REGULAR MEETING OF THE BOARD OF DIRECTORS
WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA
12621 E. 166th Street, Cerritos, California 90703

9:00 A.M., MONDAY, NOVEMBER 4, 2002

AGENDA

Each item on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as “For Information” or “For Discussion” may also be the subject of an “action” taken by the Board or a Committee at the same meeting.

I. DETERMINATION OF A QUORUM

II. PLEDGE OF ALLEGIANCE

III. PUBLIC COMMENT

IV. ADDITIONAL ITEMS TO AGENDA

Determine the need to add items to the agenda. In order for the Board to add an item to the agenda it must make a determination that: (i). The item came to the attention of the Board after the posting of the agenda; (ii). That there is a need for immediate action to be taken by the Board. If these two tests are met, the Board may add the item in question to the agenda for consideration consistent with the provisions of the Brown Act.

V. CONSENT CALENDAR

Consent Calendar items are considered routine by the Board of Directors and will be adopted by one motion. There will be no separate discussion of these items unless a Board Member or a member of the audience so requests, in which event the item will be removed from the Consent Calendar and considered separately immediately following action on the remaining items.

A. MINUTES OF THE REGULAR MEETING OF OCTOBER 7, 2002

Recommendation: That the Board approve the minutes as submitted.

B. AMERICAN GROUNDWATER TRUST MEMBERSHIP

Recommendation: The Inter-Agency Committee recommended that the Board authorize renewal of the WRD’s membership with the American Ground Water Trust at $1,000.
C. CONSIDERATION OF RESOLUTION NO. 02-650 -

Recommendation: That the Board adopt Resolution No. 02-650.

D. CONSIDERATION OF RESOLUTION NO. 02-653 -

Recommendation: That the Board adopt Resolution No. 02-653.

VI. CONSIDERATION OF RESOLUTION NO. 02-651 –
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA REGARDING NEW DRINKING WATER WELLS NEAR THE ALAMITOS SEAWATER BARRIER

Recommendation: The Water Resources Committee recommends that the Board adopt Resolution No. 02-651.

VII. PROPOSED NEW STAFF POSITION -
COMPUTER NETWORK ADMINISTRATOR

Recommendation: That the Board approve the hiring of a Computer Network Administrator as a full-time employee in the salary range of $53,600 to $85,800 and discontinue the current computer services consultant agreement.
VIII. GROUNDWATER QUALITY UPDATE - ARSENIC STANDARD AND STATUS REPORT OF DEMONSTRATION PROJECT
Recommendation: For information.

IX. RECOGNITION OF EMPLOYEE REPRESENTATION OPTION
Recommendation: The Inter-Agency Committee recommends that the Board support employees' option to unionize.

X. DISTRICT STRATEGIC PLAN
Recommendation: That the Board support the development of a strategic plan for the District.

XI. LEGISLATIVE REPORT
Recommendation: For information.

XII. GENERAL MANAGER’S REPORT

XIII. DISTRICT COUNSEL REPORT / DIRECTORS’ REPORTS / COMMITTEE REPORTS

XIV. WRD BOARD MEETING DATES
A. November 18, 2002 – 9:00 A.M. – Board of Directors Meeting
B. December 2, 2002 – 9:00 A.M. – Board of Directors Meeting
C. December 16, 2002 – 9:00 A.M. – Board of Directors Meeting
D. January 6, 2003 – 9:00 A.M. – Board of Directors Meeting
E. January 20, 2003 – 9:00 A.M. – Board of Directors Meeting (TO BE RESCHEDULED DUE TO THE MARTIN LUTHER KING HOLIDAY)

XV. CLOSED SESSION
A. Existing litigation per Government Code §54956.9 (a)
   1. WRD vs Midland Park Water Trust; L.A.S.C. Case No. 01-CO-1417
   2. Central and West Basin Water Replenishment District vs Charles Adams; L.A.S.C. Case No. 786,656
   3. California Water Service vs City of Compton; Case No. 506806
   4. Ronald P. Flores vs Water Replenishment District of Southern California, et al.; case No. BC258274
   6. Clarence Wong, United States Bankruptcy Court, Case No. 99-49233 JG

B. Anticipated litigation per Government Code §54956.9(b)
   Two Cases
   Anticipated litigation per Government Code §54956.9 (c)
   One Case

C. Conference with real property negotiator per Government Code §54956.8
   Real Property: Leased properties under the Desalter Lease include those certain parcels of real property and improvements commonly known as:
1. California Water Service (CWS) Station No. 25, Assessor’s Parcel Number 7528-004-003 (the “Plant Site”)
2. CWS Site 21-01, Assessor’s Parcel Number 7517-038-001 (“Well Site #1”)
3. CWS Site 21-02 Assessor’s Parcel Number 7517-038-004).

Negotiating Parties: Bruce Mowry (District Negotiator) and Terry Tamble (California Water Service)

Under Negotiation: Proposed cancellation of leases and related agreements

XVI. ADJOURNMENT

Agenda posted by Marcia A. Forkos, Deputy Secretary, October 30, 2002. In compliance with ADA requirements, this document can be made available in alternative formats upon request.
A regular meeting of the Board of Directors of the Water Replenishment District was held on October 7, 2002, at 9:00 A.M. in the District office at 12621 E. 166th Street, Cerritos, California. President Leo J. Vander Lans called the meeting to order and presided. Deputy Secretary Marcia A. Forkos recorded the minutes.

I. DETERMINATION OF A QUORUM
The President declared a quorum of Directors was present, which in addition to himself included Directors Pat Acosta, Robert W. Goldsworthy, and Albert Robles. Director Willard H. Murray, Jr. arrived while the meeting was in progress. Also participating in the meeting were General Manager Bruce Mowry, Assistant General Manager and District Engineer Robb Whitaker, District Counsels J. Arnoldo Beltrán and Ed Casey, Senior Engineer Hoover Ng, Construction and Operations Manager Kavous Emami, and Government and Public Affairs Manager Adeline Yoong.

