

VALLEY CENTER MUNICIPAL WATER DISTRICT

REVISED AGENDA

Regular Meeting of the Board of Directors

Monday, November 6, 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, 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 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.

Meeting Broadcast: Members of the public may watch the meeting electronically by visiting the District’s website at 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 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, October 16, 2023; and**
2. **Audit Demands.**

ACTION ITEM(S)

3. **Consider Authorization to Proceed with the Proposition 218 Process, Approve the Notice of Public Hearing, and Set Public Hearing Date for Proposed Changes to Water and Wastewater Rates and Charges (to be Effective February 1, 2024):**

Proposed water and wastewater rates for 2024, which reflect pass-through increases in wholesale costs from SDCWA and MWD as well as the local commodity rate, will be reviewed. Authorization to proceed with the Proposition 218 process and approval of a Notice of Public Hearing tentatively scheduled for the January 3, 2024 Board Meeting or a date selected by staff that is at least 45 days after mailing the Proposition 218 notice, in accordance with Proposition 218, will be considered.

- a. Report by Director of Finance
- b. Discussion
- c. Audience comments/questions
- d. If desired, motion to approve or deny setting a public hearing date of January 3, 2024, or a different date selected by staff that is at least 45 days after mailing the Proposition 218 notice

4. **Consider Approval of Budget Amendment, Rejection of Bid Protest, and Award of the Construction Contract to Capital Industrial Coatings, LLC for the McNally & Mizpah Reservoir Paint and Recoat Project:**

Adoption of Resolution No. 2023-40, amending the FY 2023-24 Annual Budget authorizing additional funding, rejecting a bid protest, and awarding a standard construction contract to Capital Industrial Coatings, LLC for the McNally and Mizpah Reservoirs Painting and Recoating 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. 2023-40

5. **Consider Approval of Change Order No. 6 to the Construction Contract with Cass Arrietta for the Lilac Road Pipeline Upsizing Project:**

Adoption of Resolution No. 2023-41, approving Change Order No. 6 to the construction contract with Cass-Arrieta for the Lilac Road Pipeline Upsizing 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. 2023-41

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INFORMATIONAL/POSSIBLE ACTION ITEM(S)

6. 2023 Water Rate Survey:

The District's 2023 Water Rate Survey will be provided.

- a. Report by Director of Finance
- b. Discussion
- c. Audience comments/questions
- d. Informational item only

7. Update on the Kornbloom Reservoir Monitoring and Mixing System:

An update on the Kornbloom Reservoir Monitoring and Mixing System will be provided.

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

8. Lake Wohlford Resort Annexation Status – Involvement of the San Pasqual Band of Mission Indians:

A status update on the Lake Wohlford Resort Annexation – involvement of the San Pasqual Band of Mission Indians will be provided.

- a. Report by General Manager
- b. Discussion
- c. Audience comments/questions
- d. Informational item only

GENERAL MANAGER'S ITEM(S)

9. San Diego County Water Authority Board Meeting Summary:

A report on the San Diego County Water Authority's Board of Directors Regular Meeting of October 26, 2023 will be provided.

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

10. 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.*

11. A Closed Session will be held on the following item:

Government Code §54956.9(d)(4) – Conference with Legal Counsel, Initiation of Litigation
Two potential cases

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. 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 —