

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS
WEST BASIN MUNICIPAL WATER DISTRICT
JULY 28, 2008

A regular meeting of the Board of Directors of West Basin Municipal Water District was held on Monday, July 28, 2008 at 1:00 p.m. at 17140 S. Avalon Blvd., Suite 210, Carson, CA 90746.

President Dear called the meeting to order at 1:10 p.m. and presided thereover.

1. DETERMINATION OF QUORUM. The following Directors were present: Dear, Little, Smith, Gray, and Kwan. Also present was General Manager Nagel and District Counsel O'Neill.

PLEDGE OF ALLEGIANCE. Mary Bueno, former School Board member, led the pledge.

2. PUBLIC COMMENT AND PRESENTATIONS. (Members of the public are invited to present comments to the board on matters within the District's jurisdiction but not on the agenda. The public may present comments on agenda items when the matter is called.)

HET CHECK PRESENTATIONS

Director Gray presented High Efficiency Toilet (HET) checks to the following four (4) groups:

- U.S. Vets – Mr. Maurice Kane and Mr. Dwight Radcliff - \$3,786
- Parents for Unity – Gabriel Medel and Mary Bueno - \$1,496
- North Inglewood Little League – Alfredo Gonzalez - \$1,232.
- Sportsman Little League – Councilman Danny Tabor, Sportsman Little League - \$3,521

WEST BASIN INTERN – LEON BRYANT

Education Coordinator Darryl Ramos Young presented Carson High School student Leon Bryant, who is joining the Public Affairs department. Mr. Bryant spoke briefly about his experience and what he's done at the office in the past week.

TERRY SPRAGG

Mr. Spragg requested to have an item put on the next Water Resources Committee.

3. ITEMS TOO LATE TO BE AGENDIZED (Determine the need to discuss and/or take action on item(s) introduced that came to the attention of the District subsequent to the posting of the agenda.) None.

4. METROPOLITAN WATER DISTRICT ACTIVITIES UPDATE

Staff gave a brief update on the 5-Year Supply Action Plan and Ocean-Water Desalination.

Director Dear introduced members of the public who had arrived at the meeting, Gardena activists, Ethel Barnes, Debra Reed and her son, Devon Mitchell.

5. AB 1234 REPORTING COMPLIANCE. Members of the legislative body shall provide brief reports (written or oral) on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

Director Dear reported that he attended the Independent Cities Association (ICA) Conference on July 10-13 in Rancho Bernardo. He stated that addressing concerns at the key seminar, "Cleaner Air & Saving Water: Is it Possible?" was West Basin's Conservation Program Manager, Gus Meza. Along with Barbara Calhoun speaking on "Helping the Homeless". He further stated that a topic on the agenda was "Models of Green Government" and he expressed his desire to make the West Basin headquarters building a "green" building. He also saw the County Executive Officer, Bill Fujioka, who spoke on the State of the County. Director Dear also stated he attended a press conference at the Bixby Marshlands in Carson. Director Kwan reported that she also attended the ICA Conference on July 10 – 13 in Rancho Bernardo.

CONSENT CALENDAR

6. **APPROVAL OF MINUTES – JUNE 5, 2008 (MET DIRECTORS); JUNE 23, 2008 (REGULAR)**

7. **FINANCIAL REPORT**

A. Demands Demand Numbers 1235, 1236, and 32678 through 33024 for a total in the amount of \$8,726,041.43 including wire transfers to MWD, Union Bank of California, and Citibank New York.

B. Cash & Investment

C. Water Sales Statements

D. Recycled Water Revenue & Expense Summary

8. **RECYCLED WATER CUSTOMER DEVELOPMENT PROJECT UPDATE**

ACTION: Upon a motion duly made by Director Dear and seconded by Director Gray, the Board approved the Consent Calendar, excluding the minutes from June 23, 2008.

ACTION CALENDAR

9. **UNITED WATER SERVICES AGREEMENT**

RECOMMENDATION: That the Board authorizes the General Manager to:

1. Issue a "Request for Proposals" for contract operations of West Basin's recycled water treatment facilities and Hyperion Secondary Effluent Pump Station.
2. Amend the agreement with the Eisenhardt Group for an additional \$92,100 plus a 10% contingency for a total amount not-to-exceed \$101,310. The total value of the amended agreement will be \$151,310.

ACTION: Upon a motion duly made by Director Smith and seconded by Director Kwan, the Board unanimously approved a six (6) month extension through July 31, 2009 and requested monthly briefings at the Board meetings.

10. APPROVAL OF CONSULTANT SERVICES

RECOMMENDATION: That the Board authorizes the General Manager to enter into two (2) agreements for on-call services, each in the amount not-to-exceed \$75,000 for RMC Water and Environment and CH2M Hill.

11. STUDY TO EXPAND RECYCLED WATER TO bp

RECOMMENDATION: That the Board authorizes the General Manager to:

1. Execute an agreement with bp to study the expansion of recycled water to the refinery.
2. Execute the Memorandum of Understanding (MOU) with WRD to equally share the cost of the study to expand the use of recycled water to the refinery.

12. 2008 WATER HARVEST EVENT PLANNING CONSULTANT

RECOMMENDATION: That the General Manager enter into a professional services agreement with Haute Life for event planning services for the 2008 Water Harvest for an amount not-to-exceed \$35,000, plus 10% contingency, for a total not-to-exceed \$38,500.

President Dear requested a motion to approve Action Items 10, 11, and 12.

ACTION: Upon a motion duly made by Director Kwan and seconded by Director Little, the Board approved Action Items 10, 11, and 12 as recommended.

