

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

October 1, 2008

A Regular Meeting of the Board of Directors of Vista Irrigation District was held on Wednesday, October 1, 2008, at the offices of the District, 1391 Engineer Street, Vista, California.

**1. CALL TO ORDER**

President MacKenzie called the meeting to order at 8:30 a.m.

**2. ROLL CALL**

Directors present: MacKenzie, Dorey, Mendez, Jewell and Williams.

Directors absent: None.

Staff present: Roy Coox, General Manager; Lisa Soto, Secretary of the Board; Eldon Boone, Assistant General Manager; Brett Hodgkiss, Administrative Services Manager; Don Smith, Director of Water Resources; Brian Smith, Director of Engineering; Ken Bouchard, Director of Facilities; Angela Morrow, Water Resources Project Manager; and Marian Schmidt, Administrative Assistant.

Other attendees: Judith Islas of Liebert Cassidy Whitmore; and Richard Vasquez, a member of the public.

**3. PLEDGE OF ALLEGIANCE**

Director Jewell led the pledge of allegiance.

**4. APPROVAL OF AGENDA**

08-10-123	<i>Upon motion by Director Mendez, seconded by Director Jewell and unanimously carried, the Board of Directors approved the agenda as presented.</i>
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**5. PUBLIC COMMENT TIME**

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

**6. CONSENT CALENDAR**

08-10-124	<i>Upon motion by Director Jewell, seconded by Director Mendez and unanimously carried, the Board of Directors approved the Consent Calendar, including Resolution No. 08-42 setting terms and conditions for detachment and Resolution 08-43 approving disbursements.</i>
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A. Detachment terms and conditions

See staff report attached hereto.

*The Board adopted Resolution No. 08-42 setting terms and conditions of detachment for a 5.11 acre parcel located at 824 Nordahl Road, San Marcos, owned by Jeffry Brusseau of Nordahl Medical Centre, Inc., and directed staff to file the resolution with LAFCO and the Vallecitos Water District (LN 2008-039, APN 228-120-41; CF 500-364; LAFCO R008-17; DIV NO 05).by the following roll call vote:*

**AYES:** Directors Jewell, Dorey, Mendez, Williams, and MacKenzie

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

*Resolution No. 08-42 is on file in the official Resolution book of the District.*

B. Parcel map

See staff report attached hereto. Staff recommended and the Board approved the parcel map for a boundary adjustment (merger of lots) for 12 commercial lots and one open space lot, consisting of approximately 10.26 gross acres, owned by Via Centre Office Park, L.P., located on Via Centre, Vista (LN 2005-078; PC 3-164; APN 166-054-37 through 43; DIV NO 4).

C. Parcel map and Grant of Right of Way

See staff report attached hereto. Staff recommended and the Board accepted the parcel map for a boundary adjustment (merger of lots) for three lots and Grant of Right of Way No. C74 (via parcel map) for a church building site, known as Cavalry Chapel, consisting of approximately 21.43 gross acres owned by CRC, a California General Partnership, located on North Melrose Drive and North Avenue, Vista (LN 2005-012; PC 8-168; APN 161-061-26; DIV NO 2).

D. Contract with Hidden Valley Pump Systems, Inc.

See staff report attached hereto. Staff recommended and the Board authorized the General Manager to approve the renewal of the agreement with Hidden Valley Pump Systems, Inc. to provide as-needed services on the Warner Ranch to maintain wells and well pumps, for an amount not to exceed \$100,000.00.

E. Minutes of Board of Directors meeting on September 17, 2008

The minutes of September 17, 2008 were approved as presented.

F. Resolution ratifying check disbursements

RESOLUTION NO. 08-43

BE IT RESOLVED, that the Board of Directors of Vista Irrigation District does hereby approve checks numbered 33567 through 33707 drawn on the Union Bank of California totaling \$601,552.10.

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 2<sup>nd</sup> day of October 2008.

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

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7. PUBLIC HEARING REGARDING AN ORDINANCE SETTING COMPENSATION FOR THE BOARD OF DIRECTORS

See staff report attached hereto.

President MacKenzie opened the public hearing at 8:32 a.m. for the purpose of receiving comments on an ordinance setting compensation for the Board of Directors. No members of the public were in attendance. General Manager Roy Coox noted that no comments, written or verbal, were received from the public prior to the hearing.

08-10-125 *Upon motion by Director Jewell, seconded by Director Dorey and unanimously carried, the Board of Directors closed the public hearing at 8:32 a.m.*

8. ORDINANCE SETTING COMPENSATION FOR DIRECTORS

See staff report attached hereto.

08-10-126 *Upon motion by Director Jewell, seconded by Director Dorey, the Board of Directors adopted Ordinance 08-01 setting \$189 as Directors' per diem compensation for each day's attendance at meetings of the Board or for each day's service rendered as a member of the Board, by the following roll call vote:*

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

*A copy of Ordinance 08-01 is on file in the official Ordinance Book of the District.*

## **9. DIVISION REPORTS**

See staff report attached hereto.

Director Jewell complimented staff on doing a good job on condensing the Division Reports. President MacKenzie inquired about the Financial Analyst position, and Assistant General Manager Eldon Boone responded that this position was created when the Director of Finance position was eliminated. General Manager Roy Coox added that this position will work alongside the Finance Associate position, with the Finance Associate focusing on the budget and banking, and the Financial Analyst focusing on rates and on performing assessments and studies.

## **10. VISTA FLUME PRESSURIZED PIPELINE PROJECT**

See staff report attached hereto.

Director Mendez inquired about the level of funding for which the District will apply. Director of Engineering Brian Smith responded that the District was required to submit an estimate of the cost of the project, and the best estimate at this time is \$15M. Mr. Smith stated that the loan would be for a maximum 20-year term, and the interest rate would be fixed at half of the State's previous year's general obligation bond rate. Mr. Smith advised that once the application is submitted, the State could take up to 150 days to make a decision, and if the application is approved, the District could take up to one year to accept and sign the loan contract.

Director Jewell asked which year the interest rate would be based upon. Mr. Boone responded that he believed it would be for the State fiscal year prior to the loan origination date. The Board inquired, if approved, if the amount of the loan could be adjusted prior to executing the contract, if the cost of the project should change between now and then. Mr. Brian Smith stated that he was not sure. Mr. Coox interjected that the District could only apply for funds supported by the cost estimates provided in the engineering study.

Director Dorey asked if grants could be commingled with this type of loan if needed. Mr. Coox responded that since it is a loan, there should not be as many restrictions. Director Dorey asked if Kennedy Jenks has looked at any grants for this project. Mr. Smith responded that this was not within the scope of work for Kennedy Jenks. Mr. Coox added that staff has sought grants for this project in the past. He added that the response has always been that this is not the type of project that qualifies for grants. President MacKenzie suggested that how applications are written makes a big difference as to whether or not the project will be considered for loans or for grants. She pointed out that in this case, the project can't induce growth, so staff would need to be careful to word the application carefully to show a regional benefit without the potential to induce regional growth.

Mr. Brian Smith updated the Board on the project approach currently being studied by Kennedy Jenks which would be to pulverize the flume in place and replace it with a pipeline, possibly partially buried. Mr. Smith stated that he believed that this would most likely be the recommendation which will eventually be presented to the Board.

The Board directed that staff continue to investigate grant opportunities which could also be available for this type of project. Mr. Coox stated that staff would do so, and that staff would also check with Kennedy Jenks to see what assistance they might be able to provide in this regard. Mr. Coox commended Mr. Brian Smith for the tremendous amount of time and effort he spent putting this application together. Mr. Coox stated that it was Mr. Smith's contributions which served to minimize

the cost of Kennedy Jenks' services, since Mr. Smith did a lot of the work himself, keeping the outside contract price down. The Board expressed its appreciation for Mr. Smith's efforts.