II. PLEDGE OF ALLEGIANCE
District Counsel Ed Casey led the Pledge of Allegiance.

III. PUBLIC COMMENT
None.

IV. ADDITIONAL ITEMS TO THE AGENDA
None.

V. CONSENT CALENDAR
A. MINUTES OF REGULAR MEETING OF SEPTEMBER 6, 2002
   - This item was taken off the Consent Calendar. Please see discussion below.
B. STAFF TRAVEL REQUEST – 2002 NATIONAL
C. AMERICAN WATER WORKS ASSOCIATION RESEARCH FOUNDATION MEMBERSHIP DUES
Recommendation: That the Board renew the District’s membership in the American Water Works Association Research Foundation with dues in the amount of $40,000.

D. CONSIDERATION OF RESOLUTION NO. 02-648 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA REGARDING AN APPLICATION FOR A GRANT PURSUANT TO THE LOCAL GROUNDWATER MANAGEMENT ASSISTANCE ACT OF 2000 (AB303, STATS. OF 2000, CH 708)
Recommendation: That the Board adopt Resolution No. 02-648.

E. PROPOSED GARAGE ADDITION TO ALAMITOS BARRIER RECYCLED WATER TREATMENT PLANT SITE
- This item was taken off the Consent Calendar. Please see discussion below.

F. ALAMITOS BARRIER RECLAIMED WATER AGREEMENT
Recommendation: That the Board enter into an agreement substantially similar in form to the attached draft with the County of Los Angeles and the Orange County Water District regarding reclaimed water service to the Alamitos barrier Project, subject to approval as to form by District Counsel.

Agenda Items V.A, V.B. and V.E were removed from the Consent Calendar for further discussion.

Upon a motion duly made by Director Robles, seconded by Director Goldsworthy, and unanimously approved, it was

RESOLVED: That the Board approves the Consent Calendar of the meeting of October 7, 2002 as amended.

V.A. MINUTES OF THE REGULAR MEETING OF SEPTEMBER 6, 2002
Upon a motion duly made by Director Goldsworthy, seconded by Director Acosta, and unanimously approved, it was
RESOLVED: That the Board approves the minutes of the regular meeting of September 6, 2002 as amended.

V.B. STAFF TRAVEL REQUEST – 2002 NATIONAL GROUNDWATER ASSOCIATION ANNUAL CONVENTION – LAS VEGAS, NEVADA

Director Robles stated that he would like the recommendation amended to reflect the addition of directors wanting to attend the convention.

Upon a motion duly made by Director Robles, seconded by Director Acosta, and unanimously approved, it was

RESOLVED: That the Board authorizes the attendance of Director(s) and five technical staff members at the AGWSE 2002 Annual Meeting and Conference to be held in Las Vegas, Nevada, December 8-11, 2002.

Director Murray arrived while the meeting was in progress.

V.E. PROPOSED GARAGE ADDITION TO ALAMITOS BARRIER RECYCLED WATER TREATMENT PLANT SITE

Mr. Julius Ma, City of Downey Chief Engineer and Utilities Manager, voiced the City’s objection to the addition of the garage to the plant site. He stated that that amount of money should not used for a garage since the project itself is already over-budget.

General Manager Bruce Mowry stated that presently the District is experiencing a shortage of space. The District leases two small storage sites for $442/month to store files. Other documents are stored elsewhere in the building making searching very inefficient.
and expensive. A garage/storage building at the Alamitos Plant would solve the District’s storage problem. It would also store the District’s two field vehicles and provide room for a future monitoring truck. Although the garage/storage building is detached from the control building, it will match it architecturally.

Upon a motion duly made by Director Robles, seconded by Director Goldsworthy, and unanimously approved, it was

RESOLVED: That the Board authorize staff to execute the change order and approve construction of the proposed garage/storage building.

VI. PERMIT UPDATE AND ACTION PLAN FOR RECYCLED WATER SERVICE TO DOMINGUEZ GAP AND ALAMITOS BARRIER SEAWATER BARRIERS

Senior Engineer Hoover Ng gave a status report on the delays associated with the delivery of recycled water to the Dominguez Gap Seawater Barrier and Alamitos Barrier Recycled Water Projects. Since there were no remaining issues that need to be resolved, staff recommended continued coordination with the Department of Health Services, Regional Water Quality Control Board, and other agencies. He noted that a meeting will be held on October 24th involving all interested agencies.

President Vander Lans stated that public health safety should be a primary concern and that there were no health concerns raised with the delivery of recycled water to the barriers.

Director Murray asked what other alternatives are there to expedite the permit process. Mr. Ng stated that all interested and affected
agencies should band together and express their views about the new, imposed regulations.

Mr. Diem Vuong, Long Beach Water Department, stated that the new regulations are very constrained. Delays in the projects do translate to less cost savings.

VII. TERMINATION OF DESALTER FACILITIES SITE LEASE AND RELATED INFRASTRUCTURE AGREEMENTS WITH CALIFORNIA WATER SERVICE COMPANY (CWS)

Construction and Operations Manager Kavous Emami stated that staff recommended the termination of three separate lease agreements between WRD and California Water Service (CWS) regarding the Orduña desalter. Due to budget constraints, WRD is no longer building the desalter. Since the District had already invested about $500,000 for the construction of two production wells and in order to preserve the District’s ability to negotiate with CWS for the purchase of Well Site #1 and Well Site #2, WRD intends to obtain a right of first refusal from CWS. The wells could be utilized as ASR wells.

Discussion followed on possible negotiations and District Counsel Beltrán advised that the Board should discuss those matters in closed session.

Agenda Item VII was then deferred to closed session.

