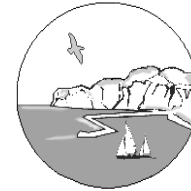

B O A R D O F D I R E C T O R S

R E G U L A R M E E T I N G

M A R C H 2 6 , 2 0 0 9



A G E N D A

SOUTH COAST WATER DISTRICT
Meeting Location:
City of Dana Point Council Chamber
33282 Golden Lantern
Dana Point, CA 92629

Thursday, March 26, 2009
6:00 p.m.

IN ACCORDANCE WITH THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 54954.2, THIS AGENDA HAS BEEN POSTED IN THE MAIN LOBBY OF THE DISTRICT'S ADMINISTRATIVE OFFICES NOT LESS THAN 72 HOURS PRIOR TO THE MEETING DATE AND TIME ABOVE. ALL WRITTEN MATERIALS RELATING TO EACH AGENDA ITEM ARE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE BOARD SECRETARY.

IN THE EVENT ANY MATTER NOT LISTED ON THIS AGENDA IS PROPOSED TO BE SUBMITTED TO THE BOARD FOR DISCUSSION AND/OR ACTION, IT WILL BE DONE IN COMPLIANCE WITH SECTION 54954.2(b) AS AN EMERGENCY ITEM OR BECAUSE THERE IS A NEED TO TAKE IMMEDIATE ACTION, WHICH NEED CAME TO THE ATTENTION OF THE BOARD SUBSEQUENT TO THE POSTING OF THE AGENDA, OR AS SET FORTH ON A SUPPLEMENTAL AGENDA POSTED IN THE MANNER AS ABOVE, NOT LESS THAN 72 HOURS PRIOR TO THE MEETING DATE.

A. PLEDGE OF ALLEGIANCE..... Director Gardner

B. ROLL CALL OF BOARD MEMBERS

- President Richard Dietmeier
- Vice President Robert Moore
- Director Richard Gardner
- Director Ingrid McGuire
- Director Wayne Rayfield

C. ORAL COMMUNICATIONS / PUBLIC COMMENTS

All persons wishing to address the Board on specific agenda items or matters of general interest should do so at this time by completing a "Request to Speak" form available at the door. The completed "Request to Speak" form is to be submitted to the secretary prior to an individual being heard by the Board. Members of the public who wish to discuss consent calendar items should do so at this time. **As determined by the President, speakers may also be heard following the Staff Report on each item and remarks may be limited to three (3) minutes.** Matters of interest addressed by a member of the public and not listed on this agenda cannot have action taken by the Board except as authorized by Government Code Section 54954.2(b).

D. SPECIAL PRESENTATION re: MWD Rate Structure

E. CONSENT CALENDAR

All matters listed under Consent Calendar are considered by the Board of Directors to be routine and will all be enacted by one motion by the form listed below. There will be no separate discussion of the items prior to the time the Board votes on the motion unless members of the Board, staff or public request specific items to be discussed and/or removed from the Consent Calendar for separate discussion. Staff reports will only be given if items are pulled from the Consent Calendar.

Members of the public who wish to discuss a Consent Calendar Item should do so under Oral Communications/Public Comments.

Recommended Action: Motion to approve Consent Calendar Item(s).

Consent Calendar (Items 1 to 17)**1. Approval of Board Minutes**

- a. Special Meeting of February 12, 2009
- b. Special Meeting of February 19, 2009
- c. Regular Meeting of February 26, 2009

Recommended Action: If no corrections or amendments, minutes will be deemed approved as submitted and be so ordered by the President

- 2. Leave of Absence:** Permission to leave the State (this grants authority of any Director to be absent from the State and the performance of duties, if necessary, for a period of more than sixty (60) days)

3. Schedule of Checks and Expenditures

- a. Expenditures for SCWD for the period of 2/1/09 through 2/28/09
General Funds and Restricted Funds

Recommended Action: A/F Committee recommends that the Board of Directors ratify all payments made for expenditures authorized by the approved South Coast Water District budget for FY 2008/09 as presented in the Schedule of Checks and Expenditures for the period of February 1, 2009 through February 28, 2009.

