

Minutes January 12, 2010
Ramona Municipal Water District
Board of Directors
Ramona Community Center
434 Aqua Lane
Ramona, California 92065

Regular Meeting of the Board of Directors

PRESENT

Jim Robinson	President
Bryan Wadlington	Vice President
Darrell Beck	Secretary
Red Hager	Treasurer
George L. Boggs	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 Robinson at 4:30 p.m., at the Ramona Community Center, 434 Aqua Lane, Ramona, County of San Diego, State of California.

Also present: Sophie Akins, Legal Counsel; Ralph McIntosh, General Manager; David Barnum, Chief Financial Officer; Johnny Brean, Water Operations Superintendent; Tim Stanton, District Engineer; Annette Finley, Human Resources Manager, Greg Griswold, Battalion Chief/CalFire; Saul Villagomez, Battalion Chief/Ramona Fire Marshal; and Sherry McGarry, Administrative Secretary.

President Robinson 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

President Robinson advised that inadvertently the Division II position stated "Vacant" when it should have indicated George Boggs as Director on the Agenda for this meeting.

President Robinson proposed adding a Closed Session item concerning existing litigation in order to be able to discuss this topic further. He stated a motion is needed to add to the Closed

Session Agenda, pursuant to Section 54954.2(b)(2) of the Government Code, since a matter arose subsequent to the posting of the agenda which requires a need for immediate Board consideration and action.

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9 (a)
Name of Case: Hidden Valley Ranch v. Ramona Municipal Water District**

**M\S\C MOTION TO ADD A CLOSED SESSION ITEM TO THE
AGENDA CONCERNING EXISTING LITIGATION AS
STATED. (Beck/Boggs) Approved 5-0.**

A.3. Adoption of Agenda for Meeting of January 12, 2010.

**M\S\C MOTION TO ADOPT AGENDA AND ADD A CLOSED
SESSION ITEM AFTER THE REGULAR MEETING.
(Boggs/Wadlington) 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**

None.

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 Report on Funding of San Vicente Wastewater
Reclamation Facilities Brine Ponds.**

Recommendation: None

No further action.

**A.5.c.-2. Status Report on Design and Construction of San
Vicente Wastewater Reclamation Facilities Brine
Ponds.**

Recommendation: None.

District Engineer Stanton responded to Director Hager that at the pre-bid meeting there were 29 potential bidders and that the market is still very competitive.

A.5.c.-3 Status Report on Bargar Water Treatment Plant.

Recommendation: None

No further action.

A.5.c.-4 Status on the Santa Maria Sewer Service Area Facilities Improvements.

Recommendation: None

Director Boggs asked for clarification on the 1994 lien contracts that were referenced in this Santa Maria Facilities Improvements Status report. Stanton stated as part of the Major Use Permit (MUP) when the large pond was permitted by the County they processed a lien on the District for Rangeland Road improvements. Based on the two lien contracts that were executed, the District is exposed to roughly a million dollars of additional work if the County should still request it. The District has a similar situation in the major use permit in San Vicente.

Boggs added if the County requests those improvements where do we obtain the money? Stanton believes the County won't require improvements to Rangeland Road, and if so, Stanton doesn't know where the money would be obtained to do this, unless integrated into the expansion or improvements of Santa Maria. Currently the need and justification for it isn't there, so hopefully when the County is approached later this year, the liens can be removed for San Vicente and Santa Maria.

General Manager McIntosh responded to President Robinson that District Engineer Stanton is addressing the original major use permit. When they met with the County last week, McIntosh believes the County is not going to address the original major use permit when the District does the plant expansion. Stanton stated all indications are that the issue of the old lien obligations will not be imposed since they exist originally from when the Board decided to do the pond and had a major use permit at that time, as well as having conditions placed on the District.

Stanton in answer to President Robinson stated that a title search showing liens wasn't on that land. It was on the land which we own now where we put in the ponds. However, the original site required a MUP, when it became a sewer facility. Once done future major use permits were not necessary, but we continued to go through the process with each change made to the sewer facilities. Further, with each opportunity the County would place conditions upon the District; and in most cases conditions were improvements to the roads. Stanton added that it would be best to get the liens out of the way.

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 Robinson opened nominations.

M/S/C MOTION TO ELECT THE CURRENT 2009 OFFICERS FOR THE 2010 TERM – PRESIDENT – Jim Robinson; VICE PRESIDENT – Bryan Wadlington; TREASURER – Red Hager; and SECRETARY – Darrell Beck (Boggs/Beck) Approved 5-0

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

President Robinson adjourned the Regular Meeting and opened the Ramona Public Facilities Meeting at 4:41 p.m. (*Minutes of the Ramona Public Facilities Corporation are a separate Agenda Item to be considered at their next Facilities Board Meeting.*)

A.7.a. Call to Order

A.7.b. Election of Officers

A.7.c. Approval of Minutes for January 13, 2009

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 Robinson adjourned the Public Facilities Meeting at 4:42 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)

B.1.a. Adoption of the Minutes for December 22, 2009.

Recommendation: That the Board adopt the Minutes for December 22, 2009.

B.1.b. Authorize Change Order No. 3 for Biological Reports for the Santa Maria Sewer Service Area Improvements.

Recommendation: That the Board authorize the General Manager to approve Change Order No. 3 to Merkel & Associates, Inc. in the Amount of \$32,813.50 for additional out of scope and additional work for SMSSA Improvements..

B.1.c. Acceptance of Monthly Financial Reports – November 2009

Recommendation: None.

M/S/C MOTION TO ACCEPT CONSENT CALENDAR B.1.a., B.1.b., and B.1.c.
(Hager/Wadlington) 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)

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)

None.

F. Agenda items which anticipate possible input from staff

None.

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.

None.

H. Closing Agenda Items

H.1. Items for Subsequent Meetings

H.2. Date and Time for the Next Regular Meeting
January 26, 2010 - 4:30 p.m.

H.3. Adjourn

M/S/C MOTION TO ADJOURN REGULAR MEETING AT 4:43 P.M.
(Boggs/Wadlington) Approved 5-0

J. CLOSED SESSION - SPECIAL MEETING - NOT OPEN TO THE PUBLIC

J.1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9 (a)
Name of Case: Hidden Valley Ranch v. Ramona Municipal Water District

J.2. Adjourn Closed Session and Report if Action Taken

President Robinson advised that the Board met in Closed Session and no reportable action was taken.

Meeting adjourned at 5:10 p.m.

Jim Robinson, President
Board of Directors
RAMONA MUNICIPAL WATER DISTRICT