President MacKenzie suggested that the final project design be submitted for peer review. Mr. Smith agreed that this project could benefit from this process.

08-10-127      *Upon motion by Director Dorey, seconded by Director Jewell, the Board of Directors adopted Resolution 08-44 designating the District General Manager, Roy Coox, as authorized representative to submit an application for a Safe Drinking Water State Revolving Fund for the Vista Flume Project, by the following roll call vote:*

*AYES:            Directors Dorey, Jewell, Mendez, Williams, and MacKenzie*

*NOES:            None*

*ABSTAIN:        None*

*ABSENT:         None*

*A copy of Resolution 08-44 is on file in the official Ordinance Book of the District.*

Messrs. Brian Smith, Ken Bouchard, and Don Smith, and Ms. Angela Morrow left the meeting at the conclusion of the above item.

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

See staff report attached hereto.

Director Williams reported that there has been discussion concerning why Fallbrook Public Utilities District and other agencies would like to continue CWA's Special Agricultural Water Rate. Director Williams stated that a workshop on this subject was scheduled for October 15, and perhaps someone from staff would be able to attend. Mr. Coox stated that staff just got notice that there will be a meeting of the member agencies on this subject at the Water Authority on October 7.

Director Williams updated the Board regarding nominations for Water Authority officers, which went through as expected, with Mark Watton nominated for Vice Chair. Director Williams pointed out that this would mean that Mr. Watton would automatically ascend to the Chair, which is contrary to the unwritten rule that no one fills the Chair position twice. Director Williams added that Mr. Watton's opposition is Bud Pocklington of Sweetwater Authority.

Director Williams stated that the canal lining had been moving nicely, but suffered a set-back on Friday when there was a breach in the coffer dam.

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

See staff report attached hereto.

Director Williams reported that he attended the CSDA Conference in Irvine where he attended a session on the Brown Act, which he thought was well done, and worthwhile. He added that he did not care much for the inspirational sessions which he also attended.

Director Dorey reported that he attended the Groundwater Resources Association's Annual meeting in Costa Mesa. He said that there was an interesting discussion on the basin settlement regarding property rights and storage rights. Director Dorey also stated that United States Geological Survey was hired in the Lake Tahoe area and they have developed a groundwater surface flow model for operating the basin. He thought it would be beneficial for staff to make a contact with the USGS about this model.

Director Jewell stated that he attended the CSDA Conference and he thought the motivational sessions were inspiring. He also attended the financial sessions and he learned that it's a good thing that the District does not have any bond issues pending currently. He said that according to bankers, investors have always shown a preference for tax free bonds but that has now shifted, and Treasury Bills are the preferred investment.

President MacKenzie reported that she attended the CSDA Conference and she moderated two Brown Act sessions, Brown Act 101 and Brown Act 201. President MacKenzie updated the Board on the new officers for the CSDA Finance Corp. She commented that the CSDA Finance Corp might be a resource for finding funding for some of the District's projects. She reported that new officers were also elected to the CSDA Board, and that she is Treasurer.

President MacKenzie stated that she attended the ACWA Region 8, 9, and 10 meeting. She reported that it appears that Metropolitan Water District (MWD) will discontinue the Interim Agricultural Water Program. She said that she also learned that MWD has a grant program to repair highly visible places which use water, such as private irrigation systems in medians. President MacKenzie suggested that staff find out more about this. She also mentioned a program that Irvine Ranch has for evapo-transpiration (ET) based irrigation controllers. The agency purchases the ET controllers and sells them to the property owners, allowing property owners to make monthly payments over a five year period on their water bills.

Directors Jewell, Dorey, MacKenzie, and Williams all indicated they would like to attend the ACWA Fall Conference in Long Beach the first week in December 2008.

