

**MINUTES OF A CONTINUED REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY
September 10, 2009 Continued to October 7, 2009**

CALL TO ORDER: Chair Thurston Smith called the meeting to order at 3:00 p.m. on September 10, 2009 and at 9:00 a.m. on October 7, 2009 in Room 146 at the VVWRA Administrative Offices, located at 15776 Main Street, Hesperia, California, with the following members present:

**TOWN OF APPLE VALLEY
HESPERIA WATER DISTRICT
CITY OF VICTORVILLE**

**ORO GRANDE (CSA 42) AND
SPRING VALLEY LAKE (CSA 64)**

**Bob Sagona
Thurston Smith
Jim Cox (Regular Session)
Rudy Cabriaes (Closed Session)
Jeff Rigney**

VVWRA Staff and Legal Counsel:

**Logan Olds, General Manager
Piero Dallarda, Legal Counsel (BB&K)
Angela Valles, Director of Admin. Services
Linda Ellsworth, Management Tech to GM
Melanie Mendez, Accounting Supervisor
Robert Coromina, Network Supervisor**

**Patricia Johnson, Secretary to the GM/Board
Gilbert Perez, Director of Operations
Toni Henning, H/R Technician
Kristi Scott, Admin. Aide
Tacey Barclay, Account Technician III**

Others Present (September 10):

**Amer Jakher, City of Victorville
Dennis Cron, Town of Apple Valley
Sean McGlade, City of Victorville
Brian Schneider, City of Victorville
Larry Sanders, VVC Student
Garth Hansford, VVC Student
Jennifer Mizrahi, Attorney
Carolyn Connolly, VVC Student
Frank Robinson, Town of Apple Valley
Randy Gillette, VVC Student
Al Vogler, Hesperia Resident
Ryan Orr, Passantino Andersen**

**Bill Pattison, Town of Apple Valley
Kimberly Cox, Helendale CSD
Eric Herbert, Athens Services
Brian Johnson, City of Hesperia
Anthony Maganuco, VVC Student
Bill Betterly, Local Resident
Andre de Bortnowsky, Attorney
Walter Murphy, VVC Student
Robert Sanders, VVC Student
Errick Jones, VVC Student
Mike Podegracz, City of Hesperia**

Others Present (October 7):

**Frank Robinson, Town of Apple Valley
Bill Pattison, Town of Apple Valley
Mike Podegracz, City of Hesperia
Brian Johnson, City of Hesperia
Ryan Orr, Passantino Andersen
Brian Schneider, City of Victorville
Andre de Bortnowsky, Attorney
Jim Cox, City of Victorville**

CALL TO ORDER & PLEDGE OF ALLEGIANCE

REGULAR SESSION

On September 10, 2009, the Regular Meeting was called to order at 3:00 p.m. On October 7, 2009, the continued Regular Meeting was called to order at 9:06 a.m. for the discussion of Item 5 and Item 6.

PUBLIC COMMENTS – REGULAR SESSION AGENDA

Chair Smith announced that a Speaker Request card was received from Mr. Al Vogler. Mr. Vogler said he was here to talk about an article that appeared in today's edition of the Daily Press titled 'Cities Battle over Wastewater' and also they talk about the concepts of equitability and having a fair share. Mr. Vogler said he has been a Hesperia resident since 1972 and the concept of equitability in a joint powers authority is foremost in his mind. He is concerned that Hesperia is not being treated equitably. He said in his opinion, the City of Victorville controls the Mojave Water Agency. The Mojave Water Agency currently has a plan for a project that would have an impact on Hesperia. For the pleasure of having two turnout valves on a cross town water main, they want Hesperia to give up high quality water, they want free right-of-way for the water mains, and they want Hesperia to pay \$6 million for the pleasure. Although there is a history in this valley of a lack of equitability, it all of course boils down to political power.

