



Yucaipa Valley Water District

12770 Second Street, Yucaipa, California 92399 Phone: (909) 797-5117

Notice and Agenda of a Regular Meeting of the Board of Directors

Wednesday, January 4, 2012 at 6:00 p.m.

- I. CALL TO ORDER - Pledge of Allegiance
- II. ROLL CALL
- III. PUBLIC COMMENTS - At this time, members of the public may address the Board of Directors on matters within its jurisdiction. To provide comments on specific agenda items, please complete a speaker's request form and provide the completed form to the Board Secretary prior to the board meeting.
- IV. CONSENT CALENDAR - All matters listed under the Consent Calendar are considered by the Board of Directors to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the board considers the motion unless members of the board, the administrative staff, or the public request specific items to be discussed and/or removed from the Consent Calendar. The General Manager recommends approval of the following:
 - A. Minutes of Meetings
 - 1. Regular Board Meeting - December 21, 2011
- V. BOARD REPORTS
 - A. Reports by Board Members
- VI. STAFF REPORT
- VII. DISCUSSION ITEMS
 - A. Reimbursement Policy and Compensation Paid to Members of the Board of Directors Pursuant to Assembly Bill No. 1234 [[Director Memorandum No. 12-001 - Page 9 of 20](#)]
 - RECOMMENDED ACTION: That the Board either: (1) takes no action which would provide for a five percent increase; or (2) adopts the attached resolution to defer increased compensation in accordance with Ordinance No. 53-2007.
 - B. Award of a Construction Contract for the R-10.3 Recycled Water Storage and Booster Complex [[Director Memorandum No. 12-002 - Page 16 of 20](#)]
 - RECOMMENDED ACTION: Pending

Any person with a disability who requires accommodation in order to participate in this meeting should telephone Chelsie Fogus at (909) 797-5118 at least 48 hours prior to the meeting in order to make a request for a disability-related modification or accommodation.

Materials related to an item on this agenda submitted to the Board of Directors after distribution of the board meeting packet are available for public inspection during normal business hours at the District office located at 12770 Second Street, Yucaipa. Meeting material may also be available on the District's website at www.yvwd.dst.ca.us

- C. Authorization to Solicit Bids for the Wochholz Improved Salinity Effluent (WISE) Project [[Director Memorandum No. 12-003 - Page 17 of 20](#)]

RECOMMENDED ACTION: That the Board authorizes the District staff to solicit bids for the construction of the Wochholz Improved Salinity Effluent (WISE) Project.

VIII. DIRECTORS COMMENTS

IX. ANNOUNCEMENTS

- A. January 10, 2011 at 4:00 p.m. - Board Workshop
- B. January 18, 2011 at 6:00 p.m. - Regular Board Meeting
- C. January 24, 2011 at 4:00 p.m. - Board Workshop

X. ADJOURNMENT

CONSENT CALENDAR

MINUTES OF A REGULAR BOARD MEETING

December 21, 2011

Directors Present:

Jay Bogh, President
Bruce Granlund, Vice President
Ian Cuthbertson, Director
Lonni Granlund, Director
Hank Wochholz, Director

Staff Present:

Joseph Zoba, General Manager
Jack Nelson, Assistant General Manager
Jennifer Ares, Resource Sustainability Manager

Directors Absent:

None

Consulting Staff Present:

David Wysocki, Legal Counsel

Registered Guests and Others Present:

None

The regular meeting of the Board of Directors of the Yucaipa Valley Water District was called to order by Director Jay Bogh at 6:00 p.m. on Wednesday, December 21, 2011 at the Administrative Office Building, 12770 Second Street, Yucaipa, California.

CALL TO ORDER

Director Jay Bogh led the pledge of allegiance.

FLAG SALUTE

The roll was called and Directors Jay Bogh, Bruce Granlund, Ian Cuthbertson, Lonni Granlund, and Hank Wochholz were present.

ROLL CALL

Director Jay Bogh welcomed the audience members. There were no public comments.

PUBLIC COMMENTS

Director Lonni Granlund moved to approve the consent calendar and Director Hank Wochholz seconded a motion that carried to approve the consent calendar.

A. Minutes of Meetings

1. Regular Board Meeting – December 7, 2011
2. Board Workshop - December 8, 2011
3. Board Workshop - December 13, 2011

B. Payment of Bills

1. Approve/Ratify Invoices of Board Awarded Contracts
2. Approve General Expenses for November 2011

Director Hank Wochholz reported on the Yucaipa Valley Water District

BOARD REPORTS

Board Workshop held on December 7, 2011.

Directors Ian Cuthbertson reported on the Association of Special Districts County Special Districts dinner meeting held on December 12, 2011.

Director Hank Wochholz reported on the Yucaipa Valley Water District Board Workshop held on December 13, 2011.

There were no other reports provided by members of the board.

General Manager Joseph Zoba provided a staff report that included the following information:

STAFF REPORT

- The bid opening for the R-10.3 Recycled Water Reservoir Complex is scheduled for December 22, 2011, prior to the holidays. This item will be presented for an anticipated award at the board meeting on January 4, 2012.

DISCUSSION ITEMS:

Director Lonni Granlund moved and Director Hank Wochholz seconded a motion to receive and file the unaudited financial statements for November 2011. The motion was approved by a 5-0 vote.

DM 11-113
UNAUDITED FINANCIAL
REPORT FOR NOVEMBER
2011

Resource Sustainability Manager Jennifer Ares provided a staff presentation regarding the Environmental Assessment for the Yucaipa Valley Regional Brineline Extension Project. Following the staff presentation, Director Ian Cuthbertson moved and Director Bruce Granlund seconded a motion to approve the environmental assessment. The motion was approved by a 5-0 vote.

DM 11-114
ENVIRONMENTAL
ASSESSMENT FOR THE
YUCAIPA VALLEY
REGIONAL BRINELINE
EXTENSION PROJECT

Director Hank Wochholz moved and Director Lonni Granlund seconded a motion to approve the Terms and Conditions for the Management-Exempt Employees. The motion was approved by a 5-0 vote.

DM 11-115
TERMS AND CONDITIONS
FOR MANAGEMENT-
EXEMPT EMPLOYEES

There were no comments from the Directors.

DIRECTOR COMMENTS

Director Jay Bogh directed attention to the announcements located on the board meeting agenda.

ANNOUNCEMENTS

There being no further business, the meeting was adjourned at 6:21 p.m.

Respectfully submitted,

Joseph B. Zoba, Secretary

(Seal)

BOARD REPORTS

STAFF REPORT

DISCUSSION ITEMS



Director Memorandum 12-001

Date: January 4, 2012 **Job:** Not Applicable
Prepared By: Joseph Zoba, General Manager **G/L:** Not Applicable
Subject: Reimbursement Policy and Compensation Paid to Members of the Board of Directors Pursuant to Assembly Bill No. 1234

Recommendation: That the Board either: (1) takes no action which would provide for a five percent increase; or (2) adopts the attached resolution to defer increased compensation in accordance with Ordinance No. 53-2007.

On March 21, 2007, the Board adopted Resolution No. 10-2007 and Ordinance No. 53-2007. These actions updated the policy of reimbursement and compensation paid to the members of the Board of Directors in a manner consistent with Assembly Bill No. 1234. Both the resolution and ordinance are attached for your review.

In January of each year, District staff presents Ordinance No. 53-2007 and Resolution No. 10-2007 to determine if any changes are required. Additionally, the Board is requested to make a decision regarding the current rate of compensation for attending board related meetings/functions. Based on the reimbursement and compensation policy, the Board has two alternatives to address the current rate of compensation.

Alternative 1 – No Director Fee Increase. Attached is Resolution No. 01-2012 which, if adopted by the Board, would maintain the rate of compensation paid to board members at \$121.56 per day for each day's attendance at meetings as defined in Section 1(d) of Ordinance No. 53-2007.

