
BOARD OF DIRECTORS

REGULAR MEETING

MARCH 24, 2011



AGENDA

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

Thursday, March 24, 2011
6:00 p.m.

Closed Session at 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 24 HOURS PRIOR TO THE MEETING DATE.

A. 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

(a) Pursuant to Government Code Section 54956.9, confer with District Counsel and outside Counsel on 1 matter of existing litigation: South Coast Water District vs. San Diego Regional Water Quality Control Board, Case No. OC-30-2010-00364016, Petition for Writ of Mandate

(b) Pursuant to Government Code Section 54956.9, confer with District Counsel and outside Counsel on 1 matter of existing litigation: Petition of South Coast Water District Failure to Act on Modify Permit, San Diego Water Board, Case No. SWRCB/OCC File A-2072

(c) Pursuant to Government Code Section 54956.9, confer with District Counsel regarding existing litigation: South Coast Water District vs. Sea Bright Cove

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

Pursuant to Government Code Section §54957.1(1)(B), the Board Secretary has compiled a list of parties reaching agreement with the District for the District’s acquisition of easements related to the Tunnel Stabilization & Sewer Pipeline Replacement Project, the offered price for same having been approved by action of the Board on December 10, 2010. See Tab I for list of parties and payments for said easements. The final agreement and easements are on file at the District office and are public records available on request.

C. PLEDGE OF ALLEGIANCE Director Moore

D. ROLL CALL OF BOARD MEMBERS

- President Wayne Rayfield
- Vice President Ingrid McGuire
- Director Richard Gardner
- Director Bob Moore
- Director Richard Runge

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 (Item 1 - 16)

1. Approval of Board Minutes

- a. Regular Board Meeting of February 10, 2011

- b. Special Board Meeting of February 23, 2011
- c. Special Board Meeting of March 3, 2011

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

2. *Consideration of Meeting Requests that are Outside of District Ordinance No. 205*

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. Directors must file their request with the Board Secretary the Wednesday before the Regular Meeting for inclusion on the Board agenda; if said request is not received then the requesting Director may pull item for consideration at the meeting.

3. *Schedule of Checks and Expenditures*

a. Expenditures for SCWD for the period of 1/1/11 through 1/31/11 General Funds and Restricted Funds

b. Expenditures for JRWSS for the period of 1/1/11 through 1/31/11 General Funds and Restricted Funds

4. *Groundwater Recovery Facility Monthly Report – January 2011 Production*

Recommended Action: Information Item

5. *Computerized Maintenance Management System Monthly Report – February 2011*

Recommended Action: Information Item

6. *Tunnel Stabilization & Sewer Pipeline Replacement Project Update*

Recommended Action: Information Item

7. *Engineering Monthly Project Status Report – February 2011*

Recommended Action: Information Item

8. *Vista Del Sol Water Main Extension – Reservoir and Booster Station*

Recommended Action: Information Item

9. *JRWSS JTM Reach 7 and Via Canon Water Main Relocations*

Recommended Action: The Engineering & Operations Committee recommends to the Board of Directors to authorize the General Manager to authorize the filing of the Notice of Completion for the construction of the JTM Relocation at Via Cañon and Camino Capistrano to Vido Artukovich & Sons, Inc. / Vidmar, Inc. Joint Venture.

10. *Water Supply Allocation – Monthly Report*

Recommended Action: Information Item

11. *San Juan Basin Authority – Status Report*

Recommended Action: Information Item

12. *4A Reservoir Facility – Coating, Tank and Site Improvements*

Recommended Action: The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to award Contract Amendment No.2 to the Consulting Services Agreement with Psomas, in the amount of \$19,037, for the preparation of the revised contract documents.

13. Water Distribution System Repairs Summary

Recommended Action: Information Item

14. Sewer Rehabilitation Program Summary

Recommended Action: Information Item

15. Sewer Cleaning/Maintenance Progress Report

Recommended Action: Information Item

- 16. 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)

G. NEW BUSINESS**17. Communications Update**

Staff Report – Linda Homscheid
Questions of Staff
Public Comments
Director Discussion

Recommended Action: Information Item

18. Poche Beach Runoff Treatment Facility – Annual (FY 2011-12) Operation and Maintenance Agreement

Staff Report - Joe McDivitt
Committee Questions
Public Comments
Committee Discussion

Recommended Action: The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to enter into an annual agreement with the County of Orange to operate and maintain the Poche Beach Clean Beach Treatment Plant Project on a time-and-materials basis for a twelve-month period, for an amount not to exceed \$120,000 renewable thereafter by mutual agreement.

19. Suggestions for Comparator Agencies for the Organizational Assessment

Staff Report – Mike Dunbar
Questions of Staff
Public Comments
Director Discussion

Recommended Action: That the Board of Directors identify approximately 4 - 6 suggested comparator agencies.

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. 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/AGENCY REPORTS; DIRECTORS, GENERAL MANAGER

There will be a time limit of three (3) minutes per person for general comments and five (5) minutes per person for agency reports. 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 and the Directors may present oral reports on meetings they attended in the past month with affiliated agencies and organizations. These reports are for information only and no action is required or permissible by the Directors.

Director Richard Gardner
Director Bob Moore
Director Richard Runge
General Manager Michael Dunbar
Vice President Ingrid McGuire
President Wayne Rayfield

K. 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. 3160 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.