Mr. Vogler said there are rumors flying all over the community now that if decisions in this meeting and upcoming meetings do not go the way that the powers that be want them to go that there is going to be retaliation because of these decisions. Mr. Vogler said he is here today simply to ask for what the citizens in his city and other cities would expect and that is nothing less than equitability. We need not rush through a project and it is unfortunate for the City of Victorville that they may need to use an alternate plan to get the Snapple-Dr. Pepper plant going. That is unfortunate, but he would also have to say that he studies history. The Dr. Pepper and Snapple parent company is Coca Cola. Anyone wants to spend an hour researching Coca Cola and the problems they have had through the Superior Courts across this country and in foreign countries regarding the sludge and wastewater coming out of their soda pop plants will have their eyes opened. There have been multiple decisions against Coca Cola and quite often Coca Cola will not respond to court orders and years go by with no action. We do not want to be in that position and we want to be sure that we know all the facts and that we are totally prepared to deal with anything having to do with the quality of water in this valley. Thank you very much.

Chair Smith asked if any other member of the public would like to comment. There were no comments from any other member of the public.

ANNOUNCEMENTS AND CORRESPONDENCE:

1. Possible conflict of interest issues

Manager Olds reported that he was not aware of any possible conflicts which cannot be resolved as we go through the action and discussion items.

2. Staff Introduction: Melanie Mendez, Accounting Supervisor: Manager Olds said he is pleased to introduce VVWRA's interim Accounting Supervisor, Melanie Mendez, who joined VVWRA on August 10, 2009. He said although Melanie was born at the Naval Regiment Hospital in Portsmouth, Virginia, she has lived in California since she was two weeks old.

Manager Olds reported that Melanie is currently working on passing the CPA Exam and has completed all hours for her CPA license. She worked as a Senior Accountant for Parent's Anonymous where she performed all accounting functions including budgeting and cost allocation for federal funding and local city and state funding. She also worked as a Senior Accountant for the CPA Firm of Soren, McAdam Christenson LLP, where she performed audits, reviews, and compilations for large private companies as well as internal control assessment, testing and implementation. While working as an Accounting Technician for Inland Empire Utilities Agency – Municipal Water District, Melanie performed all accounts payable functions, back up for accounts receivables, and assisted with CAFR preparation along with recording related journal entries.

Manager Olds announced that Melanie has served as Treasurer of the Board of Directors of the Young Visionaries Youth Leadership Academy since 2006 and is a member of the School Site Council for Franklin Elementary School. She lives in Redlands with her four children and spends her free time taking them camping, going to amusement parks and other activities to expand their minds and boundaries. Manager Olds asked the Commissioners to join him in welcoming Melanie to VVWRA.

3. August 2009 Press Release from Association of Public Treasurers, United States/Canada: Manager Olds read the second paragraph of a press release that was provided in the agenda package as follows: "The Victor Valley Wastewater Reclamation Authority is one of 21 governments to have its investment policy certified by the Association's Investment Policy Certification Program which was developed in 1990. Manager Olds said he recently informed the Commissioners that VVWRA received an award for our Investment Policy and this is the letter describing that award from the Association of Public Treasurers. He thanked all of the Finance staff that made this happen.

CONSENT CALENDAR:

4. Approve the Minutes of the Regular Meeting held on August 13, 2009

Commissioner Sagona made a motion to approve the consent calendar, which was seconded by Commissioner Rigney and approved by unanimous voice vote.

ACTION & DISCUSSION ITEMS:

5. Approve Revisions to the Joint Powers Agreement: On September 10, 2009, Piero announced that at this point we do not have a finalized Joint Powers Agreement for the Board's approval. At our

last meeting, there were some concerns expressed by the City of Victorville. The City Managers were going to try to meet before today to resolve those concerns, but we are not aware if that occurred since we have been excluded from those discussions. Chair Smith said the Managers have not gotten to that yet so we will move to Item 6.

On October 7, 2009, Manager Olds announced that he would like to turn the presentation over to Mike Podegracz. Mike reported that the Strategic Advisory Committee (SAC) has met quite a few times over the past couple of months. Most recently, the SAC members met last week. Only the member entities attended the meeting and not VVWRA staff or legal counsel. To prepare the document now before you, we took the draft document that was prepared by Best Best & Krieger many years ago that has been updated over the last several years for discussion and used it to update the document with agreed upon changes based on the SAC discussions.

