

LEUCADIA WASTEWATER DISTRICT
 Minutes of a Regular Board Meeting
 January 9, 2019

A regular meeting of the Board of Directors of the Leucadia Wastewater District (LWD) was held Wednesday, January 9, 2019 at 5:00 p.m., at the District Administration Office at 1960 La Costa Avenue, 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, Omsted, Hanson, and Sullivan

DIRECTORS ABSENT:

OTHERS PRESENT: General Manager Paul Bushee, General Counsel Wayne Brechtel, Technical Services Manager Robin Morishita, Field Services Superintendent Jeff Stecker, Executive Assistant Tianne Baity, Administrative Services Supervisor Trisha Hill, District Engineer Dexter Wilson, Volker Hoehne from Watermen's Alliance, and District resident George Sullivan

3. Pledge of Allegiance

President Kulchin led the pledge of allegiance.

4. General Public Comment Period

None.

5. Approval of Agenda

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

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

6. Presentations and Awards

None.

CONSENT CALENDAR

7. Approval of Board and Committee Minutes

Minutes of the following meetings:

December 12, 2018 Regular Board Meeting
 January 3, 2019 Human Resources Committee Meeting

8. Approval of Demands for December 2018/January 2019

Payroll Checks numbered 21078-21122; General Checking – Checks numbered 52332-52426

9. Operations Report (A copy was included in the original January 9, 2019 Agenda)

10. Finance Report (A copy was included in the original January 9, 2019 Agenda)

11. Disclosure of Reimbursements

This report discloses travel expense reimbursements for the month of December 2018.

12. Status Update on the Fiscal Year 2019 (FY19) LWD Tactics and Action Plan

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

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

EWA and COMMITTEE REPORTS

13. Encina Wastewater Authority (EWA) Reports

A. EWA Board Report – Meeting was held on December 12, 2018.

Director Sullivan reported on EWA’s December 12, 2018 Board meeting.

14. Committee Reports

A. Human Resources Committee (HRC) Meeting was held on January 3, 2019.

Director Omsted reported that the HRC reviewed the following recommendation:

- Resolution No. 2309 - Board of Directors Election of Officers, Establishment of Committees, and Selection of Committee Members

The HRC concurred with staff to present this recommendation to the Board of Directors and it will be discussed later in the agenda.

PUBLIC HEARING

15. Public Hearing to Receive Input Regarding Electoral Map 102 and the Transition From At-Large to District-Based Board Member Elections.

President Kulchin opened the public hearing for comments. There was one public speaker.

Mr. George Sullivan, a resident of the District, stated he was in favor of the Board approving map 102. He stated he reviewed the population, ethnic distribution, and political distribution statistics

of map 102 and the map is equal and fair across the separate districts. Mr. Sullivan stated he saw no favoritism or political advantage or disadvantage within the districts drawn in map 102.

President Kulchin thanked Mr. Sullivan and closed the public hearing.

ACTION ITEMS

16. Adopt Ordinance No. 138 – Establishing a District-Based Election process for the Board of Directors

GC Brechtel presented background information on the item noting a public hearing to consider Electoral District Map 102 was held prior to this agenda item. He stated the Board is now asked to consider adoption of Ordinance No. 138, which establishes a district-based election process pursuant to Elections Code section 10010. GC Brechtel then reviewed the basic components of Ordinance No. 138.

President Kulchin asked which Directors are up for re-election in 2020. GM Bushee answered Directors Juliussen, Omsted, and Hanson.

Director Omsted stated he is opposed to map 102. He stated he preferred the paired test map which was presented at the December 2018 Board meeting because it reflected more precise geographic areas.

Following discussion and upon a motion duly made by Director Sullivan, seconded by Vice President Juliussen, and carried, the Board of Directors adopted Ordinance No. 138 - Establishing a District-Based Election process for the Board of Directors by the following vote:

Director	Vote
President Kulchin	Yes
Vice President Juliussen	Yes
Director Omsted	No
Director Hanson	Yes
Director Sullivan	Yes

17. Adopt Resolution No. 2309 - Board of Directors Election of Officers, Establishment of Committees, and Selection of Committee Members.

GM Bushee presented the item stating that at last month's Board meeting, the Board of Directors considered Resolution 2309 and did not take action. He noted the discussion focused on whether to have the Board President make the standing committee appointments or to institute two-year rotating committee appointments. As a result, the Board directed staff to revise the policy and present three potential options for committee appointments for the Board's consideration at its January meeting.

