REGULAR MEETING OF THE BOARD OF DIRECTORS
WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA
12621 E. 166th Street, Cerritos, California 90703
1:30 P.M., WEDNESDAY, MARCH 3, 2004

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. INVOCATION

IV. PUBLIC COMMENT

V. 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.

VI. 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 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 FEBRUARY 4, 2004 AND THE SPECIAL MEETING OF FEBRUARY 18, 2004
Staff Recommendation: That the Board approve the Minutes as submitted.

B. NATIONAL ASSOCIATION OF LATINO ELECTED AND APPOINTED OFFICIALS (NALEO) 21ST ANNUAL CONFERENCE
Staff Recommendation: That the Board approve directors’ attendance at NALEO’s 21st Annual Conference.
Committee Recommendation: The Inter-Agency Committee concurs with the Staff Recommendation.
C. 15TH ANNUAL GREAT LOS ANGELES RIVER CLEAN UP, LA GRAN LIMPIEZA

Staff Recommendation: That the Board of Directors approve the donation to FoLAR, a non-profit organization, in the amount of $1,500 from the 2003-2004 fiscal year budget as submitted.

Committee Recommendation: The Inter-Agency Committee concurs with the Staff Recommendation.

D. REQUEST FOR BIDS - SPINNER LOGGING AND ZONE SAMPLING WELL SERVICES

Staff Recommendation: That the Board allow staff to solicit Request for Bids for zone sampling and spinner logging of production wells in the Central and West Coast Basins. Once the bids are received, Staff will return to the Water Resources Committee and Board for approval of the contract.

Committee Recommendation: The Groundwater Clean-Up Committee concurs with the Staff Recommendation.


Staff Recommendation: That the Board adopt Resolution No. 04-700 and Resolution No. 04-701.

VII. CONSIDERATION OF RESOLUTION NO. 04-699 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA ORDERING ACCEPTANCE AND FILING OF THE ENGINEERING SURVEY AND REPORT SUBMITTED PURSUANT TO SECTION 60300 OF THE WATER CODE, DECLARING THAT FUNDS SHALL BE RAISED FOR THE PURCHASE OF WATER FOR REPLENISHMENT AND FOR GROUNDWATER REPLENISHMENT AND QUALITY PROGRAMS AND PROJECTS DURING THE ENSUING FISCAL YEAR, THAT SUCH FUNDS SHALL BE RAISED BY A REPLENISHMENT ASSESSMENT AS PROVIDED IN SAID WATER CODE, DECLARING THAT THE FUNDS TO BE RAISED BY SAID REPLENISHMENT ASSESSMENT WILL BENEFIT, EITHER DIRECTLY OR INDIRECTLY, ALL OF THE PERSONS, REAL PROPERTY AND IMPROVEMENTS WITHIN THE DISTRICT, AND ORDERING THE PUBLICATION OF A NOTICE OF PUBLIC HEARING IN ACCORDANCE WITH SECTION 60306 OF THE WATER CODE
**Staff Recommendation:** That the Board accept and file the 2004 Engineering Survey and Report, and adopt Resolution No. 04-699.

**Committee Recommendation:** The ESR update was given to the Water Resources Committee on February 9, 2004, and to the Board on February 18, 2004. The Resolution was not brought to the committee as it is an annual required Board action.

### VIII. NOMINATION FOR LAFCO REPRESENTATIVE

**Staff Recommendation:** For discussion.

**Committee Recommendation:** The Inter-Agency Committee reviewed this item at its February 20, 2004 meeting and recommended nominating Director Robert W. Goldsworthy to fill the seat at the Local Agency Formation Commission.

### IX. WRD / CENTRAL BASIN MUNICIPAL WATER DISTRICT SPREADING WATER PURCHASE AGREEMENT

**Staff Recommendation:** For discussion.

**Committee Recommendation:** The Water Resources Committee concurs with the Staff Recommendation.

### X. DEFERRED COMPENSATION

**Committee Recommendation:** The Administrative Committee recommends that the Board approve a matching funds incentive to the employees’ deferred compensation plan.

### XI. CONSIDERATION OF CONTRACT TO RETAIN THE SERVICES OF TRES ES, LLC (SEN. RICHARD POLANCO, RET.) TO WORK WITH BOARD AND STAFF ON DISTRICT STRATEGIC PLANNING

**Staff Recommendation:** For information and direction by the Board.

**Committee Recommendation:** The Inter-Agency Committee is set to review this item at a special meeting on March 8, 2004.

