

SAN ELIJO JOINT POWERS AUTHORITY
MINUTES OF THE REGULAR BOARD MEETING
HELD ON OCTOBER 8, 2018
AT THE
SAN ELIJO WATER RECLAMATION FACILITY

Tasha Boerner Horvath, Chair

David Zito, Vice Chair

A regular meeting of the Board of Directors of the San Elijo Joint Powers Authority (SEJPA) was held Monday, October 8, 2018, at 8:30 a.m., at the San Elijo Water Reclamation Facility at 2695 Manchester Avenue, Cardiff by the Sea, California.

1. CALL TO ORDER

Vice Chair Zito called the meeting to order at 8:30 a.m.

2. ROLL CALL

Directors Present:

Tasha Boerner Horvath
David Zito
Joe Mosca
Peter Zahn

Directors Absent:

None

Others Present:

General Manager
Director of Finance & Administration
Director of Operations
Laboratory Analyst
Administrative Assistant/Board Clerk

Michael Thornton
Paul Kinkel
Chris Trees
Susie Arredondo
Jennifer Basco

SEJPA Counsel:

Procopio, Cory, Hargreaves & Savitch

Greg Moser
Katherine M. Knudsen

City of Encinitas:

Director of Public Works

Carl Quiram

City of Solana Beach:

City Manager
Director of Engineering/Public Works

Greg Wade
Mohammad "Mo" Sammak

3. PLEDGE OF ALLEGIANCE

Vice Chair Zito led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

None

5. PRESENTATION OF AWARDS

The General Manager recognized Susie Arredondo, Senior Laboratory Analyst, for 10 years of service.

6. CONSENT CALENDAR

Moved by Board Member Zito and seconded by Board Member Zahn to approve the Consent Calendar.

Agenda Item No. 7 Approval of Minutes for the September 10, 2018 Meeting

Agenda Item No. 9 San Elijo Water Reclamation Facility Treated Effluent Flows – Monthly Report

Agenda Item No. 10 San Elijo Joint Powers Authority Recycled Water Program – Monthly Report

Agenda Item No. 11 Maintenance Truck and Sludge Tractor California Air Resources Board Emissions Compliance

Motion carried with the following vote of approval:

AYES: Boerner Horvath, Zito, Mosca, Zahn

NOES: None

ABSENT: None

ABSTAIN: None

Agenda Item No. 8 Approval for Payment of Warrants and Monthly Investment Report

Motion carried with the following vote of approval:

AYES: Boerner Horvath, Zito, Zahn

NOES: None

ABSENT: None

ABSTAIN: Mosca

12. ITEMS REMOVED FROM CONSENT CALENDAR

None

13. ACCEPTANCE OF COMPLETION – CONSTRUCTION CONTRACT FOR THE LAND
OUTFALL REPLACEMENT PROJECT

The General Manager informed the Board of Directors that construction of the Land Outfall Replacement Project has been completed by J.R. Filanc Construction Company and placed into service, with no reported injuries. The Project was a priority capital project for the SEJPA. The land outfall was constructed in 1965 and due to its age and surrounding soil type, the pipeline was estimated to be at the end of its useful life. During construction of the Project, the contractor encountered conditions that were different than depicted in the construction documents as well as performed additional work at the direction of the SEJPA. Construction change orders approved by the SEJPA Board to date resulted in an additional project cost of 1% of the contract value. Other potential change orders presented by the Contractor have not yet reached a mutually acceptable conclusion, but may be presented to the Board at a subsequent Board meeting, once resolved. Mr. Thornton stated that acceptance of the Project by the SEJPA and the filing of the Notice of Completion will complete the contract with J.R. Filanc Construction Company. The total budget for the project was \$9,679,175. The current cost of the project is \$9,729,501.

Moved by Board Member Mosca and seconded by Vice Chair Zito to:

1. Authorize the General Manager to accept the Land Outfall Replacement Project on behalf of the SEJPA and record the project Notice of Completion.

Motion carried with the following vote of approval:

AYES:	Boerner Horvath, Zito, Mosca, Zahn
NOES:	None
ABSENT:	None
ABSTAIN:	None

14. GENERAL MANAGER'S REPORT

The General Manager updated the Board of Directors on the completion of an emergency repair of the digester gas line and informed the Board about a successful emergency repair of a leaking recycled water pipeline within Quail Gardens Drive in Encinitas.

15. GENERAL COUNSEL'S REPORT

Greg Moser informed the Board of Directors that the Governor signed AB 1912. Under the bill, if a JPA agency participates in a public retirement system, members of the JPA would be jointly and severally liable for all obligations to the retirement system. Recommendations will be presented to the Board of Directors at a future meeting.

16. BOARD MEMBER COMMENTS

None

17. CLOSED SESSION

The Board of Directors adjourned to closed session at 8:57 a.m., pursuant to the following Government Code Sections:

- CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to Gov. Code section 54956.9(d)(2): 1 matter;
- CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION. Initiation of litigation pursuant to Gov. Code section 54956.9(d)(4): 1 matter; and
- CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION. Pursuant to Gov. Code section 54956.9(d)(1), name of case: In the Matter of the Appeal Regarding the Uniform Allowance of San Elijo Joint Powers Authority, CalPERS Case No. 2016-0354.

The Board of Directors came out of closed session at 9:15 a.m., with no reportable action.

18. ADJOURNMENT

The meeting adjourned at 9:16 a.m. The next Board of Directors meeting will be held on Tuesday, November 13, 2018 at 8:30 a.m.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager