

SAN ELIJO JOINT POWERS AUTHORITY  
MINUTES OF THE BOARD MEETING  
HELD ON JULY 10, 2017  
AT THE  
SAN ELIJO WATER RECLAMATION FACILITY

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Ginger Marshall, Chair

Tasha Boerner Horvath, Vice Chair

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A meeting of the Board of Directors of the San Elijo Joint Powers Authority (SEJPA) was held Monday, July 10, 2017, at 9:00 a.m., at the San Elijo Water Reclamation Facility at 2695 Manchester Avenue, Cardiff by the Sea, California.

1. CALL TO ORDER

Vice Chair Boerner Horvath called the meeting to order at 9:01 a.m.

2. ROLL CALL

*Directors Present:*

Tasha Boerner Horvath  
David Zito  
Joe Mosca  
Greg Wade (*Solana Beach Alternate*)

*Directors Absent:*

Ginger Marshall

*Others Present:*

General Manager  
Director of Operations  
Director of Finance & Administration  
Associate Engineer  
Administrative Assistant/Board Clerk

Michael Thornton  
Chris Trees  
Paul Kinkel  
Mike Konicke  
Jennifer Basco

*SEJPA Counsel:*

Procopio, Cory, Hargreaves & Savitch

Adriana Ochoa

*City of Solana Beach:*

City Manager  
Director of Engineering/Public Works

Greg Wade  
Mohammad "Mo" Sammak

*City of Encinitas:*

Public Works Management Analyst

Bill Wilson

*San Dieguito Water District:*

General Manager

Bill O'Donnell

*Roesling Nakamura Terada Architects*

Joe Mansfield

3. PLEDGE OF ALLEGIANCE

Vice Chair Boerner Horvath led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

None

5. PRESENTATION OF AWARDS

None

6. CONSENT CALENDAR

Moved by Board Member Zito and seconded by Vice Chair Boerner Horvath to approve the Consent Calendar.

Agenda Item No. 7	Approval of Minutes for the June 12, 2017 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	Authorization for the General Manager to Accept and Consent to Deeds and Grants

Motion carried with the following vote of approval:

AYES: Boerner Horvath, Zito, Mosca, Wade  
NOES: None  
ABSENT: Marshall  
ABSTAIN: None

Agenda Item No. 8	Approval for Payment of Warrants and Monthly Investment Report
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Motion carried with the following vote of approval:

AYES: Boerner Horvath, Zito, Wade  
NOES: None  
ABSENT: Marshall  
ABSTAIN: Mosca

12. ITEMS REMOVED FROM CONSENT CALENDAR

None

13. BUILDING PROGRAM AND COMMUNITY BIKE PATH UPDATE

General Manager updated the Board of Directors on the Building and Site Improvement Program. Key design considerations for the program were discussed and site drawings and draft building floor plans were presented.

No action required. This memorandum was submitted for information only.

14. AWARD CONSTRUCTION CONTRACT AND ENGINEERING SERVICES DURING CONSTRUCTION FOR THE SAN ELIJO WATER RECLAMATION FACILITY – PRELIMINARY TREATMENT UPGRADES

General Manager Thornton gave a brief background on the preliminary treatment system. The Preliminary Treatment Upgrades will construct new concrete treatment structures, install new mechanical screening and dewatering equipment, rehabilitate existing concrete channels and structures, and upgrade the odor control system. Staff received six construction bids, with NEWest Construction Company, Inc. submitting the lowest responsive and responsible bid. Mr. Thornton also stated that the SEJPA will require support from the engineer of record, Dudek, during construction.

The lowest responsive construction bid for the project is \$3,871,480. The negotiated fee for engineering support during construction is \$198,100. Staff also recommends including a contingency fund of \$193,570. The estimated cost to complete the project is \$4.65 million. The SEJPA has adequate funds available from the 2017 Clean Water Bond.

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

1. Authorize the General Manager to award construction of the Preliminary Treatment Upgrades project to NEWest Construction Company, Inc. for an amount not to exceed \$3,871,480 and issue a Notice to Proceed at the time the General Manager deems appropriate; and
2. Authorize the General Manager to amend the professional services agreement with Dudek for engineering services during construction for the Preliminary Treatment Upgrades for an amount not to exceed \$198,100.

Motion carried with the following vote of approval:

AYES: Boerner Horvath, Zito, Mosca, Wade  
NOES: None  
ABSENT: Marshall  
ABSTAIN: None

15. REGIONAL WATER QUALITY CONTROL BOARD SETTLEMENT OFFER NO. R9-2017-0070 FOR THE JANUARY 2017 TREATMENT PLANT UPSET

General Manager Thornton informed the Board of Directors that the SEJPA received a settlement offer from the Regional Board for the January 2017 biological treatment plant upset. The treatment upset resulted in non-compliance for NPDES effluent requirements of permit No. R9-2010-0087. The settlement offer agrees with the SEJPA assessment that the six areas of non-compliance were the result of one single event and provides one minimum mandatory penalty payment of \$3,000.

No action required. This memorandum was submitted for information only.

16. CONSTRUCTION CONTRACT CHANGE ORDER NO. 1 – SAN ELIJO LAND OUTFALL REPLACEMENT PROJECT

General Manager Thornton stated that in April 2017, the Board of Directors awarded the Land Outfall Replacement project construction contract to J.R. Filanc Construction Company (Filanc) for an amount of \$8,553,000. Staff, working with the project engineer, construction manager, and Filanc, reviewed the construction elements to determine if there were opportunities to reduce construction costs. Four items were determined to be feasible and valuable to both the SEJPA and the Filanc. These modifications will reduce the contract by \$158,082, without compromising project quality or permit compliance requirements.

Moved by Board Member Mosca and seconded by Vice Chair Boerner Horvath to:

1. Authorize the General Manager to accept Construction Contract Change Order No. 1 for a total cost reduction of \$158,085.

Motion carried with the following vote of approval:

AYES: Boerner Horvath, Zito, Mosca, Wade  
NOES: None  
ABSENT: Marshall  
ABSTAIN: None

17. PROFESSIONAL SERVICES CONTRACT AMENDMENT FOR ENCINITAS RANCH RECYCLED WATER EXPANSION PROJECT

General Manager Thornton gave a brief background on the Encinitas Ranch Recycled Water Expansion Project. In June 2016, a contract for design and permitting was awarded to Dudek. In March 2017, design was completed and submitted to the City for permitting. Initial draft comments were returned indicating that the proposed pipeline location would require extensive studies to determine the impact on trees in the area. The original design was completed prior to the City's implementation of an Urban Forest Management Program, which requires the development of a Tree Protection Plan where potential impact to existing trees may exist. The original pipeline alignment is located within forested areas of the Encinitas Ranch property. The General Manager stated that it was determined that realignment of the pipelines into the existing road rights-of-way

will avoid the need for extensive environmental mitigation and reduce potential risk to the SEJPA in the event of a pipeline failure. The proposed cost of \$165,870 for the project re-design and permitting is available in the Recycled Water Fund Balance.

Moved by Board Member Zito and seconded by Board Member Boerner Horvath to:

1. Approve an amendment to the Agreement for Dudek for Project Design and Permitting for an amount not to exceed \$165,870.

Motion carried with the following vote of approval:

AYES: Boerner Horvath, Zito, Mosca, Wade  
NOES: None  
ABSENT: Marshall  
ABSTAIN: None

18. CLOSED SESSION

The Board of Directors adjourned to closed session at 10:10 a.m., pursuant to Government Code Section 54957: Employee Performance Evaluation. Title: General Manager.

The Board of Directors came out of closed session at 10:26 a.m., with no reportable action.

19. CONSIDERATION OF GENERAL MANAGER EMPLOYMENT COMPENSATION

Moved by Board Member Zito and seconded by Vice Chair Boerner Horvath to:

1. Approve the General Manager's merit bonus of \$10,000 for Fiscal Year 2016-17.

Motion carried with the following vote of approval:

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

20. GENERAL MANAGER'S REPORT

The General Manager informed the Board of Directors that the SEJPA intends to participate and contribute \$3,000 in support of a countywide storm water study. He also stated that the SEJPA supports AB869, which promotes recycled water use as an alternative water supply.

21. GENERAL COUNSEL'S REPORT

Adriana Ochoa updated the Board of Directors on the appeal of CalPERS' determination that uniforms are reportable special compensation that do not qualify under the "health and safety" exception. CalPERS will set a hearing date on this issue.

22. BOARD MEMBER COMMENTS

None

23. ADJOURNMENT

The meeting adjourned at 10:30 a.m. The next Board of Directors meeting will be held on September 11, 2017.

Respectfully submitted,



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Michael T. Thornton, P.E.  
General Manager