

**SOUTH BAY IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING**

April 19, 2010

The Board of Directors of South Bay Irrigation District held a regular meeting on Monday, April 19, 2010, at the Sweetwater Authority Administrative Office, 505 Garrett Avenue Chula Vista, California. President Thomas called the meeting to order at 4:00 p.m.

• **ROLL CALL**

Directors Present: Bud Pocklington, *Jose Preciado, Maria Rubalcaba, Terry Thomas and Margaret Welsh

Directors Absent: None

Others Present: General Manager Rogers, Operations Manager Smyth, Legal Counsel de Sousa, Treasurer Farrow, and Board Secretary Schoonderwoerd. Also present: Janet Gonzalez.

• **PLEDGE OF ALLEGIANCE TO THE FLAG**

Director Rubalcaba conducted the pledge of allegiance to the flag.

• **OPPORTUNITY FOR PUBLIC COMMENT (Government Code Section 54954.3)**

There were no members of the public present.

• **PRESIDENT'S PRESENTATION**

President Thomas stated that she would be adjourning today's meeting in memory of an outstanding member of the community, Paul Souval, Chairman of the Chula Vista Charitable Foundation, member of a number of commissions, and member of the Chula Vista Nature Center Board, who recently passed away. President Thomas shared a flier to be posted for a special, combination rebate program for energy and water efficient appliances, which is cosponsored by the City of Chula Vista. Immediate rebates will be available for buying at a Chula Vista store, as well. President Thomas acknowledged the beginning of Administrative Professionals' week and thanked the secretaries for their help.

* **Note: Director Preciado entered the meeting at 4:03 p.m.**

ACTION CALENDAR ITEMS

1. ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED IN THE AGENDA

There were none.

2. APPROVAL OF MINUTES

Director Preciado made a motion, seconded by Director Pocklington, that the Board approve the minutes of the March 15, 2010 meeting. The motion carried.

3. APPROVAL OF DEMANDS AND WARRANTS

Director Preciado made a motion, seconded by President Pocklington, that the Board approve Warrants 10878 through 10886 including all voided checks. The motion carried.

4. NEW BUSINESS

Fiscal Year 2010-11 Apportionment of San Diego Local Agency Formation Commission (LAFCO) Net Operating Cost. The billing for this year's apportionment will be made at a later date. This was an information item, and no action was required by the Board of Directors.

5. APPROVAL OF DIRECTORS' ATTENDANCE AT MEETINGS AND FUTURE AGENDA ITEMS

There were none.

6. REPORTS BY DIRECTORS ON EVENTS ATTENDED

There were none.

7. REPORT OF TREASURER

The investment portfolio and treasurer's report for the month of March 2010 was noted and filed. Treasurer Farrow reported that South Bay is within its budget. Director Pocklington noted that better interest rates and lower expenses on Directors' fees have contributed to that. Ms. Farrow added that Best Best & Krieger legal fees are down by \$4,200 as well. Ms. Farrow noted that for the remainder of the year she doubts there will be any large expenses because most of those have occurred, and there will be no more lobbying fees. Looking into the next fiscal year, Ms. Farrow, stated that election costs will be incurred again; South Bay will have to pick up anywhere from \$7,000 - \$9,000 in costs, which covers polling costs and printing of polling information and election materials.

8. REPORT OF SWEETWATER AUTHORITY DIRECTOR TO THE WATER CONSERVATION GARDEN AUTHORITY

Director Rubalcaba reported that she was unable to attend the April 14th Garden Board meeting. General Manager Rogers reported that the major agenda topic was representation on the new Friends board. Sweetwater Authority is one of six members of the Joint Powers Agency (JPA). At one time, there was discussion that three members at the JPA would have rotating seats on the Friends board, but that caused some consternation among some of the agencies. Mr. Rogers said that member agencies who were paying \$64,000 a year or more would want a seat at the table rather than have to wait two or three years to be rotated on the Friends board. There was some agreement that everyone should be included, or no one should be. One suggestion was that one representative of the six agencies would sit on the Friends board, which met with some favor. This discussion will be brought back to the Board. Mr. Rogers noted that there are now six members on the Friends Board, and they expect to have 13 of the total 15 members by the end of this month.

9. REPORT OF LAFCO SPECIAL DISTRICTS REGULAR MEMBER

Director Pocklington reported on items of interest on the April 5th LAFCO Commission agenda. One item was the proposed activation of latent powers for utility undergrounding within Rancho Santa Fe. Rancho Santa Fe has been pursuing undergrounding utilities for a number of years, and after going through all the hurdles, it finally came before LAFCO. The Commission discussed several options before approving activation of latent powers. A closed session was held on the Tri-City Healthcare District v. Palomar Pomerado Healthcare District lawsuit.

