



AGENDA
REGULAR MEETING OF
THE BOARD OF DIRECTORS

CARPINTERIA VALLEY WATER DISTRICT
1301 SANTA YNEZ AVENUE, CARPINTERIA CALIFORNIA
WEDNESDAY, JULY 28, 2010 AT 4:00 P.M.

BOARD OF DIRECTORS

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

GENERAL MANAGER
Charles B. Hamilton

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

****Minutes of July 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**
- V. Old Business**

****Consider General Manager's recommendation to adopt Resolution No. 910 Confirming the Retention of Golden State Labor Compliance, LLC (GLSC) as its Third Party Labor Compliance Representative (TPLCR) and the District's adoption and intent to operate under GSLC's approved Third Party Labor Compliance Program.**
- VI. New Business - none**
- VII. Consider Date and Items for Agenda for next regular Board meeting held on August 11, 2010 at 5:30 p.m. in the Carpinteria City Hall Council Chamber, 5775 Carpinteria Avenue, Carpinteria.**
- 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., July 23, 2010. The Americans with Disabilities Act provides that no

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(805) 684-2816
Fax (805) 684-3170

**Indicates attachment of document to agenda packet.

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.

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

July 21, 2010

President Lemere called the regular meeting of the Board of Directors of Carpinteria Valley Water District to order in the District Board Room at 4:02 p.m. Wednesday, July 21, 2010, and led the Board and others present in the Pledge of Allegiance.

Directors Present: Lemere, Lieberknecht, Van Wingerden, Drain, Roberts

Directors Absent: None

Others Present: Charles Hamilton
Rob McDonald
Alex Keuper
Norma Rosales
Susan Basham
Tracy Solomon
Matt Blois

MINUTES

Following discussion, Director Van Wingerden moved and Director Roberts seconded the motion to approve the minutes of the July 14, 2010 Board meeting. The motion carried by a 5-0 vote.

PUBLIC FORUM

No one from the public addressed the Board.

**RATE & BUDGET
COMMITTEE
MEETING**

Director Drain gave a brief oral report about the Rate & Budget Committee meeting held on July 14, 2010.

**NOOZHAWK SEED
FUNDING REQUEST
FOR PROJECT
RAPTOR**

Directors Drain and Roberts reported on the Noozhawk funding request for Project Raptor, the name given to a Noozhawk seed funding program to enable the development and expansion of coverage by Noozhawk primarily of land use and planning and development issues. It was considered by Directors Drain and Roberts at the Rate & Budget Committee meeting held on July 14, 2010. General Manager Hamilton commented that it would not be legal for the District to make a contribution to such a program as requested, but that the District could choose to purchase an ad with Noozhawk, as it currently does with print media. Following discussion no action was taken.

**ENGAGEMENT FOR
AUDIT SERVICES OF
BARTLETT PRINGLE
& WOLF**

General Manager Charles Hamilton presented this item and introduced Tracy Solomon of Bartlett Pringle & Wolf, who answered Director questions. Following discussion, Director Roberts moved Director Van Wingerden seconded the motion to engage the services of Bartlett Pringle & Wolf to perform an audit of the District's financial statements and prepare the Special District Report to the State Controller for the year ending June 30, 2010. The motion carried by a 5-0 vote.

CCRB AND COMB

Mr. Hamilton reported on the status of discussions among the Cachuma

**REORGANIZATION
AND POSSIBLE
IMPACTS ON
DISTRICT'S FY 10/11
BUDGET**

Project member unit managers about a possible Cachuma Conservation Release Board (CCRB) reorganization also potentially involving the Cachuma Operations and Maintenance Board (COMB), and possible impacts on the District's adopted FY 10/11 Budget. As much as \$75,000 may be needed to continue the District's funding of certain CCRB activities through June of 2011, whether or not a CCRB reorganization goes into effect in January of 2011. No action was taken.

**RESOLUTION
NUMBER 908
ADOPTING AND
ESTABLISHING A
METHODOLOGY
FOR CALCULATION
OF THE CAPITAL
COST RECOVERY
FEE**

President Lemere reported that proposed Resolution No. 908 was not ready for consideration at this time, and a different, more conventional approach to the Capital Cost Recovery Fee methodology and calculation is being contemplated by staff for future presentation to and consideration by the Board. No action was taken.

**THIRD PARTY
LABOR
COMPLIANCE
AGREEMENT
BETWEEN THE
CARPINTERIA
VALLEY WATER
DISTRICT AND
GOLDEN STATE
LABOR
COMPLIANCE, LLC**

Following a brief presentation by District Engineer McDonald, and discussion, Director Roberts moved and Director Drain seconded the motion to approve the Third Party Labor Compliance Agreement Between the Carpinteria Valley Water District and Golden State Labor Compliance, LLC for Designated State Funded (Prop 50 or Prop 84) Facility Projects with a total fee cost of \$4,310, and directed the General Manager to prepare the necessary Resolution for action at the next regular Board meeting on July 28, 2010. The motion carried by a 5-0 vote.

