



AGENDA
REGULAR MEETING OF
CARPINTERIA VALLEY WATER DISTRICT
BOARD OF DIRECTORS

BOARD OF DIRECTORS

Frederick Lemere, President
Jane Van Wingenen, Vice President
Robert R. Lieberknecht
Matthew T. Roberts
James W. Drain

AT CARPINTERIA CITY HALL, CITY COUNCIL CHAMBER
5775 CARPINTERIA AVENUE, CARPINTERIA, CALIFORNIA
WEDNESDAY, MAY 12, 2010 AT 5:30 P.M.

GENERAL MANAGER
Charles B. Hamilton

- I. Call To Order And Pledge Of Allegiance, President Lemere.**
- II. Approval Items**

****Minutes of April 21, 2010 Board meeting.**
- III. Public Forum (Any person may address the Board of Directors on any matter within its jurisdiction which is not on the agenda.)**
- IV. Director Reports**

Cachuma Conservation Release Board and Cachuma Operation and Maintenance Board meetings, April 26, 2010, Director Lieberknecht.
- V. Old Business**
- VI. New Business**
 - A. Consider presentation about District's unique customer specific "historical usage based" water rate structure.**
 - B. **Consider extension of Whitaker contract for construction of water and related facilities to serve Rancho Monte Alegre (RMA), paid for entirely by RMA.**
 - C. Consider award of contract for well drilling services for the El Carro Well and Pipeline Project.**
 - D. **Consider award of contract to Van Atta Associates in the amount of \$8,500 for landscape architectural services for the El Carro Well and Pipeline Project.**

1301 Santa Ynez Avenue
Carpinteria, CA 93013
(805) 684-2816
Fax (805) 684-3170

**Indicates attachment of document to agenda packet.

- E. **Consider adoption of draft Resolution No. 902 to Establish a Money Market and a Checking Account for the Refunding Revenue of Certificates of Participation (COPs), Series 2010A for the Use of the District.**
 - F. ** Consider adoption of draft Resolution No 904 Authorizing Investment of Bond Proceeds in the Local Agency Investment Fund.**
 - G. **Consider adoption of draft Resolution No 903 Declaring Certain Property Surplus and Authorizing Sale by Sealed Bid.**
 - H. CLOSED SESSION: PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a), EXISTING LITIGATION, CARPINTERIA VALLEY WATER DISTRICT ET AL vs. PENFIELD & SMITH ENGINEERS ET AL; SANTA BARBARA SUPERIOR COURT CASE NUMBER 1303752.**
- VII. Consider Date and Items for Agenda for next regular Board meeting held on May 19, 2010 at 4:00 p.m. in the Board meeting room at 1301 Santa Ynez Avenue.**
- VIII. Adjournment**



Charles B. Hamilton, Secretary

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 4:00 p.m., May 7, 2010. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied benefits of, the District's programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements.

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

If a person challenges the actions of the Board of Directors in court, said person may be limited to raising only those issues raised by said person or someone else at the public hearing described in the public notice, or in written correspondence delivered to the Board of Directors at, or prior to, the public hearing.

**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CARPINTERIA VALLEY WATER DISTRICT**

April 21, 2010

Vice President Van Wingerden called the regular meeting of the Board of Directors of Carpinteria Valley Water District to order in the District Board Room at 4:04 p.m. Wednesday, April 21, 2010, and led the Board and others present in the Pledge of Allegiance.

Directors Present: Lieberknecht, Van Wingerden, Drain, Roberts

Directors Absent: Lemere

Others Present: Charles Hamilton
Rob McDonald
Alex Keuper
Kathy Stone
Sonia Fernandez

MINUTES

Following discussion, Director Lieberknecht moved and Director Drain seconded the motion to approve the minutes of the April 14, 2010 Board meeting. The motion carried by a 4-0 vote.

MONTHLY BILLS

General Manager Charles Hamilton presented the monthly bills for the period of March 10, 2010 through April 13, 2010. Following discussion, Director Drain moved and Director Lieberknecht seconded the motion to approve the monthly bills as presented. The motion carried by a 4-0 vote.

