

**Regular Meeting of the Board of Directors
Of the Ramona Municipal Water District
Ramona Community Center
434 Aqua Lane
January 8, 2008
7:30 p.m.**

PRESENT

Robert Kryszak – President
Doug Wilsman – Vice President
Jim Robinson – Secretary
Red Hager – Treasurer
Kit Kesinger – Director

AGENDA

A. Opening of Meeting

A.1. Call to Order and Pledge of Allegiance

The Regular Meeting of the Board of Directors of the Ramona Municipal Water District was called to order by President Kryszak at 7:30 p.m., at the Ramona Community Center, 434 Aqua Lane, Ramona, County of San Diego, State of California.

Also present were: Thomas L. Brammell, General Manager; Sophie Akins, Legal Counsel; Tim Stanton, District Engineer, Alice Benson, Wastewater Operations Manager, Ralph McIntosh, Operations Superintendent; Calvin McVay, Ramona Fire Marshal/ CalFire; Marc Hafner, Ramona Battalion Chief/CalFire; Kevin O’Leary, CalFire/North County Division Chief; Angel Yanez, Lead Sewer Collections; Greg Marty, Laboratory Analyst; and Sherry McGarry, Administrative Secretary.

President Kryszak led the Board and members of the audience in the Pledge of Allegiance.

A.2. Consideration of Non-Agenda Items Which Arose Subsequent to the Posting of the Agenda

A.3. Adoption of Agenda for Meeting of January 8, 2008

M\ TO ADOPT AGENDA (Robinson)

Director Wilsman asked that Agenda Item F.2. be moved before A.6. for discussion.

**M\S\C DIRECTOR ROBINSON AMENDED MOTION TO ADOPT AGENDA AND MOVE AGENDA ITEM F.2. BEFORE A.6. (Robinson/Wilsman)
Approved 5-0.**

A.4. Opportunity for Members of the Public to Address the Board on any Subject within its Jurisdiction but not on the Agenda

Ernest Garrett, Chairman of the San Diego Country Estates ad hoc Water Study Committee advised that a proposal will be delivered Wednesday to the Board Members and is based on the 1991 water recycling act of the California Water Code. The committee believes the proposal will provide a permanent solution to the District's effluent disposal problem and eliminate the need for a Reverse Osmosis system as well as reduce cost for sewer rate payers of the San Diego Country Estate's community.

It is up to the Board if it is to be placed on the Agenda for the next meeting.

A.5. Announcements and/or Informational Reports from Board and/or Staff

A.5.a. General Manager's Report

None.

A.5.b. Committee Reports

None.

A.5.c. Staff Reports

A.5.c.-1. Status of Proposition "S" System Improvements
Recommendation: None.

None.

A.5.c.-2. Status Report on Reverse Osmosis Unit and Brine Evaporation Pond for the San Vicente Wastewater Reclamation Plant.
Recommendation: None.

Tim Stanton, District Engineer, answered Director Wilsman and advised that the July 2007 proposal to design ponds is still active. He also responded to President Krysak that the estimated cost for a new Reverse Osmosis system will be updated in the next Status Report.

A.5.c.-3 Status Report on Boulder Tank and Pipeline Projects.
Recommendation: None.

Director Wilsman commented that there is still an amount due us on construction projects out of the Community Facilities District (CFD). Tim Stanton advised that the billing will be done in one or two weeks and that it is presently being reviewed by the CFD engineer.

Tim Stanton responded to Director Hager that the Schedules in this Agenda Item A.5.c.-3 on pages 8, 9, & 10 are to be completed in February, and that we have billed CFD \$900,000 plus and we will be obtaining the remainder of the \$1.3 million from them. He further commented that we have spent in excess of that amount on the project.

A.5.c.-4 Status report on Bargar Water Treatment Plant.
Recommendation: None

Director Wilsman asked if ECO is still interested in operating the plant on a lease basis. Tim Stanton, advised they are still interested and we are in the process of sending them water samples. They are interested in selling us water at a discounted rate.