**RESOLUTION
NUMBER 909 TO
ADOPT ADDENDUM
NO. 2 TO THE FINAL
MITIGATED
NEGATIVE
DECLARATION/INITI
AL STUDY AND
REVISED
MITIGATION
MONITORING
PROGRAM FOR THE
EL CARRO WELL
REPLACEMENT AND
CENTRAL ZONE
PIPELINE
IMPROVEMENTS
PROJECT**

Following discussion, Director Van Wingerden moved and Director Roberts seconded the motion to approve Resolution No. 909 To Adopt Addendum No. 2 to the Final Mitigated Monitoring Program for the El Carro Well Replacement and Central Zone Pipeline Improvements Project.

Roll call on Resolution No. 909 resulted in adoption as follows:

Ayes: Roberts, Van Wingerden, Lieberknecht, Lemere, Drain
Nays: None
Absent: None

**CUSTOMER
REQUEST FOR**

Following a brief presentation by Business Manager Norma Rosales, and discussion, Director Roberts moved and Director Drain seconded the motion

REFUND	to credit account # 14-146077-01 in the amount of \$349.80 to address a Capital Improvement Program (CIP) overcharge. The motion carried by a 5-0 vote.
ORTEGA RESERVOIR LAWSUIT SETTLEMENT FUNDS DISPOSITION	Mr. Hamilton reported briefly on the receipt and deposit of \$1.45 million of Ortega Reservoir lawsuit settlement funds, and the need for future decision-making and collaboration with Montecito Water District. Directors Lieberknecht and Roberts of the Ortega Reservoir will meet with a Montecito Water District Committee on July 27 to discuss a new agreement and process, using the available settlement funds to address the leaking Ortega Reservoir.
ORTEGA RESERVOIR LEGAL EXPENSE	Business Manager Rosales provided a brief status report on the Ortega Reservoir legal expense.
EL CARRO PROJECT	District Engineer McDonald provided a summary report on the status of the El Carro Well project.
PROJECT REPORT	Mr. McDonald presented the Engineering report for the month of July 2010 for Board review and comment.
OPERATIONS	Mr. McDonald presented the O&M report for the month of July 2010.
WATER SUPPLY REPORT	Administrative Analyst Dr. Alex Keuper presented the Water Supply Report for the month of June 2010.
NEXT MEETING	The next scheduled Board meeting will be a regular Board meeting held on July 28, 2010, at 4:00 p.m. in the Board meeting room at 1301 Santa Ynez Avenue.
ADJOURNMENT	President Lemere declared the meeting adjourned at 5:35 p.m.

Charles B. Hamilton, General Manager/Secretary

RESOLUTION NUMBER 910

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CARPINTERIA VALLEY WATER DISTRICT
CONFIRMING THE RETENTION OF GOLDEN STATE LABOR COMPLIANCE, LLC
(GSLC) AS ITS THIRD PARTY LABOR COMPLIANCE REPRESENTATIVE (TPLCR)
AND THE DISTRICT'S ADOPTION AND INTENT TO OPERATE UNDER GSLC'S
APPROVED THIRD PARTY COMPLIANCE PROGRAM**

WHEREAS, Assembly Bill 1506, enacted in the 2002 Legislative Session, was approved by the Governor of the State of California on September 25, 2002 and codified in California Labor Code Section 1771.8, which Section requires any governmental body awarding any contract for a public works project, financed in any part with funds made available by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 [Prop 50] to adopt and enforce, or contract with a third party to adopt and enforce, a Labor Compliance Program ("LCP") pursuant to subdivision (b) of Section 1771.5 for application to that public works project; and

WHEREAS, GSLC represents that it possesses the necessary personnel, professional qualifications, expertise and financial capability to provide the herein described Third Party Labor Compliance Services; and

WHEREAS, the Board of Directors at its regular meeting held on July 21, 2010, approved the Third Party Labor Compliance Agreement Between the Carpinteria Valley Water District and Golden State Labor Compliance, LLC For Designated State Funded (Prop 50 or Prop 84) Facility Projects (Agreement) to engage GSLC to assist the District in implementing and enforcing an approved Labor Compliance Program in connection with its State Funded Projects as designated by the District from time to time and GSLC desires to perform such services, upon the terms and conditions set forth in the Agreement; and

WHEREAS, said Agreement sets forth a requirement for a Board resolution to confirm the retention of GSLC; and

WHEREAS, the District reserves the right to use other sources of such services for these purposes on other State funded projects;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Carpinteria Valley Water District hereby confirms the retention of Golden State Labor Compliance (GSLC) as its Third Party Labor Compliance Representative (TPLCR) and the District's adoption and intent to operate under GSLC's approved Third Party Labor Compliance Program.

PASSED AND ADOPTED by the Governing Board of the Carpinteria Valley Water District on the 28th day of July 2010, by the following vote:

AYES:

NAYES:

ABSENT: Lemere
ABSTAIN:

APPROVED:

June Van Wingerden, Vice President

ATTEST:

Charles B. Hamilton, Secretary