

# LAGUNA BEACH COUNTY WATER DISTRICT

## COMMISSIONERS:

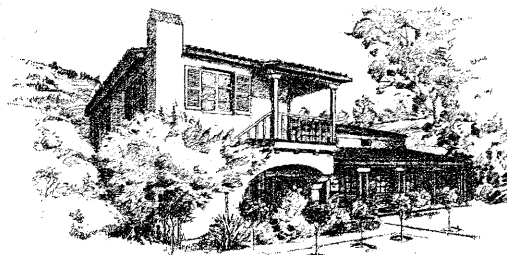
BRUCE R. SCHERER, Chair  
SUSAN M. TRAGER, Vice Chair  
MARVIN C. JOHNSON  
MARK B. LEWIS  
DEBORAH K. NEEV

## GENERAL MANAGER:

RENAE M. HINCHEY

## MANAGEMENT:

CHRISTOPHER J. REGAN, Assistant General Manager  
RICHARD B. MATHIS, Manager of Operations  
ROBERT L. WESTPHAL, Manager of Finance



INCORPORATED 1925

## LEGAL COUNSEL:

PAULA E. MEYER, ESQ.

## AGENDA

### Regular Meeting of the Commission 4:30 P.M., Tuesday, February 9, 2010

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*At the discretion of the Commission, all items appearing on the agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the Commission.*

#### CALL TO ORDER

#### ROLL CALL

#### 1. PUBLIC COMMENTS

*Speakers should step up to the table and address the Commission. Please state your name and address, speaking clearly. Please limit your comments to three minutes.*

#### 2. CONSENT CALENDAR

*All matters under the Consent Calendar will be approved by one motion unless a separate action is requested by a Commission member, staff or a member of the public, at which time it will be moved to the first item in the Matters for Consideration.*

- 2.1 Approval of Warrants
- 2.2 Approval of Statistical Report – December 2009
- 2.3 Approval of Financial Report – December 2009
- 2.4 Approval of Investments Report – December 2009
- 2.5 Approval of Capital Projects Report as of December 31, 2009
- 2.6 Approval of the Minutes of the Commission Meeting on January 12, 2010

#### 3. ITEMS TO BE ADDED TO THE AGENDA

*(If any) In accordance with Section 54954.2 of the Government Code, an item may be added to the agenda upon determination by a two-thirds vote of the members of the Commission present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action, and that the need for action came to the attention of the Laguna Beach County Water District subsequent to the agenda being posted.*

#### 4. MATTERS FOR CONSIDERATION

*The following matters for consideration call for discussion and action by the Commission.*

- 4.1 Consider Approval of License Agreement with South Orange County Amateur Radio Association (SOARA)

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- 4.2 Consider Attendance to California/Nevada American Water Works Association Spring Conference
- 4.3 Consider Contribution for the First Phase of the RSG Proposal for an Independent Review of the South County White Paper and Preparation of a Service Plan

**5. REPORTS**

*The following agenda items are reports. They are placed on the agenda to provide information to the Commission and the public. There is no action called for in these items.*

- 5.1 Manager of Finance's Report
- 5.2 Manager of Operation's Report
  - a. Operations Report for December 2009
  - b. Laguna Canyon Blended Water Recycle Planning/Feasibility Study Update
- 5.3 Assistant General Manager's Report
  - a. Water Use Efficiency Report
- 5.4 General Manager's Report
- 5.5 Commissioners' Report
- 5.6 General Counsel's Report

**6. DISCUSSION OF PENDING MATTERS**

*The following agenda items are placed on the agenda for discussion only. There is no action called for in these items.*

**7. CLOSED SESSION**

- 7.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(b)  
Claimant: Albert Chammas, 425 Dartmoor Street, Laguna Beach  
Agency Claimed Against: Laguna Beach County Water District
- 7.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(b)  
Claimant: Loyette Haffey, 595 Windsor Place, Laguna Beach  
Agency Claimed Against: Laguna Beach County Water District

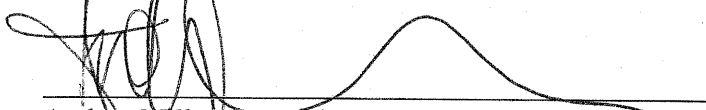
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- 7.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(b)  
Claimant: Name Redacted Per Claimant's Request  
Agency Claimed Against: Laguna Beach County Water District
- 7.4 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(b)  
Claimant: Mohammad Towhidian, 437 Panorama Drive, Laguna Beach  
Agency Claimed Against: Laguna Beach County Water District
- 7.5 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(a)  
Case Name Unspecified as Case as Case Filed Under Seal per Order of the U.S.  
District Court for the Central District of California
- 7.6 CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Pursuant to Government Code Section 54956.8  
Property: Groundwater Rights in the Santa Ana River Basin  
District negotiator: General Manager  
Negotiating Parties: District and public agency participants in Santa Ana River Basin  
Under negotiation: Terms/Location of District's exercise of its water rights

**ADJOURNMENT**

**Certification of Posting**

I certify that on February 5, 2010 I posted a copy of the foregoing agenda near the regular meeting place of the Commission of Laguna Beach County Water District, said time being at least 72 hours in advance of the meeting of the Commission (Government Code Section 54954.2). Executed at Laguna Beach, California, on February 5, 2010.

  
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Andrea Miller, Recording Secretary

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**Availability of Agenda Materials:** Agenda exhibits and other writings that are disclosable public records distributed to majority of the members of the Laguna Beach County Water District Commission in connection with a matter subject to discussion or consideration at an open meeting of the Commission are available for public inspection in the District's office, 306 Third Street, Laguna Beach, California (District Office). If such writings are distributed to members of the Commission less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Commission Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance of the Board Room at the District Office.

**Accommodations for the Disabled:** Any person may make a request for a disability-related modification or accommodation needed for the person to be able to participate in the public meeting by telephoning Michelle Boyd, Human Resources Manager, at (949) 494-1041, or writing to Laguna Beach County Water District at P.O. Box 987, Laguna Beach, CA 92652. Requests must specify the nature of the disability and the type of the accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.