PUBLIC FORUM

No one from the public addressed the Board.

**SERIES 2010A COPS-
PRICING REPORT**

Following a brief introduction by General Manager Hamilton, Robert Porr of Fieldman Rolapp Associates provided a report about the favorable pricing of the Refunding Revenue Certificates of Participation, Series 2010A (Capital Appreciation Certificates).

**REVISION OF
CONTRACT WITH
FLOWERS AND
ASSOCIATES FOR
THE EL CARRO/CZ
PIPELINE**

Following a presentation by District Engineer Bob McDonald and discussion Director Drain moved and Director Lieberknecht seconded the motion to revise the scope of services of the existing design contract with Flowers and Associates for the El Carro/CZ Pipeline Project by a not to exceed amount of \$52,900, raising the total contract amount to \$156,000. The motion carried by a 4-0 vote.

**WHITAKER
CONTRACT FOR
CONSTRUCTION OF
WATER AND
RELATED
FACILITIES TO
SERVE RANCHO
MONTE ALEGRE**

Following an introduction by General Manager Hamilton, and discussion, Director Lieberknecht moved and Director Drain seconded the motion to extend the Whitaker contract for construction of water and related facilities to serve Rancho Monte Alegre (RMA), paid in full by the owners of RMA, until May 15, 2010. The motion carried by a 4-0 vote.

**LAMBERT
ROAD/EDGEWOOD
RANCH
ORGANIZATION-
STATUS REPORT**

Mr. Hamilton provided a brief summary of the status of discussions relative to the proposed Edgewood Reorganization, now moving forward at the request of the Reorganization petitioners (landowners) as opposed to the Montecito Water District. He distributed copies of letters he received in today's mail from LAFCO. No action was taken.

**COMB METERING -
STATUS REPORT**

Mr. Hamilton provided a brief status report about the problem of the failed COMB meters in the District.

**CARPINTERIA
VALLEY AGENCY
MANAGERS
MEETINGS**

Mr. Hamilton reported briefly on the meetings of the Carpinteria Valley agency managers held on March 2 and April 4, 2010.

**COMB OPERATING
COMMITTEE
MEETINGS**

Mr. Hamilton reported briefly on the meetings of COMB Operating Committee he attended on March 3 and April 7, 2010.

**CCWA JOINT
FINANCE AND
OPERATING
COMMITTEE
MEETING**

Mr. Hamilton reported briefly on the meeting of the CCWA Joint Finance and Operating Committee meeting he attended on March 11, 2010.

**CENTRAL COAST
WATER AUTHORITY
BOARD MEETING**

Mr. Hamilton reported briefly on the meeting of the Central Coast Water Authority Board he attended, along with Director Lemere, on March 25, 2010.

**SANTA BARBARA
COUNTY WATER
PURVEYORS
MEETING**

Mr. Hamilton reported briefly on the meeting of the Santa Barbara County Water Purveyors he attended on March 11, 2010.

**SANTA BARBARA
WATER
COMMISSION
MEETING**

Mr. Hamilton reported briefly on the meeting of the Santa Barbara Water Commission meeting he attended on April 12, 2010.

**MONTHLY
STATEMENTS;
INVESTMENTS;
QUARTERLY
DIRECTOR
REIMBURSEMENT
REPORT; ORTEGA
LITIGATION COSTS**

Mr. Hamilton presented a memorandum prepared by Business Manager Norma Rosales about the District's Monthly Statements for the month of March 2010 for Board review and discussion. Also included in her memo was the LAIF Investment report, the Quarterly Director Reimbursement Report and a status report on Ortega Reservoir litigation costs.

ENGINEERING

District Engineer McDonald presented the Engineering report for the month of April 2010 for Board review and comment.

OPERATIONS

Operations & Maintenance Manager Omar Castro presented the O&M report

PROJECT STATUS

for the month of April 2010.

WATER SUPPLY

Administrative Analyst Dr. Alex Keuper presented the Water Supply Report for the month of March 2010.

NEXT MEETING

The next scheduled Board meeting will be a regular Board meeting held on May 12, 2010, at 5:30 p.m. in the Carpinteria City Hall Council Chamber, 5775 Carpinteria Avenue.

