

**Minutes for March 11, 2008
Ramona Municipal Water District
Board of Directors
Ramona Community Center
434 Aqua Lane, Ramona, California**

Special Meeting of the Board of Directors

PRESENT

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

The Special Meeting of the Board of Directors of the Ramona Municipal Water District was called to order by President Krysak at 6:55 p.m., at the Ramona Community Center, 434 Aqua Lane, Ramona, County of San Diego, State of California.

CLOSED SESSION

- A. PUBLIC EMPLOYMENT**
Pursuant to Government Code Section 54957
Title: General Manager

The Board came out of the Closed Session at 7:15 p.m.

Minutes for March 11, 2008

Regular Meeting of the Board of Directors Of the Ramona Municipal Water District Ramona Community Center 434 Aqua Lane – Ramona California

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 Krysak 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, Water Operations Superintendent; Greg Griswold Battalion Chief/CalFire; Jack Wetthey Fire-EMS Coordinator; Calvin McVay, Ramona Fire Marshall/CalFire and Sherry McGarry, Administrative Secretary.

President Krysak announced that the Board had met in Closed Session to discuss “Public Employment for the General Manager” and the results of this Closed Session will be discussed during this Regular Meeting under F.6.

President Krysak 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

None.

A.3. Adoption of Agenda for Meeting of March 11, 2008

President Krysak modified the order of the Agenda to discuss Item F.6. *Discussion and Possible Action Regarding Selection of a New General Manager* before the Agenda “B” Consent Items; A.4. *Opportunity for Members of the Public to Address the Board on any Subject within its Jurisdiction but not on the Agenda* to be discussed after the Committee Reports; and he pulled Agenda Item F.1. *Discussion and Possible Action on Agreements to Dispose of Effluent at San Vicente Wastewater Treatment Plant*.

MS\C **APPROVE AGENDA AS MODIFIED.** (Krysak/Robinson) 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 (*Agenda item to be discussed after A.5.b. Committee Reports*)

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

Spangler/San Vicente Committee

President Krysak reported on the effluent disposal agreement between the parties involved and stated that an Agreement has been reached in principal, subject to a written contract. He received confirmations accepting the terms by March 7 letter from San Diego Country Estates Association and a March 10 email from Wally Besuden, Spangler Ranch.

The terms in general are:

- A 10-year contract commencing October 1, 2008 with a five-year cancellation clause
- The allocation of effluent between parties; i.e., SDCEA and Spangler Ranch as follows:

Water Year	SDCEA Acre Feet	Spangler Acre Feet
2007-2008	140	500
2008-2009	240	400
2009-2010	240	400
2010-2011	240	400
2011-2018	320	320

- \$35 per acre foot for effluent received; no guarantees - nor minimum
- Each party to share equally in allocation percentage of shortfall as well as any overflow
- Subject to contract approval by the Board, RMWD will cover the cost of upgrading the pipe and a new pumping station on the 13th green of San Vicente golf course to meet infrastructure requirements in order to receive the initial allocations up to the 240 acre feet.

Legal Counsels for all parties involved will now review the contract before presenting to the Board, and said contract to be subject to formal approval of all parties.

In answer to Director Wilsman, the *upgrade* to 320 acre feet is not subject to this agreement and RMWD will have to negotiate on how to pay for it.

The estimated cost for improvements is approximately \$100,000.

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

Patricia Lane, felt that the contract will be one-sided and has shortchanged the residents of the Estates who have helped build Ramona.

Director Kesinger reiterated that this is a tentative agreement worked on by a committee and not final between all three parties. All three parties will have to approve the final agreement.

Ernest Garrett, 23957 Green Haven, spoke as Chairman of the San Diego Country Estates Ad Hoc Water Committee and commented that this solution will have long range effects for all parties assuming agreement with negotiated settlement. He expressed his appreciation to the District's Committee, RMWD staff and Board; as well as to Wally Besuden and Matt Witman of Spangler Ranch. He closed his statement pledging his full support in working with the staff for a settlement.

Perry Jones, 15245 Moonglow Drive, stated in 1994 he was President of SDCEA Board when they approached the District, asking for water from the sewage treatment plant and were advised to wait until 1996 since SDCEA could probably have water at that time. Nothing occurred even after the pipeline went in during 2002. It has been 14 years and we hope that this agreement will work and in addition to receiving our fair portion percentage during the summer months and not all allotted during the winter. He thanked those involved and stated that this is a big economic relief to us.

