

# **VALLEY CENTER MUNICIPAL WATER DISTRICT**

## **AGENDA**

### **Regular Meeting of the Board of Directors**

Monday, July 17, 2023 — 2:00 P.M.

**The VCMWD Board of Directors welcomes the public to its Board Room while accommodating virtual observation options as a convenience to the public. Additionally, Board Meetings continue to be livestreamed for those who wish to observe remotely. *Please note that in the event of technical issues that disrupt the meeting livestream or receipt of public comments by phone or email, the meeting will continue.***

Instructions for members of the public who wish to address the Board of Directors:

Members of the public who wish to address the Board of Directors under “Audience Comments/Questions” or on specific agenda items, may do so as instructed below. All comments will be subject to a limit of three (3) minutes.

- Making Public Comment for Those Attending In-Person: Members of the public who wish to observe or to address the Board may join the Board Members at the noticed, physical location. A Request to Speak slip is required to be submitted to the Board Secretary prior to start of the meeting *(if possible)*.
- Phone Comments During the Meeting: Before the meeting, or before public comment period for the item closes during the meeting, submit a telephone number by email to the Board Secretary at [publiccomments@vcmwd.org](mailto:publiccomments@vcmwd.org), together with the agenda item number, and the Board Secretary will call when the board is ready to hear public comments; *or*
- Emailed Comments: Before the meeting, or before public comment period for that item closes at the meeting, email your comments to the Board Secretary at [publiccomments@vcmwd.org](mailto:publiccomments@vcmwd.org) and the Board Secretary and it will be read aloud at the public comment period; *or*
- Written Comments: Written comments can be also be physically dropped off in advance of the meeting at the District’s Administrative Office or mailed in advance of the meeting to 29300 Valley Center Rd., Valley Center, CA 92082, for receipt no later than 1:00 pm on meeting day.

These public comment procedures supersede the District’s standard public comment policies and procedures to the contrary. If modifications or accommodations from individuals with disabilities are required, such persons should provide a request at least 24 hours in advance of the meeting by email to the Board Secretary at [boardsecretary@vcmwd.org](mailto:boardsecretary@vcmwd.org).

Meeting Broadcast: Members of the public may watch the meeting electronically by visiting the District’s website at [vcmwd.org/Board/Board-Documents](http://vcmwd.org/Board/Board-Documents) and then clicking the link listed below “live stream” on the page.

Meeting Documents: Board Meeting Packets *(except for closed session materials)* will be made available to the public once distributed to the Board. Please visit the District’s website at [vcmwd.org/Board/Board-Documents](http://vcmwd.org/Board/Board-Documents) for Agenda and related Board Meeting Documents.

## **ROLL CALL**

## **APPROVAL OF AGENDA**

At its option, the Board may approve the agenda, delete an item, reorder items and add an item to the agenda per the provisions of Government Code Section 54954.2.

## **PUBLIC COMMENT(S)**

*Comments and inquiries from the audience will be received on any matter not on the agenda, but within the jurisdiction of the Board. Comments and inquiries pertaining to an item on the agenda will be received during the deliberation of the agenda item (Government Code §54954.3).*

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**CONSENT CALENDAR ITEM(S)**

*Consent calendar items will be voted on together by a single motion unless separate action is requested by a Board member, staff, or member of the audience.*

1. **Minutes of the Regular Board Meeting Held Monday, June 5, 2023;**
2. **Survey of Auditing and General Counsel Service Costs and Notification of Annual Contractual Fee Increase from General Counsel;**
3. **Audit Demands and Wire Disbursements;**
4. **Expense Reimbursement Disclosures (4/1/2023–6/30/2023) per Government Code Section 53065.5;**
5. **Treasurer's Report for Month Ending May 31, 2023;** *and*
6. **Request Adoption of Resolution No. 2023-22 Correcting a Typographical Error in Resolution No. 2023-21.**

**PUBLIC HEARING ITEM(S)**

7. **Public Hearing to Consider Approving and Levying the Approved Woods Valley Ranch Water Reclamation Facility (WRF) Service Area Sewer Service Charges (Service Area 1), Sewer Service Charges (Service Area 2), and Grinder Pump Maintenance Charges (Service Area 2) on the Property Tax Roll for Fiscal Year 2023-2024:**

A public hearing will be held to receive comments on collecting the Woods Valley Ranch WRF Service Area Sewer Service Charges and Grinder Pump Maintenance Charges on the property tax roll for Fiscal Year (FY) 2023-2024. After receiving public comment, Board will close the Public Hearing, determine if there is a majority protest and consider adoption of Resolution No. 2023-23 levying the Woods Valley Ranch WRF Service Area Sewer Service Charges (Service Areas 1 & 2), and Grinder Pump Maintenance Charges (Service Area 2) on the property tax roll for FY 2023-2024.

- a. Open Public Hearing
- b. Report by District Engineer
- c. Questions/Discussion
- d. Audience comments/questions
- e. Close Public Hearing
- f. Discussion
- g. If desired, motion to approve or deny Resolution No. 2023-23
  - 1) Exhibit A – Sewer Service Charge – Service Area 1
  - 2) Exhibit B – Sewer Service Charge – Service Area 2
  - 3) Exhibit C – Grinder Pump Maintenance Charge – Service Area 2

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**ACTION ITEM(S)**

**8. Request to Adopt Resolution No. 2023-24 Approving and Levying the Approved Woods Valley Ranch Water Reclamation Facility Service Area Sewer Standby Fees (Service Areas 1 & 2) on the Property Tax Roll for FY 2023-2024:**

Adoption of Resolution No. 2023-24 approving and levying the Woods Valley Ranch Water Reclamation Facility Service Area Sewer Standby Fees for Service Areas 1 and 2 on the property tax roll for FY 2023-2024 will be considered.