Mike said he would like to review some of the major changes made to the Joint Powers Agreement (JPA). He said the biggest change is on page 9 under Section II Membership, Item 12.1 Responsibility of Member Entity. He said there was discussion early on when we started the JPA that has continued over many years about the ability of a member entity to build their own subregional facility or their own treatment facility and to divert flow if it was in their best interest. The language that is in the draft JPA establishes that each member entity identifies two Subareas within the VVWRA boundary, namely, Subarea A and Subarea B. Subarea A would commit all current and growth flows to VVWRA in that area, which establishes the baseline and creates a vehicle for VVWRA to plan and finance future expansion of all of their facilities because now there is a set geographical area for existing and growth flows. Each member entity will be going back and looking at if they want to reserve a portion of their flow. Basically, the first paragraph of 12.1 states that everything generated in Subarea A will always flow to VVWRA. We feel that this will address the concern about VVWRA's ability to plan. It is up to each entity what they want to commit to VVWRA.

Mike said that each entity would also establish a Subarea B to allow an entity to build, own and operate their own facility and divert all flows to those treatment facilities and collect all fees for those areas if an entity wishes to do that. Again, this goes back to the concept that was discussed many years ago which is the ability for each member entity to divert within their own geographical boundary a portion of their flows that will be defined by an area. Commissioner Sagona said and this concept was discussed in the beginning. Mike said years ago this was always a part of the discussions for revising the JPA. The difficulty has been how to put that in writing. Commissioner Sagona said and the creation of Subarea B would be the option to divert flows. In the future when an entity chooses to do that, how would it affect the JPA? Mike said the JPA would have to be revised.

Mike said using Victorville as an example and using the number of 1.5 million gallons per day (MGD), let's assume that there will be a calculation by each member entity of how much purchased capacity exists today within their Subarea to determine the purchased capacity of each entity. That capacity would be reserved for each entity. For example, if Victorville establishes a Subarea B, we would identify that they have purchased 1.5 MGD of capacity. In the event it is necessary, the revised language allows, with a 60-day notice, for that flow in Subarea B to go back to VVWRA if needed. The purchased capacity in the VVWRA facility is always reserved. Once diversions are made within Subarea B, VVWRA does get the benefit of having excess capacity at that time. In time, as the

member entities build their own plants and put them online, they may reach capacity and have to build an expansion and part of the flow may have to go back to VVWRA for a period of time. That is why we will always have to retain the purchased capacity in perpetuity and the right for the flow to go back to VVWRA. Commissioner Cabriales said the member entities would retain that right. Mike said each entity that establishes a Subarea B would have that right.

Mike said that really is the main modification to this JPA. We now have the Service Agreement and the JPA in one document and it was the goal was to have only one document. Commissioner Cabriales said this allows for the subregionals. Mike said it allows for member entity owned and operated subregionals. For example, if Rancho Los Flores is ever constructed, Hesperia will be taking that flow as part of Subarea B. Hesperia will be submitting a map for that.

Commissioner Sagona said does this call for the eventual demise of VVWRA. Mike said no it does not because the language says that all flow in Subarea A is committed to VVWRA. When you look at the Subareas based on the discussions at the SAC meetings, about 75 percent of the current flows plus certain growth flows would continue to go to VVWRA. Manager Olds said the Commissioners are aware that VVWRA plans to de-rate the capacity of the plant from 18 MGD of secondary treatment to 14 MGD of tertiary treatment and this is in line with that thinking. In addition it pushes the need and the requirement for the subregional facilities in the Town of Apple Valley and the City of Hesperia not only for interceptor issues but also for capacity so that works. Commissioner Rigney asked if an entity decides to put flow from Subarea B back into VVWRA would they then be required to pay charges. Mike said yes, they would pay User fees. Mike said in section 12.3 there is a provision relating to Subarea A for failure to achieve the committed flows to VVWRA from Subarea A.

Manager Olds said one of the problems that VVWRA has right now is that each member entity submits a different form by which we know what the connection fees are allocated to. Will there be a procedure that we can work on together to make sure that the areas included in Subarea B are not erroneously sent to us. Mike said he is sure that the member entities will not mistake the area they want to include in Subarea B, but there will be a map and property identification with every form. Mike said he is sure that there will be questions from staff about this.

Mike said on page 25, you will not see something that appeared between paragraphs 43 and 45. There was a very lengthy section that has been removed dealing with the Capital-related portion of User Charges. We believe that this was left over from the Mojave Water Agency and it appeared that this language was not pertinent to VVWRA today. We think this should be addressed in a separate Resolution by the Board.

