

**HELIX WATER DISTRICT**  
*Setting standards of excellence in public service*

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**Wednesday, February 17, 2016 – 2 p.m.**  
**7811 University Avenue, La Mesa, CA 91942-0427**

1. President Verbeke called the regular board meeting to order at 2 p.m. The roll call showed a quorum of the board present: Directors Verbeke, Muse, Hedberg, Linden and Scalzitti.

Staff present: Lugo, Tomasulo, Umphres, Stoia, Hayman, Janzen, Geitz, Curtis, Ross, Salois, Uhrhammer, Olney, Schipper, Lawler, Miller, Fox, Masterson and Annett. General Counsel Elizabeth W. Hull and Mary Beth Coburn were also present.

Others present: No others were present.

2. Director Linden gave the invocation and led the Pledge of Allegiance.
3. General Manager Carlos V. Lugo reported there were no additions or deletions to the agenda. The agenda was approved unanimously.

Motion: Hedberg  
Second: Linden

4. President Verbeke provided opportunity for members of the public to address the board on any item under the subject matter jurisdiction of the district. There was no one to be heard.

President Verbeke adjourned the meeting to closed session at 2:03 p.m.

**CLOSED SESSION**

- A. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant Exposure to Litigation Pursuant to Government Code §54956.9(d)(2)  
Number of Cases: 1

*This item relates to Item 5 e) on the consent agenda, rejection of claim by Case, Ibrahim & Clauss, LLP, Law Firm on behalf of Kaveh Engineering & Construction Inc.*

- B. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant Exposure to Litigation Pursuant to Government Code §54956.9(d)(2)  
Number of Cases: 1

President Verbeke adjourned closed session and reconvened open session at 2:38 p.m.

President Verbeke stated that there was no reportable action taken during closed session.

5. The consent agenda was approved unanimously.

Motion: Muse  
Second: Linden

- a) The following operating account checks submitted for ratification were approved:
  - i. list dated February 2, 2016
  - ii. list dated February 9, 2016
- b) Memorandum dated February 17, 2016, from the board secretary submitting expense and per diem claims was approved.
- c) The board approved the minutes of the regular board meeting of February 3, 2016.
- d) The board approved the following attendance consideration:
  - i. 2016 Legislative Symposium  
March 9, 2016 at 9 a.m.  
Sacramento Convention Center
- e) The board rejected a claim in whole filed by the law firm of Case, Ibrahim & Clause, LLP on behalf of Kaveh Engineering & Construction Inc. in the amount of \$172,713.98 for additional cost allegedly incurred during construction of the large valve replacement project fiscal year 2013-14, Work Order 3998.
- f) The board received the reports for the month of January 2016:
  - i. Claims Report
  - ii. Treasurer's Report
  - iii. Budget Summary
  - iv. Rainfall, Use and Storage Report
  - v. System Demand
  - vi. Conservation Status Report
  - vii. Monthly Demand Report

Director Hedberg requested additional information regarding the Treasurer's report. Director of Administrative Services Lisa L. Stora reported water billings are gaining ground and staff plans to end the year with a balanced budget based on the mid-year budget adjustments to be approved by the board during this meeting. Director Hedberg also asked for an update regarding the opening for an assistant

director of administrative services. Ms. Stoia reported that the district is actively recruiting for the position.

6. The board authorized the general manager to execute one-year leases with River Valley Equestrian Center, LLC, identified as Lease 950 and Lease 1000. The motion carried unanimously.

Motion: Muse  
Second: Linden

Director Hedberg asked why the land was not offered for sale. Director of Engineering James A. Tomasulo, General Manager Carlos V. Lugo, Senior Right of Way Agent/Environmental Analyst Steve L. Geitz and District Counsel Elizabeth W. Hull explained the complexity of the process and that no direction had been received from the board to surplus said properties. Mr. Geitz reported the leases had served the needs of the district well. Director Linden asked if the district lost the tax exemption due to the lease of the properties. Ms. Hull stated the district does not lose the tax exemption due to the lease income.

7. The board approved the mid-year adjustments to the fiscal year 2015-16 capital improvement program budget schedules 64, 76, and 84. The motion carried unanimously.