GM Bushee then reviewed the three potential options stating that staff has also added language that the committee appointments will be made at the January Board meeting each year. GM Bushee noted there is added language to Options 1 and 3, section C, stating that for the initial term the Board President would assign one member of a current committee to a new committee and the other committee member would start their rotation the following year. He also noted that Encina committee members would only serve on one LWD committee.

Vice President Juliussen stated he is in favor of Option 2, the current policy, and the Board President appointing committee members. He stated that this is a fair system since two directors may request a vote to affirm or reject the President appointments.

Director Omsted stated he is in favor of Option 3, two-year rotating and alternating committees for LWD committees only (not Encina Joint Powers Authority). Director Omsted stated that it is good for the future since it brings new ideas, new approaches, and new ways of thinking.

Director Hanson stated she agreed with Director Omsted and she was in favor of Option 3.

Director Sullivan stated she agreed with Vice President Juliussen and she is in favor of Option 2. She stated that she believes the right people are on the right committees.

President Kulchin thanked the Board for their opinions on the agenda item. President Kulchin stated that the current Board members have a lot of experience and the District has a long tradition of being well run. He stated that he is in favor of Option 2 and keeping the committee assignments as they are.

Director Omsted made a motion, to select Option 3 as the preferred approach for Resolution No. 2309 - Board of Directors Election of Officers, Establishment of Committees, and Selection of Committee Members. The motion was seconded by Director Hanson. The Board voted as follows:

Director	Vote
President Kulchin	No
Vice President Juliussen	No
Director Omsted	Yes
Director Hanson	Yes
Director Sullivan	No

The motion did not pass.

Following a motion duly made by Director Sullivan, and seconded by Vice President Juliussen the Board of Directors selected Option 2 as its preferred approach for Resolution No. 2309 - Board of Directors Election of Officers, Establishment of Committees, and Selection of Committee Members, by the following vote:

Director	Vote
President Kulchin	Yes
Vice President Juliussen	Yes
Director Omsted	No
Director Hanson	No
Director Sullivan	Yes

Following a motion duly made by Director Omsted, seconded by Director Sullivan, and unanimously carried, the Board of Directors adopted Resolution No. 2309 - Board of Directors Election of Officers, Establishment of Committees, and Selection of Committee Members (incorporating Option 2 – Board President assigns committee members), by the following vote:

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

18. Adopt Resolution No. 2308 - The Revised LWD Board-General Manager/Staff Relations Policy.

GM Bushee presented the item stating it was included in the December 12, 2018 Board agenda; however, this item was pulled from the agenda pending the outcome of a stand-alone policy relating to how the Board elects its officers and establishes its committees. GM Bushee stated that the Board-General Manager/Staff Relations Policy has been revised to omit "Section IX - Committees" of the policy in its entirety.

Upon a motion duly made by Director Hanson, seconded by Vice President Juliussen, and unanimously carried, the Board of Directors adopted Resolution No. 2308 – The Revised LWD Board-General Manager/Staff Relations Policy by the following vote:

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

19. Board of Directors Committee Assignments

President Kulchin presented the item stating that committee assignments will remain the same as 2018. He then reviewed the committee assignments. There was no action taken.

INFORMATION ITEMS

20. Project Status Updates and Other Informational Reports

- A. 2019 CWEA San Diego Section Awards Banquet is scheduled for January 26, 2019 from 6pm-10pm at the Green Dragon Tavern & Museum, Carlsbad, CA.

EA Baity announced the date and the time of the 2019 CWEA San Diego Section Awards Banquet. She noted that banquet tickets would be mailed to the Board.

- B. 2019 WateReuse CA Annual Conference is scheduled for March 17-19, 2019 at the Hyatt Regency Orange County, Garden Grove, CA.

EA Baity announced the date and the time of the 2019 WateReuse CA Annual Conference.

21. Directors' Meetings and Conference Reports

None.

22. General Manager's Report

GM Bushee reported on the following items:

- Letter from Carlsbad Municipal Water District dated December 24, 2018;
- No Closed Session tonight; and
- CSDA Event at LWD honoring the 2018 CSDA Student Video Contest Winner

23. General Counsel's Report

GC Brechtel reported on the following items:

- He will be conducting round table discussions at the CASA Winter Conference later this month on the CA Voting Rights Act

24. Board of Directors' Comments

Director Sullivan wished everyone a happy New Year and stated she is looking forward to another productive year at the District.

25. Closed Session

Conference with Legal Counsel to discuss exposure to litigation pursuant to California Government Code Sec. 54956.9(d)(2) – Violation of California Voting Rights Act.

There was no Closed Session.

26. Adjournment

President Kulchin adjourned the meeting at approximately 5:33 p.m.



Paul J. Bushee
Secretary/General Manager
(SEAL)


David Kulchin, President