

MINUTES OF THE ADJOURNED MEETING OF THE
BOARD OF DIRECTORS OF THE
VISTA IRRIGATION DISTRICT

July 16, 2008

An Adjourned Meeting of the Board of Directors of Vista Irrigation District was held on Wednesday, July 16, 2008, at the offices of the District, 1391 Engineer Street, Vista, California.

1. CALL TO ORDER

President MacKenzie called the meeting to order at 8:32 a.m.

2. ROLL CALL

Directors present: MacKenzie, Dorey, Jewell and Williams.

Directors absent: Mendez

Staff present: Roy Coox, General Manager; Lisa Soto, Secretary of the Board; Eldon Boone, Assistant General Manager; Brett Hodgkiss, Administrative Services Manager; Brian Smith, Director of Engineering; Marlene Kelleher, Finance Manager; Bruce Levy, Engineering Project Manager; and Marian Schmidt, Administrative Assistant.

Legal Counsel: Judith Islas, Leibert Cassidy Whitmore

Other attendees: Members of the public including Mr. Richard Vasquez, Dr. Mardy Darian, Ms. Edie Bradley, Ms. Connie Tarman, Mr. John Robey and Ms. Eva Plajzer. Mr. Gideon Marcos of the Vista News was also in attendance. In attendance from the City of Vista was Mr. John Conley.

3. PLEDGE OF ALLEGIANCE

Director Williams led the pledge of allegiance.

4. APPROVAL OF AGENDA

President MacKenzie suggested that Closed Session Item 15 be moved up in the agenda to follow Item 7, in order to accommodate Director Dorey, who would have to leave the meeting at 10:15 a.m. The Board was in agreement with the reordering of Item 15, and the agenda was approved as presented.

5. PUBLIC COMMENT TIME

No public comments were presented on items not appearing on the agenda.

6. CONSENT CALENDAR

08-07-92 Upon motion by Director Jewell, seconded by Director Dorey and unanimously carried, with Director Williams abstaining on Item 6.A, the Board of Directors approved the Consent Calendar, including Resolution No. 08-29 approving disbursements.

A. Encroachment Permit

See staff report attached hereto. Staff recommended and the Board approved Encroachment Permit No. 105 and directed staff to record it with the County Recorder for the encroachment of existing concrete stairs within District easement on property owned by Shadowridge Golf Course, located at 1980 Gateway Drive, Vista (APN 183-240-12, & 13, 217-011-26; LN 2008-012; DIV NO 4).

B. Minutes of Board of Directors meetings on June 26, 2008 and July 2, 2008.

The minutes of June 26, 2008 and July 2, 2008 were approved as presented.

C. Resolution ratifying check disbursements

RESOLUTION NO. 08-29

BE IT RESOLVED, that the Board of Directors of Vista Irrigation District does hereby approve checks numbered 32999 through 33090 drawn on the Union Bank of California totaling \$292,748.60.

FURTHER RESOLVED that the Board of Directors does hereby authorize the execution of the checks by the appropriate officers of the District.

PASSED AND ADOPTED by the following roll call vote of the Board of Directors of Vista Irrigation District this 16th day of July 2008.

- AYES: Directors Dorey, Jewell Williams and MacKenzie
NOES: None
ABSTAIN: None
ABSENT: Director Mendez

7. DROUGHT RESPONSE CONSERVATION PROGRAM WORKSHOP

See staff report attached hereto.

Administrative Services Manager, Brett Hodgkiss provided an overview of the proposed draft Drought Response Conservation Program. Dr. Mardy Darian addressed the Board regarding global warming and mentioned that he might have an idea of how to create more rainfall at the Warner Ranch. President MacKenzie suggested that Dr. Darian provide his idea regarding the Warner Ranch in writing to staff. Former Director Vasquez addressed the Board in favor of restoring the Vista reclamation plant back to service. Connie Tarman addressed the Board regarding her dissatisfaction

with the Interim Agriculture Water Program. She requested more information and clarification on the document she signed regarding the program to be sent to her.

President MacKenzie announced there will be a public hearing on September 3, 2008 for the purpose of discussing adoption of a Drought Response Conservation Program.