VIII. COMPUTER SUPPORT SERVICES SOLICITATION

General Manager Mowry stated that the District’s current computer consultant’s contract expires October 31, 2002. In accordance with the District’s Administrative Code, the first step in issuing a contract for professional services is the solicitation of proposals.

The Administrative Committee reviewed this item at its
September 24, 2002 meeting and concurred with staff’s recommendation.

Upon a motion duly made by Director Robles, seconded by Director Goldsworthy, and unanimously approved, it was

RESOLVED: That the Board authorizes staff to solicit proposals for computer support services.

IX. WRD ADMINISTRATIVE CODE REVISION – ADDITION OF SMALL BUSINESS ENTERPRISE (SBE) OUTREACH POLICY

Director Goldsworthy, as the Administrative Committee Chairperson, stated that this outreach policy was reviewed by the Committee to encourage the subcontracting of Small Business Enterprises for twenty percent of contracts valued $100,000 or more. The policy was patterned after one that Metropolitan Water District (MWD) adopted.

Director Robles asked if the Administrative Committee would review the inclusion of “local agencies.” Mr. Kevin Collins of Weston Benshoof, et al. stated that he would have to do further research on this.

Upon a motion duly made by Director Murray, seconded by President Vander Lans, and unanimously approved, it was

RESOLVED: That the Board adopt a Small Business Enterprise (SBE) Outreach Policy and incorporate it into the WRD Administrative Code as recommended by the Administrative Committee.

X. LEGISLATIVE REPORT

Government and Public Affairs Manager Adeline Yoong referred to the matrix of federal and state legislative bills that the District is following.
Ms. Yoong stated that there is no activity at all on the federal side since staff had adjourned. She stated that this does not bode well for most of the CAL-FED initiatives. On the state side, Ms. Yoong provided list of bills that were vetoed, chaptered, or signed into law. Specifically, she mentioned AB 1972 (Frommer) – vetoed, AB 1163 (Calderon) – signed into law, and SB 1653 (Costa) – chaptered.

XI. GENERAL MANAGER’S REPORT

General Manager Mowry stated that he attended a Watershed Council Meeting last Saturday, October 5 at the confluence of the San Gabriel River and San Jose Creek. He stated that there is much support for recycled water in the San Gabriel River.

XII. DISTRICT COUNSEL REPORT

Deferred to closed session.

XIII. DIRECTORS’ REPORTS/COMMITTEE REPORTS

None.

XIV. MEETING DATES

A. October 21, 2002 – 9:00 A.M. – Board of Directors Meeting
B. November 4, 2002 – 9:00 A.M. – Board of Directors Meeting
C. November 18, 2002 – 9:00 A.M. – Board of Directors Meeting
D. December 2, 2002 – 9:00 A.M. – Board of Directors Meeting
E. December 16, 2002 – 9:00 A.M. – Board of Directors Meeting

XV. CLOSED SESSION

A. Existing litigation per Government Code §54956.9
   1. WRD vs Midland Park Water Trust; L.A.S.C. Case No. 01-CO-1417
   2. Central and West Basin Water Replenishment District vs Charles Adams; LASC Case No. 786,656
   3. California Water Service vs City of Compton; Case No. 506806
   4. Ronald P. Flores vs Water Replenishment District of Southern California, et al; Case No. BC258274
5. Buford Sonny Walker vs Water Replenishment District of Southern California, et al.; Case No. BC276152

B. Anticipated litigation per Government Code §54956.9
   (b): Two Cases
   Anticipated litigation per Government Code §54956.9 (c): One Case

C. Employee performance review and evaluation per Government Code §54957
   Title of Position: General Manager

And added from open session to closed session:
Conference with real property negotiator per Government Code §54956.8
Real Property: Lease at real property and lease improvements located at Sepulveda Avenue, Torrance, CA concerning Orduña Desalter. Negotiating Parties: Bruce Mowry (District Negotiator) and Terry Tamble (California Water Service)
Under Negotiation: Proposed cancellation of leases and related agreements

The Board went into closed session. The Board reconvened in open session.

For Agenda Items XV.A.1, XV.A.2, XV.A.3, XV.A.4, and XV.A.5, status reports were given and no action was taken. For Agenda Item XV.B, two matters were reviewed. As to one matter, a status report was given, discussion was held, a consensus was reached, and further instructions were given to Counsel as to the disposition of the matter. As to the second matter, a status report was given and no action was taken. As for the other case, a status report was given and no action was taken.

For Agenda Item XV.C, the Board reviewed the performance evaluation of the General Manager and reached a consensus. The evaluation was conveyed to the General Manager, including the salary adjustment.

As to the item from open session that was added to closed session concerning real property negotiations per Government
Code §54956.8 regarding a lease at real property and lease improvements located at Sepulveda Avenue, Torrance, CA concerning the Orduña Desalter, a status report was provided, a consensus was reached, and further instructions were given to staff regarding the negotiations.

XVI. ADJOURNMENT

President Vander Lans asked if there was any further business to come before the Board and there being none, the meeting was adjourned.

____________________________________

President

ATTEST:

____________________________________

Secretary
AGENDA ITEM NO. V.B

DATE: NOVEMBER 4, 2002
TO: BOARD OF DIRECTORS
FROM: BRUCE MOWRY, GENERAL MANAGER
SUBJECT: AMERICAN GROUND WATER TRUST MEMBERSHIP

The mission of the American Ground Water Trust is to protect America’s groundwater, promote public awareness of the environmental and economic importance of groundwater, and provide accurate information to assist public participation in water resources decisions.

The Trust recognizes that effective resource management is necessary to ensure sustainability. The Trust combines technical groundwater expertise with a track record of networking and communication skills. A major element of Trust programs is to stimulate awareness, provide information and create education opportunities among stakeholders. The Trust is an independent authority on the hydrologic, economic and environmental significance of ground water.

