



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, December 5, 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 - November 21, 2012
 - 2. Board Workshop - November 27, 2012
- V. BOARD REPORTS
 - A. Reports by Board Members
- VI. STAFF REPORT
- VII. DISCUSSION ITEMS
 - A. Change Order No. 1 to the Contract with Pascal & Ludwig Constructors for the Wochholz Improved Salinity Effluent Project at the Wochholz Regional Water Recycling Facility [[Director Memorandum No. 12-109 - Page 14 of 20](#)]
RECOMMENDED ACTION: That the Board approves Change Order No. 1 with Pascal & Ludwig Constructors for a time extension and a decrease in the amount of the construction contract by \$30,000.

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

- B. Recognition of Ian Cuthbertson for His Outstanding Service to the Yucaipa Valley Water District [[Director Memorandum No. 12-110 - Page 17 of 20](#)]

RECOMMENDED ACTION: That the Board adopts Resolution No. 2012-17 Honoring Ian Cuthbertson as a Board Member Representing Division I of the Yucaipa Valley Water District.

VIII. DIRECTORS COMMENTS

IX. CLOSED SESSION

- A. Conference with Real Property negotiator(s) (Government Code 54956.8)
Property: Assessor's Parcel Number: 301-201-29
Agency Negotiator: Joseph Zoba, General Manager
Negotiating Parties: Palmer General Corporation
Under Negotiation: Terms of Payment and Price

X. ANNOUNCEMENTS

- A. December 11, 2012 at 4:00 p.m. - Board Workshop
- B. December 19, 2012 at 6:00 p.m. - Regular Board Meeting
- C. January 2, 2013 at 6:00 p.m. - Regular Board Meeting
- D. January 8, 2013 at 4:00 p.m. - Board Workshop
- E. January 16, 2013 at 6:00 p.m. - Regular Board Meeting
- F. January 29, 2013 at 4:00 p.m. - Board Workshop
- G. February 6, 2013 at 6:00 p.m. - Regular Board Meeting

XI. ADJOURNMENT

CONSENT CALENDAR

MINUTES OF A REGULAR BOARD MEETING

November 21, 2012

Directors Present:

Jay Bogh, President
Bruce Granlund, Vice President
Ian Cuthbertson, Director

Staff Present:

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

Directors Absent:

Hank Wochholz, Director
Lonni Granlund, Director

Consulting Staff Present:

David Wysocki, Legal Counsel

Registered Guests and Others Present:

Ted Haring, San Gorgonio Pass Water Agency

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, November 21, 2012 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 Director Jay Bogh, Director Bruce Granlund, and Director Ian Cuthbertson were present. Directors Lonni Granlund and Hank Wochholz were absent

ROLL CALL

There were no public comments.

PUBLIC COMMENTS

Director Bruce Granlund moved to approve the consent calendar and Director Ian Cuthbertson seconded the motion.

CONSENT CALENDAR

- A. Minutes of Meetings
 - 1. Regular Board Meeting - November 7, 2012
 - 2. Board Workshop - November 13, 2012
- B. Payment of Bills
 - 1. Approve/Ratify Invoices of Board Awarded Contracts
 - 2. Ratify General Expenses for October 2012

The consent calendar was approved by a vote of 3 - 0.

- A. Association of the San Bernardino County Special Districts - November 19, 2012 - Director Bruce Granlund provided an overview of the presentation by Rich Atwater, Executive Director

BOARD REPORTS

of the Southern California Water Committee.

- B. Reports by Board Members - There were no other reports provided by the members of the Board.

General Manager Joseph Zoba provided an overview of the following topics:

- A closed session would be conducted at this meeting; and
- An updated Brine Treatment Agreement with the San Bernardino Valley Municipal Water District has been received by the District and will be presented to the Board for consideration at a future board workshop and meeting for consideration.

STAFF REPORT

DISCUSSION ITEMS:

Following a staff presentation by General Manager Joseph Zoba, Director Ian Cuthbertson moved and Director Bruce Granlund seconded a motion to receive and file the unaudited financial report as presented. The motion was approved by a vote of 3 - 0.

DM 12-103
UNAUDITED FINANCIAL
REPORT FOR THE PERIOD
ENDING OCTOBER 31,
2012

Following a staff presentation by Assistant General Manager Jack Nelson, Director Ian Cuthbertson moved and Director Bruce Granlund seconded a motion to adopt Resolution No. 2012-16 recognizing that the existing generator was picked up by Timcorp of Fontana for scrap metal. The motion was approved by a vote of 3 - 0.

