



*Setting Standards of Excellence in Public Service*

**MINUTES  
SPECIAL MEETING OF THE BOARD OF DIRECTORS  
Wednesday, May 6, 2020 – 4 p.m.  
7811 University Avenue, La Mesa, CA 91942-0427  
Virtual Meeting**

1. President Gracyk called the special board meeting to order at 4:07 p.m. and turned the meeting over to Board Secretary Sandra L. Janzen to verify all board members, staff and members of the public could hear one another and that everyone could identify the board members by voice recognition or video image.

The roll call showed a quorum of the board present via electronic conferencing software. Directors Gracyk, Verbeke, Hedberg, Scalzitti and McMillan were present.

Staff present: Lugo, Tomasulo, Miller, Bryant, Olney, Janzen, Pope, Malkin, Curtis, Lundy, Uhrhammer, Chambers and Garuba. General Counsel Elizabeth W. Hull was also present.

Others present: San Diego County Water Authority Public Affairs Supervisor Teresa Penunuri.

2. Director Scalzitti led the Pledge of Allegiance. No invocation was provided.
3. General Manager Carlos V. Lugo reported there were no additions or deletions to the agenda, but added that the district's website calendar noted the meeting at 5 p.m. and that Director McMillan preferred Item 9 c) be considered as board input regarding Lake Jennings security badges. General Counsel Elizabeth W. Hull reminded the board to recognize public comments at 5 p.m. and discuss any agenda items a member of the public may have missed. There were no public or board comments. The motion to approve the agenda carried unanimously by roll call vote.

Motion: Hedberg  
Second: Verbeke

4. President Gracyk provided opportunity for members of the public to address the board on any item under the subject matter jurisdiction of the district. There were no public comments.

**CONSENT AGENDA**

5. The motion to approve the consent agenda carried unanimously by roll call vote. There were no public comments.

Motion: Verbeke

Second: Scalzitti

- a) Memorandum dated May 6, 2020, from the Secretary of the Board Sandra L. Janzen submitting expense and per diem claims was approved.
- b) The board approved the following sets of minutes:
  - i. April 15, 2020, special board meeting
  - ii. April 22, 2020, special board meeting
- c) The operating account checks submitted for ratification were approved:
  - i. Checks dated April 17, 2020
  - ii. Checks dated April 24, 2020
  - iii. Checks dated May 1, 2020
- d) The board approved the following attendance consideration:
  - i. COVID-19 Response Peer-to-Peer Conversation  
WaterNow Alliance Webinar  
April 3, 2020 at Noon

**ACTION ITEMS**

6. The board adopted Resolution 20-20 authorizing General Manager Carlos V. Lugo to execute a first amendment to the existing as-needed asphaltic concrete and concrete repair services contract with ABC Construction Company Inc., extending the term for an additional two years and the not-to-exceed value for an additional \$1,865,900 effective July 1, 2020. There were no public comments. The motion carried unanimously by roll call vote.

Motion: Scalzitti

Second: Hedberg

Field Operations Manager Oliver K. Malkin provided a PowerPoint presentation and answered all questions regarding the terms of the new contract. The board expressed gratitude for the application developed by district staff to track project contractor progress and invoices. Mr. Malkin recognized the work of GIS Specialist Gavin P. Runyon.

7. The board received information on pending legislation, directed staff to submit associated position letters to elected officials, and adopted Resolution 20-21 proclaiming the week of May 17, 2020 special districts week in concert with the California State Legislature. There were no public comments. The motion carried unanimously by roll call vote.

Motion: Verbeke  
Second: Hedberg

Senior Public Affairs Representative Michelle M. Curtis provided a PowerPoint presentation and noted the board's desire to monitor Assembly Bill 2887 and Human Rights Act 6552; send a letter opposing Assembly Bill 3147 unless amended; send a letter of support for Senate Bill 1386 and support Special Districts Week with a thank you letter from the board to Assemblyman Randy Voepel. Director Hedberg verified the legislative positions of the San Diego County Water Authority Board of Directors, the California Special Districts Association and the Association of California Water Agencies.

## **DISCUSSION**

8. President Gracyk reported that the donations to the district sponsored virtual food drive for the San Diego Food Bank were doubled by an anonymous donor. President Gracyk reported that he continues to meet daily with General Manager Carlos V. Lugo during the pandemic. President Gracyk thanked Mr. Lugo, staff and the board for functioning at a high level. President Gracyk also thanked Vice President Verbeke for her 15 years of dedicated service to the district.

Secretary of the Board Sandra L. Janzen reported the district received two complimentary phone calls from customers thanking Meter Reader Samuel C. Pacheco and Utility Crew Member Eric D. Hughes for their excellent customer service.

