19, 2015.
- Invitation to the Board of Directors to attend the Batiquitos Lagoon Foundation's event - Release of four Clapper Rail birds on November 18th at the lagoon. Director Omsted provided a brief summary of the event.

25. General Counsel's Report

General Counsel Brechtel reported on a new rule that will clarify that recycled water in ponds or recharge facilities is not subject to the Federal Clean Water Act. He noted that CASA drafted a comment letter addressing the new rule.

He also reported that during the State's budget crisis, Governor Brown authorized a moratorium on the predator control program. He indicated that the Batiquitos Lagoon Foundation (BLF) now assumes responsibility for the program. Director Omsted noted that BLF receives funds from the State and then they release funds to the Fish and Wildlife Department for the predator control program.

26. Board of Director's Comments

Director Sullivan asked EA Hill the date of CWEA's Annual Award Banquet. EA Hill stated that she has not received an invitation or notice about the banquet. GM Bushee stated that staff will follow up with CWEA to confirm the banquet's date.

Director Hanson congratulated Directors Sullivan and Kulchin for winning the election.

27. Closed Session


- A. Conference with Legal Counsel to discuss liability claim pursuant to California Government Code Sec. 54956.9(d)(2): California River Watch Notice of Intent to Sue.

General Counsel Brechtel reported that the Board met in closed session and considered a proposed settlement with the California River Watch organization. The Board of Directors unanimously approved the settlement agreement and directed the General Manager to proceed with finalizing the document.

28. Adjournment

President Kulchin adjourned the meeting at 6:10 p.m.



David Kulchin, President

Paul J. Bushee
Secretary/General Manager
(SEAL)