
BOARD OF DIRECTORS

REGULAR MEETING

APRIL 14, 2011



AGENDA

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

Thursday, April 14, 2011
6:00 p.m.

(Closed Session at 5:30)

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 (5:30 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 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

C. PLEDGE OF ALLEGIANCE Director Runge**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 - 7)**1. Approval of Board Minutes**

- a. Special Board Meeting of March 21, 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 2/1/11 through 2/28/11 General Funds and Restricted Funds

- b. Expenditures for JRWSS for the period of 2/1/11 through 2/28/11 General Funds and Restricted Funds

4. **Ordinance No. 211 titled “An Ordinance of the Board of Directors of South Coast Water District amending Ordinance 206, an Ordinance of the Board of Directors of South Coast Water District establishing a Water Conservation & Water Supply Shortage Program for Users of Potable Water Provided by the District and Revising Mandatory Level I Water Conservation Measure, § VII, 3. a. 2., to allow for a Three (3) Day per Week Watering Limit Year Round”.**

Recommended Action: The Administration & Finance Committee recommends that the Board of Directors approve Ordinance 211 titled “An Ordinance of the Board of Directors of South Coast Water District amending Ordinance 206, an Ordinance of the Board of Directors of South Coast Water District establishing a Water Conservation & Water Supply Shortage Program for Users of Potable Water Provided by the District and Revising Mandatory Level I Water Conservation Measure, § VII, 3. a. 2., to allow for a Three (3) Day per Week Watering Limit Year Round”.

5. **Emergency Water Main Relocation**

Recommended Action: The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to:

- a) Award a construction contract for the Emergency Water Pipeline Relocation to Paulus Engineering, Inc. in an amount not-to-exceed \$552,000; and
- b) Award a consulting services agreement for the Construction Management/Inspection of the Emergency Water Pipeline Relocation to Infrastructure Engineering Corporation in an amount not-to-exceed \$160,000; and
- c) Approve change orders during construction, if necessary, up to the amount of \$80,000 for the Emergency Water Pipeline Relocation (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 \$25,000.

6. **Silver Lantern Sewer Replacement Project**

Recommended Action: The Engineering & Operations Committee recommends that the Board of Directors authorize the General Manager to:

- a) Award a construction contract to Mike Prlich & Sons, Inc. in the amount of \$23,945 for construction services on the Silver Lantern Sewer Replacement Project; and
- b) Issue change orders up to \$2,400 (10% contingency), if required.

7. **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**8. Water Service Capacity Charges**

Staff Report – Carolyn, Director of Finance
Questions of Staff
Public Comments
Director Discussion

Recommended Action: That the Board of Directors authorize District staff to begin the 218 process, notifying the District's service area of the proposed rate increase for fiscal years 2011-12 and 2012-13, and to set up the Community Forums to present the proposed rate increases to the public.

9. Rate Model Update

Staff Report – Carolyn Rynda, Director of Finance
Questions of Staff
Public Comments
Director Discussion

Recommended Action: That the Board of Directors authorize District staff to begin the 218 process, notifying the District's service area of the proposed rate increases for fiscal years 2011-12 and 2012-13, and to set up the Community Forums to present the proposed rate increases to the public.

10. 5 Year Financial Plan

Staff Report – Carolyn Rynda, Director of Finance
Questions of Staff
Public Comments
Director Discussion

Recommended Action: That the Board of Directors provide input and direction to staff on the 5 Year Financial Plan.

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.