ADJOURNMENT

Vice President Van Wingerden declared the meeting adjourned at 6:10 p.m.

Charles B. Hamilton, General Manager/Secretary

**AMENDMENT TO AGREEMENT FOR
TEMPORARY SUSPENSION OF CONTRACT**

This amendment to the Agreement for Temporary Suspension of Contract ("Amendment") is made by and between the Carpinteria Valley Water District, a County Water District ("District") and Whitaker Contractors Inc., a California Corporation ("Contractor") this 12st day of May 2010.

WHEREAS, on or about December 17, 2008 District and Contractor entered into the Agreement for Temporary Suspension of Contract ("Agreement").

WHEREAS, District and Contractor desire to extend the Agreement on the same terms as the Agreement until June 15, 2010.

NOW THEREFORE, District and Contractor agree as follows:

The Agreement shall be extended to June 15, 2010.

CARPINTERIA VALLEY WATER DISTRICT
a County Water District

By: _____
Frederick Lemere
President of the Governing Board

WHITAKER CONTRACTORS INC.,
a California Corporation

By: _____
Brett Whitaker, President



April 20, 2010

Robert Mc Donald, District Engineer
Carpinteria Valley Water District
1301 Santa Ynez Ave
Carpinteria, CA 93013

**RE: Proposal for Landscape Architectural Services,
El Carro Well Site; Carpinteria, California**

Dear Mr. Mc Donald:

Van Atta Associates, Inc. is pleased to present this proposal to design a well access road and improvements compatible with El Carro Park at the Carpinteria Water District site. At your request, we have prepared a fee proposal for Conceptual Landscape Design, Design Development and Construction Document phases. Below we have outlined specific items to be addressed in each phase:

SCOPE OF WORK

PHASE ONE: CONCEPTUAL PLAN

Preparation of a Conceptual Landscape Plan based on the site design needs discussed at the April 19, 2010 meeting. The plan will illustrate an overall landscape concept including suggestions for the selection of paving materials, planting schemes and locations for amenities such as seatwalls, and drinking fountain.

MEETINGS - Two (2) 1 hour meetings with Carpinteria Valley Water District and the City of Carpinteria's Parks and Recreation Department representative to review the Conceptual Landscape Plan.

PRODUCTS - The work for this phase will be in the form of scaled drawings to communicate the design intent.

PHASE TWO - DESIGN DEVELOPMENT

Proposed tasks for this phase of work include:

- 2.1 Development of the Conceptual Landscape plan to a greater level of detail including design development details for constructed elements in the landscape, materials selections, and a more detailed planting design. The plan will indicate the location, species and sizes of trees and the general layout of shrubs and groundcover plantings.
- 2.2 Development of an irrigation plan showing the points of connection, areas to be irrigated, and type of irrigation to be used.

MEETINGS - We will allow for one (1) one hour meeting in this phase of work with Carpinteria Valley Water District and the City of Carpinteria's Parks and Recreation Department representative to review the design development plans.

PRODUCTS - The work for this phase will be in the form of scaled drawings to communicate the design, location, materials selection, and sizes for all scope items.

PHASE THREE: CONSTRUCTION DOCUMENTS

After approval of the submitted Design Development Plans, we will perform the following tasks:

- 3.1 Preparation of plans, details and specifications to identify types of materials to be used and to set standards for installation and construction of all built elements covered by this scope of work.
- 3.2 Finalize the planting plan indicating the locations, species and sizes of proposed trees. Provide detail drawings indicating tree planting requirements and the desired planting method.
- 3.3 Finalize the irrigation plans, details and specifications as necessary for the establishment of the layout of all piping, valves, control equipment, drip emitters and/or sprinkler heads for the efficient irrigation of all areas of the site to be irrigated.
- 3.4 Provide specifications for site furnishings, hardscape/flatwork, and planting items.

MEETINGS - Two (2) 1 hour meetings with with Carpinteria Valley Water District and the the City of Carpinteria's Parks and Recreation Department representative to review the construction documents.