Mike said the other thing we did was to remove specific language on the quality of water and specific fees for strength of wastewater and the charges if you exceed that. That language was removed from the JPA and is referred to Ordinance 001. That is an Ordinance that the Board will be updating periodically.

Mike said the last major item is paragraph 56 on page 30 that has to do with financing. In paragraph 56 of the existing JPA, it says revenue bonds require unanimous vote by the member agencies. It only talked about one type of financing and has been changed to include all types of financing. Another

major change relates to financing approval. It has been changed to 3/4 majority approval by the Commission from unanimous approval so that financing by VVWRA could be done by a 3/4 approval vote of the entities. Mike announced that this was the only changed item that was not unanimously approved by all member entities. Commissioner Rigney said he thought this was approved unanimously, but some entities wanted to check with their legal counsels. Mike said based on all emails received, it was not unanimous.

Mike said in a nutshell, those are the major recommended changes. Although the JPA is approved by the member entities and not by the Commission, we thought it would be appropriate to bring it to the Commissioners to receive a commitment individually and we recommend that the revised JPA be forwarded to each Council or Board. We thought it was appropriate to bring the document to the Commission first, whether you take action or not to recommend that it be forwarded. The SAC made a commitment that we would try our best to bring it to our respective Council or Board prior to October 22. Commissioner Cabriales said each Council has to vote on this according to the existing JPA agreement. Commissioner Sagona said the JPA is the creation of several entities and the approval of changes to the JPA by all entities is in line with the original agreement. Mike said any change to the JPA must be approved by all member entities. Commissioner Cabriales said we should get consensus of the Board to send this to the Councils and Board.

Jim Cox said this has been a joint effort by the entities and has been a major effort. There has been give and take. At the meeting before last, the approval of financing by 3/4 approval of the Commission on page 30 had come up and had a lot of tension associated with it. There have been about ten proposals that have been drafted and re-drafted and all past versions stated revenue bonds shall be subject to approval by all entities. Jim said he indicated at the SAC meetings that this matter has not been discussed with Counsel at all. There were discussions about diversions in Subareas A and B and he has requested a legal opinion. This item has been confirmed on Victorville's October 20 City Council agenda. At last night's Council meeting, he reminded the City's legal counsel that a legal opinion was needed and legal counsel indicated that his opinion will be provided by the 20th. Jim said aside from receiving a legal opinion, we feel that everything that needs to be worked out has been worked out. Commissioner Sagona asked Jim Cox if a legal opinion to the Victorville Council will determine this JPA. Jim said he has no idea if it is a Red Flag or not. Commissioner Sagona said there is a lot of stuff to be said.

Chair Smith asked if consensus of the Board is needed to take the JPA document to the Councils or Board. Piero said the Commissioners do not need to take any type of action. Your staff has given you a recommendation and Mike's point was that VVWRA staff needs to look at the agreement and see if they have any comments. The Board does not need to take any particular type of action because you are not approving anything. You are hearing that the JPA will be presented to the member entities prior to October 22 and this issue has already been scheduled for the October 22 Board meeting. The Board does not need to take action unless the Board wants to do so. Commissioner Sagona said we could agree by consensus to having no objection to the document going forward.

Commissioner Rigney said in speaking for the County, it will be difficult to get this before the Board of Supervisors before October 22. He said he will speak to Supervisor Mitzelfelt and try to obtain an informal approval. Piero said there is a certain degree of urgency here because the Board has tied the

JPA approval to the approval of the sludge agreement, which is an important item to the City of Victorville. Obviously, the JPA is not done until everyone has signed it. It is an agreement and regardless of what action is taken here the agreement really has no force unless all parties have signed it. Piero said you are probably going to have to take it to your respective Councils before October 22 and your attorneys and County Counsel will want to take a look at it. You would also want to talk to your respective staff members and make sure that what they intended is provided in the language of the revised agreement.