President Krysak publicly thanked Ernie Garrett, Maggie Johnson, Wally Besuden and Matt Witman for working on the complex negotiations and feels that this is advantageous for all parties involved.

A.5.c. Staff Reports

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

Director Hager asked District Engineer, Tim Stanton, for a description and routing of the 12-inch pipeline so that the information can be published in the San Vicente Valley News local paper, which in turn will inform and alert the residents.

No further action taken on this item.

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

No further action taken on this item.

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

District Engineer, Tim Stanton, informed the Board, the tank is completed and Orion is in the process of pressure testing the tank and pipeline, but it has taken them longer than expected. No more change orders are expected from them.

Sophie Akins, Legal Counsel, responded to Director Wilsman that we have drafted a settlement agreement with Davidson Coscan Partners and said agreement is presently being reviewed by their legal counsel, and possibly a final agreement by the next Board meeting.

No further action taken on this item.

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

No further action taken on this item.

**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.

Wastewater Operations Manager, Alice Benson, advised that since the Regional Board is not in agreement with the State's findings and report, the Regional Board is not releasing the State Board's information. Some of the points that were shared with Director Hager during his January visit at the Regional Board, concerned the State's proposed a 450 TDS level as well as an element concerning pond liners. In addition, Alice Benson advised she has supplied recent information to the RWQCB on our ponds since according to a recent evaluation study, the ponds are in good condition. The question remains if the State Board is concerned with the ponds leaking TDS, and as Director Wilsman commented in this event, it would be the same water that is used in sprayfields anyway.

The State Board doesn't control the actions of the Regional Board, but it does have input, establish policy and give guidance. The Regional Board can take actions, and an appeal can then go before the State Board. The State acts independently, but in this instance, the Regional Board invited the State to provide input and expertise. The Regional Board will meet with us to advise what will be put in the permit and at that time we will have 30 days to review, and subsequently can petition before the Board for a modification.

Director Wilsman requested that once the report is received and with added staff comments, that it be distributed to the Board immediately. In addition, Director Wilsman stated his concerns when expensive RO modifications must be made, then the cost of producing effluent goes up, and the people who are receiving it, will have rate increases as well. Director Hager commented that all parties who receive the effluent should share the cost, and stated it should be included in the negotiations.

F. Agenda items which anticipate possible input from staff

**F.6. Discussion and Possible Action Regarding Selection of a New General
Manager.**

Recommendation: No recommendation.

President Krysak advised since the Board received a letter from the General Manager, Tom Brammell, stating he would retire August 13, 2008, the Board met in Closed Session and has elected in negotiations to appoint Ralph McIntosh as the new General Manager effective, August 14, 2008, \$160,000 annually, plus use of a company vehicle. The term is indefinite unless terminated for cause or pleasure of the Board.

Further, severance package terms “without cause” between August 14, 2008 and August 13, 2013 are 50% of his then annual salary; after August 13, 2013, 25% of his then annual salary. “For cause”, there is no severance.

The Board Committee of President Krysak and Director Wilsman will work with Tom Brammell and Ralph McIntosh to develop a methodology for a smooth transition and overlapping responsibility.

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 Robinson pulled B.1.b. for further discussion and Director Kesinger pulled B.1.g.

B.1.a. Adoption of the Minutes for February 26, 2008.

Recommendation: That the Board adopt the Minutes for Feb. 26 , 2008.

B.1.c. Acceptance of Monthly Financial Reports – January 2008.

Recommendation: None.

B.1.d. Approval of Employment Agreements for Chief Financial Officer and Water Operations Manager.

Recommendation: That the Board approve the attached Employment Agreements for David P. Barnum, Chief Financial Officer; and Ralph D. McIntosh, Water Operations Manager.

B.1.e. Approval of Issuance of a Request for Proposals for Environmental Services for the Brine Evaporation Pond Project.

Recommendation: That the Board authorize issuance of a Request for Proposal for environmental services for the Brine Evaporation Pond Project.

B.1.f. Adoption of the Minutes for March 6, 2008.

Recommendation: That the Board adopt the Minutes for March 6 , 2008.

MS\C

MOTION TO APPROVE CONSENT ITEMS B.1.a., B.1.c., B.1.d., B.1.e., and B.1.f. (Robinson/Kesinger) Approved 5-0

B.1.b. Informational Report of Accounts Payable Listing Feb. 16 - 29, 2008.

Recommendation: None.

Director Robinson asked for clarification on several account payable items and was advised as follows:

Vendor 10038	ASM	Santa Maria Waste Water Plant Project was for an archaeological report	\$3,428.61
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Vendor 90057	County of San Diego	Document Handling Fee for 12-in pipeline is a California Environmental Quality Act (CEQA) fee	\$ 50.00
Vendor 90066	Downstream Services	CCTV Inspections of Water Line was video taping the section heading #7 in Poway to make sure the butterfly valve is operating	\$ 990.00
Vendor 9482	Ferris	Repairs to Radio (CalFire) (Staff will investigate and report back to the Board by Memo)	\$ 289.00

M\S\C MOTION TO APPROVE CONSENT ITEM B.1.b. (Robinson/Kesinger)
Approved 5-0

B.1.g. Authorize Change Order No. 5 to Nolte Associates for Construction Management Services for Old Julian Pump Station.

Recommendation: That the Board authorize the General Manager to approve Change Order No. 5 to Nolte Associates for \$30,480 for time extension of Construction Management Services.

District Engineer, Tim Stanton, responded to Director Kesinger that Nolte Construction has been doing construction management both for the 16-inch pipeline and Julian Pump Station and the contractor is extending his time schedule, because we need the construction manager on the job longer, and thus the reason for additional cost.

In answer to Director Kesinger’s questions on the “early finish” date and “late finish” date, Tim Stanton advised that when we had done the construction management schedule, it was based on the early date completion, but now it is based more on the late date, so that is the reasoning for the new early finish date. The amounts for the change orders are negotiated.

M\S\C THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO APPROVE CHANGE ORDER NO. 5 TO NOLTE ASSOCIATES FOR \$30,480 FOR TIME EXTENSION OF CONSTRUCTION MANAGEMENT SERVICES. (Kesinger/Krysak) Approved 5-0

- C. Public Hearing/Bid Openings**
(This space on the agenda is reserved in the event there is a public hearing or bid opening)
- 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)
- 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)
- F. Agenda items which anticipate possible input from staff**
 - F.1. Discussion and Possible Action on Agreements to Dispose of Effluent at San Vicente Wastewater Treatment Plant**

Recommendation: That the Board determine which proposal for disposal of effluent from San Vicente Wastewater Treatment Plant best meets the needs of the District.

This item was pulled from the Agenda. See Committee report section of this Agenda.

F.2. Discussion and Possible Action on Budget for Fiscal Year 2008-09.

Recommendation: That the Board direct staff to prepare a budget calendar for fiscal year 2008-09 for consideration at the April 8, 2008 Board meeting.

M\S\C **THAT THE BOARD DIRECT STAFF TO PREPARE A BUDGET CALENDAR FOR FISCAL YEAR 2008-09 FOR CONSIDERATION AT THE APRIL 8, 2008 BOARD MEETING.** (Kesinger/Krysak) Approved 5-0.

F.3. Discussion and Possible Action Adopting the Office of Emergency Services Form 130 Designation of Applicant's Agent Resolution 08-1388.

Recommendation: That the Board adopt the Office of Emergency Services Form 130, Designation of Applicant's Agent Resolution 08-1388.

M\S\C **THAT THE BOARD ADOPT THE OFFICE OF EMERGENCY SERVICES FORM 130, DESIGNATION OF APPLICANT'S AGENT RESOLUTION 08-1388.** (Hager/Kesinger) Approved 5-0.

F.4. Discussion and Possible Action Adopting Ordinance 08-347 Repealing Ordinance 07-343 and Revising Fees Charged for Renovation and Addition Plan Review for Structures Between 501 Square Feet to 1,500 Square Feet in Legislative Code Section 5.20.100 "Fire Prevention Product and Service Fees."

Recommendation: That the Board adopt Ordinance 08-347 that repeals Ordinance 07-343 and revises the fee charge from \$50 to \$100 for renovation and addition plans for structures between 501 square feet to 1,500 square feet.

General Manager, Tom Brammell, stated the fees were incorrect and needed to be revised in the Legislative Code.

M\S\C **THAT THE BOARD ADOPT ORDINANCE 08-347 REPEALING ORDINANCE 07-343 AND REVISING FEES CHARGED FOR RENOVATION AND ADDITION PLAN REVIEW FOR STRUCTURES BETWEEN 501 SQUARE FEET TO 1,500 SQUARE FEET IN LEGISLATIVE CODE SECTION 5.20.100 "FIRE PREVENTION PRODUCT AND SERVICE FEES."** (Robinson/Kesinger) Approved by the following roll-call vote: yes – Hager, yes – Kesinger, yes – Krysak, yes – Robinson, yes – Wilsman.