08-10-128	<i>Upon motion by Director MacKenzie, seconded by Director Jewell and unanimously carried, the Board of Directors authorized Directors Jewell, Dorey, Williams and MacKenzie to attend the 2008 Fall ACWA Conference in Long Beach in December 2-5, 2008.</i>
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Mr. Coox suggested that the Regular Board meeting on December 3 may need to be rescheduled due to the ACWA Conference. President MacKenzie suggested agendaizing this item for the next Board meeting.

### **13. ITEMS FOR FUTURE AGENDAS AND/OR PRESS RELEASES**

See staff report attached hereto.

The Board requested that staff present an update on steelhead salmon at a future Board meeting.

**14. DIRECTOR COMMENTS**

None were presented.

**15. COMMENTS BY GENERAL MANAGER**

See staff report attached hereto.

Mr. Coox informed the Board that he is scheduled to give a presentation to the Vista City Council the following Tuesday at 2:00 p.m. on water supply status, conservation measures, drought response resolution status, and partnering with the City on how the drought and conservation measures will affect development, building permits, and the new demand offset programs being proposed.

Director Mendez inquired as to the status of the Shadowridge Reclamation Plant being brought back into operation. Mr. Coox responded that the grant application has been submitted to the Water Authority for funding for the feasibility and design study. Mr. Coox stated that the Water Authority did receive more applications to the Local Investigative Studies and Assistance (LISA) program than they have funding for, but he believes that the Shadowridge Reclamation Facility is high on the priority list of the Water Authority to help re-open.

Mr. Coox pointed out that a memo had been left at each of the Director's places providing an update on the status of the Vista Village claim against the District (attached hereto as Exhibit A). Mr. Coox stated that an attorney from JPIA is handling the case and the Board will be updated by the attorney as the case develops.

Mr. Coox informed the Board that the VID Senior Mechanic, Rick San Miguel, will be retiring and his celebration luncheon will follow the October 15 Board meeting, if any members of the Board were interested in attending.

Mr. Brett Hodgkiss and Mr. Richard Vasquez left the meeting.

**16. CLOSED SESSION FOR LABOR NEGOTIATIONS**

A brief break was taken from 9:53 a.m. to 10:00 a.m. Upon return from break James Black had joined the meeting. The Board Secretary and the Assistant Board Secretary were not present for the following closed session item.

President MacKenzie adjourned the meeting to closed session at 10:00 a.m. for a conference with labor negotiators pursuant to Government Code section 54957.6(a). Agency negotiators: Jim Black and Eldon Boone.

The meeting reconvened in open session at 10:53 a.m. President MacKenzie declared that no reportable action was taken.

The Board Secretary rejoined the meeting. Mr. Don Smith also joined the meeting.

**17. CLOSED SESSION FOR CONFERENCE WITH LEGAL COUNSEL**

President MacKenzie adjourned the meeting to closed session at 10:53 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 11:25 a.m. President MacKenzie declared that the Board had scheduled a Special Board meeting for October 22, 2008 at 1:00 p.m. to review the settlement agreement in closed session.

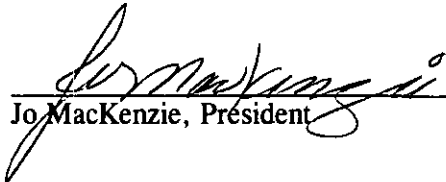
**18. COMPUTER ROOM REMODEL TOUR**

See staff report attached hereto.


At 11:27, the Board left the Board room to tour the Computer room and see the recent renovations. The Board concluded its tour at 11:45 a.m.

**19. ADJOURNMENT**

There being no further business to come before the Board, President MacKenzie adjourned the meeting to October 15, 2008 at 8:30 a.m.

  
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Jo MacKenzie, President

ATTEST:

  
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Lisa R. Soto, Secretary  
Board of Directors  
VISTA IRRIGATION DISTRICT