Piero said unfortunately he has not been able to review the document because as Mike mentioned we have not been part of the process for the last several months or so. We are not completely sure as to what was intended by the SAC in some of the changes. If the document had been drafted by attorneys he would be a little more comfortable. He does not mean to slight anyone, but a document drafted by engineers is a different story and he is sure that each entity's attorney will want to take a look at it. There is not a time limit associated with this, but you have heard from the City of Victorville that there is a pressing need to get this JPA done as quickly as possible so the sludge agreement can be finalized. Commissioner Sagona said he does not see why all efforts would not be made by all to get this done as soon as possible. Piero said because VVWRA has not been a party to the recent SAC discussions that resulted in this version of the document, we need to review it to make sure that there is no obligation that VVWRA would be signing onto.

It was the consensus of the Board to forward the draft Amended and Restated Joint Powers Agreement to each Council or Board.

6. Approve Sludge Management Agreement between VVWRA and the City of Victorville: On September 10, 2009, Chair Smith announced that item 6 is contingent upon the JPA so we can skip this item and move to item 7. Commissioner Cox asked if Item 6 has to be skipped.

Manager Olds said according to the email he received from Mr. Sean McGlade of the City of Victorville, the sludge agreement is essentially done and only pending final review. He said it is his understanding, as this agreement relates to the JPA, that the member agencies are extremely close to finalizing the revisions to the JPA. He said our next Board meeting is scheduled on October 22 unless the Commissioners choose to schedule an additional meeting. In order to make it an actionable item, we would have to amend our schedule of meetings today in order to review those agreements prior to the next scheduled Board meeting. Piero said the sludge agreement has certain financial components to it and it has been the practice of this Board to make those types of decisions during Regular meetings. The Board can either amend the regular meeting schedule to add another meeting or continue this meeting to another date that is prior to October 22 to deal with the two agreements.

Manager Olds said he is putting forth this concept as a means to move the sludge agreement forward. He asked Commissioner Cox if it was his estimation that we should wait until the next regularly scheduled Board meeting on October 22. Commissioner Cox said at this point we are waiting until the agreement is ready for approval by the Board and we have been waiting since November. Manager Olds asked Commissioner Cox if he recommends waiting until October 22. Commissioner Cox said we have been trying to move this forward since November and we have been indicating that over the past three months. He said this is a simple agreement that has been tied to the JPA and he still does not

know why. Because of our timeline, we have a point where we need the agreement to be approved or we have to move ahead with taking care of the sludge. It might cost us more, but we are ready to move ahead. If it is tied to the JPA, we are not sure why or what the delay is. Manager Olds asked Commissioner Cox if he would like to amend the regular meeting schedule so that we could potentially hold a meeting before October 22. Commissioner Cox said Victorville believed that it would be presented to this Board today for approval. The Managers have met to iron out all of the details and he is not sure what is left.

Chair Smith said if you want to amend the schedule, we can meet next week or the following week. Manager Olds said he would like to suggest that rather than adjourning this meeting we continue this meeting until such a date that we hear that the final document is ready to be brought before this Board for approval and then set the date at that point. He asked if that was acceptable. Piero said that is legally acceptable provided that 72 hours advance notice of the meeting is provided to the public. Manager Olds said in that case we are not required to set a hard date today and the date will be dependent upon when we receive the materials from the City Managers and it is ready to be put before the Board of Commissioners.

Sean said at this point in time Victorville is expending money on our own sludge dewatering facility, but we can delay that if the sludge agreement is finalized. Chair Smith said if the JPA is not approved, the sludge agreement will not be approved. If the City of Victorville is going ahead and will not meet with the City Managers, then that is Victorville's decision. Sean said he understood.

Commissioner Sagona asked if this meeting is continued does that mean that action on all items needs to be continued. Piero said for any item the Board approves today action will have been taken and that item will not need to be discussed at the next meeting. But for the items you would like to continue such as Item 5 and Item 6, any action would be taken at the continued meeting.

Commissioner Rigney said he cannot speak for the other Managers, but we would like to wrap this up as soon as possible. He said he will contact Mike Podegracz and try to set something up for next week.

Commissioner Sagona made a motion to continue the discussion of Item 5 and Item 6, which was seconded by Commissioner Rigney and approved by unanimous voice vote.

On October 7, 2009, Commissioner Cabriales said this time delay has really put Victorville in a bind. He said he made a motion on August 28 to rescind Resolution 2009-7 and to approve the sludge agreement, but it was not approved and he would like to make that motion again. He said it almost seems like an act of conspiracy to keep Victorville waiting and from moving forward. We should remove the connection of the JPA to the sludge agreement.