Motion: Hedberg  
Second: Linden

### **INFORMATION**

8. The board received an update regarding the district's drought action plan for January 2016. Director Hedberg requested that Water Conservation Specialist Michelle M. Curtis review the timeline for submittal of credit clarification forms to the State Water Resources Control Board in coordination with the approved credits from the San Diego County Water Authority. Staff restated the timeline as follows: submittal between February 18 and March 15, 2016. Mr. Lugo stated all credits are expected to be applied retroactively to March 1, 2016. It is unclear how long it will take to receive confirmation that a credit will be approved.
9. The board received an update regarding dam repairs. Director of Engineering James A. Tomasulo complimented System Operations Manager Brian M. Olney and Senior Right of Way Agent/Environmental Analyst Steve L. Geitz for their coordinated efforts with government agencies to take care of the project in phases and mitigating the environmental aspects of the project to Phase 2. Staff estimates the habitat conservation portion of the project will cost approximately \$100,000 and will be placed on the fiscal year 2016-17 budget for approval.

10. The board received an informational report regarding the status of the East County Advanced Water Purification Program. Padre Dam Municipal Water District authorized Kennedy/Jenks Consultants to begin work on the East County Advanced Water Purification Study in February of 2015. The study is complete and has been approved by the PDMWD Board of Directors. The PDMWD board also accepted the final planning study report and authorized staff to enter into a contract with Kennedy/Jenks Consultants for engineering services. PDMWD will request Helix Water District funding through a memorandum of understanding expected for board review during the budget process. Director Hedberg asked for clarification regarding the grant process. Director of Water Quality/System Operations Mark D. Umphres stated PDMWD staff received \$6 million of Proposition 84 grant funding and will continue to pursue additional Proposition 1 funding and low interest rate loans. Vice President Muse stated that PDMWD General Manager Allen Carlisle will speak at the Council of Water Utilities meeting June 21, 2016. Director Hedberg also clarified that past research efforts were being shared by staff.

### **DISCUSSION**

11. President Verbeke stated the new executive director of the Water Conservation Garden will remain interim director until June 1, 2016. She stated the succulent garden is receiving an update and a bench will be added. President Verbeke also reported the survey for the Water Conservation Garden has received a positive response and provided a brief report regarding snowpack. President Verbeke provided a summary of three comments from the public regarding the excellent service received from Valve Maintenance Technicians Sean O. Tracy, Jesus A. Gonzalez and Roberto A. Mineo.
12. President Verbeke and Director Linden provided written reports. Director Scalzitti thanked Public Affairs Education Assistant Francine Thompson and Senior Public Affairs Representative Michael J. Uhrhammer for their assistance providing the materials for a third grade presentation at Madison Elementary School. Director Scalzitti also mentioned that an underwater video of fish swimming in Lake Jennings under the dock received 48,000 Facebook views. Director Hedberg reported she participated in a conference call for the Association of California Water Agencies Communications Committee and stated the committee plans to conduct a statewide poll following the drought and that customers are struggling with paying more money while using less water.
13. General Manager Carlos V. Lugo provided agenda details from the February 16, 2016 San Diego County Water Authority Member Agency General Managers' meeting. Mr. Lugo also detailed future board agenda items for February 24, March 2, March 16, March 23, and April 6, 2016.
14. General Counsel Elizabeth W. Hull had nothing additional to report.

President Verbeke adjourned to closed session at 3:44 p.m. following a five minute break.

**CLOSED SESSION**

**C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Existing litigation pursuant to Government Code §54956.9(d)(1)

Number of cases: 1

*Williams v. Helix Water District*

EEOC Claim Charge No. 488-2015-00606

San Diego Superior Court Case No. 37-2013-00073219 (Appeal)

**D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code §54957

Title: General Manager

**E. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code §54957.6

Agency Designated Representative: DeAna Verbeke

Unrepresented Employee: General Manager

President Verbeke reconvened open session at 4:46 p.m. There was no reportable action.

President Verbeke adjourned the regular board meeting at 4:46 p.m.

ATTEST:

  
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Sandra L. Janzen, Board Secretary

  
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DeAna R. Verbeke, President