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

**S P E C I A L M E E T I N G**

**N O V E M B E R 1 9 , 2 0 0 9**



**A G E N D A**

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

**Thursday, November 19, 2009**  
**4:30 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 24 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 24 HOURS PRIOR TO THE MEETING DATE.

**A. CLOSED SESSION (4:30 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 §54956.8 regarding negotiation of price and terms for District use of property, meeting with District negotiators, Michael Dunbar and District Counsel Betty Burnett, and §54956.9(c), regarding decision to initiate litigation.

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

- (1) Consideration of action, if any, on matters considered in closed session
- (2) 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. PRESENTATION OF SERVICE AWARDS**

- Dave Chacon, 30 years of service
- Regina Barnes, 20 years of service
- Larry Fregin, 20 years of service
- Kathleen Kane, 20 years of service

**F. 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).

**G. 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 (Item 1- 22)**

**1. Approval of Board Minutes**

- a. Special Board Meeting of September 17, 2009
- b. Regular Board Meeting of September 24, 2009
- c. Regular Board Meeting of October 8, 2009
- d. Special Board Meeting of October 20, 2009
- e. Regular Board Meeting of October 22, 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. *Groundwater Recovery Facility Monthly Production Report – September 2009 Production***

**Recommended Action:** Information Item.

**4. *Computerized Maintenance Management System Monthly Status Report - September 2009***

**Recommended Action:** Information Item.

**5. *Sewer Tunnel Stabilization & Sewer Pipeline Replacement Project***

**Recommended Action:** Information Item.

**6. *Sewer Lining – Laguna Sur At Le Conte & Rico Road – Award Contract Change Order No. 2 in the amount of \$7,818 to GCI Construction, Inc. – Filing of Notice of Completion***

**Recommended Action:** The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to: a) Award Contract Change Order No. 2 to GCI Construction, Inc. in the amount of \$7,818 for additional scope of work tasks performed in completing the Laguna Sur Sanitary Easement Sewer Slip-Lining Repairs Project; and b) Authorize the filing of the Notice of Completion for the Laguna Sur Sanitary Easement Sewer Slip-Lining Repairs Project.

**7. *JTM Cathodic Protection Improvements – Award Construction Contract to Corpro Companies / Farwest Corrosion Control Company in the amount of \$149,950***

**Recommended Action:** The Engineering and Operations Committee recommends that the Board of Directors authorize the General Manager to: a) Enter into negotiations with Farwest Corrosion Control Company to award a contract in an amount not to exceed \$149,450 to provide construction services on the Cathodic Protection Improvement Project; and b) Issue change orders up to the amount of \$15,000 (10% contingency), if required.

**8. *Camino De Los Mares Valve Replacements – Award Construction Contract to GCI Construction, Inc. in the amount of \$97,900***

**Recommended Action:** The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to: a) Transfer Funds in the amount of \$30,000 to the account for Camino De Los Mares Valve Replacement Project (1120-1764); b) Enter into negotiations with GCI Construction, Inc. to award a contract in an amount not to exceed \$97,900 to provide construction on the Camino De Los Mares Valve Replacement Project; and c) Issue change orders up to \$9,800 (10% contingency) if required.

**9. *Recurring Sewer Tunnel Repairs – Award Construction Contract to Sancon Engineering, Inc. to Complete Necessary Repairs to the Tunnel On An Emergency Basis in the amount of \$62,000***

**Recommended Action:** The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to: a) Enter into negotiations with Sancon Engineering, Inc. to award a time and-materials contract in an amount not to exceed \$62,000 to provide construction services necessary to complete the Recurring Sewer Tunnel Inspection Repairs; and b) Issue change orders up to the amount of \$9,300 (15% contingency), if required.

- 10. South Laguna Beach Valve Replacement Project – Request Fund Transfer of \$154,000 from 5B-1 Reservoir Rehabilitation (1120-1026) – Award Construction Contract to D.M. Kisling Construction in the amount of \$113,855**

**Recommended Action:** The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to: a) Transfer funds in the amount of \$154,000 from the 5B-1 Reservoir Rehabilitation Project (1120-1026) to the account for South Laguna Beach Valve Replacement Project (1120-1656); b) Enter into negotiations with D.M. Kisling Construction to award a contract in an amount not to exceed \$113,855 to provide construction on the South Laguna Beach Valve Replacement Project; and c) Issue change orders up to \$11,400 (10% contingency) if required.

- 11. GRF Plant Expansion – 2<sup>nd</sup> Well – Award Consultant Services Agreement to Geosciences Services, Inc. in the amount of \$230,199 – Approve \$100,236 from GRF Plant Expansion – 2<sup>nd</sup> Well budget from FY2010 to FY2009 in Account 1120-1700**

**Recommended Action:** The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to: a) Enter into negotiations with Geosciences Services, Inc. for the geotechnical and drilling services in an amount not to exceed \$230,199; and b) Approve \$100,236 from the GRF Plant Expansion – 2<sup>nd</sup> Well budget item for FY2010 to be moved forward to FY2009 on account number 1120-1700 for a total of \$150,236.

- 12. Water Supply Allocation**

**Recommended Action:** Information Item.

- 13. Sewer Maintenance Program**

**Recommended Action:** Information Item.

- 14. Sewer Rehabilitation Program Summary**

**Recommended Action:** Information Item.

- 15. Water Distribution Systems Repair Summary**

**Recommended Action:** Information Item.

- 16. JRWSS – JTM Unit 3 Reach 5 – Relocation at Crown Valley Parkway**

**Recommended Action:** The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to: a) Award a construction contract for the JTM Relocation at Crown Valley and Alicia Parkway to Leatherwood Construction, Inc. in an amount not-to-exceed \$844,570; b) Award a consulting services agreement for the Construction Management of the JTM Relocation at Crown Valley and Alicia Parkway to RBF Consulting in an amount not-to-exceed \$123,684; c) Approve change orders during construction, if necessary, up to the amount of \$115,000 for the JTM Relocation at Crown Valley and Alicia Parkway (approximately 10% of the total for each construction project); and d) Award a consulting services agreement for the soil inspection and compaction testing in an amount not-to-exceed \$15,000.

- 17. District Underwriter Services**

**Recommended Action:** The Administration & Finance Committee recommends that the Board of Directors approve Wedbush Morgan as the Senior Book Running Manager

and Stone and Youngberg as Co-Manager for the District's proposed upcoming bond issuance

**18. Schedule of Checks and Expenditures**

- a. Expenditures for SCWD for the period of 9/1/09 through 9/30/09 and 10/1/09 through 10/31/09  
General Funds and Restricted Funds

**Recommended Action:** The Administration & Finance Committee recommends that the Board of Directors ratify all payments made for expenditures authorized by the approved South Coast Water District budget for FY 2009/10 as presented in the Schedule of Checks and Expenditures for the period of September 1, 2009 through September 30, 2009 and October 1, 2009 through October 31, 2009.

- b. Expenditures for JRWSS for the period of 9/1/09 through 9/30/09 and 10/1/09 through 10/31/09  
JRWSS Contracts Operations

**Recommended Action:** The Administration & Finance 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 2009/10 as presented in the Schedule of Checks and Expenditures for the period of September 1, 2009 through September 30, 2009 and October 1, 2009 through October 31, 2009.

**19. Quarterly Investment Report**

**Recommended Action:** The Administration & Finance Committee recommends that the Board of Directors accept and file the attached Investment Report.

**20. Capital Project Budget Update**

**Recommended Action:** The Administration & Finance Committee recommends that the Board of Directors accept and file the attached Budget Update.

**21. Quarterly Financial Statement**

**Recommended Action:** The Administration & Finance Committee recommends that the Board of Directors accept and file the attached Quarterly Financial Statement.

**22. Ticket and Pass Distribution Policy**

**Recommended Action:** The Administration & Finance Committee recommends that the Board of Directors approve Resolution No. 5-09/10 entitled, "A Resolution of the Board of Directors of South Coast Water District Adopting a Policy Governing the Purchase, Receipt and Distribution of Certain Tickets and Passes in Accordance with Title 2 California Code of Regulations Section 18944.1 ("FPPC Regulation")."

**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 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.

## 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. 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.