Commissioner Sagona said he would like to speak for the Town of Apple Valley. He said he thinks it can be clearly understood by all that in the eyes of the Town of Apple Valley and the other two entities that what is very germane to the change we are making is that an approval of the sludge agreement at this time would be in direct controversion to the existing JPA. The other entities are looking to the best interests of their particular entity to ensure that we have properly revised the JPA to allow Victorville to do what they are doing regarding this diversion. The JPA must be revised first.

Chair Smith said he wholeheartedly agrees and if the JPA does not get approved by all entities, then everyone loses. Commissioner Sagona said we can all hope to complete the JPA and we all appreciate the time constraints that Victorville has. At the same time, he also understands the other entities that have been bending over backwards in a spirit of cooperation to accommodate Victorville. Commissioner Cabriales said it is taking too long. We have been good partners and Victorville did much to start this JPA. We appreciate the consideration. Commissioner Sagona said once VVWRA came into existence, it has been a family agreement and a family discussion. He guarantees that everyone will try to work through this as rapidly as possible.

7. Resolution 2009-20: Amend and Adopt 2009 CEQA Guidelines: Manager Olds reported that this is a routine administrative item that is relatively self-explanatory. If there are any questions he would be happy to answer them. Piero said the State amends its CEQA guidelines every year and this is basically to adopt those amended guidelines. Chair Smith called for a motion on Item 7.

Commissioner Rigney made a motion to approve Resolution 2009-20, which was seconded by Commissioner Sagona and approved by unanimous voice vote.

8. Resolution 2009-24: Authorize General Manager to Seek Additional Sources of Wastewater Treatment Plant Effluent to Enhance Reclaimed Water Supplies in the High Desert: Manager Olds reported that if there are additional sources of reclaimed water that VVWRA could potentially utilize, Resolution 2009-24 would authorize him to pursue that option and bring it back to the Commissioners for discussion. There are a couple of ideas that he would like the Authority to pursue to see if there are opportunities. Commissioner Rigney asked if this is something that requires formal Board action. Manager Olds said he could begin the discussions otherwise, however given the nature of the subject it would empower him to a higher degree during the discussions to be able to show that it has gone before the Board and that by Resolution the Board has authorized him to do this. Chair Smith asked if there were any questions for staff on this item.

Commissioner Cox said in just reading this Resolution it is fairly innocuous. He said he does not know of any treatment plants other than Adelanto that could result in reclaimed water. Any reasonable person may think that the negotiations will be left up to the Managers to do what Managers do and then bring it back to the Board. Manager Olds said that is his exact intent.

Chair Smith made a motion to approve Resolution 2009-24, which was seconded by Commissioner Sagona and approved by unanimous voice vote.

9. Recommendation to Approve Service Agreement for Open Channel Flow Monitoring: Manager Olds reported that VVWRA recently had difficulties with our service provider regarding the flow monitoring activities for the portion of flows that are used to determine User fees. We went out to bid and received only one proposal to perform those services from V & A Engineering. It is the recommendation of staff to award a contract to V & A Engineering in an amount not-to-exceed \$70,000 to perform flow monitoring services on all metering sites within the service area up to three times per year to determine the flows of the member agencies.

Commissioner Rigney asked Manager Olds if there was a reason he knew of why we received only one bid. Manager Olds said it is a rather specialized service because of the nature of the flow monitoring. The report that is required to justify the flows to each of the member agencies is rather specific. Most of the organizations that provide this service focus on the monitoring aspect rather than on the reporting requirements. It is on the reporting that we have experienced problems in the past and it is important that we address those problems. Commissioner Rigney said he assumes the quote is in line with past service providers. Manager Olds said \$70,000 is in line with what we have been paying for previous service that has been provided. Chair Smith asked if VVWRA has always had an outside provider rather than each entity performing its own monitoring. Manager Olds said it was the specific direction of the member entities than an independent third-party contractor is responsible for performing these analyses and he is sorry that he forgot to mention that important point. Chair Smith called for a motion.