The Trust is requesting a renewal membership pledge from the WRD. The District contributed $1,000 for the first time last year.

The Inter-Agency Committee reviewed this item on October 24, 2002 and unanimously voted to recommend that the Board authorize renewal of the WRD’s membership with the American Ground Water Trust.

FISCAL IMPACT
Funds to pay for the membership dues will be drawn from the Government & Public Affairs budget.

RECOMMENDATION: That the Board authorize renewal of the WRD’s membership with the American Ground Water Trust at $1,000.
A request has been received from the County of Los Angeles Department of Public Works regarding participation in the exchange of ad valorem property tax. A public hearing is scheduled before the Board of Supervisors on December 24, 2002.

If a taxing agency involved in the negotiation does not adopt a resolution providing for the exchange of property tax, the Board of Supervisors can determine the exchange of property tax revenue for that taxing agency.

Staff will make an oral report.

**RECOMMENDATION:** That the Board adopt Resolution No. 02-560.
RESOLUTION NO. 02- 650

A JOINT RESOLUTION OF
THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES,
THE CITY COUNCIL OF THE CITY OF LA MIRADA,
THE BOARD OF DIRECTORS OF THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT, THE BOARD OF DIRECTORS OF THE COUNTY SANITATION DISTRICT NO. 18 OF LOS ANGELES COUNTY (COUNTY SANITATION DISTRICT NO. 18), THE BOARD OF DIRECTORS OF LA MIRADA – SOUTH EAST RECREATIONAL AND PARK,
THE BOARD OF DIRECTORS OF NORWALK- SOUTH EAST RECREATIONAL AND PARK, AND THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA,
APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION PROJECT 125-1001 (TRACT 52721) TO COUNTY LIGHTING MAINTENANCE DISTRICT 10045, ZONE A

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area must negotiate an exchange of property tax increment generated in the area subject to the jurisdictional change and attributable to those local agencies, and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the County of Los Angeles, the Los Angeles County Fire Protection District, the Los Angeles County Library, and the Los Angeles County Flood Control District, the City Council of the City of La Mirada, the Board of Directors of the Greater Los Angeles Vector Control District, County Sanitation District No. 18, the Board of Directors of the La Mirada – South East Recreational and Park, the Board of Directors of the Norwalk-South East Recreational and Park, and the Board of Directors of the Water Replenishment District of Southern California, have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Project 125-1001 to County Lighting Maintenance District 10045, Zone A is as set forth below:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The negotiated exchange of property tax revenues between the County of Los Angeles, the Los Angeles County Fire Protection District, the Los Angeles County Library, the Los Angeles County Flood Control District; the City of La Mirada, the Greater Los Angeles County Vector Control District, County Sanitation District No. 18, La Mirada-South East Park and Recreational, Norwalk-
South East Park and Recreational, the Water Replenishment
District of Southern California from annexation of Project 125-1001
to County Lighting Maintenance District 10045 is approved and
accepted.

2. For fiscal years commencing on or after July 1, 2004 or the July 1
after the effective date of this jurisdictional change, whichever is
later, the property tax revenue increment generated from the area
within Project 125-1001 shall be allocated to the affected agencies
as indicated in Attachment A.

3. No transfer of property tax revenues other than those specified in
Paragraph 2 shall be made as a result of annexation of Project 125-
1001.

4. If at any time after the effective date of this resolution, the
calculations used herein to determine initial property tax transfers
or the data used to perform those calculations are found to be
incorrect, thus producing an improper or inaccurate property tax
transfer, the property tax transfer shall be recalculated and the
corrected transfer shall be implemented for the next fiscal year, and
any amounts of property tax received in excess of that which is
proper shall be refunded to the appropriate agency.

PASSED, APPROVED AND ADOPTED THIS ________________ day of
______________, 2002 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA

__________________________________
President

ATTEST:

______________________________
Secretary

______________________________
Date
DATE: NOVEMBER 4, 2002
TO: BOARD OF DIRECTORS
FROM: BRUCE MOWRY, GENERAL MANAGER

A request has been received from the County of Los Angeles Department of Public Works regarding participation in the exchange of ad valorem property tax. A public hearing is scheduled before the Board of Supervisors on December 24, 2002.

If a taxing agency involved in the negotiation does not adopt a resolution providing for the exchange of property tax, the Board of Supervisors can determine the exchange of property tax revenue for that taxing agency.

Staff will make an oral report.

RECOMMENDATION: That the Board adopt Resolution No. 02-563.
RESOLUTION NO. 02- 653

A JOINT RESOLUTION OF
THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES,
THE CITY COUNCIL OF THE CITY OF CARSON,
THE BOARD OF DIRECTORS OF THE COUNTY SANITATION DISTRICT
NO. 8 OF LOS ANGELES COUNTY (COUNTY SANITATION DISTRICT
NO. 8), THE BOARD OF DIRECTORS OF
THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA,
AND THE BOARD OF DIRECTORS OF THE GREATER LOS ANGELES
COUNTY VECTOR CONTROL DISTRICT APPROVING AND ACCEPTING THE
NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING
FROM ANNEXATION PROJECTS 103-600 (L 036-00), 157-1000 (L 176-00),
17-202 (L 035-98) AND 52-66 (L 028-2002) TO COUNTY LIGHTING
MAINTENANCE DISTRICT 1697