### XII. LEGISLATIVE REPORT – SB 50 (SHER)

**Staff Recommendation:** That the Board remove its support for SB 50 (Sher).

**Committee Recommendation:** The Inter-Agency Committee concurs with the Staff Recommendation.

### XIII. WRD TAC CHAIR REPORT

### XIV. GENERAL MANAGER’S REPORT

### XV. DISTRICT COUNSEL REPORT

### XVI. DIRECTORS’ REPORTS
XVII. WRD BOARD MEETING DATES
A. March 17, 2004 – 1:30 P.M. – Board of Directors Meeting
B. April 7, 2004 – 1:30 P.M. – Board of Directors Meeting
C. April 21, 2004 – 1:30 P.M. – Board of Directors Meeting
D. May 5, 2004 – 1:30 P.M. – Board of Directors Meeting

XVIII. CLOSED SESSION
A. Anticipated litigation per Government Code §54956.9 (b), One Case
B. Labor Negotiations per Government Code §54957.6
   Negotiator: Arnoldo Beltran
   Bargaining Group: American Federation of State County & Municipal
   Employees (AFSCME)
   Discussion: Terms and conditions for Memorandum of Understanding for
   bargaining group
C. Conference with real property negotiator per Government Code §54956.8
   Real Property: 14150 Vine Place, Cerritos, California 90703; Parcel No.
   APN 7003-005-003
   Agency Representative: J. Arnoldo Beltran
   Negotiating Parties: The Stevens Group
   Under Negotiation: Price, terms, and conditions for possible purchase
D. Consideration of appointment, employment, evaluation of performance, or
   dismissal of public employee per Government Code §54957
   Position Title: General Manager

XIX. ADJOURNMENT

Agenda posted by Abigail C. Andom, Deputy Secretary, February 26, 2004. 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 February 4, 2004, at 1:35 P.M. in the District office at 12621 E. 166th Street, Cerritos, California. President Willard H. Murray, Jr. called the meeting to order. Acting Deputy Secretary Abigail C. Andom 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, Albert Robles, and Norm Ryan. Also participating in the meeting were General Manager Robb Whitaker, District Counsels J. Arnoldo Beltrán and Edward Casey, and Assistant General Manager Mario Garcia.

II. PLEDGE OF ALLEGIANCE
Assistant to the General Manager Mark Dymally led the Pledge of Allegiance.

III. INVOCATION
Director Ryan gave the Invocation.

IV. PUBLIC COMMENT
None.

V. ADDITIONAL ITEMS TO AGENDA
None.

VI. CONSENT CALENDAR
A. LOS ANGELES AREA CHAMBER OF COMMERCE 115TH ANNUAL INAUGURAL DINNER
B. 2004 ANNUAL WRD STATE LEGISLATIVE WORKSHOP AND THE 2004 ANNUAL WRD FEDERAL LEGISLATIVE WORKSHOP
C. ASSOCIATION OF CALIFORNIA WATER AGENCIES DC CONFERENCE
Upon a motion duly made by Director Ryan, seconded by Director Acosta, and unanimously approved, it was

RESOLVED: That the Board approves the Consent Calendar of the meeting of February 4, 2004 as submitted.

VII. LEGISLATIVE REPORT
Assistant to the General Manager Adeline Yoong provided an update on the Governor's budget from the ACWA State Budget Advisory. Ms. Yoong stated that there will be no tax increases but is anticipating deep cuts to local government and deferment of distributions from Proposition 50.

VIII. GENERAL MANAGER’S REPORT
General Manager Whitaker stated that the State Department of Health Services (DHS) held a public hearing on the Leo J. Vander Lans Water Treatment Facility this morning. The hearing went well and the DHS will put the statement of fact together to make a recommendation to the Regional Water Quality Control Board. Another public hearing is anticipated before the final issuance of the permit.

Mr. Whitaker also noted that meetings have been held with Central Basin Municipal Water District (CBMWD) regarding an agreement on the purchase of spreading water.

Lastly, he reported that at the last TAC meeting productive discussion was held on the capital improvement projects. He asked if TAC Chairperson Jim Glancy would provide a report on the meeting.

Mr. Glancy reported that the TAC did meet to continue to review WRD capital projects. He stated that much discussion was held on the Whittier Narrows Conservation Pool and the TAC recommended that a 205 feet conservation pool level looks positive and asked a phased approach to get to 209 feet. On the
Goldsworthy Desalter Horizontal Wells, Mr. Glancy reported that the TAC recommended that this was not feasible at this time. On the Alamitos Physical Barrier, the TAC recommendation was to continue with the demonstration project, seek grant funding, and find other alternatives other than deep soil mixing (DSM).

Mr. Glancy also stated that much discussion was held on the scope of work for the West Coast Basin operating plan study and the conversion of the Orduña wells for injection.

Director Acosta informed everyone that there will be at least one Board workshop to receive recommendations from the TAC and District staff regarding what projects to include in the Capital Improvement Plan.

IX. DISTRICT COUNSEL REPORT
Deferred to closed session.

X. DIRECTORS’ REPORTS/COMMITTEE REPORTS
Director Ryan stated that he attended the California Municipal Utilities Association (CMUA) meeting earlier this month and had met with legislators who have began to see favorably of WRD. He stated that he was pleased to see that the District’s good work has been recognized.