Commissioner Sagona made a motion to approve a service agreement with V & A Engineering for open channel flow monitoring, which was seconded by Commissioner Rigney and approved by unanimous voice vote.

10. Recommendation to Award Bid No. 04-2009 for Interceptor Cleaning and Inspection:

Manager Olds reported that this is part of the routine maintenance that is done on our interceptors. What was interesting was how close the bids were that we received this year, which represents what an extremely competitive market this is. Unfortunately, we only received costs for the jet-rodding, the vacuum truck and video inspection. There were no responsive bidders for the bucket-cleaning that is done on some of our larger interceptors. Staff reviewed the three quotes we received and it is their recommendation that Innerline Engineering is the lowest responsible bidder. We do not have anyone to do the bucket cleaning, but it may not be necessary this year. This is one of the routine items that we bring before the Board approximately every two years, which is the term of a contract.

Commissioner Sagona made a motion to award Bid No. 04-2009 to Innerline Engineering, which was seconded by Commissioner Cox and approved by unanimous voice vote.

STAFF/PROFESSIONAL SERVICES REPORTS:

11. Public Relations Update: Accepted as submitted

12. Operations and Maintenance Report/Performance Efficiencies – August 2009: Accepted as submitted

13. Pretreatment and Interceptor Cleaning and Inspection Reports – July 2009: Accepted as submitted

14. Septage Receiving Facility Reports – July 2009: Accepted as submitted

AGENDA ITEMS FOR FUTURE MEETINGS:

Quarterly CIP Implementation Update (June/September/December/March)

Resolution 2009-8: Adopt April 2009 Flow Projection Study by RBF Consulting (October)

Resolution 2009-14: Authorize Repayment of Interfund Loan and Adopt a Repayment Policy (October)

Recommendation to Approve a Survey of Salaries and Benefits and Implement the Consultant's Recommendations during FY 2009-2010 (October)

Recommendation to Revise FY 2009-10 Budget (October)

Environmental Proposal for Nanticoke Sewer Project (October)

Interceptor Connection Requirements and Enforcement and Industrial Pretreatment Program

Upper and Lower Narrows Sonar Investigation of Sewer Interceptor

Manager Olds announced that several of his students from Victor Valley College were present and he asked them to raise their hands and be recognized. He said they will each receive extra credit equivalent to one laboratory assignment for attending the Board meeting. There are 30 students registered for the course and we are moving forward with the grant application in conjunction with Victor Valley College that would provide those Interns who are currently at VVWRA with paid positions through grant monies available through the American Resource and Recovery Act. Manager Olds said he would like to remind all of the students who are here today to see Pat Johnson after the meeting to make sure she has your name so that you get your extra credit for the course.

At 3:27 p.m., Chair Smith said he would like to thank everyone for attending the meeting, especially the college students. He said this may be the quickest extra credit you have ever received for attending a 27 minute meeting.

Chair Smith announced that there would be a five minute recess before the Board enters into Closed Session.

CALL TO ORDER

PUBLIC COMMENTS – CLOSED SESSION AGENDA

Chair Smith asked if there were any comments from the public regarding any item on the Closed Session agenda. Hearing no comments, he called for a motion to enter into Closed Session.

CLOSED SESSION

Commissioner Sagona made a motion to enter into Closed Session at 3:35 p.m., which was seconded by Commissioner Rigney and approved by unanimous voice vote.

REPORT FROM CLOSED SESSION

Piero Dallarda reported that the Board of Commissioners, under the Public Employee Dismissal provisions of The Brown Act, Government Code Section 54957.6, has appointed Richard Roth as Hearing Examiner for an employee dismissal matter.

COMMISSIONER COMMENTS

None

ADJOURNMENT

Commissioner Sagona made a motion to continue the Regular meeting for the discussion of Item 5 and Item 6 to a date that has yet to be determined which will be posted and noticed at least 72 hours prior to the meeting date in accordance with The Ralph M. Brown Act, which was seconded by Commissioner Rigney and approved by unanimous voice vote.

Chair Smith said, "We will see you when you call us".

On October 7, 2009 at 9:42 a.m., Chair Smith announced that the meeting was adjourned.

APPROVAL:

DATE: 10/22/09
Approved by VVWRA Board

BY: 
Robert G. Sagona, Secretary
VVWRA Board of Commissioners