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation
Code, prior to the effective date of any jurisdictional change that will result in a
special district providing one or more services to an area where those services
have not previously been provided by any local agency, the special district and
each local agency that receives an apportionment of property tax revenue from
the area must negotiate an exchange of property tax increment generated in the
area subject to the jurisdictional change and attributable to those local agencies,
and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting
on behalf of the County of Los Angeles, the Los Angeles County Fire Protection
District, the Los Angeles County Library, and the Los Angeles County Flood
Control District, the City Council of the City of Carson, County Sanitation District
No. 8, the Board of Directors of the Water Replenishment District of Southern
California, and the Board of Directors of the Greater Los Angeles County Vector
Control District have determined that the amount of property tax revenue to be
exchanged between their respective agencies as a result of the annexation
proposal identified as Projects 103-600, 157-1000, 17-202 and 52-66 to County
Lighting Maintenance District 1697 is as set forth below:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The negotiated exchange of property tax revenues between the
   County of Los Angeles, the Los Angeles County Fire Protection
   District, the Los Angeles County Library, the Los Angeles County
   Flood Control District; the City of Carson, County Sanitation District
   No. 8, the Water Replenishment District of Southern California, and
   the Greater Los Angeles County Vector Control resulting from
   annexation of Projects 103-600, 157-1000, 17-202 and 52-66 to
   County Lighting Maintenance District 1697 is approved and
   accepted.
2. For fiscal years commencing on or after July 1, 2004 or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Projects 103-600, 157-1000, 17-202, and 52-66 shall be allocated to the affected agencies as indicated in Attachment A.

3. No transfer of property tax revenues other than those specified in Paragraph 2 shall be made as a result of annexation of Projects 103-600, 157-1000, 17-202 and 52-66.

4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

PASSED, APPROVED AND ADOPTED THIS _______________ day of ______________, 2002 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA

____________________________________
President

ATTEST:

____________________________________
Secretary

____________________________________
Date
AGENDA ITEM NO. VI

DATE: NOVEMBER 4, 2002

TO: BOARD OF DIRECTORS

FROM: BRUCE A. MOWRY, GENERAL MANAGER

SUBJECT: CONSIDERATION OF RESOLUTION NO. 02-651 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA REGARDING NEW DRINKING WATER WELLS NEAR THE ALAMITOS SEAWATER BARRIER

On September 22, 1999 and May 3, 2002, the District submitted to the State Department of Health Services (DHS) Title 22 engineering reports on the Alamitos Barrier Recycled Water Project (ABRWP) as part of the permit application for use of recycled water in the Alamitos Seawater Barrier (Barrier). On September 23, 2002, the State Department of Health Services provided the District comments to these reports. One of their comments is that they require the District to adopt a resolution to prevent new wells for drinking water purposes from being drilled within 2000 feet of the Barrier.

DHS made a similar request for the use of recycled water in the Dominguez Gap Seawater Barrier, and the District adopted Resolution No. 01-619 on March 23, 2001 that established a policy to recommend against drilling new domestic wells near the Dominguez Gap Seawater Barrier.

At the District’s request, the County of Los Angeles Department of Health Services (CDHS), who has regulatory authority to issue new well permits in Los Angeles County, established a policy on January 23, 2001 to consult with the District prior to the issuance of new well permits when any wells are drilled near seawater barriers. This policy was established initially for application at the Dominguez Gap Seawater Barrier, but is also applicable for the Alamitos Barrier.

Since Long Beach has its own health department, they have jurisdiction over the CHDS in issuing well permits within their city. A request has been made to the City of Long Beach Department of Public Works and Department of Health and Human Services to establish a similar policy within their city.
The Long Beach Water Department is supportive of this request. It is anticipated that they will establish a policy to consult with the District in the future when new well permit applications are requested for any new domestic wells within 2000 feet of the Barrier.

Since the Alamitos Barrier straddles both Los Angeles and Orange Counties, and anticipating this request from DHS, the District requested the County of Orange Health Care Agency to establish a similar policy for the issuance of permits for new domestic wells within 2000 feet of the Barrier in Orange County. On August 12, 2002, they indicated that any future well permit applications will be reviewed in consultation with the State DHS, Orange County Water District, and the District, and they will deny any permit applications if requirements are not met. The nearest domestic well is 4500 feet distant from the Alamitos Barrier, and is located in Seal Beach in Orange County.

The Water Resources Committee considered this item on October 28, 2002 and recommends approval and adoption.

**FISCAL IMPACT**

None.

**RECOMMENDATION:** That the Board adopt Resolution No. 02-651.
RESOLUTION No. 02-651

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA REGARDING NEW DRINKING WATER WELLS NEAR THE ALAMITOS SEAWATER BARRIER

WHEREAS, the Water Replenishment District of Southern California (“WRD”) is a special district created under the laws of the State of California charged with the responsibility of replenishing the Central Basin Ground Water Basin and maintaining the groundwater quality in said basin; and

WHEREAS, the Alamitos Seawater Barrier (Barrier) presently injects freshwater into the Central Basin (Basin) to serve as a barrier against seawater intruding into these basins;

WHEREAS, this Barrier serves to protect the Basin that provides groundwater, about 40 percent of the supply of water, to local residents in Los Angeles and Orange County from being degraded with salt water;

WHEREAS, WRD is responsible for ensuring that adequate water is provided to the Barrier to prevent saltwater intrusion;

WHEREAS, the County of Los Angeles Department of Public Works is responsible for the operation of Barrier facilities;

WHEREAS, this Barrier currently utilizes about 6000 acre feet per year of imported water for such purposes;

WHEREAS, construction of the WRD Alamitos Barrier Recycled Water Project, which will deliver recycled water from its Advanced Water Treatment Facility to the Barrier and replace half of the supply of the water that serves the Barrier with recycled water, is in progress;

WHEREAS, as a condition of using recycled water for such purposes, the State Department of Health Services (“CDHS”) seeks to prohibit the installation of any new domestic production wells within 2000 feet of the Barrier;

WHEREAS, no existing domestic production wells are within 4500 feet of any existing injection well at the Barrier;

WHEREAS, using recycled water for injection will conserve the use of a valuable resource and improve the reliability of supply to the Barrier;

WHEREAS, the Los Angeles County Department of Health Services issues permits for the construction of new wells in the County of Los Angeles, and has
indicated they will request recommendations from the WRD in the future before approving such permits;

WHEREAS, the County of Orange Health Care Agency has indicated that they will consult with State DHS, the WRD, and Orange County Water District for any new well permit applications within 2000 feet of the Barrier; and

WHEREAS, the District has requested the City of Long Beach to establish a similar for any new well permits within 2000 feet of the Barrier within its city, and anticipates that a similar procedure will be established.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Water Replenishment District of Southern California hereby:

Directs staff to review requests for new water production wells received from regulatory agencies authorized to issue well permits in the Counties of Los Angeles and Orange County and recommend, absent exceptional circumstances and approval from CDHS, against the drilling of any new domestic water production wells within 2000 feet of the Alamitos Seawater Barrier, as shown in the attached diagram, Figure 1.

Passed, adopted and approved at the regular meeting of the Board of Directors of the Board of Water Replenishment District of Southern California on this _____ day of __________, 2002.

By: ________________________________
Leo J. Vander Lans, President

ATTEST:

___________________________
Willard H. Murray, Jr., Secretary
Currently the District has a consultant contract for computer services on an hourly basis of $55 per hour, not to exceed $85,800 on an annual basis. The consultant currently works an average of six hours a day.

It has been determined that it would be in the best interest of the District to have full-time computer support. Staff recommends that the funding for the computer consultant in the current fiscal year budget be used to fund the staff position of Computer Network Administrator. This would provide more network support hours. District Management will also utilize the position to provide administration of the District website, as well as GIS and CAD support.

**FISCAL IMPACT**
Unknown as the position would replace the current consultant.

**RECOMMENDATION:** That the Board approve the hiring of a Computer Network Administrator as a full-time employee in the salary range of $53,600 to $85,800 and discontinue the current computer services consultant agreement.
AGENDA ITEM NO. VIII

DATE: NOVEMBER 4, 2002

TO: BOARD OF DIRECTORS

FROM: BRUCE A. MOWRY, GENERAL MANAGER

SUBJECT: GROUNDWATER QUALITY UPDATE – ARSENIC STANDARD AND STATUS REPORT OF DEMONSTRATION PROJECT

In January 2001, the United States Environmental Protection Agency (EPA) issued an arsenic standard of 10 ppb in drinking water supplies. The current standard is 50 ppb. Arsenic is carcinogenic and also causes other health effects, such as high blood pressure and diabetes. In March 2001, the new EPA Administrator, Christine Todd Whitman, indicated that it would be reviewed again. On October 31, 2001, EPA announced that it would keep the standard at 10 ppb, as originally established in January 2001. Water systems must meet this standard by January 23, 2006.

This standard, its health effects, associated costs of treatment, and the added benefit of increased protection of public health for added cost were all considered by EPA before they issued their new ruling. Reports addressing each of these areas were completed by independent work groups and forwarded to EPA for their review.

The State Department of Health Services is required per Health and Safety Code 116361 (SB 463, Perata) to adopt a new arsenic state standard by June 30, 2004, which is 1 ½ years before the effective date of the federal standard. Other requirements include development of a public health goal (PHG) by December 31, 2002, and of arsenic-related language for inclusion in water systems’ consumer confidence reports after July 2, 2003. The PHG is a concentration of arsenic based solely on health effects. It will be developed by the State Office of Environmental Health Hazard Assessment (OEHHA), and is expected to be quite low (about 0.05 ppb). The PHG will be the basis for establishing an MCL. To maintain primacy, i.e., to retain authority to regulate this contaminant in the state, the State DHS must establish the state MCL at or below the federal MCL, and will also consider technical and economic feasibility in their evaluation.
The DHS has informally indicated that they will most likely set it closer to 10 ppb, even though the PHG will be quite low.

Based on a review of arsenic levels in the WRD service area, it was found that

- 11 wells would be impacted if the MCL is 10 ppb
- 43 wells would be impacted if the MCL is 5 ppb

There are various treatment methods that will remove arsenic. These include activated alumina, coagulation and filtration, ion exchange, lime softening, and reverse osmosis. For any method selected, the treatment must also include the proper and safe disposal of residuals. Each of the above referenced methods are effective to varying degrees and under various circumstances.

In April 2000, the WRD and Southern California Water Company agreed to partner in an Arsenic Demonstration project at their Century Well to evaluate promising new technology with new media. They were pilot tested at other sites and were very effective in removing arsenic to the required levels. Advantages are ease of operation utilizing compact closed vessels, minimal costs, and low profile facilities with a high loading rate of 10 – 12 gpm/ ft².

Results show excellent removal of arsenic by adsorption using granular ferric hydroxide (GFH). Average influent levels of 10 – 20 ppb at 600 gpm were reduced to below 10 ppb consistently with the use of GFH up to about 70,000 bed volumes, or about 7 months of run time at this site. Other different adsorbents that are aluminum based are also being tested in parallel; they have been effective in removing arsenic to levels below 10 ppb, but they have much shorter run times compared to GFH before exhaustion.

Additional testing was also conducted on the exhausted GFH (residuals) to determine if they were below the maximum allowable state and federal levels for disposal in municipal landfills. The results showed that the residuals were able to meet the California Waste Extraction Test (WET), which is a measure of how much arsenic might leach out of the adsorbed material after it is exhausted. Based on these preliminary results, the spent media would be classified as non hazardous and could be disposed of in a municipal landfill.

Capital costs are $600,000 for treatment for both manganese and arsenic at this site. Assuming half of this cost is for arsenic and a 25 year life at 4 percent, the annualized capital cost for arsenic treatment facilities is about $20 per af. Additional operations and maintenance costs, including residuals disposal, would still need to be included to calculate total costs.

