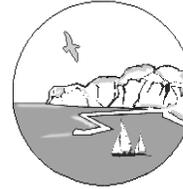

B O A R D O F D I R E C T O R S

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

J U N E 2 5 , 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, June 25, 2009
5:00 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. CLOSED SESSION (5:00 PM)

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
 - (a) Pursuant to Government Code Section 54956.9, confer with District Counsel on 1 matter of existing litigation: Administrative Civil Liability No. R9-2008-0093 issued by San Diego Regional Water Quality Control Board

B. RECONVENE BOARD MEETING IN REGULAR SESSION (6:00 PM)

- (2) Consideration of action, if any, on matters considered in closed session
- (3) Report on actions taken in closed session, as required

C. PLEDGE OF ALLEGIANCE..... Director Moore

D. ROLL CALL OF BOARD MEMBERS

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

E. 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).

F. 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 12)

1. Approval of Board Minutes

- a. Special Meeting of May 7, 2009
- b. Regular Meeting of May 28, 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 5/1/09 through 5/31/09
 - General Funds and Restricted Funds

Recommended Action: 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 May 1, 2009 through May 31, 2009.

- b. Expenditures for JRWSS for the period of 5/1/09 through 5/31/09
 - JRWSS Contracts Operations

Recommended Action: 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 May 1, 2009 through May 31, 2009.

4. Groundwater Recovery Facility

- a. Monthly Production Report – April 2009

Recommended Action: Information item

5. JRWSS – JTM Unit 1, Reach 2 (Transmission Main Valve Structure)

Recommended Action: The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to 1) enter into negotiations with C. Wells Pipeline Materials, Inc. to award a contract in an amount not-to-exceed \$56,985 to supply the 48-inch butterfly valves for the Joint Transmission Main Isolation Valve Structure project; and 2) approve amendments to the consulting services agreement, if required, up to \$5,700 (10% contingency).

6. JRWSS Bradt Reservoir Seepage Collection System Replacement – Award Contract Change Order No. 1 to Kisling Construction, Inc. and Notice of Completion

Recommended Action: The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to 1) approve Contract Change Order No. 1 to D. M. Kisling Construction for additional tasks to complete construction services on the Bradt Reservoir Seepage System Modifications Project in the amount of \$5,148; and 2) authorize the filing of the Notice of Completion for the project.

7. Joint Regional Water Supply System Atlas Map – Award of Amendment No. 2 to Consulting Agreement

Recommended Action: The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to 1) award Amendment No. 2 to the Consulting Services Agreement with Tetra Tech in the amount of \$200,000 for consulting engineering services to complete Phase 2 of the JRWSS System Atlas Mapping Project; and 2) issue change orders, if required, up to \$20,000 (10% contingency).

8. 5B-1 Reservoir Rehabilitation

Recommended Action: The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to 1) authorize Change Order No. 3 to DenBoer Engineering and Construction for the rehabilitation of the 2nd half of 5B-1 Reservoir in the amount of \$208,696.49 for additional work increasing the contract amount to \$899,213.91; and 2) authorize an increase in contract amount to RMS Engineering for structural analysis and design for column repair to \$23,970.

9. GRF Plant Expansion – 2nd Well and Transmission

Recommended Action: Information Item

10. Water Distribution System Repairs Summary

Recommended Action: Information Item

11. Sewer Rehabilitation Program Summery

Recommended Action: Information Item

12. Sewer Maintenance Program

Recommended Action: Information Item

G. NEW BUSINESS

- 13. Ordinance No. 208 entitled, “An Ordinance of the Board of Directors of South Coast Water District Reestablishing Rates, Fees and Charges applicable to Customers for Water Services and Facilities and Sanitary Sewer Collection, Treatment and Disposal Services and Facilities, Continuing Water and Sewer Standby Charges, Reestablishing Certain Miscellaneous and Delinquent Charges, Conditions of Service and District Annexation Fees, for the Period Commencing July 1, 2009 and thereafter until Repealed, and Repealing Certain Ordinances Inconsistent Herewith”**

(Public Hearing at 6:00 pm or as soon as possible thereafter)

Staff Report re: District Rates 2009-2013 and thereafter until repealed
 Open Public Hearing
 Public Comments
 Close Public Hearing
 Board Discussion

Recommended Action: That the Board of Directors approve Ordinance No. 208 entitled, “An Ordinance of the Board of Directors of South Coast Water District Reestablishing Rates, Fees and Charges applicable to Customers for Water Services and Facilities and Sanitary Sewer Collection, Treatment and Disposal Services and Facilities, Continuing Water and Sewer Standby Charges, Reestablishing Certain Miscellaneous and Delinquent Charges, Conditions of Service and District Annexation Fees, for the Period Commencing July 1, 2009 and thereafter until Repealed, and Repealing Certain Ordinances Inconsistent Herewith”

- 14. Ordinance No. 209 entitled, “An Ordinance of the Board of Directors of South Coast Water District Continuing the Methods for the Collection of Rates, Fees and Charges for Water Services and Facilities and Sanitary Sewer Services and Facilities for the Period Commencing July 1, 2009 and thereafter until Repealed, and Repealing Certain Ordinances Inconsistent Herewith”**

(Public Hearing at 6:00 pm or as soon as possible thereafter)

Staff Report re: Method of Collection of Rates via Property Tax Roll
 Open Public Hearing
 Public Comments
 Close Public Hearing
 Board Discussion

Recommended Action: That the Board of Directors approve Ordinance No. 209 entitled, “An Ordinance of the Board of Directors of South Coast Water District Continuing the Methods for the Collection of Rates, Fees and Charges for Water Services and Facilities and Sanitary Sewer Services and Facilities for the Period Commencing July 1, 2009 and thereafter until Repealed, and Repealing Certain Ordinances Inconsistent Herewith”

15. **Resolution No. 8-08/09 entitled, “A Resolution of the Board of Directors of South Coast Water District Declaring a Level 1 Water Supply Shortage, Known as a Water Supply Alert, Requiring Public Compliance with Additional Mandatory Conservation Practices, as outlined in Conservation Ordinance 206 adopted April 23, 2009”**

Staff Report re: Level 1 Water Supply Shortage
Questions of Staff
Public Comments
Director Discussion

Recommended Action: That the Board of Directors approve Resolution No. 8-08/09, entitled, “A Resolution of the Board of Directors of South Coast Water District Declaring a Level 1 Water Supply Shortage, Known as a Water Supply Alert, Requiring Public Compliance with Additional Mandatory Conservation Practices, as outlined in Conservation Ordinance 206 adopted April 23, 2009”

16. **Implementation Plan for Water Conservation & Water Supply Shortage**

Staff Report re: Permanent and Level 1 Conservation Measures
Questions of Staff
Public Comments
Director Discussion

Recommended Action: That the Board of Directors receive and file the Implementation Plan for Water Conservation & Water Supply Shortage

17. **Resolution No. 11-08/09 entitled, “A Resolution of the Board of Directors of South Coast Water District Approving a Report on Water Account Delinquencies for the Period Ending May 1, 2009 and Directing the County Auditor to add such Charges to the 2009/2010 Secured Tax Roll”**

(Public Hearing at 6:00 pm or as soon as possible thereafter)

Staff Report re: Resolution No. 11-08/09
Open Public Hearing
Public Comments
Close Public Hearing
Board Discussion

Recommended Action: That the Board of Directors approve Resolution No. 11-08/09 entitled, “A Resolution of the Board of Directors of South Coast Water District Approving a Report on Water Account Delinquencies for the Period Ending May 1, 2009 and Directing the County Auditor to add such Charges to the 2009/2010 Secured Tax Roll”

18. **Resolution No. 12-08/09 entitled, “A Resolution of the Board of Directors of South Coast Water District Continuing Water Standby Charges upon all Undeveloped Land within the District for Fiscal Year 2009/2010; Approving a Report on Water Standby Charges and Directing the County Auditor to add such Standby Charges to the 2009/2010 Secured Tax Roll, and Repealing Resolution No. 8-07/08”**

Resolution No. 13-08/09 entitled, “A Resolution of the Board of Directors of South Coast Water District Continuing Sewer Standby Charges upon all Undeveloped Land within the District for Fiscal Year 2009/2010; Approving a Report on Sewer Standby Charges and Directing the County Auditor to add such Standby Charges to the 2009/2010 Secured Tax Roll; and Repealing Resolution No. 9-07/08”

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

Staff Report re: Water/Sewer Standby Charges
Open Public Hearing on Water and Sewer Standby Charges
Public Comments
Close Public Hearing
Board Discussion

Recommended Action: That the Board of Directors approve Resolution No. 12-08/09 entitled, "A Resolution of the Board of Directors of South Coast Water District Continuing Water Standby Charges upon all Undeveloped Land within the District for Fiscal Year 2009/2010; Approving a Report on Water Standby Charges and Directing the County Auditor to add such Standby Charges to the 2009/2010 Secured Tax Roll; and Repealing Resolution No. 8-07/08"

Recommended Action: That the Board of Directors approve Resolution No. 13-08/09 entitled, "A Resolution of the Board of Directors of South Coast Water District Continuing Sewer Standby Charges upon all Undeveloped Land within the District for Fiscal Year 2009/2010; Approving a Report on Sewer Standby Charges and Directing the County Auditor to add such Standby Charges to the 2009/2010 Secured Tax Roll; and Repealing Resolution No. 9-07/08"

19. **Resolution No. 14-08/09 entitled, "A Resolution of the Board of Directors of South Coast Water District Approving a Report on Water and Sewer Service Fees; as Adopted by Ordinance No. 208, and Directing the County Auditor to add such Water and Sewer Service Fees to the 2009/2010 Secured Tax Roll Pursuant to District Ordinance No. 209"**

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

Staff Report re: Report on Water and Sewer Service Fees
Open Public Hearing
Public Comments
Close Public Hearing
Board Discussion

Recommended Action: That the Board of Directors approve Resolution No. 14-08/09 entitled, "A Resolution of the Board of Directors of South Coast Water District Approving a Report on Water and Sewer Service Fees; as Adopted by Ordinance No. 208; and Directing the County Auditor to add such Water and Sewer Service Fees to the 2009/2010 Secured Tax Roll Pursuant to District Ordinance No. 209"

20. **Resolution No. 15-08/09 entitled, "A Resolution of the Board of Directors of South Coast Water District, Endorsing Susan Hinman as a Member of the Association of California Water Agencies (ACWA) Region 10 Chair"**

Staff Report re: Endorsement for Susan Hinman, ACWA Region 10 Chair
Questions of Staff
Public Comments
Director Discussion

Recommended Action: That the Board of Directors approve Resolution No. 15-08/09 entitled, "A Resolution of the Board of Directors of the South Coast Water District Endorsing Susan Hinman for the Association of California Water Agencies (ACWA) Region 10 Board Chair"

H. 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.

I. CONSIDERATION OF MEETING REQUESTS THAT ARE OUTSIDE OF DISTRICT ORDINANCE 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.

J. 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

K. 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

L. 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

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.