DM 12-104
ADOPTION OF
RESOLUTION NO. 2012-16
DECLARING CERTAIN
PROPERTY AND
EQUIPMENT SURPLUS TO
THE NEEDS OF THE
YUCAIPA VALLEY WATER
DISTRICT

Following a staff presentation by Engineering Manager Brent Anton, Director Bruce Granlund moved and Director Ian Cuthbertson seconded a motion to authorize District staff to solicit bids for the construction of the Western Regional Interceptor Project - Phase II. The motion was approved by a vote of 3 - 0.

DM 12-105
AUTHORIZATION TO
SOLICIT BIDS FOR THE
WESTERN REGIONAL
INTERCEPTOR PROJECT -
PHASE II

Following a staff presentation by Assistant General Manager Jack Nelson, Director Ian Cuthbertson moved and Director Bruce Granlund seconded a motion to deny the claim for damages at property located at 1222 Second Place, Calimesa. The motion was approved by a vote of 3 - 0.

DM 12-106
DENIAL OF CLAIM
RELATED TO DAMAGES AT
1222 SECOND PLACE,
CALIMESA AS A RESULT
OF CONSTRUCTION WORK

Following a staff presentation by Assistant General Manager Jack Nelson, Director Ian Cuthbertson moved and Director Bruce Granlund seconded a motion to deny the claim for damages at property located at 35152 Beech Avenue, Yucaipa. The motion was approved by a vote of 3 - 0.

DM 12-107
DENIAL OF CLAIM
RELATED TO WATER
DAMAGES AT 35152
BEECH AVENUE, YUCAIPA
AS A RESULT OF A WATER
MAIN BREAK - HAGGERTY

Following a staff presentation by General Manager Joseph Zoba, Director Ian Cuthbertson moved and Director Bruce Granlund seconded a motion to approve the Contributed Funds Agreement as presented. The motion was approved by a vote of 3 - 0.

DM 12-108
CONTRIBUTED FUNDS
AGREEMENT NO.
R13CF35005 BETWEEN
YUCAIPA VALLEY WATER
DISTRICT AND THE
BUREAU OF
RECLAMATION,
DEPARTMENT OF THE
INTERIOR RELATED TO
THE YUCAIPA VALLEY
REGIONAL BRINELINE
PROJECT, PHASES I, II,
AND III - RECLAMATION
AGREEMENT NO.
R10AC35R03

There were no comments from the board members.

DIRECTOR COMMENTS

Director Jay Bogh, Director Bruce Granlund, and Director Ian Cuthbertson were present in closed session with Legal Counsel David Wysocki, General Manager Joseph Zoba and Resource Sustainability Manager Jennifer Ares concerning existing litigation as shown on the agenda.

CLOSED SESSION

The Board Members reconvened out of closed session into open session and Legal Counsel David Wysocki reported that direction was provided by a majority vote to the General Manager to continue participation in the existing litigation regarding the Santa Ana Sucker - Bear Valley Mutual Water Company, et al. vs. Kenneth Salazar, et al.; U.S. District Court Case No. 8:11-cv-01263 JVS (ANx).

No other reportable action was taken in closed session.

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 6:45 p.m.

Respectfully submitted,

Joseph B. Zoba, Secretary

(Seal)

MINUTES OF A BOARD WORKSHOP

November 27, 2012 at 4:00 P.M.

Directors Present:

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

Staff Present:

Joseph Zoba, General Manager
Jack Nelson, Assistant General Manager
Vicky Elisalda, Controller
Jennifer Ares, Resource Sustainability Manager
John Hull, Public Works Manager
Brent Anton, Engineering Manager
Kevin King, Operations Manager

Directors Absent:

Hank Wochholz, Director

Consulting Staff Present:

David Wysocki, Legal Counsel

Guests and Others Present:

Richard Sigmund, Customer
Brenda Hyatt, Customer
Ron Duncan, San Gorgonio Pass Water Agency

- I. Call to Order - 4:00 p.m.
- II. Public Comments - General Manager Joseph Zoba recognized the members of the Board of Directors, District staff and members of the public in attendance. There were no comments from the members of the public.
- III. Staff Report - Representatives from the District staff provided comments on the following topics:
 - A copy of the City of Yucaipa, Agenda Item 20 from September 12, 2011 regarding the Annual Adjustment of Development Impact Fees was provided in response to comments made at the November 7, 2012 board report about the City of Yucaipa Economic Development Advisory Committee Meeting.
- IV. Capital Improvement Projects
 - A. Status Report on the Construction of the R-10 Recycled Water Reservoir and Booster Complex [Workshop Memorandum No. 12-204] - Engineering Manager Brent Anton provided an update on the construction of the reservoir and booster facilities.
 - B. Status Report on the Construction of the Crow Street Pipeline Facilities [Workshop Memorandum No. 12-205] - Engineering Manager Brent Anton provided an update on the construction of the recycled water pipeline in Crow Street.
 - C. Status Report on the Construction of the Recycled Water Booster Facility at the Reservoir R-12.1 Complex [Workshop Memorandum No. 12-206] - Engineering Manager Brent Anton provided an update on the construction of the booster facility.
 - D. Status Report on the Construction of the Wochholz Improved Salinity Effluent (WISE) Project [Workshop Memorandum No. 12-207] - Operations Manager

Kevin King provided an overview of the reverse osmosis equipment installation at the Wochholz Regional Water Recycling Facility.

- E. Status Report on the Construction of the Western Regional Interceptor Project [Workshop Memorandum No. 12-208] - Engineering Manager Brent Anton provided an update on the final design of the Western Regional Interceptor Project.

V. Administrative Issues

- A. Approval of Construction Related Invoices for Recycled Water Facilities [Workshop Memorandum No. 12-209] - General Manager Joseph Zoba provided an overview of invoices in the amount of \$1,718,174.13 from Pro-Craft Construction (\$631,935.16); Doty Bros. Equipment Company (\$482,695); Pascal & Ludwig (\$341,644.33); Separation Processes (\$28,957.64); and Canyon Springs Enterprises (\$232,942). Following a staff presentation by General Manager Joseph Zoba, Director Lonni Granlund moved and Director Ian Cuthbertson seconded a motion to approve the partial payment of board awarded contracts in the amount of \$1,718,174.13. The motion was approved by a vote of 4 - 0.

- VI. Director Comments - There were no comments from the board members.

VII. Closed Session

- A. Conference with Real Property negotiator(s) (Government Code 54956.8)
Property: Assessor's Parcel Number: 301-201-29
Agency Negotiator: Joseph Zoba, General Manager
Negotiating Parties: Palmer General Corporation
Under Negotiation: Terms of Payment and Price
 - a) There was no closed session conducted.

- VIII. Adjournment - The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Joseph B. Zoba, Secretary

(SEAL)

BOARD REPORTS

STAFF REPORT



California contractors to get 30 percent of requested water, but amount could increase with storms

The Associated Press, November 29, 2012

FRESNO, California — California residents and farmers can expect less than a third of the water they requested for next year, but state officials hope that amount will increase.

The state Department of Water Resources said Thursday that State Water Project contractors can expect to get 30 percent of their requested deliveries for 2013.

The contractors supply water to more than 25 million residents and nearly a million acres of farmland.

The initial allocation is usually low because the state receives more than 90 percent of its snow and rain from December through April. The allocation will increase as more storms arrive.

The final allocation this year was 65 percent of requested deliveries.

Higher allocations are difficult to achieve even in wet years due to pumping restrictions to protect threatened and endangered fish.

DISCUSSION ITEMS



Date: December 5, 2012

Prepared By: Joseph Zoba, General Manager

Subject: Change Order No. 1 to the Contract with Pascal & Ludwig Constructors for the Wochholz Improved Salinity Effluent Project at the Wochholz Regional Water Recycling Facility

Recommendation: That the Board approves Change Order No. 1 with Pascal & Ludwig Constructors for a time extension and a decrease in the amount of the construction contract by \$30,000.

At the regular meeting on March 7, 2012, the Board awarded a contract to Pascal & Ludwig Constructors for the construction of reverse osmosis equipment at the Wochholz Regional Water Recycling Facility for a sum not to exceed \$5,003,170 [DM 12-024].

Change Order No. 1 has been prepared to change the contract date for substantial completion from December 1, 2012 to January 18, 2013, and the contract date for final completion from December 31, 2012 to February 22, 2013. Additionally, the change order will decrease the contract amount by \$30,000, from \$5,003,170 to \$4,973,170.

	Contract Changes	Contract Amount	Percentage Change from Original Bid Amount	Reference
Original Bid Amount		\$5,003,170	- -	DM 12-024
Change Order No. 1	(\$30,000)	\$4,973,170	0.6% decrease	DM 12-109

Financial Considerations:

The costs associated with this project will be funded by a grant from the Environmental Protection Agency and a loan from the State Water Resource Control Board.