9. President Gracyk, Director Hedberg and Director McMillan provided written reports. Vice President Verbeke reported attending the April 28, 2020 Water Conservation Garden Joint Powers Authority Board of Directors meeting. The Garden received \$14,000 from the county to match their fundraising efforts and is encouraging peer-to-peer fundraising efforts. Employees have been furloughed during the pandemic; \$87,000 in funds were provided by a foundation; a strategic planning session will be held on May 8, 2020 via audio/visual teleconferencing and the Garden is requesting all supporting agencies continue to provide their education funding for production of videos to assist teachers in virtual classrooms.

President Gracyk opened public comments at 5 p.m. San Diego County Water Authority Public Affairs Supervisor Teresa Penunuri said hello to the board.

Director Hedberg referenced a letter to elected officials from the San Diego East County Chamber of Commerce reporting local businesses are prepared to resume serving customers. Director Hedberg also provided a San Diego County Water Authority Board of Directors update from the April 23, 2020 meeting and requested the district board discuss regional conveyance at a future meeting. Director Hedberg also requested an email be sent on behalf of the board thanking SDCWA for providing the district with 330 masks for employees in response to COVID-19 requirements for essential employees.

Director Scalzitti also provided a summary of the San Diego County Water Authority Board of Directors meeting and detailed the *Trusting the Tap* public affairs campaign. Director McMillan reported attending the May 5, 2020 San Diego East County Chamber of Commerce Government Affairs, Infrastructure and Land Use meeting and shared survey results that 12 percent of local businesses associated with the chamber are closed. Director McMillan reported that during the April 28, 2020 Water Conservation Garden Joint Powers Authority meeting, the executive director mentioned an entrance fee may be charged once the Garden opens again.

Director McMillan requested the board provide input to the Parks, Land, Lakes and Garden Committee regarding the idea of badges to potentially be used at Lake Jennings for enhanced security. Director McMillan requested the badge designs be sent to the full board for review. Director Scalzitti reported the board of directors and general manager could be issued badges in preparation for an emergency. General Counsel Elizabeth W. Hull reported that board members have a right to carry badges but advised that most agencies use an identification card to avoid Penal Code Section 538d. This statute identifies it is a crime to fraudulently pretend to be, or to impersonate, a police officer. Ms. Hull advised that if the board selects to issue a badge that a policy be set with limitations for use to avoid any potential consequences. Director McMillan requested the Parks, Land, Lakes and Garden Committee discuss badges at the next meeting. There were no public comments.

10. General Manager Carlos V. Lugo detailed the upcoming agenda items for the meetings scheduled on May 13, 20 and 27, 2020, with a potential closed session on May 11 or 12, 2020. He reminded the board that the meetings are expected to be held via video conference and President Gracyk reported the regular board meeting will be conducted at 4 p.m. during the pandemic. General Manager Carlos V. Lugo reported the COVID-19 Response Team is meeting weekly to work through policy issues and communication. Mr. Lugo reported that staff at the treatment plant and operations center will begin returning to district facilities, with administration office employees continuing to work remotely whenever possible. All employees are required to have a face covering and to maintain spacing.

Mr. Lugo reported Lake Jennings campground will be opened to self-contained recreation vehicles only on May 18, 2020. Campground restrooms will only be open during office hours as COVID-19 requires they are cleaned every two hours. Mr. Lugo reported that he will keep the board informed.

Mr. Lugo congratulated Director Verbeke for her 15 years of dedicated service to the district both regionally and at the state level. Mr. Lugo commended Director Verbeke for her commitment to the customers, employees and fellow board members; her support and positive working relationships with everyone; her calm leadership, with a willingness to make tough decisions, even if the decisions are not popular. Director Verbeke thanked Mr. Lugo and the board for an amazing journey.

11. General Counsel Elizabeth W. Hull reported she is working closely with staff and monitoring all legislative changes. Ms. Hull reported there are two new executive orders regarding COVID-19. One order addresses Workers' Compensation Benefits and the other addresses the payment of property taxes during financial hardships. There were no public comments.

#### **ADJOURNMENT**

12. There were no public comments prior to President Gracyk's adjournment of open session at 5:38 p.m. for a break. President Gracyk reconvened in closed session at 5:45 p.m.

#### **CLOSED SESSION**

##### **A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8

Property: Summit Drive Vacant Lot, La Mesa, CA 91941  
(APN 470-680-16)

Agency Negotiators: Helix Water District General Manager Carlos V. Lugo  
Director of Engineering James A. Tomasulo  
Engineering Manager Milica K. Schipper  
Senior Right of Way Agent/Environmental Analyst Debra S. Lundy

Negotiating Party: Joseph R. Compton

Under Negotiation: Price and Terms

#### **RECONVENE**

13. President Gracyk adjourned closed session and reconvened open session at 6:21 p.m. General Counsel Elizabeth W. Hull reported the board rejected the price and terms for the vacant lot on Summit Drive in La Mesa, California and will terminate the agreement. There were no public comments.

**ADJOURNMENT**

14. President Gracyk adjourned the special board meeting at 6:23 p.m.



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Mark Gracyk, President

**ATTEST:**



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Sandra L. Janzen, Secretary of the Board