Alternative 2 – Automatic Director Fee Increase. By not taking action (procedurally this is accomplished by no motion for action being made at the board meeting), the provision in Section 2 of Ordinance No. 53-2007 will apply which states, "...each calendar year following the adoption of this Ordinance, the compensation which may be received by members of the Board of Directors shall automatically be increased by 5% per calendar year beginning in January 2008, unless the Board of Directors by resolution elects not to receive an increase. Action by the Board of Directors to make such an election not to receive an increase in any one year will not affect the automatic increase the following calendar year". Therefore, by taking no action compensation paid to board members will be increased from \$121.56 to \$127.64 per day for each day's attendance at meetings as defined in Section 1(d) of Ordinance No. 53-2007.

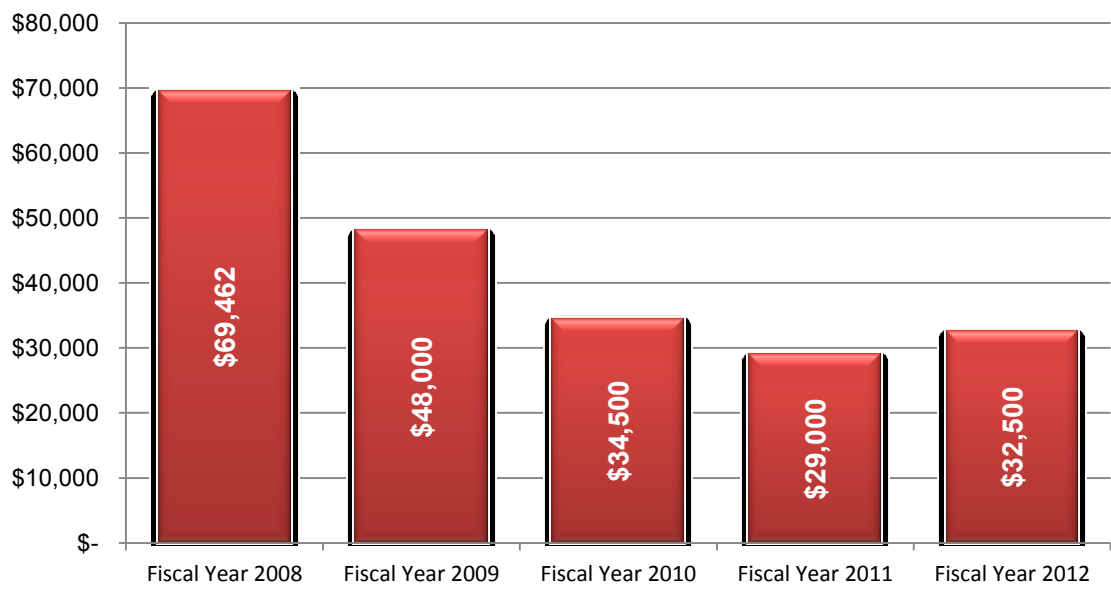
Financial Implications

As provided in the Unaudited Financial Report dated December 21, 2011 [DM 11-113], the combined budget line items for Director Fees [xx-5-06-50012] in the water, sewer and recycled water budgets is \$32,500. Of the \$32,500 budgeted this year, \$10,454, or 32.2% has been expended during the first five months (41%) of this fiscal year. At this rate, the budget line item expense for director fees is expected to be about \$25,000 by the end of the fiscal year.

If the current year expense was increased by 5%, the expense to date would be \$10,977, or 33.7% of the budget allocation after the first five months (37%) of the fiscal year. At the increased amount, the total cost for this budget line item would be projected to cost \$26,250 for this current fiscal year.

The budget line item for Directors Fees is consistently under budget year after year. The total budget line item for director related fees has been significantly reduced from \$69,462 in Fiscal Year 2008, to \$32,500 this year. In future years, the District staff will most likely maintain the current level of funding which provides for an average of less than five of the ten authorized meetings per month per director. This budget line item represents the total cost to the District for all five board members.

Total Director Fee Budget Allocation



RESOLUTION NO. 10-2007**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
YUCAIPA VALLEY WATER DISTRICT
UPDATING THE POLICY FOR REIMBURSEMENT OF ACTUAL
AND NECESSARY EXPENSES OF THE BOARD OF DIRECTORS**

WHEREAS, the Yucaipa Valley Water District (the "District") is a public agency of the State of California organized and existing pursuant to the County Water District Law of this State (Section 30000, et seq., of the Water Code); and

WHEREAS, as authorized by Water Code, Sections 30507 and 71255 the District has previously authorized reimbursement to its Board members of their actual, necessary and reasonable expenses incurred in the performance of their official duties in attending Board meetings, committee meetings, workshops, educational special district workshops and related occurrences; and

WHEREAS, the Legislature has enacted effective January 1, 2006, AB 1234 amending existing statutes and adding additional statutes requiring that local public agencies adopt a written policy concerning the District's reimbursement of the actual and necessary expenses of Board members in the performance of their official duties for the District; and

WHEREAS, AB 1234 also requires a written policy for the payment of per day compensation to Board members for meetings other than those of the Board, its Board workshop, Board committees, an advisory body of the Board and conferences and educational activities; and

WHEREAS, AB 1234 also requires that any Board member who receives any form of compensation from the District is required to attend at least two (2) hours of ethics training every two (2) years.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Yucaipa Valley Water District as follows:

1. Additional Compensable Meetings. As permitted by Government Code, Section 53232.1(d) the per day compensation authorized by Ordinance No. 53-2007 shall also be paid for a Board member's attendance at a meeting of South Mesa Mutual Water Company or Western Heights Mutual Water Company, an association or organization related to the services provided by the District, any meeting or hearing of any joint powers authority, local, state or federal agency or any board, commission, committee or department thereof, and any tours, field trips or informal business meetings with District staff in the performance of the official duties of the Board of Directors; provided, however, that the total number of compensable days in any calendar month for all meetings attended by a Board member shall not exceed the maximum set forth in the District's Ordinance No. 53-2007.

2. Reimbursable Expenses of Board Members. As authorized by Government Code, Section 53232.2 the following actual and necessary expenses incurred by Board members in the performance of their official duties shall be reimbursed by the District:

(a) Mileage at the rate established by the Internal Revenue Service to and from all Meetings as defined by the District's Ordinance No. 53-2007 and this Resolution;

(b) Other actual, necessary and reasonable travel and meal expenses incurred by a Board member in attending such Meetings with detailed receipts;

(c) Lodging costs, in connection with a conference or organized educational activity conducted in compliance with the Brown Act, including but not limited to the ethics training in Section 4 below, shall not exceed the maximum group rate published by the conference or activity sponsor or if no group rate is provided then the lodging cost shall not exceed the government and group rates offered by a provider of transportation or lodging services for travel and lodging when available.

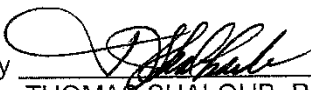
3. Expense Report Requirements. The District shall provide written expense report forms to be filed by the District's Board members for reimbursement of actual and necessary expenses incurred on behalf of the District in performance of official duties. Such filings shall include all receipts for such expenses. Reimbursable expenses to be reported shall include, but not be limited to, mileage, meals, lodging and other travel-related expenses. All such expense reports shall constitute public records under the California Public Records Act. The District Board member shall provide brief oral reports on meetings attended at the expense of the District at the next regular meeting of the District's Board of Directors.

4. Ethics Training. Pursuant to Government Code, Section 53234 each Board member shall attend at least two (2) hours of ethics training every two (2) years at the expense of the District. Such ethics training must be approved or authorized by the California Attorney General's Office and the Fair Political Practices Commission. Written proof of such ethics training must be filed by each Board member with the District and the District shall retain records of such ethics training for at least five (5) years after the Board member receives such training.

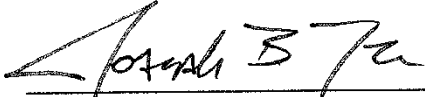
5. Effective Date. This Resolution shall be effective March 21, 2007, and hereby supersedes Resolution No. 36-2005.

Adopted this 21st day of March 2007.