CONTRACT CHANGE ORDER NO. 1

PAGE 2 OF 2

By reason of Change Order No. 1, time of completion shall be adjusted as described above.

All provisions of the Contract shall apply hereto, and shall become effective when fully executed (signed and dated) by both parties.

Recommended by (Engineer) James A. Vickers Date: 11/29/2012

Accepted by (Contractor) Pat T. L. Date: 11/29/2012

Approved by (Owner) _____ Date: _____

Remarks _____



Director Memorandum 12-110

Date: December 5, 2012

Prepared By: Joseph Zoba, General Manager

Subject: Recognition of Ian Cuthbertson for His Outstanding Service to the Yucaipa Valley Water District

Recommendation: That the Board adopts Resolution No. 2012-17 Honoring Ian Cuthbertson as a Board Member Representing Division I of the Yucaipa Valley Water District.

On November 4, 2008, Ian Cuthbertson was elected to the Board of Directors to represent customers in Division 1. Over the past four years, Director Cuthbertson has been an active board member who consistently advocated conservative financial policies and programs with a particular emphasis on cost controls and infrastructure improvements.

With the primary goal of improving the District and protecting the best interests of our customers, Director Ian Cuthbertson consistently provided guidance based on his knowledge, experience and dedication to the community. More importantly, Director Cuthbertson always demonstrated a desire to learn as well as educate others on numerous issues based on his vast knowledge and experience. These qualities provided the District with an outstanding board member that will certainly be missed.

The Board of Directors has consistently taken steps to do what is right and not what is easy. Under the leadership of Director Ian Cuthbertson, this philosophy was fully embraced by an individual that voted based on his core values, conscience, knowledge and heart to do the best for the people he served. It has been a distinct privilege and a pleasure to work with Director Cuthbertson.

Therefore, on behalf of the Board of Directors and District staff, I recommend the adoption of Yucaipa Valley Water District Resolution No. 2012-17 as a small token to show deep-seated appreciation for the service Director Ian Cuthbertson provided to the customers, property owners and stakeholders of the Yucaipa Valley Water District.

RESOLUTION NO. 2012-17

**RESOLUTION OF THE YUCAIPA VALLEY WATER DISTRICT
HONORING DIRECTOR IAN CUTHBERTSON AS A BOARD MEMBER
REPRESENTING DIVISION I OF THE YUCAIPA VALLEY WATER DISTRICT**

WHEREAS, Director Ian Cuthbertson was first elected on November 4, 2008 as the Director of Division 1; and

WHEREAS, Director Ian Cuthbertson significantly contributed to the progress of this District and the overall quality of life of the community by his continuing devotion of time, service, sound judgment, and fulfillment of all obligations and responsibilities as a member of this Board of Directors; and

WHEREAS, Director Ian Cuthbertson was elected by his fellow board members to act as Vice President of the Yucaipa Valley Water District Financing Corporation on June 3, 2009, whereby Director Cuthbertson clearly demonstrated his leadership skills, guidance and professionalism; and

WHEREAS, Director Ian Cuthbertson was actively involved and supported numerous capital improvement projects to enhance the drinking water, sewer, recycled water and brine disposal services of the Yucaipa Valley Water District; and

WHEREAS, Director Ian Cuthbertson consistently provided professional, accurate and insightful information to board members, staff members and the public about activities related to the water resources, regulations and environmental protection; and

WHEREAS, Director Ian Cuthbertson has made significant contributions to the Yucaipa Valley Water District and has provided exceptional service to the community through his professional skills, dependability, knowledge, commitment and experience; and

WHEREAS, Director Ian Cuthbertson has always exhibited the characteristics of a true professional, dedicated board member, and friend.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ORDERED, on behalf of its staff and the customers of the Yucaipa Valley Water District, that the Board of Directors of the Yucaipa Valley Water District hereby offers its most sincere appreciation to Ian Cuthbertson for his years of dedicated service and contributions to the community.

BE IT FURTHER RESOLVED, that the Secretary of the Yucaipa Valley Water District is hereby authorized and directed to transmit a copy of this Resolution to Ian Cuthbertson.

PASSED, APPROVED and ADOPTED this 5th day of December 2012.

YUCAIPA VALLEY WATER DISTRICT

ATTEST:

Jay Bogh, President Board of Directors

Joseph B. Zoba, General Manager

DIRECTOR COMMENTS

ANNOUNCEMENTS