Tim Stanton further responded to Director Hager that we will have to work terms and conditions out with them, since RMWD is only leasing the site. ECO's solution is to build new units in order to produce 2, 3 4 MGD on our site.

A.5.c.-5 Status Report on Obtaining Regional Water Quality Control Board Approval of Wastewater Discharge Requirements for San Vicente Wastewater Reclamation Facilities Based on Salt Reduction Plan.

Recommendation: None.

Director Wilsman commented that Alice Benson, Wastewater Operations Manager, and her staff have had over 100 eMails and phone conversations between District staff and RWQCB during the past two years, in order to obtain status updates. The next meeting of the Regional Water Quality Control Board is February 13, 2008, but it is not expected that the permit will be on that Agenda.

F. Agenda items which anticipate possible input from staff

F.2. Review and Possible Action on: 1) Salt Reduction Plan; 2) R/O Upgrade; 3) Brine Pond Engineering; and 4) Securing a Proposal for Leasing Bargar.

Recommendation: That the Board direct staff to 1) continue to seek Regional Board approval of the 2004 Salt Reduction Plan; 2) to get at least one proposal for design and construction of an R/O upgrade and bring it to the Board as soon as possible; 3) to award the engineering contract for the brine ponds as soon as possible and 4) to continue to seek proposals to lease Bargar to an outside firm.

Director Wilsman suggested and President Krysak agreed to table this Agenda Item until the next meeting.

A.6. Discussion and Possible Action to Elect Officers of the Ramona Municipal Water District Board of Directors.

Recommendation: That the Board elect officers in order to comply with Legislative Code Section 2.08.050.

PRESIDENT - President Krysak opened nominations for President. Director Wilsman nominated Robert Krysak.

Nominations were closed.

MS\C TO ELECT ROBERT KRYSAK AS PRESIDENT Approved 5-0

VICE PRESIDENT – President Krysak opened nominations for Vice President. President Krysak nominated Doug Wilsman.

Nominations were closed.

MS\C TO ELECT DOUG WILSMAN AS VICE PRESIDENT Approved 5-0

SECRETARY – President Krysak opened nominations for Secretary. Director Wilsman nominated Jim Robinson.

Nominations were closed.

M\S\C TO ELECT JIM ROBINSON AS SECRETARY Approved 5-0

TREASURER – President Krysak opened nominations for Treasurer. Director Robinson nominated Red Hager.

Nominations closed.

M\S\C TO ELECT RED HAGER AS TREASURER. Approved 5-0

A.7. Adjourn to Ramona Public Facilities Corporation Board Meeting.

President Krysak adjourned the Regular Meeting at 7:40 p.m.

A.7.a. Call to Order

A.7.b. Election of Officers

A.7.c. Approval of Minutes for January 9, 2007

A.7.d. Adjourn to the Regular Meeting of the Ramona Municipal Water District Board of Directors

A.8. Reconvene to Regular Meeting of the RMWD Board of Directors

President Krysak adjourned the Public Facilities Meeting at 7:43 p.m. and reconvened the Regular Meeting of the Board of Directors of the Ramona Municipal Water District.

B. Ministerial Items

B.1. Consent Calendar

(All matters on the consent calendar are to be approved by one motion unless a Board Member requests separate action on a specific item)

Director Kesinger pulled item B.1.a. Minutes of December 26, 2007 for discussion.

B.1.b. Adoption of RMWD Employees Association Memorandum of Understanding (MOU) and Application of Same Benefits to Unrepresented Employees by Adoption of Order of the Board

Recommendation: That the Board take action to: 1) adopt the RMWD Employees Association MOU as provided under separate cover; 2) apply the same benefits, terms and conditions to the unrepresented groups of management, professional and confidential; and 3) approve the Order of the Board as provided under separate cover.

B.1.c. Discussion and Possible Action on Extension of General Counsel Agreement for Legal Services for January 1, 2008 through June 30, 2008.

