

VALLEY CENTER MUNICIPAL WATER DISTRICT

Regular Board Meeting
Monday, April 6, 2020
Time: 2:00 P.M.
Place: Board Room
29300 Valley Center Road
Valley Center, CA 92082

Due to the COVID-19 State of Emergency and pursuant to waivers to certain Brown Act provisions under the Governor's Executive Orders, the Board Meeting was conducted via Web Conference and Live Stream.

The Valley Center Municipal Water District Board of Directors' meeting was called to order by President Polito at 2:00 P.M.

President Polito established for the record that all Directors were able to hear the proceedings, that all members of the Board were able to hear the Directors participating by teleconference clearly, and that all votes would be taken by a roll call vote pursuant to the provisions of the Brown Act. President Polito further established for the record the process by which public comments would be received by the Board; this process was also described in the Agenda for the meeting. It was announced that no public comments had been received for this meeting.

ROLL CALL

Board member present was President Polito with Directors Haskell, Ferro, Holtz, Smith and General Counsel de Sousa teleconferencing. Staff members present were: General Manager Arant, District Engineer Grabbe, Director of Operations Hoyle, Director of Finance and Administration Pugh, Director of IT Pilve, Manager of Accounting Velasquez, Safety & Regulatory Compliance Supervisor Olson, Project Manager Sandoval and Executive Assistant Johnson. There were no spectators present.

CONSENT CALENDAR

1. Upon motion by Haskell, seconded by Holtz and carried by a 4-0 vote with Smith absent, the following consent calendar items were approved:

- Minutes of the Board meeting held March 16, 2020
- Audit demand check numbers 156920 through 157069 for March 6, 2020 through March 26, 2020
- Treasurer's Report for month ending February 29, 2020
- Biennial Survey of General Counsel and Auditor Services Costs

Director Smith officially entered the teleconference at 2:14 p.m.

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ACTION AGENDA

2. Ratification of the Termination of the Phase 2 Condition Assessment of Bar Wrapped Concrete Cylinder Pipe Contract with Pure Technologies US, Inc.

The Board of Directors was asked to ratify action taken by staff to terminate the contract for the Phase 2 Condition Assessment of the Bar Wrapped Concrete Cylinder Pipe with Pure Technologies US, Inc. and discuss plans for continuation of the project.

Pure Technologies was scheduled to perform assessments on three portions of pipeline from March 2 through March 13, 2020 reported Project Manager Sandoval. On February 4th, Pure Tech. staff met with VCMWD field personnel to perform test runs of sensors at preselected appurtenances. At that meeting, Pure Technologies staff informed District staff of the Pipe Diver possibly getting stuck on the 24-inch butterfly valves located on the 30-inch pipe segment from Betsworth Forebay to Valley Center Pump Station. Furthermore, they mentioned that it would be the District's responsibility to excavate and retrieve the Pipe Diver. The news did not sit well with District staff; therefore, a meeting with Pure Technologies Business Development Manager was held to discuss contract terms. District staff requested Pure Technologies incur all civil related costs including having a contractor on stand-by in case the pipe diver got stuck on the 24-inch valve. Furthermore, it was agreed that Pure Technologies would reimburse the District for any civil related costs associated with false pipe diver readings.

A kick-off meeting with Pure Tech. was held on February 28th to discuss the pipe assessment schedule, drain down times and refill times. Pure Technologies staff notified District staff that they were not ready to begin the assessment because the Pipe Diver had not arrived. On March 2nd, Pure Technologies informed staff that the Pipe Diver would not arrive until March 3rd so they could not begin until March 4th. On March 4th, Pure Technologies was not adequately staffed which resulted in them falling behind schedule. Hence, the first assessment day was a failure. With the failed assessment and fifth shutdown schedule change, staff realized they lacked confidence in Pure Technologies ability to complete the assessment and obtain meaningful data. The contract with Pure Technologies was then terminated. Pure Technologies Project Manager and Business Development Manager were notified via phone and email of the District's decision to terminate the contract.

The Pre-Inspection Manways that were constructed for this project will be used as insertion and retrieval points in the future. Staff will now solicit proposals from other pipeline assessment companies to perform the work. When Pure Technologies performed Phase 1 of the project, they were the only known firm that performed pipeline assessments.

Staff recommended the Board ratify staff's decision to terminate the contract for Phase 2 of the Condition Assessment of the bar wrapped concrete cylinder pipe with Pure Technologies US, Inc. and direct staff to request reimbursement for District expenses incurred (~\$14,500) leading up to the failed condition assessment on March 4, 2020.

Upon motion by Smith, seconded by Ferro and unanimously carried, the Board approved staff's recommendation.

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GENERAL MANAGER'S AGENDA

3. Miscellaneous:

The following miscellaneous items were reviewed:

- Today was the first day of the District's Hybrid A/B Workweek to minimize the number of employees gathering in one place. Implementation went as planned.
- It is too early to determine the financial impact to the District regarding the suspension of shutoffs and/or flow restrictions for non-payment ordered by the Governor. Staff will be tracking all the costs associated with the Executive Orders.

GENERAL COUNSEL'S AGENDA

4. General Counsel de Sousa reported that BBK has been working with staff on dealing with the COVID-19 pandemic requirements and various executive orders and checking to see how they impact the day to day operations of the District. They are also looking for opportunities for the District to recover any losses associated with any of the requirements imposed on it and/or ways to obtain federal funding for those losses due to the pandemic.

BOARD OF DIRECTORS' AGENDA AND REPORTS ON MEETINGS ATTENDED

5. Resolution Granting the General Manager Certain Emergency Powers During the Coronavirus/COVID-19 Pandemic Event:

The COVID-19 Pandemic event is impacting District operations. Granting the General Manager emergency powers will allow him to deal with rapidly changing conditions over the next 120 days. This includes emergency measures to protect the safety of District staff and sustain effective, safe and reliable water and wastewater operations. The provisions of Resolution No. 2020-11 would allow the GM to:

- Modify public access to District facilities,
- Modify staff duties, work schedules and locations,
- In compliance with the CDC, ask employees with possible exposure to go home,
- 15-days of supplemental administrative leave in addition to the new Federal law requiring public employers to grant up to 10 days of paid leave and 120-days at 2/3rds of employee's salary for COVID-19 rated circumstances,
- Ratify suspension of water flow restriction implementation and the waiving of delinquency fees,
- Implement, with timely Board notification, other emergency measures not anticipated at this time.

These measures would only be in force for a maximum of 120-days without prior renewed authorization from the Board or rescinded as circumstances warrant.

Upon motion by Ferro, seconded by Haskell and unanimously carried, the following resolution, entitled:

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RESOLUTION NO. 2020-11

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE VALLEY CENTER MUNICIPAL WATER DISTRICT
GRANTING THE GENERAL MANAGER CERTAIN
EMERGENCY POWERS DURING
CORONAVIRUS / COVID-19 PANDEMIC EVENT**

was adopted by the following vote, to wit:

AYES: Directors Polito, Haskell, Ferro, Holtz and Smith
NOES: None
ABSENT: None

ADJOURNMENT

6. Upon motion by Smith, seconded by Holtz and unanimously carried, the regular meeting of the Board of Directors was adjourned at 2:53 p.m.

ATTEST:

President

ATTEST:

Secretary

Approved at a regular meeting of the Board of Directors on April 20, 2020