PRODUCTS - The work for this phase will be in the form of scaled drawings as necessary to communicate the design, material selection and sizes of all scope items. Specifications will be prepared in 8 1/2" x 11" format for all sections covered by this scope of work.

PHASE FOUR: CONSTRUCTION OBSERVATION

Construction administration services are proposed on an hourly basis, and include the following:

- 4.1 Van Atta Associates will make periodic visits to the site to familiarize ourselves with the progress and quality of construction of the work within our scope and to determine in general if the construction is proceeding in accordance with the design intent and construction documents.
- 4.2 On the basis of our observations while at the site, we will keep The Carpinteria Valley Water District and City of Carpinteria informed of the progress of construction through written field observation notes.

SERVICES PROVIDED BY CLIENT

- 1. Previously completed work, survey drawings, and/or reports by other consultants that will assist us in our work.
- 2. Any anticipated or established construction budgets for the project.

ADDITIONAL SERVICES

In the event that the budget, scope, or magnitude of the project changes as a result of going through the entitlement process and additional services are requested, we shall advise you, and propose appropriate compensation for your approval.

Additional services include but are not limited to:

1. Revisions and changes to Client approved drawings.
2. Additional meetings beyond those allowed for in the above scope of work.
3. Presentations to Public Agencies beyond two (2) design team meetings.
4. The preparation of measured drawings of existing conditions.
5. Cost estimate.

Additional services will be performed on an hourly basis at the following rates:

Principal	\$175
Senior Associate	\$135
Associate Designer	\$100
Technical Designer	\$85

COMPENSATION FOR PROFESSIONAL SERVICES:

We propose compensation for professional services as described in the proposed Phase Two be on an hourly basis at the rates listed above, not to exceed **(\$8,500)** eight Thousand five hundred Dollars without client authorization as follows:

Phase One: Conceptual Plan	\$3,000
Phase Two: Design Development	\$1,500
Phase Three: Construction Documents	\$4,000
Phase Four: Construction Administration	<u>(Hourly Basis)</u>
Total	\$8,500


The extent of work required in Phase Four is highly dependent upon the construction team and other variables beyond the control of the landscape architect and are therefore proposed as hourly services.

Reimbursable expenses (reproduction, blueprints, photos, etc.) are in addition to basic services and will be billed at cost.

If this proposal meets with your approval, please sign in the space provided below and return an executed copy to our office. Upon our receipt of this signed proposal, we will prepare and send an Agreement for Services for you to sign. If you have any questions concerning this proposal, please contact us at 805.730.7444.

Thank you again for this opportunity to be of service to you.

Very Truly Yours,
VAN ATTA ASSOCIATES, INC


 Susan Van Atta, FASLA
 President
 Date: April 20, 2010

APPROVED ANDACCEPTED:

By: _____

Date: _____

RESOLUTION NUMBER 902

**RESOLUTION OF THE BOARD OF DIRECTORS
OF CARPINTERIA VALLEY WATER DISTRICT
TO ESTABLISH A MONEY MARKET AND A CHECKING ACCOUNT FOR THE
REFUNDING REVENUE CERTIFICATES OF PARTICIPATION (COPs),
SERIES 2010A
FOR THE USE OF THE DISTRICT**

BE IT RESOLVED, that the Carpinteria Valley Water District shall establish a money market account and a Checking account with the Montecito Bank & Trust for a portion of the 2010A Refunding Revenue COP funds; that the President of the Board and Secretary of this District be and they are hereby authorized to establish such accounts to be known as “CABs Money Market Account” and “CABs Checking Account” upon such terms and conditions as may be agreed upon with Montecito Bank & Trust.