Recommendation: That the Board extend the General Counsel's current Agreement for Legal Services with Best Best & Krieger, LLP for the period January 1, 2008 through June 30, 2008 with the current \$7,000 monthly retainer.

B.1.d. Award of Contract to Risk Management Professionals for Development of a National Incident Management Systems (NIMS) Update to The District's Emergency Response Plan.

Recommendation: That the Board award the contract to Risk Management Professionals of Irvine, California, for the amount of \$26,353. Staff also recommends that the Board authorize the Human Resources Manager to execute the contract.

B.1.e. Discussion and Possible Action on Annexation of APN 284-221-01 into the Santa Maria Sewer Service Area and Adoption of Resolution 08-1386.

Recommendation: That the Board adopt Resolution 08-1386 approving annexation of APN 284-221-01 into the Santa Maria Sewer Service Area.

Director Wilsman commented that the Agenda Item B.1.b. should include the yellow revision sheets of pages 2, 4, 45 and 47 that were distributed at this meeting.

M\S\C TO APPROVE CONSENT ITEMS B.1.b., and its revisions sheets, B.1.c., B.1.d. and B.1.e. (Wilsman/Robinson) Approved 5-0

B.1.a. Adoption of the Minutes for December 26, 2007.

Recommendation: That the Board adopt the Minutes for December 26, 2007.

Director Kesinger pulled item B.1.a. Minutes of December 26, 2007 due to the fact he was absent during that meeting.

M\S\C TO APPROVE MINUTES FOR DECEMBER 26, 2007. (Robinson/Krysak) Approved 4-0-1 Director Kesinger abstained.

C. Public Hearing/Bid Openings

(This space on the agenda is reserved in the event there is a public hearing or bid opening)

None.

D. Agenda items which anticipate possible input from members of the public (This

space on the agenda is reserved in the event a member of the public is scheduled to address the Board)

None.

E. Agenda items which anticipate possible input from other agencies/consultants

(This space on the agenda is reserved in the event another agency/consultant is scheduled to address the Board)

E.1. Discussion and Possible Action on Repealing Ordinance 02-245 and Adopting Ordinance Nos. 07-338 and 07-339 Concerning Adopting California Fire Code, the 2006 International Fire Code and the California Wildland-Urban Interface Code, 2006 Edition, with certain Amendments, Additions and Deletions.

Recommendation: That the Board Repeal Ordinance 02-245 and Adopt Ordinance No. 07-338 and 07-339 concerning Adopting California Fire Code, the 2006 International Fire Code and the California Wildland-Urban Interface Code, 2006 Edition, with certain Amendments, Additions and Deletions.

M\S\ **MOTION TO DISCUSS THIS AGENDA ITEM.** (Wilsman/Kryszak)

Concerning Ordinance 07-338:

President Kryszak stated that he doesn't approve of the Fire Chief's discretion as allowed in the Section on Secondary Access (E.1. page 12 Section 503.1.2). Kryszak is concerned if a proponent goes to the Chief, even though the Code states secondary access is required, the Chief then waives the requirement because of the wording in this Section, and in that particular case it would never come before the Board for review.

Marc Hafner, Ramona Battalion Chief/CalFire, added that this is not retroactive but applies to future properties.

Discussion followed with conclusion to restate 503.1.2 as follows:

503.1.2 Secondary Access

The Chief will require a secondary means of access to a project when the project meets the criteria set forth in the following:

The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths regardless of the number of parcels served:

Parcels zoned for less than 1 acre	800 feet
Parcels zoned for 1 acre to 4.99 acres	1,320 feet
Parcels zoned for 5 acres to 19.99 acres	2,640 feet
Parcels zoned for 20 acres or larger	5,280 feet

All lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring different length limits, the shortest allowable length shall apply.

Secondary access must be remote from the primary access, and must meet all provisions of this Section.

M\S\C **AMENDED MOTION TO REPEAL ORDINANCE 02-245 AND ADOPT ORDINANCE 07-338 CONCERNING THE CALIFORNIA FIRE CODE, THE 2006 INTERNATIONAL FIRE CODE AND TO REVISE THE WORDING IN 503.1.2 SECONDARY ACCESS AS STATED ABOVE.**
(Wilsman/Kryszak) Approved 5-0

Concerning Ordinance 07-339

MS\C TO REPEAL ORDINANCE 02-245 AND ADOPT ORDINANCE 07-339 CONCERNING THE CALIFORNIA WILDLAND-URBAN INTERFACE CODE, 2006 EDITION, WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS. (Wilsman/Krysak) Approved 5-0

F. Agenda items which anticipate possible input from staff

F.1. Discussion and Possible Action of Legal Opinion Relating to Spangler Peak Ranch Letter Agreement.

Recommendation: Should the Board desire to discuss the legal opinion Letter in open session, the Board must, by majority vote, waive the attorney-client privilege for that portion to be discussed.

Director Krysak commented on a confidential attorney-client letter addressed to the Board only and concerning the issue of the Gift of Public Funds whether it applied to the Spangler Peak Blend Water Agreement and asked the Board if they want to release the Opinion to the public or to discuss it.

MS\C MOTION TO WAIVE THE ATTORNEY-CLIENT PRIVILEGE ASSOCIATED WITH THIS MEMO AND RELEASE INFORMATION TO THE PUBLIC. (Hager/Wilsman) Approved 5-0

Director Wilsman stated there is another aspect not dealt with in this Opinion. He added that he was on the original committee that first decided to do this arrangement with Spangler. In 1998 the Reverse Osmosis (RO) system had been inoperable and beyond repair. The option of correcting the high total dissolved solids (TDS) by just starting up the RO was no longer available and over the years the cost had increased substantially. And, accordingly, it was always more to start up the RO than what we were paying Matt Witman .

Director Hager asked for more detail on the deliveries of the water to Spangler. He asked how much secondary water, potable water, as well as the cost of the secondary deliveries.

Tom Brammell, answered Director Hager's questions pertaining to the deliveries to Spangler, and advised that the 10% offset for deliveries in a month that do not meet the discharge requirements of the District are credited, but that the number shown when the water is delivered may not correspond to the same month as the usage of the water. The deliveries are not going to correspond with any given month on a month-to-month basis. He further stated that we generate the credit month-to-month. Spangler can have water delivered when most effectively used by them. There may be some difference on month-to-month. We can produce a table that can more clearly identify when deliveries were made, as well as the corresponding offset for that time, and the banking that was done, and provide this for the Board Members.

Wally Besuden, President of Spangler Peak Ranch, made a clarification that the Spangler Peak potable credit suggests that the 10% blend represents a remedy for the quality deficiency. He stated that it would take a lot more of the clean water to lower the TDS to contract levels. Spangler Peak has accepted the blend water credit cooperatively as a help to improve the water quality and reduce the damage to the crop, but it is not, as suggested in the Agenda Item, meeting the requirement.

Director Hager reiterated and Wally Besuden agreed that the 10% credit was signed cooperatively.

G. Remaining Agenda Items

G.1. Directors' Comments

Directors' comments are comments by directors concerning District business which may be of interest to the Board. Directors' comments are placed on the agenda to enable individual members to convey information to the Board and the public. There is to be no discussion or action taken on comments made by Board members.

Director Kesinger advised the Board that the Ramona Town Center meetings are going to commence again and that they are asking for participation from other organizations within the community. Director Kesinger stated he would be interested in participating.

H. Closing Agenda Items

H.1. Items for Subsequent Meetings

H.2. Date and Time for the Next Regular Meeting January 22, 2008 - 7:30 p.m.

H.3. Adjourn

M\S\C **MOTION TO ADJOURN MEETING AT 8:07 P.M.** (Kesinger/Robinson)
Approved 5-0

Robert E. Krysak, President
Board of Directors
RAMONA MUNICIPAL WATER DISTRICT