- b. Expenditures for JRWSS for the period of 2/1/09 through 2/28/09
JRWSS Contracts Operations

Recommended Action: A/F Committee recommends that the Board of Directors ratify all payments made for expenditures authorized by the approved Joint Regional Water Supply System budget for FY 2008/09 as presented in the Schedule of Checks and Expenditures for the period of February 1, 2009 through February 28, 2009

4. Groundwater Recovery Facility

- a. Monthly Production Report – January 2009

Recommended Action: Information item

5. EPA Plan Implementation

- a. Technical Memorandum prepared by Brown and Caldwell

Recommended Action: Information item

6. 2008/09 Sewer Lining Repairs

- a. Contract Change Order No. 1 and File Notice of Completion

Recommended Action: E/O Committee recommends that the Board of Directors authorize the General Manager to 1) award Contract Change Order No. 1 to Sancon Engineering, Inc. in the amount of \$23,028.75 for additional scope of work tasks included in Contract Change Order No. 1 performed in completing the 2008/09 Sewer Lining Repairs and 2) file the Notice of Completion for the 2008/09 Sewer Lining Repairs Project

7. *LS No. 4 Retaining Wall and Vault Rehabilitation*

- a. Contract Change Order No. 2 and File Notice of Completion

Recommended Action: E/O Committee recommends that the Board of Directors authorize the General Manager to 1) award Contract Change Order No. 2 to GCI Construction, Inc. in the amount of \$1,984.27 for additional scope of work tasks performed in completing the Lift Station No. 4 Retaining Wall and Vault rehabilitation Project and 2) file the Notice of Completion for the Lift Station No. 4 Retaining Wall and Vault Rehabilitation Project

8. *Sewer Tunnel Stabilization & Sewer Pipeline Replacement*

- a. Amendment No. 1 to Environmental & GIS LLC (EGOS)

Recommended Action: E/O Committee recommends that the Board of Directors authorize the General Manager to award Amendment No. 1 to the consultant services agreement with Environmental & GIS Services, LLC (EGIS) in an amount not-to-exceed \$54,148 to carry out additional scope of work tasks necessary to complete the environmental documents required for the Sewer Tunnel Stabilization & Sewer Pipeline Replacement Project

9. *4A Reservoir Coating, Tank and Site Improvements*

- a. Consultant Services Agreement with Psomas

Recommended Action: E/O Committee recommends that the Board of Directors authorize the General Manager to execute a Consulting Services Agreement with Psomas Engineering, Inc. in the amount not-to-exceed \$49,786 for 4A Reservoir Coating, Tank and Site Improvements

10. *Groundwater Recovery Facility – Iron & Manganese System Modification*

- a. Contract Change Order No. 1 and File Notice of Completion

Recommended Action: E/O Committee recommends that the Board of Directors authorize the General Manager to 1) approve Contract Change Order No. 1 to Pascal Ludwig Constructors for the GRF Iron & Manganese System Modifications in the amount of \$11,068.68 and 2) file a Notice of Completion for Pascal and Ludwig Constructors for the GRF Iron & Manganese System Modifications

11. *Stimulus Package Project Update*

- a. Update

Recommended Action: Information item

12. *2009 Audit Update*

- a. Update

Recommended Action: Information item

13. *Special Project Services for Public Outreach Objectives*

- a. Contract with Kathy Barnum Agency

Recommended Action: A/F Committee recommends that the Board of Directors 1) approve a budget amendment to the 2008/2009 Operating Budget of \$36,000 and 2) authorize the General Manager to negotiate a contract with Kathy Barnum Agency for

an amount not to exceed \$36,000 to provide special project services for the District's Public Outreach Program

14. Water Distribution System Repairs Summary

- a. Progress report through the end of February 2009

Recommended Action: Information Item

15. Sewer Rehabilitation Program Summary

- a. Progress report through the end of February 2009

Recommended Action: Information Item

16. Sewer Cleaning/Maintenance Progress Report

- a. Progress report through the end of February 2009

Recommended Action: Information Item

17. Payment Policies Board and Staff

- a. Ordinance No. 205

Recommended Action: A/F Committee recommends that the Board of Directors approve Ordinance No. 205 entitled "An Ordinance of the Board of Directors of South Coast Water District Stating Official Duties of the Board of Directors; for which Compensation may be Paid, Establishing Compensation per Day of Service and Repealing Ordinance No. 200"

F. NEW BUSINESS

18. Public Hearing re: Via Canon JTM-7 Relocation Project

(6:00 pm or as soon as possible thereafter)

Open Public Hearing

Staff Report re: Via Canon JTM-7 Relocation Project

Board Questions

Public Comments and Director Discussion

Close Public Hearing

Recommended Action: That the Board of Directors approve the following actions to comply with the requirements of CEQA: 1) adoption of the Proposed Negative Declaration and 2) direct staff to file the Notice of Determination

19. AT&T Mobility Proposed Facility

Staff Report: Land Use Application

Board Questions

Public Comments

Director Discussion

Recommended Action: That the Board of Directors authorize staff to proceed with activities necessary to City of Dana Point review and lease negotiations with AT&T Mobility for cell-site use at Dana Hills Tennis Center (DHTC) and return to Board for final consideration.