Ms. Bradley, Dr. Darian, Mr. Conley, and Ms. Tarman left the meeting.

8. ARTIFICIAL TURF REBATE PROGRAM SUSPENSION

See staff report attached hereto.

Mr. Hodgkiss presented an overview of the issues surrounding the artificial turf rebate program suspension, and what VID is doing in response to the matter.

It was noted that on June 18, 2008 the Centers for Disease Control (CDC) issued a consumer advisory on the safety of artificial turf. The CDC recommended that fields containing worn or faded turf blades made of nylon or nylon/polyethylene blend fibers and nylon fields with visible dust be tested. As the artificial turf ages and breaks down, lead fibers or dust may be released from turf surfaces and may pose a health risk to children.

Due to the CDC health advisory, the San Diego County Water Authority (CWA) suspended its artificial turf rebate program effective July 1, 2008 and requested that its member agencies also suspend their programs. The Metropolitan Water District of Southern California is still offering artificial turf incentives.

It is anticipated that an approved products list will be released by the U.S. Consumer Product Safety Commission within the next few months and the Water Authority is hoping to reinstate this program with assurance to the public. Although VID has suspended its program, the hope is that it will be up and running again soon after the release of that list.

Mr. Hodgkiss referred to a flyer he received from Easy Turf that states 100% nylon free. He stated that suppliers are starting to focus on the CDC report as to what is happening, and that they are putting information out about their specific product.

Mr. Cox mentioned that there has not been a product recall and that this was a study published by CDC which is a consumer advisory. VID is helping the consumer be informed in terms of what to put in place.

During this item, Neil Meyers of Daley and Heft arrived as Legal Counsel for Closed Session Item 15.

President MacKenzie announced at the conclusion of this item, that Closed Session Item 15 would be considered next. She thanked all members of the audience for their attendance and participation. With that, all remaining members of the public left.

A brief break was taken from 9:25 a.m. to 9:30 a.m.

Upon return from break, present in the audience were Mr. Brian Smith, Mr. Bruce Levy, and Mr. Neil Meyers.

15. CLOSED SESSION FOR CONFERENCE WITH LEGAL COUNSEL

President MacKenzie re-adjoined the meeting to closed session at 9:30 a.m. for a conference with legal counsel to discuss the following pending litigation:

- A. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9 – one case.

The meeting reconvened in open session at 9:45 a.m. President MacKenzie declared that no reportable action had been taken.

Mr. Meyers and Mr. Levy left the meeting at this time. Ms. Kelleher joined the meeting at this time.

9. FISCAL YEAR 2008 CAPITAL OUTLAY CARRYOVER

See staff report attached hereto.

President MacKenzie requested clarification as to why certain budget items have been carried over from year to year, such as the Pechstein Reservoir Secondary Feed project. Brian Smith, Director of Engineering, explained that when the project was budgeted, there was a major development going on. He also clarified that the Pechstein project is a major capital improvement in the master plan and will continue to move forward. He assured the Board that the costs are adjusted accordingly each year on the budget.

Mr. Boone summarized the disclosure process of budget costs stating that staff budgets what they expect to spend in the current year but discloses to the Board the total costs of the project, then updates that total amount annually. Director Dorey suggested that as these projects get older, it might be prudent to take them off the budget, and when the projects are ready to move forward, include them in the next year's budget. Mr. Coox stated the reason for keeping budget items on this list is to avoid multiple collections from the rate payers.

08-07-93	<i>Upon motion by Director Dorey, seconded by Director Jewell and unanimously carried, the Board of Directors approved the Capital Outlay Carryover for fiscal year 2008.</i>
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Mr. Brian Smith and Ms. Kelleher left the meeting after this item.

10. MATTERS PERTAINING TO THE ACTIVITIES OF THE SAN DIEGO COUNTY WATER AUTHORITY

See staff report attached hereto.

Director Williams reported that the Colorado River Project Committee met and there was a discussion regarding environmental issues on the lining from one contractor pertaining to dust, which had no affect in the water.

11. REPORTS ON MEETINGS AND EVENTS ATTENDED BY DIRECTORS, AND AUTHORIZATION FOR DIRECTOR ATTENDANCE AT UPCOMING MEETINGS AND EVENTS

See staff report attached hereto.