10. REPORT OF LAFCO SPECIAL DISTRICTS ADVISORY COMMITTEE MEMBER

President Thomas reported that the March meeting was cancelled.

11. REPORT OF SAN DIEGO COUNTY WATER AUTHORITY REPRESENTATIVE

Director Pocklington highlighted items of interest on the CWA Board agenda of April 22nd. The Board will discuss the coordination of regional surface water storage reservoirs. General Manager Rogers stated that CWA planned to do this as part of the update of their Urban Water Management Plan. The City of San Diego had a consultant do a study for them about two or three years ago; the City thought it would be advantageous for the City of San Diego to know how everyone operated their reservoirs, and wanted CWA to conduct a study. Mr. Rogers said he wrote a letter saying that Sweetwater Authority operates its own reservoir for its own customers and was not interested in being involved in the study; other operators agreed with the letter, and the idea was killed at CWA. Director Pocklington stated that there were recommendations that some things could be worked on together. The Board will vote on approval of proposed procedures for implementation of CWA's Annexation Policy #2: Protection of Member Agency Supply Reliability. Some of the issues addressed include supply reliability, conservation, local supply use, environmental compliance, and annexation fees. The procedure also provides direction on the potential conditions to be imposed. The Board will consider a memorandum of understanding with the Marine Corp Base Camp Pendleton for the performance of planning activities related to the Camp Pendleton Seawater Desalination Project. This project is a great asset for Camp Pendleton because it will provide sufficient amounts of water to the base during times of emergency. Several federal bills will be considered for support or opposition. The Board will consider support of SB 1469, if amended. The bill was recently amended to require the Department of Water Resources (DWR) to identify all parties that benefit from the waters of the Delta and that have impact on the Delta. The bill also requires DWR to establish all the infrastructure improvement that will be needed in the Delta over the next 30 years. The CWA legislation policy guidelines states that CWA will support a bill that equitably allows cost of the Bay-Delta solutions to all those who benefit from the improvements to the Bay-Delta. CWA staff is recommending a position of support, if the bill is amended to state who is benefiting and who is paying for it. The Board will consider staff's recommendation to take a position of opposition to AB 2422, a water demand management model water efficiency landscape ordinance. AB 2422 required that the DWR convene a five-member panel of scientists by July 1, 2011 to review the requirements of the model landscape ordinance, and would prohibit the state from updating the ordinance until the proposed update has been subject to an independent peer review scientific study by a science panel. This will be costly and is unlikely to result in significant improvement.

The Board will also consider a construction contract in the amount of \$140,206,050 for the San Vicente Dam Raise Package 3 – Roller Compacted Concrete Dams and Appurtenant Facilities Project. Director Pocklington noted that the bids came in from \$140 million to \$192 million; CWA's estimates were between \$170 million and \$190 million, so now is a good time to build. The Board will consider a professional services contract in the amount of \$2,257,000 with GEI Consultants, Inc. for the Package 4 – San Vicente Bypass Pipeline Project. Interviews were held for five firms that bid, and GEI Consultants was unanimously selected.

12. REPORT OF MANAGEMENT

There was none.

13. QUARTERLY REPORT OF DIRECTORS' EXPENSES – 3ND QUARTER FY 2009-10

This report was provided for informational purposes and there were no comments from the Board.

14. REPORT OF LEGAL COUNSEL

Legal Counsel de Sousa reported on the Delta litigation, and that there might be a fourth endangered fish in the Delta called the Splittail fish. This has quite a bit of ramification ultimately for the San Diego region because it is at the end of the pipeline. The less water this region gets out of the Delta, the more replacement water and expensive water MWD has to get. At least Sweetwater Authority is in a better position than some of its sister agencies because of its diversified water portfolio.

15. DIRECTORS' COMMENTS

Director Pocklington provided some handouts that were supplied by CWA to the Board and management dealing with ballot issues.

16. CLOSED SESSION

At 4:37 p.m., in compliance with Government Code 54956.9 (b), the Board recessed to convene in closed session to confer with Legal Counsel concerning anticipated litigation regarding one case. There were no minutes taken, and the session was not tape-recorded.

At 5:16 p.m., President Thomas declared the meeting to be in open session. No reportable action was taken by the Board of Directors.

17. ADJOURNMENT

With no further business before the Board, President Thomas adjourned the meeting at 5:17 p.m. in memory of Mr. Paul Souval.

Teresa Thomas, President

Attest:

Rita Schoonderwoerd, Board Secretary