13. EVENT SPONSORSHIPS

RECOMMENDATION:

1. That the Board considers approving the proposed list of sponsorships and amends the Fiscal Year 2008-09 Budget and directs staff to work with organizations to determine how West Basin would be recognized for sponsoring each event.
2. Refer sponsored events to the Ethics Committee for compliance with Public Awareness Guidelines.

ACTION: Upon a motion duly made by Director Smith and seconded by Director Kwan, the Board approved sponsorships as listed in Exhibit A, excluding Item #9 and directed staff to amend the Fiscal Year 2008-09 Budget in the amount of \$10,050.

District Counsel will draft a letter to address public awareness guidelines in recommendation #2.

14. DIRECTOR ATTENDANCE WATER ENVIRONMENTAL FEDERATION CONFERENCE (WEF) OCTOBER 18-22, 2008

RECOMMENDATION: That the Board considers Director attendance at the WEF 81st Annual Conference on October 18 – 22, 2008 in Chicago, IL.

ACTION: Upon a motion duly made by Director Gray and seconded by Director Smith, the Board approved Director attendance at the WEF October 18 – 22 Conference by the following voice vote:

| | |
|--------|-----|
| Smith | Aye |
| Gray | Aye |
| Kwan | Aye |
| Little | No |
| Dear | Aye |

The Board did not approve adding WEF Conferences to the list of approved meeting.

15. CITY OF EL SEGUNDO LETTER OF SUPPORT FOR MWD COMMUNITY PARTNERING PROGRAM APPLICATION

RECOMMENDATION: That the Board considers approving a letter of Support for the City of El Segundo's application for funds from the MWD Community Partnering Program.

ACTION: Upon a motion duly made by Director Little and seconded by Director Gray, the Board approved staff recommendation.

16. LEGISLATIVE UPDATE – ORAL REPORT

Staff presented an update on Assembly Bill AB 885 and requested that the Board consider amending its position to "Watch".

ACTION: Upon a motion duly made by Director Little and seconded by Director Kwan, the Board approved amending its position on AB 885 to a "Watch" position.

16.1 CALAFCO 2008 ANNUAL CONFERENCE SPONSORSHIP – ORAL REPORT REQUESTED BY DIRECTOR DEAR

RECOMMENDATION: That the Board approves sponsorship of CALAFCO's 2008 Annual Conference.

ACTION: Upon a motion duly made by Director Smith and seconded by Director Gray, the Board approved Director Dear's request for a \$2,000 sponsorship for the CALAFCO Conference and directed staff to amend the Fiscal Year 2008-09 Budget.

INFORMATION ITEMS FOR DISCUSSION

President Dear ordered Information Items 17, 18, 19, 20, 21, and 22 received and filed without objection.

Staff provided brief updates on Information Items 23 through 26; these Items were received and filed.

COMMENTS

27. GENERAL MANAGER'S REPORT ON DISTRICT ACTIVITIES. General Manager Nagel reported the following upcoming events:

| Date | Time | Event |
|---------|------------|---|
| 8/4 | 11:30 a.m. | Briefing for the L.A. Bureau of Sanitation at the Treatment Plant |
| 8/4 | 1:00 p.m. | Tour at Treatment Plant with State Senate nominee Rod Wright |
| 8/6 | 12:00 p.m. | Conservation Model Ordinance Workshop – WB Carson office |
| 8/8 | 12:00 p.m. | Joint Lunch at WRD |
| 8/13 | 5:30 p.m. | Joint BBQ at the Treatment Plant |
| 8/13-15 | | Urban Water Institute Conference in San Diego |

He also reported that he would be out of the office on August 25 and Assistant General Manager Paul Shoenberger will be in charge of day-to-day activities and conducting the August Board meeting.

28. GENERAL COUNSEL'S REPORT. There was no report.

29. DIRECTOR'S COMMENTS.

Director Dear stated he attended a meeting at Carson City Hall where they spoke about bomb threats and he asked if West Basin had any protocol to handle this type of situation.

Director Gray stated she attended two (2) Block Club meetings and thanked staff for providing bags and information, she also stated that Councilman Curren Price was in attendance and agreed to sign a letter of support for water reliability 2020.

Director Little thanked everyone for the teddy bear and all the goodies West Basin sent him while he was in the hospital.

President Dear recessed to Closed Session at 3:40 p.m.

CLOSED SESSION

30. PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a) PENDING LITIGATION – 1 ITEM – RAYMOND BOWEN and RICHARD STERLING vs. COUNTY OF LOS ANGELES – CASE NO. 08C01829; 54956.9 (b) and (c) POTENTIAL LITIGATION – 3 ITEMS; 54956.8 – REAL PROPERTY NEGOTIATIONS – 2 ITEMS - NRG EL SEGUNDO OPERATIONS, INC., 301 VISTA DEL MAR, EL SEGUNDO, CA 90245 AND 21029 E. WILMINGTON AVE., CARSON, CA 90745 – DISTRICT NEGOTIATOR RICH NAGEL; AND 54957 1 ITEM – GENERAL MANAGER'S PERFORMANCE EVALUATION.

President Dear reconvened the meeting at 4:05 p.m.

District Counsel reported that the Board met in Closed Session regarding a claim filed by LA County against the District regarding Bowen vs. LA County and that the Board voted unanimously to deny the claim. He further reported the Board instructed him to prepare an amicus curiae brief in LA Unified School District vs. Great American Insurance Co.

ADJOURNMENT. There being no further business to come before the Board, President Dear adjourned the meeting at 4:05 p.m.

President

ATTEST:

Secretary

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