- a. Report by District Engineer
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny Resolution No. 2023-24
  - 1) Exhibit A – Sewer Standby Fee – Service Area 1
  - 2) Exhibit B – Sewer Standby Fee – Service Area 2

**9. Request to Adopt Resolution No. 2023-25 Approving and Levying Annual Assessments for Assessment District No. 2012-1 on the Property Tax Roll for FY 2023-2024:**

Adoption of Resolution No. 2023-25 approving and levying the annual assessment for Assessment District No. 2012-1 (AD 2012-1) on the property tax roll for FY 2023-2024 will be considered.

- a. Report by District Engineer
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny Resolution No. 2023-25

**10. Request to Adopt Resolution No. 2023-26 Approving and Levying Special Taxes for Community Facilities District No. 2020-1 on the Property Tax Roll for FY 2023-2024:**

Adoption of Resolution No. 2023-26 approving and levying the annual special taxes for Community Facilities District No. 2020-1 on the property tax roll for FY 2023-2024 will be considered.

- a. Report by District Engineer
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny Resolution No. 2023-26

**11. Consider Approval of Change Order No. 3 to the Construction Contract with Amp United, LLC. for the San Gabriel Reservoir Paint and Recoat Project:**

Adoption of Resolution No. 2023-27 approving Change Order No. 3 to the construction contract with Amp United, LLC. for the San Gabriel Reservoir Paint & Recoat Project, will be considered.

- a. Report by District Engineer
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny Resolution No. 2023-27

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**12. Consider Approval of Change Order No. 4 to the Construction Contract with Cass Construction, Inc. for the Lilac Road Pipeline Replacement Project:**

Adoption of Resolution No. 2023-28 approving Change Order No. 4 to the construction contract with Cass Construction, Inc. for the Lilac Road Pipeline Replacement Project will be considered.

- a. Report by District Engineer
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny Resolution No. 2023-28

**13. Request to Adopt Ordinance No. 2023-09 Setting the FY 2023-24 Fixed Charge Special Assessments for Unpaid Charges for Water and Other Services:**

Adoption of ordinance setting the FY 2023-24 fixed charge special assessments for unpaid charges for water and other services will be considered.

- a. Report by Director of Finance and Administration
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny Ordinance No. 2023-09

**GENERAL MANAGER'S ITEM(S)**

**14. Request to Adopt Resolution No. 2023-29 Rescinding Resolution No. 2022-23 to Deactivate Provisions of Level 2, Concurring with the General Manager to Deactivate Level 1 of the District's Water Shortage Contingency Plan, and Preserve Implementation of the State Water Resources Control Board Emergency Regulations:**

Adoption of Resolution No. 2023-29 declaring that conditions necessitating increased water conservation are no longer in effect, rescinding Resolution No. 2022-23, which enacted provisions of the District's Drought Response Level 2, concurring with the General Manager's intent to deactivate the District's Drought Response Level 1, and preserving the District's continued implementation of the SWRCB's Emergency Regulation will be considered.

- a. Report by General Manager
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny Resolution No. 2023-29

**15. San Diego County Water Authority (SDCWA) Board Meeting Summary and Possible Action Regarding AB399 (Boerner) Proposing a Countywide Vote on Detachment from the SDCWA:**

A report on the SDCWA Board of Directors' Meeting of June 22, 2023 will be provided as well as a discussion on possible action regarding AB399 (Boerner).

- a. Report by General Manager
- b. Discussion
- c. Audience comments/questions
- d. Information item only, no action required

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**16. General Information:**

General Informational items will be reviewed.

- a. Report by General Manager
- b. Discussion
- c. Audience comments/questions
- d. Information item only, no action required

**DISTRICT GENERAL COUNSEL'S ITEM(S)**

**BOARD OF DIRECTORS' ITEM(S) and AB1234 REPORTING**

**CLOSED SESSION ITEM(S)**

At any time during the regular session, the Board may adjourn to closed session to consider litigation, personnel matters, or to discuss with legal counsel matters within the attorney-client privilege. Discussion of litigation is within the attorney-client privilege and may be held in closed session. *Authority: Government Code §54956.9.*

**ADJOURNMENT**

**NOTICE TO THE PUBLIC:**

This agenda was posted at least 72 hours before the meeting in a location freely accessible to the public. No action may be taken on any item not appearing on the posted agenda, except as provided by Government Code Section 54954.2. Any written materials provided to a majority of the Board of Directors within 72 hours prior to the meeting regarding any item on this agenda will be available for public inspection on the District's website. The agenda is available for public review on the District's website, <http://www.vcmwd.org>.

For questions or request for information related to this agenda contact Kirsten Peraino, *Board Secretary*, at (760) 735-4517 or [publiccomments@vcmwd.org](mailto:publiccomments@vcmwd.org). Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the American with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the Board Secretary at least 48 hours before the meeting, if possible.

**— End of Agenda —**