F.5. Discussion and Possible Action on Office for Additional Fire Chief Officers.

Recommendation: Approve funding for the temporary office trailer at Station 80 and permanent office space at the new Station 82.

General Manager, Tom Brammell, stated CalFire is now providing more staffing and coverage in Ramona at no cost to RMWD and therefore more additional office space is required to

accommodate them by a temporary trailer at Station 80 and an enlarged permanent space at Station 82.

Greg Griswold Battalion Chief/CalFire advised Station 80 would be a permanent 40-foot office trailer housing 3 offices for the officers there, while Station 82 is for an expansion with permanent square footage.

District Engineer, Tim Stanton stated Marc Hafner has met with the Planning and Building Departments and it is expected they will process approval of the new design plans in a few weeks. The plan drawing revisions would be \$10,000 to \$20,000.

M\S\C THAT THE BOARD APPROVE FUNDING FOR THE TEMPORARY OFFICE TRAILER AT STATION 80 AND PERMANENT OFFICE SPACE AT STATION 82. (Hager/Kesinger) Approved 5-0

F.6. Discussion and Possible Action Regarding Selection of a New General Manager.

Recommendation: No recommendation.

This item was moved and discussed earlier in this Agenda.

F.7. Discussion and Possible Action on Issuing a Request for Proposals for Design of an Upgrade to the Bargar Water Treatment Plant.

Recommendation: That the Board authorize the District Engineer to solicit proposals for engineering services to design an upgrade to the Bargar WTP.

General Manager, Tom Brammell, commented to the Board, that in order to make a better determination of the future of a number of our projects, RMWD needs to ascertain the cost of upgrading Bargar and whether or not the project would be either beneficial for the water side or potentially for the wastewater side in the San Vicente area. In order to do that we need design proposals and there would be no expenditure until we bring it back to the Board for approval.

M\S\C THAT THE BOARD AUTHORIZE THE DISTRICT ENGINEER TO SOLICIT PROPOSALS FOR ENGINEERING SERVICES TO DESIGN AN UPGRADE TO THE BARGAR WATER TREATMENT PLANT.(Kesinger/Robinson) Approved 4-0-1 Director Wilsman abstained.

F.8. Discussion and Possible Action on Award of Contract for Design and Construction of Reverse Osmosis Unit for the San Vicente Wastewater Treatment Plant.

Recommendation: That the Board authorize the General Manager to award a contract to Enaqua for design and construction of the reverse osmosis (RO) units for the San Vicente Wastewater Treatment Plant, for not to exceed \$1,016,467.50.

District Engineer, Tim Stanton, answered questions from the Board. He stated the target for RO installation is October and there is no agreement nor unit designed at this time. We will execute a contract to do the RO work, and the balance may have to be sublet into other contracts, which will be brought back to the Board. In addition, RMWD may have to do

additional plumbing and build a slab structure to accommodate their units. Thus, there is exposure in cost beyond the bid amount.

General Manager, Tom Brammell, stated this contract is in order to achieve a 600TDS process at San Vicente.

President Krysak, suggested if the Regional Water Quality Control Board requires the plant to be at 450TDS level, then we need to lock-in the additional component at \$250,000 referred to in the Agenda Item. Tim Stanton will ask to add provision within the contract.

In addition, Tim Stanton advised if the brine ponds are delayed and not installed, then we are back to hauling. With this proposal, Enaqua will RO the brine to bring it down to a smaller quantity and concentration of the brine process. In either case, it will reduce the total cost of brine removal especially if we don't get the ponds, but it will need smaller ponds too.

M\S\C THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO AWARD A CONTRACT TO ENAQUA FOR DESIGN AND CONSTRUCTION OF THE REVERSE OSMOSIS (RO) UNITS FOR THE SAN VICENTE WASTEWATER TREATMENT PLANT, FOR NOT TO EXCEED \$1,016,467.50. (Wilsman/Krysak) Approved 5-0

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.

H. Closing Agenda Items

H.1. Items for Subsequent Meetings

Director Hager suggested for the next meeting a staff Agenda item to discuss additional storage facilities for San Vicente effluent.

H.2. Date and Time for the Next Regular Meeting March 25, 2008 - 7:30 p.m.

H.3. Adjourn

**M\S\C MOTION TO ADJOURN MEETING AT 8:22 P.M. (Robinson/Wilsman)
Approved 5-0**

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