SCWC is also testing another method of treatment at their Juan well, where arsenic is 14 – 18 ppb. They are evaluating the performance of oxidation with chlorine followed by the addition of ferric chloride to precipitate arsenic and manganese with dual media pressure filters. Results to date show that at ferric chloride doses of 4 – 10 mg/L, arsenic is consistently below 10 ppb and are 2 – 4 ppb at the higher doses.
Other methods of treatment have also been pilot tested in other locales and have been proven to be effective also, including coagulation and ceramic filtration. However, since SCWC is conducting these demonstration projects on local groundwater in the WRD service area, and the results have shown excellent performance, the leading candidates at this time would be the use of GFH and oxidation and precipitation with ferric chloride for other wells in the WRD service area.

**FISCAL IMPACT**
None

**RECOMMENDATION:** For information.
AGENDA ITEM NO. IX

DATE: NOVEMBER 4, 2002
TO: BOARD OF DIRECTORS
FROM: BRUCE A. MOWRY, GENERAL MANAGER
SUBJECT: RECOGNITION OF EMPLOYEE REPRESENTATION OPTION

The Inter-Agency Committee considered this item on October 24, 2002 and voted unanimously to recommend that the Board support employees' option to unionize.

FISCAL IMPACT
None.

RECOMMENDATION: That the Board support employees' option to unionize.
DATE: NOVEMBER 4, 2002
TO: BOARD OF DIRECTORS
FROM: BRUCE A. MOWRY, GENERAL MANAGER
SUBJECT: DISTRICT STRATEGIC PLAN

The Inter-Agency Committee considered this item on October 24, 2002 and voted unanimously to recommend that the Board direct staff to develop a strategic plan for the WRD.

FISCAL IMPACT
None.

RECOMMENDATION: That the Board support the development of a strategic plan for the District.
Staff will provide a legislative update.

FISCAL IMPACT
None.

RECOMMENDATION: For information.
<table>
<thead>
<tr>
<th>Bill No./Author</th>
<th>Title/Content</th>
<th>Status</th>
<th>Position</th>
</tr>
</thead>
</table>
| HR 454 Johnson (R-IL) | To prohibit the use of, and provide for remediation of water contaminated by MTBE | Intr: 02/06/01  
House Action: Referred to Subcommittee on Environmental & Hazardous Materials of House Energy & Commerce (02/14/01) | ACWA: Watch |
| HR 532 Capps (D-CA) | Authorizes $200 million “to protect human health and the environment from releases of MTBE from underground storage tanks | Intr: 02/08/01  
House Action: Referred to Subcommittee on Environmental & Hazardous Materials of House Energy & Commerce (03/14/01) |        |
| HR 608 Ganske (R-IA) | To amend the Clean Air Act to prohibit the use of MTBE, to provide flexibility within the oxygenate requirement of the EPA’s Reformulated Gasoline Program, to promote the use of renewable ethanol | Intr: 02/14/01  
House Action: Referred to Subcommittee on Energy & Air Quality of House Energy & Commerce (03/14/02) |        |
| HR 1252 Sanders (I-VT) | To amend SDWA to change arsenic standard from 50 ppb to 10 ppb by FY2003 and to 3 ppb by FY2006 and to authorize an $800 million in grants | Intr: 03/27/01  
House Action: Referred to Subcommittee on Environment and Hazardous Materials of House Energy & Commerce (04/16/01) | ACWA: Oppose |
| HR 1413 Waxman (D-CA) | To codify the rule establishing a MCL for arsenic published in the Federal Register by the EPA on January 22, 2001. | Intr: 04/01/01  
House Action: Referred to Subcommittee on Environment and Hazardous Materials of House Energy & Commerce (04/16/01) | ACWA: Watch/Oppose if moves out of Committee |
| HR 1985 Calvert (R-CA) | Western Water Security Enhancement Act – Reauthorizes the CALFED Bay-Delta Program | Intr: 05/24/01  
Refer to HR 3208 | ACWA: Support |
| HR 1999 Nussle (R-IA) | Ethanol Energy Promotion Act – Amends the Clean Air Act to prohibit the use of MTBE as a fuel additive, and require federal vehicles to use ethanol fuel | Intr: 05/24/01  
House Action: Referred to Subcommittee on Energy & Air Quality of House Energy & Commerce (06/08/01) | ACWA: Oppose |
| HR 2404 Miller (D-CA) | To authorize federal agency participation and financial assistance for programs and for infrastructure improvements for the purposes of increasing deliverable water supplies, conserving water and energy, restoring ecosystems, and enhancing environmental quality in the state of California (CALFED) | Intr: 06/28/01  
House Action: Subcommittee on Water & Power of House Resources Committee hearing held on 07/26/01 | ACWA: Oppose |
| HR 2534 Solis (D-CA) | To authorize the Secy of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Upper San Gabriel River watershed as a National Park system | Intr: 07/17/01  
House Action: Subcommittee on National Parks, Recreation and Public Lands of House Resources Committee (07/25/01); Hearing held (06/13/02); Passed Resources Committee as amended (07/24/02); Placed on | ACWA: Support |
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Description</th>
<th>Introduced</th>
<th>House Action</th>
<th>Senate Action</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR 3208</td>
<td>Calvert (R-CA)</td>
<td>CALFED reauthorization – Authorizes funding through the Secy of Interior for the implementation of a comprehensive program in California to achieve increased water yield and environmental benefits, as well as improved water system reliability, water quality, water use efficiency, watershed management, water transfer, and levee protection</td>
<td>11/01/01 (from HR 1985)</td>
<td>Passed Resources Committee as amended (02/14/02); Placed on Calendar (03/14/02)</td>
<td>ACWA: Support</td>
<td></td>
</tr>
<tr>
<td>HR 3792</td>
<td>Kelly (R-NY)/ Tauscher (D-CA)</td>
<td>To amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds.</td>
<td>02/26/02</td>
<td>Referred to Subcommittee on Water Resources &amp; Environment of House Transportation &amp; Infrastructure Comm. (02/27/02)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HR 3930</td>
<td>Duncan (R-TN)</td>
<td>To amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds.</td>
<td>03/12/02</td>
<td>Referred to Committee on Transportation &amp; Infrastructure (03/12/02) and Committee on Ways &amp; Means (03/20/02); Passed Transportation &amp; Infrastructure as amended (04/17/02); Passed Ways &amp; Means as amended</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HR 3996</td>
<td>Boehlert (R-NY)</td>
<td>To amend the Federal Water Pollution Control Act to authorize appropriations for water pollution control research, development and technology demonstration.</td>
<td>03/19/02</td>
<td>Referred to Subcommittee on Water Resources and Environment of Committee on Transportation &amp; Infrastructure (03/20/02) and Committee on Science (03/19/02)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HR 5169</td>
<td>Young (R-AK)</td>
<td><strong>Wastewater Treatment Works Security Act of 2002.</strong> Authorizes $200 million in grants for water treatment plants to conduct vulnerability assessments and make some security improvements. The bill also authorizes $15 million to help small water treatment plants pay for technical assistance.</td>
<td>07/22/02</td>
<td>Referred to Committee on Transportation and Infrastructure (07/22/02); referred to Subcommittee on Water Resources and Environment (07/23/02); Passed Subcommittee as marked up (07/23/02); Passed Committee as marked up (09/25/02); Placed on Union Calendar (10/02/02); Passed by House of Representatives (10/07/02)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HR 5428</td>
<td>Don Young (R-AK)</td>
<td><strong>Water Resources Development Act of 2002.</strong> To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes. <strong>Comments:</strong> Will authorize the WRD’s Southern Los Angeles County Basin Optimization Project.</td>
<td>09/23/02</td>
<td>Referred to House Committee on Transportation and Infrastructure (09/23/02); referred to Subcommittee on Water Resources and Environment (09/24/02); Passed Subcommittee as marked up (09/24/02); Passed Committee as marked up (09/25/02); Placed on Union Calendar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bill Number</td>
<td>Sponsor and State</td>
<td>Description</td>
<td>Introduced</td>
<td>Senate Action</td>
<td>Committee Action</td>
<td>ACWA Position</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------</td>
<td>-------------</td>
<td>------------</td>
<td>---------------</td>
<td>------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>S 252</td>
<td>Voinovich (R-OH)</td>
<td>To amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds.</td>
<td>02/06/01</td>
<td>Referred to Committee on Environment &amp; Public Works (02/06/01); Hearings held in Committee on Environment and Public Works (02/26/02) and Subcommittee on Fisheries, Wildlife, and Water (02/28/02)</td>
<td></td>
<td>Favor</td>
</tr>
<tr>
<td>S 265</td>
<td>Fitzgerald (R-IL)</td>
<td>To prohibit the use of, and provide for remediation of water contaminated by MTBE</td>
<td>02/06/01</td>
<td>Referred to Committee on Environment &amp; Public Works (02/06/01)</td>
<td></td>
<td>Support</td>
</tr>
<tr>
<td>S 285</td>
<td>Wyden (D-OR)</td>
<td>To amend the Federal Water Pollution Control Act to authorize use of State revolving funds for construction of water conservation and quality improvements.</td>
<td>03/12/02</td>
<td>Referred to Committee on Environment &amp; Public Works (02/06/01)</td>
<td></td>
<td>Support</td>
</tr>
<tr>
<td>S 670</td>
<td>Daschle (D-SD)</td>
<td>To amend the Clean Air Act to eliminate MTBE from the US fuel supply and to increase production and use of ethanol, and for other purposes</td>
<td>03/30/01</td>
<td>Referred to Committee on Environment &amp; Public Works (03/30/01)</td>
<td></td>
<td>Watch</td>
</tr>
<tr>
<td>S 698</td>
<td>Boxer/Reid</td>
<td>Amends the SDWA to designate chromium 6 as a contaminant and establish a MCL for it</td>
<td>04/04/01</td>
<td>Referred to Committee on Environment &amp; Public Works (04/04/01)</td>
<td></td>
<td>Watch</td>
</tr>
<tr>
<td>S 796</td>
<td>Boxer (D-CA)</td>
<td>To amend the SDWA to ensure that drinking water consumers are informed about the risks posed by arsenic in drinking water.</td>
<td>04/26/01</td>
<td>Referred to Committee on Environment &amp; Public Works (04/26/01)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S 976</td>
<td>Feinstein (D-CA)</td>
<td>Western Water Security Enhancement Act – Reauthorizes the CALFED Bay-Delta program</td>
<td>05/25/01</td>
<td>Referred to Committee on Environment &amp; Public Works (05/25/01)</td>
<td></td>
<td>Support</td>
</tr>
<tr>
<td>S 1374</td>
<td>Bingaman (D-NM)</td>
<td>To provide for the study of the effects of hydraulic fracturing on underground drinking water sources.</td>
<td>08/03/01</td>
<td>Referred to Committee on Environment &amp; Public Works (08/03/01)</td>
<td></td>
<td>Watch</td>
</tr>
<tr>
<td>S 1961</td>
<td>Graham (D-FL)</td>
<td>To improve financial and environmental sustainability of the water program of the United States</td>
<td>02/15/02</td>
<td>Mark-up by Committee on Environment &amp; Public Works (05/16/02); Passed Committee as amended (05/17/02); Passed Committee on Environment &amp; Public Works as amended and placed on Senate Legislative Calendar (07/29/02)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S 1768</td>
<td>Feinstein (D-CA)</td>
<td>To authorize the Secy of the Interior to implement the CALFED Bay-Delta program</td>
<td>12/05/01</td>
<td>Mark-up by Committee on Energy and Natural Resources (05/15/02); Ordered reported from Committee on Energy &amp; Natural Resources (06/05/02 and 06/24/02); Placed</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>