G. ITEMS TO BE CONSIDERED AT NEXT MEETING

Board of Directors to identify specific items for consideration at the next regular Board of Director's meeting. The Board President shall assist staff in the preparation of the agenda for the next regular Board meeting. Items shall appear on the agenda if a consensus of the Board is to place an item on the agenda for consideration.

H. CONSIDERATION OF MEETING REQUESTS THAT ARE OUTSIDE OF DISTRICT ORDINANCE NO. 200

AB 1234 requires that Board Members who desire to be paid a per diem for attendance at events or meetings that are not identified by District Ordinance must get approval from the Board in advance of the event or meeting to be eligible for the per diem fee.

I. ORAL COMMENTS /STAFF, CONSULTANTS

There will be a time limit of three (3) minutes per person. The Directors, General Manager, District Counsel and/or Consultants may present oral reports on miscellaneous matters of general interest to the Directors which are not set forth specifically on the agenda. These reports are for information only and no action is required or permissible by the Directors.

District Counsel Betty Burnett
 Director of Engineering Bob Clark
 Director of Operations Joe McDivitt
 Director of Finance Carolyn Rynda
 Director of Property Development Joe Sovella

J. ORAL COMMENTS/BOARD GOVERNANCE; DIRECTORS, GENERAL MANAGER

There will be a time limit of three (3) minutes per person. The Directors, General Manager, District Counsel and/or Consultants may present oral reports on miscellaneous matters of general interest to the Directors which are not set forth specifically on the agenda. These reports are for information only and no action is required or permissible by the Directors.

President Richard Dietmeier
 Vice President Robert Moore
 Director Richard Gardner
 Director Ingrid McGuire
 Director Wayne Rayfield
 General Manager Michael Dunbar

K. AGENCY REPORTS

The Directors will present oral reports on meetings they attended in the past month with affiliated agencies and organizations

President Richard Dietmeier
 Vice President Robert Moore
 Director Richard Gardner
 Director Ingrid McGuire
 Director Wayne Rayfield

L. CLOSED SESSION

DURING THE COURSE OF CONDUCTING THE BUSINESS SET FORTH ON THIS AGENDA AS A REGULAR MEETING OF THE BOARD OF DIRECTORS, THE PRESIDENT MAY CONVENE THE BOARD IN CLOSED SESSION TO CONSIDER MATTERS OF PENDING OR POTENTIAL LITIGATION, OR PERSONNEL MATTERS, PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9, 54957 OR 54957.6.

REPORTS RELATING TO (A) PURCHASE AND SALE OF REAL PROPERTY; (B) MATTERS OF PENDING OR POTENTIAL LITIGATION; (C) EMPLOYMENT ACTIONS OR NEGOTIATIONS WITH EMPLOYEE REPRESENTATIVES; OR WHICH ARE EXEMPT FROM PUBLIC DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT, MAY BE REVIEWED BY THE

BOARD DURING A PERMITTED CLOSED SESSION AND ARE NOT AVAILABLE FOR PUBLIC INSPECTION. AT SUCH TIME AS FINAL ACTIONS ARE TAKEN BY THE BOARD ON ANY OF THESE SUBJECTS, THE MINUTES WILL REFLECT ALL REQUIRED DISCLOSURES OF INFORMATION.

- (1) Convene in Closed Session
- (2) Reconvene Board Meeting in Regular Session
- (3) Consideration of action, if any, on matters considered in closed session
- (4) Report on actions taken in closed session, as required

M. CLOSED SESSION REPORTS

None

N. ADJOURNMENT

Accommodations for the Disabled. The Board of Directors Meeting Room is wheelchair accessible. If you require any special disability related accommodations, please contact the South Coast Water District Secretary's office at (949) 499-4555 ext. 3150 at least seventy-two (72) hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

Written materials related to Board Agenda. At the time of the posting of the agenda for regular and special Board meetings, the entire agenda packet is available for public review at the District's Administrative Offices at 31592 West Street, Laguna Beach, California. Pursuant to Government Code Section 54957.5 any writing that is distributed to the Board of Directors after the posting of a regular or special meeting agenda shall also be made immediately available to the public at the District's Administrative Offices. Written materials distributed by members of the public at a South Coast Water District Board meeting shall be made available immediately following the meeting.