YUCAIPA VALLEY WATER DISTRICT

By 
THOMAS SHALOUB, President of the Board of Directors

ATTESTED:


Secretary of the Board

ORDINANCE NO. 53-2007**AN ORDINANCE OF THE YUCAIPA VALLEY WATER DISTRICT
UPDATING THE REIMBURSEMENT POLICY AND COMPENSATION PAID
TO MEMBERS OF THE BOARD OF DIRECTORS PER ASSEMBLY BILL 1234**

WHEREAS, Yucaipa Valley Water District (the "District") is a public agency of the State of California organized and existing pursuant to the County Water District Law of this State (Section 30000 et seq. of the Water Code); and

WHEREAS, by Resolution No. 3-1978 adopted on January 25, 1978, the Board of Directors authorized compensation to be paid to each Director of the Board of Directors for each day's attendance at meetings of the Board of Directors and for each day's service rendered as a Director at the request of the Board of Directors; and

WHEREAS, by minute action on June 23, 1982, consistent with Water Code, Section 30507, the Board of Directors increased that per day compensation to \$100.00 per day; and

WHEREAS, as authorized by Water Code, Sections 30507 and 71255 the District has previously authorized reimbursement to its Board members of their actual, necessary and reasonable expenses incurred in the performance of their official duties in attending Board meetings, committee meetings, workshops, educational special district workshops and related occurrences; and

WHEREAS, by Ordinance No. 51-2005 adopted on December 21, 2005, the Board of Directors increased the per day compensation for each of the Directors to \$105.00 per day and also updated the reimbursement and compensation policy consistent with AB 1234 enacted effective January 1, 2006; and

WHEREAS, the Board of Directors desires to increase the per day compensation by 5% to \$110.25 and to provide for automatic annual compensation increases of no more than 5% per year beginning in January of each year following the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Yucaipa Valley Water District, as follows:

Section 1. Definitions:

(a) "Day's attendance" shall mean attendance at any Meeting as defined in Section 1(d) below.

(b) "Day's service" shall mean service rendered by a Director without regard to the length of time of such service.

(c) "Expenses" shall mean those actual and necessary out-of-pocket expenses incurred by a Director incident to or arising from a day's attendance at meetings or a day's service rendered.

(d) "Meeting" shall mean a meeting of the Board of Directors, including Board workshops and Board-created Committee meetings, advisory body or a conference or

organized educational activity all of which are authorized "meetings" under Government Code, Section 53232.1(a), and any other meeting or occurrence authorized by a written resolution adopted by the Board of Directors in a public meeting.

Section 2. Compensation and Annual Increases: Each Director shall receive compensation in the amount of \$110.25 per day for each day's attendance at Meetings as defined in Section 1(d) above not to exceed a total of ten (10) days in any calendar month, together with any expenses authorized by a resolution establishing the policy for the reimbursement of such actual and necessary expenses incurred in the performance of the official duties of the Board of Directors. Each calendar year following the adoption of this Ordinance, the compensation which may be received by members of the Board of Directors shall automatically be increased by 5% per calendar year beginning in January 2008, unless the Board of Directors by resolution elects not to receive such an increase. Action by the Board of Directors to make such an election not to receive an increase in any one year will not affect the automatic increase the following calendar year.

Section 3. Effective Date: In accordance with Section 20204 of the Water Code, this Ordinance shall become effective sixty (60) days from the date of its passage. This Ordinance hereby supersedes Ordinance No. 51-2005.

Adopted and enacted this 21st day of March, 2007.

YUCAIPA VALLEY WATER DISTRICT

By 
THOMAS SHALOUB, President of the Board of Directors

ATTESTED:


Secretary of the Board

RESOLUTION NO. 01-2012

**RESOLUTION ELECTING TO NOT INCREASE COMPENSATION
FOR DIRECTORS IN CALENDAR YEAR 2012**

WHEREAS, on March 21, 2007, the Board of Directors adopted Ordinance No. 53, 2007 which updated the reimbursement policy and compensation paid to members of the Board of Directors pursuant to Assembly Bill No. 1234; and

WHEREAS, each member of the Board of Directors is currently compensated at a rate of \$121.56 per day for each day's attendance at meetings as defined in Section 1(d) of Ordinance No. 53-2007.

NOW, THEREFORE, the Board of Directors of Yucaipa Valley Water District hereby RESOLVE, DETERMINE, AND ORDER as follows:

The Board of Directors of the Yucaipa Valley Water District does hereby determine that the rate of compensation shall remain at \$121.56 per day for each day's attendance at meetings for calendar year 2012.

PASSED, APPROVED and ADOPTED this 4th day of January 2012.

YUCAIPA VALLEY WATER DISTRICT

ATTEST:

Jay Bogh, President Board of Directors

Joseph B. Zoba, General Manager



Director Memorandum 12-002

Date: January 4, 2012 **Job:** Not Applicable
Prepared By: Joseph Zoba, General Manager **G/L:** Not Applicable
Subject: Award of a Construction Contract for the R-10.3 Recycled Water Storage and Booster Complex
Recommendation: Pending.

On Thursday, December 22, 2011, the Yucaipa Valley Water District opened bids for the Recycled Water Reservoirs R-10.3.1 and 10.3.2 and Booster Station 10.3. The District staff is currently reviewing the construction bids and expects to provide a recommendation at the board meeting.

Date: January 4, 2012 **Job:** Not Applicable

Prepared By: Joseph Zoba, General Manager **G/L:** Not Applicable

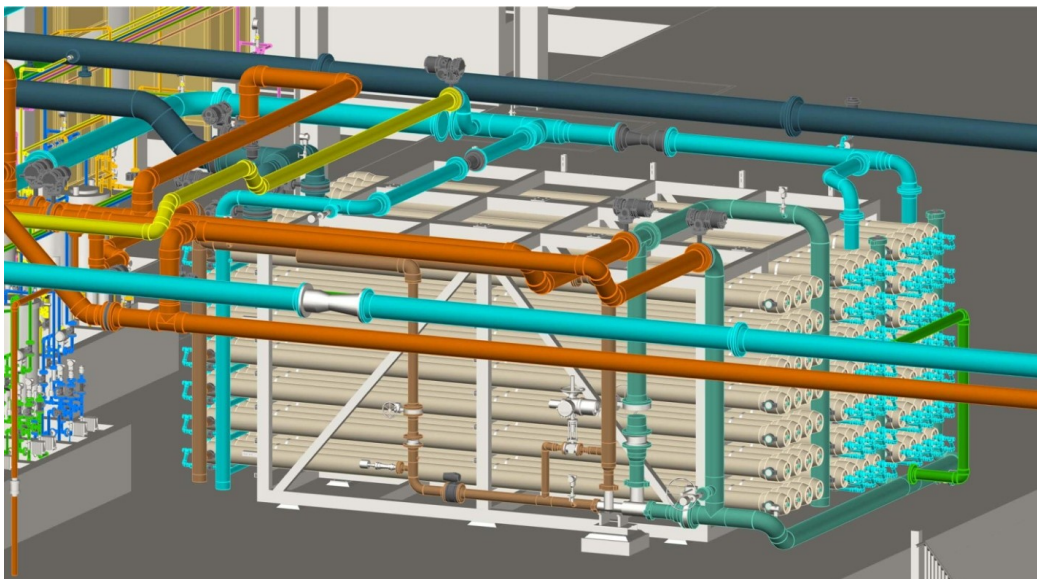
Subject: Authorization to Solicit Bids for the Wochholz Improved Salinity Effluent (WISE) Project