BE IT FURTHER RESOLVED that funds from said CABs Money Market Account may be transferred to the District’s CABs Checking account by any two of the following persons if transfers are under the amount of one hundred thousand dollars (\$100,000).

or: Charles B. Hamilton General Manager
Norma C. Rosales Business Manager

BE IT FURTHER RESOLVED that transfers over one hundred thousand dollars (\$100,000) any of the first two following and one of the following five persons be allowed to authorize:

or: Charles B. Hamilton General Manager
Norma C. Rosales Business Manager

or: Frederick Lemere Director
James W. Drain Director

or: Robert R. Lieberknecht Director
or: Matthew T. Roberts Director
or: June Van Wingerden Director

BE IT FURTHER RESOLVED, that funds from said CABs

Checking Account may be withdrawn on checks or drafts of the
Carpinteria Valley Water District, signed by any two of the following
persons if checks or drafts are under the amount of one hundred thousand
dollars (\$100,000):

or: Charles B. Hamilton General Manager
Norma C. Rosales Business Manager

BE IT FURTHER RESOLVED that for checks, drafts and transfers
from CABs Checking Account over one hundred thousand dollars
(\$100,000) any of the first two following and one of the following five
persons be allowed to authorize:

or: Charles B. Hamilton General Manager
Norma C. Rosales Business Manager

or: Frederick Lemere Director
James W. Drain Director
or: Robert R. Lieberknecht Director
or: Matthew T. Roberts Director
or: June Van Wingerden Director

BE IT FURTHER RESOLVED, that the authority hereby conferred
shall remain in force until written notice of the revocation thereof, signed by the
officers of this District hereunto duly authorized by its governing body, shall have
been accepted by an officer of Montecito Bank & Trust at the office at which such

account is kept, and that the Certification of the Secretary of this District, as to the signature of the above named, shall be binding on this District.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Carpinteria Valley Water District on the 12th day of May, 2010 by the following roll call vote:

AYES:
NAYES:
ABSENT:
ABSTAIN:

APPROVED:

Frederick Lemere, President

ATTEST:

Charles B. Hamilton, Secretary

AUTHORIZED SIGNATURES:

Frederick Lemere

Charles B. Hamilton

June Van Wingerden

Norma C. Rosales

Matthew T. Roberts

Robert R. Lieberknecht

James W. Drain

RESOLUTION NUMBER 904

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CARPINTERIA VALLEY WATER DISTRICT
AUTHORIZING INVESTMENT OF MONIES IN THE
LOCAL AGENCY INVESTMENT FUND**

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Board of Directors does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the Carpinteria Valley Water District.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize the deposit and withdrawal of Carpinteria Valley Water District monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated in therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that the following Carpinteria Valley Water District officers or their successors shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

Charles B. Hamilton, General Manager

Norma C. Rosales, Business Manager/Auditor

PASSED AND ADOPTED by the Governing Board of the Carpinteria Valley Water District on the 12th day of May, 2010, by the following vote:

AYES:
NAYES:
ABSENT:
ABSTAIN:

APPROVED:

Frederick Lemere, President

ATTEST:

Charles B. Hamilton, Secretary

RESOLUTION NUMBER 903

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE CARPINTERIA VALLEY WATER DISTRICT
DECLARING CERTAIN PROPERTY SURPLUS AND AUTHORIZING SALE BY
SEALED BID**

WHEREAS, this Carpinteria Valley Water District is in possession of certain items of property enumerated herein for which the District has no further practical use and should be declared as surplus property; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Carpinteria Valley Water District that:

1. The following list of assets / property is declared surplus.

<u>Vehicles</u>	<u>Quantity:</u>	<u>Asset ID:</u>
1995 Ford Ranger with utility box (VIN 1FTCR10UXSPA93082)	1	V-023
<u>Miscellaneous</u>	<u>Quantity:</u>	<u>Asset ID:</u>
1988 Ingersoll-Rand 100 gas compressor trailer (ID# 172001 U88 125)	1	E-065

2. All surplus assets / property should be sold "as is".
3. The General Manager or his designee be authorized to sell the surplus equipment described in this resolution by sealed bid, to the highest bidder.
4. The terms of said auction sale shall be payment-in-full by either cash or certified check, subject to the acceptance by the General Manager or his designee.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Carpinteria Valley Water District on the 12th day of May, 2010 by the following roll call vote:

AYES:
NAYES:
ABSENT:
ABSTAIN:

APPROVED:

Frederick Lemere, President

ATTEST:

Charles B. Hamilton, Secretary