

# **Borrego Water District AGENDA**

**Meeting of the  
Board of Directors  
November 18, 2009  
9:15 AM  
806 Palm Canyon Drive  
Borrego Springs, CA 92004**

## **I. OPENING PROCEDURES**

- A.** Call to Order
- B.** Pledge of Allegiance
- C.** Roll Call
- D.** Approval of Agenda (page 1-3)
- E.** Approval of Minutes
  - Regular Meeting of October 21, 2009 (page 4-8)
- F.** Comments from the Public and Requests for Future Agenda Items (comments will be limited to 3 minutes)
- G.** Comments from Directors and Requests for Future Agenda Items
- H.** Correspondence (page 10-14)
  - a. CSU, Northridge – California water usage
  - b. Frugal Coyote
  - c. ACWA “Summary of Appellate Cases”

## **II. CURRENT BUSINESS MATTERS**

- A.** Authorization for General Manager to negotiate an agreement for provision of soil analysis and design and foundation for Wilcox Reservoir Not to exceed \$12,000 (page 16-34)
- B.** Legal counsel discussion of Brown Act provisions (page 36-44)
- C.** Consideration and approval of Resolution #2009-11-1 pertaining to the establishment of commercial water mitigation calculations and charges related thereto
- D.** Discussion of Fire Department role in new development approval process
- E.** Authorization for General Manager to enter into an agreement for provision of testing services on the backfill of the Lift Station and pipeline on Borrego Valley Road. Not to exceed \$6,000 (page 46-51)

## **III. COMMITTEE REPORTS & PROPOSALS**

### **A. Ad Hoc Committees**

- 1. Personnel (Smiley/Shimeall)
- 2. Budget/Finance/Contract/Grants (Andersen/King)
- 3. Services Committee (Mendenhall/King)
- 4. Negotiating (Smiley/Mendenhall)
- 5. Sewer (Shimeall/King)

6. Capital Projects (Smiley, Mendenhall)

**B. Standing Committees**

1. Conservation (Shimeall/Andersen)  
Meeting Agenda and Minutes of October 7, 2009 (page 52-54)

2. GWM (Mendenhall/Smiley)  
Meeting Agenda and Minutes of October 14, 2009 (page 55-57)

**IV. CONSENT AGENDA:** The Consent Agenda includes reports that are distributed with the agenda packet and are submitted for filing following board approval. At the first board meeting of each quarter, **Jan/April/July/October**, these items will be discussed in full. Any member of the Board, staff or public may request items from the Consent Agenda be removed for discussion. Items so removed shall be acted upon separately immediately following approval of items remaining on the Consent Agenda.

**A. Water and Wastewater Operations Report – October 2009** (page 58)

**B. Water Production/Use Records – October 2009** (page 59-62)

**C. Financial Reports – October, 2009**

1. Disbursements & Claims Report (page 64-71)
2. Financial Statement for Period Ending 9/30/09 (page 72-73)
3. Treasurer's Report (page 74)
4. Water Conservation Program accounting (page 75-76)

**V. STAFF REPORTS**

**A. Managers/Engineers Report** (Williamson)

**B. Operations Report** (Rolwing)

**VI. ATTORNEY'S REPORT**

**VII. INFORMATIONAL ITEMS**

**VIII. CLOSED SESSION**

**A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Reference Government Code Section 54956.8:**

Property: 140-280-13  
District Negotiator: Richard Williamson  
Negotiating Parties: Steve & Gail Van Camp  
Under Negotiation: Consideration for real property and terms of same

**B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Reference Government Code section 54956.9(a) Burzell v. Borrego Water District (SDSC Case No. 87-2008-0057104-CU-OE-NC)**

**C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Reference Government Code Section 54956.8:**

Property: 120-020-07  
District Negotiator: Richard Williamson  
Negotiating Parties: Decker  
Under Negotiation: Price and terms of payment

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Reference Government Code Section 54956.8:**

Property: 198-051-02 : 2473 Stirrup Road  
District Negotiator: Richard Williamson  
Negotiating Parties: Carlos Lugo  
Under Negotiation: Price and terms of payment

**E. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Reference Government Code section 54956.9 (b) three potential cases.**

**F. Employee review of General Manager and performance evaluation Reference Government Code §54957**

**IX. ADDITIONAL CURRENT BUSINESS MATTERS**

**A.** Consideration and approval of proposed employee contract between the District and the General Manager

**X. CLOSING PROCEDURE**

**Adjournment** The next Regular Meeting of the Board of Directors is scheduled for December 16, 2009 at the Borrego Water District.