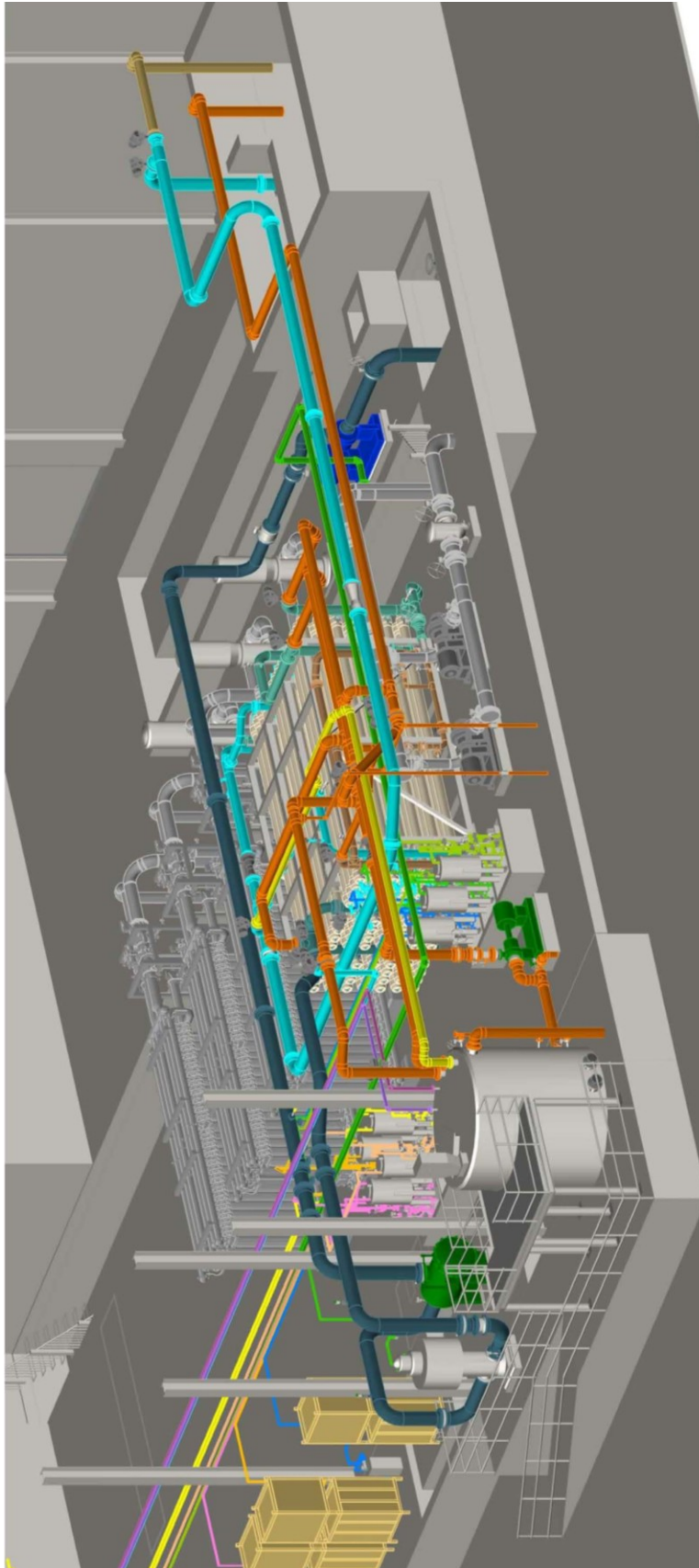
Recommendation: That the Board authorizes the District staff to solicit bids for the construction of the Wochholz Improved Salinity Effluent (WISE) Project.

Yucaipa Valley Water District is in the process of constructing the Yucaipa Valley Regional Brineline in order to produce recycled water that complies with groundwater basin objectives as established by the Regional Water Quality Control Board. In order to comply with these strict water quality objectives, the District is required to add a reverse osmosis process to the wastewater treatment plant. This will enable the District to remove salts and minerals and reduce the loading of these compounds in to the groundwater basin. The proposed reverse osmosis system will produce salty water, referred to as “brine”, that must be sent to the Pacific Ocean so it does not impact any fresh water supplies downstream of the Yucaipa Valley.

The first phase of the reverse osmosis equipment is being designed as part of the Wochholz Improved Salinity Effluent (WISE) Project. This project is currently scheduled for the completion of the construction phase by the end of 2012.

The District staff and our consultants are in the process of completing the review of the final design drawings and bid specifications. Upon receiving authorization to solicit bids, the District staff will finalize the bid documents, solicit bids and provide the bid results at a future board meeting.





DIRECTOR COMMENTS

ANNOUNCEMENTS