Mr. Dorey attended the Council of Water Utilities breakfast and reported that Beth Jarosz, Associate Analyst with SANDAG, presented a demographic and statistical background of what SANDAG does and what they keep track of.

President MacKenzie stated that CSDA called an Executive Committee meeting which conflicts with the Water Agencies Quarterly Meeting on July 17th. She said it's imperative that she attend the Executive Committee meeting, and asked if another Board member could go to the Water Agencies meeting in her place. Director Williams agreed to attend the Water Agencies meeting on July 17, 2008.

President MacKenzie reported on the CSDA Fiscal Committee the previous week. She reported that they discussed the CSDA financials for January through June. They also reviewed a couple of the policies on their asset disposition and distribution of checks.

12. ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES

See staff report attached hereto.

Mr. Coox informed the Board that staff plans to have an item on the next agenda regarding recycled water and the Shadowridge Reclamation Plant.

President MacKenzie formed an ad hoc committee consisting of Directors Mendez and Williams to review the District's Board travel and reimbursement policy. She requested that the two Board members just meet informally by phone to discuss the policy. She also formed an ad hoc committee consisting of Directors Jewell and Dorey to review the District's policy concerning Board/staff contact. She requested that the Board Secretary email the policies to the respective ad hoc committee members, and the ad hoc committees report back on these policies at the August 20, 2008 Board meeting.

President MacKenzie stated that there are certain things that need to be reviewed and approved by the Board on an annual basis such as the investment policy, and the Conflict of Interest Code which is reviewed bi-annually. These reviews are important to ensure that the District is in compliance with any changes incurred in the previous year. President MacKenzie requested that staff prepare a list of such items, to be included in the Board Policies manual to ensure that these items are not overlooked.

Mr. Boone advised that due to a change in the California Government Code, by law, the investment policy is not required to be reviewed by the Body on an annual basis. President MacKenzie requested staff to continue reviewing it annually and provide the Board with items that have suggested changes and improvements on an "as-needed" basis. The Conflict of Interest Code is to be reviewed on a biennial basis per Government Code 87306.5, and the Board requests that the Reimbursement/Travel Policy also be reviewed on an annual basis.

President MacKenzie reported that Governor Arnold Schwarzenegger, U.S. Senator Dianne Feinstein, State Senate Pro Tem Don Perata, and Assembly Speaker Karen Bass are working together on a new \$9.3 billion water bond. She suggested that this item be added to the next agenda for further discussion until ACWA sends out their resolution of support template.

Director Dorey left the meeting at 10:15 a.m., during this above discussion.

13. DIRECTOR COMMENTS

No comments reported from the Directors.

14. COMMENTS BY GENERAL MANAGER

Mr. Coox informed the Board that he would be on vacation the following week and Board Secretary, Lisa Soto would also be on vacation the following week. Mr. Eldon Boone would be acting General Manager in the absence of Mr. Coox, and Marian Schmidt as Assistant Secretary in the absence Ms. Soto.

16. CLOSED SESSION FOR CONFERENCE WITH LEGAL COUNSEL

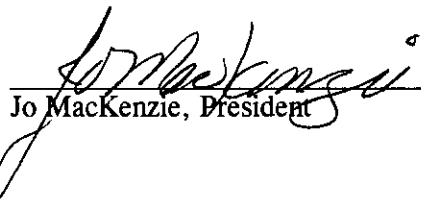
President MacKenzie adjourned the meeting to closed session at 10:20 a.m. for a conference with legal counsel to discuss the following pending litigation:

A. San Luis Rey Indian Water Rights Settlement per Govt. Code section 54956.9(a).

The meeting reconvened in open session at 10:30 a.m. President MacKenzie declared that no reportable action had been taken.

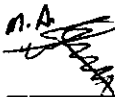
17. ADJOURNMENT

There being no further business to come before the Board, at 10:30 a.m., President MacKenzie adjourned the meeting at 10:30 a.m.



Jo MacKenzie, President

ATTEST:



Marian Schmidt, Assistant Secretary
Board of Directors
VISTA IRRIGATION DISTRICT