President Murray stated that he would like directors to provide a brief report on the committees they sit on. He also noted that he attended West Basin Municipal Water District (WBMWD)’s Water Resources Committee meeting and had informed them of WRD’s interest in procuring the Brewer Desalter. He stated that they took that in consideration and will start communication with WRD staff.
XI. WRD BOARD MEETING DATES

A. February 18, 2004 – 1:30 P.M.– WRD Board of Directors Meeting
B. March 3, 2004 – 1:30 P.M. – WRD Board of Directors Meeting
C. March 17, 2004 – 1:30 P.M. – WRD Board of Directors Meeting
D. April 7, 2004 – 1:30 P.M. – WRD Board of Directors Meeting

XII. CLOSED SESSION

A. Existing litigation per Government Code §54956.9 (a)
   Ronald P. Flores vs. Water Replenishment District of Southern
   California, et al.; California Court of Appeal, Case No. B165755
B. Anticipated litigation per Government Code §54956.9 (b), One Case
C. Labor Negotiations per Government Code §54957.6
   Negotiator: Arnoldo Beltrán
   Bargaining Group: American Federation of State, County and
   Municipal Employees (AFSCME)
   Discussion: Terms and conditions for Memorandum of Understanding
   for bargaining group
D. Conference with real property negotiator per Government Code
   §54956.8
   Real Property: 14150 Vine Place, Cerritos, California 90703;
   Parcel No. APN 7003-005-003
   Agency Representative: J. Arnoldo Beltran
   Negotiating Parties: The Stevens Group
   Under Negotiation: Price, terms, and conditions for possible purchase

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

For Agenda Item XII.A., a status report was provided and no action was taken.

For Agenda Item XII.B, no action was taken.

For Agenda Item XII.C, a status report was provided, further instructions were
given to the District’s negotiator.

Agenda Item XII.D, was not reviewed.
XIII. ADJOURNMENT

President Murray asked if there was any further business to come before the Board and there being none, the meeting was adjourned upon a motion duly made by Director Goldsworthy and seconded by Director Ryan. The meeting adjourned at 2:58 p.m.

________________________________________
President

ATTEST:

________________________________________
Secretary
A special meeting of the Board of Directors of the Water Replenishment District was held on February 18, 2004, at 10:12 A.M. in the District office at 12621 E. 166th Street, Cerritos, California. President Willard H. Murray, Jr. called the meeting to order. Deputy Secretary Abigail C. Andom 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 Goldsworthy Albert Robles, and Norm Ryan. Also participating in the meeting were General Manager Robb Whitaker, District Counsels J. Arnoldo Beltrán and Edward Casey, Assistant General Manager and Chief Engineer Mario Garcia, and Chief Hydrogeologist Ted Johnson.

II. PLEDGE OF ALLEGIANCE
Mr. Fernando Paludi, Central Basin Municipal Water District, led the Pledge of Allegiance.

III. INVOCATION
Director Ryan gave the Invocation.

IV. PUBLIC COMMENT
None.

V. ADDITIONAL ITEMS TO AGENDA
Director Robles asked that an additional item be added to the agenda, that the request came subsequent to the posting of the agenda for this meeting, and that there is an immediate need to take action to discuss a contract for the General Manager. Director Robles stated that he felt that the Board made a commitment to evaluate the General Manager after a
three to four month period and provide him with a written contract after that.

Discussion followed and the Board recommended that this item be included in the next Board agenda as a closed session item.

VI. CONSENT CALENDAR

A. MINUTES OF THE REGULAR MEETING OF JANUARY 21, 2004
B. DEMANDS AND CONTRACTS
C. FINANCIAL STATEMENTS FOR THE PERIOD ENDED DECEMBER 31, 2003
D. INVESTMENT REPORT FOR THE PERIOD ENDED DECEMBER 31, 2003
APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM ANNEXATION OF PROJECTS 122-903 (L059-2003), 92-603 (L018-99), AND 96-703 (L014-99) TO COUNTY LIGHTING MAINTENANCE DISTRICT 1697

H. EMPLOYEE EXPENSES
I. APPOINTMENT OF DEPUTY SECRETARY

This item was taken off the Consent Calendar.

Director Ryan requested that Agenda Item VI.I be taken off the Consent Calendar and discussed in closed session as a personnel item.

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

RESOLVED: That the Board approves Agenda Items VI.A, B, C, D, E, F, G, and H of the Consent Calendar of the meeting of February 18, 2004.

VII. CONSIDERATION OF RESOLUTION NO. 04- 693 - 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 (WATER CODE SECTION 10795 ET SEQ.)

General Manager Robb Whitaker stated that District staff submitted an application for AB303 funding for the Central Basin Groundwater Contamination Study. Resolution No. 03-693 is a provision in the application process designating an authorized representative to file the application and enter into an agreement for a grant.

Director Goldsworthy stated that the Groundwater Clean-up Committee reviewed this item at its February 17th meeting. If successful, the grant funds will allow WRD, in cooperation with the United States Geological Survey (USGS), California Department of Toxic Substances Control (DTSC), United States Environmental Protection Agency (USEPA), and Los Angeles Regional Water Quality Control Board (LARWQCB), to
continue the investigation into the threat to deeper drinking water aquifers from shallow groundwater contamination in the area of Santa Fe Springs.

Upon a motion duly made by Director Goldsworthy, seconded by Director Robles, and unanimously approved, Resolution No. 04 – 693 was adopted.

RESOLUTION NO. 04 – 693

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 (WATER CODE SECTION 10795 ET SEQ.)

(Reference is hereby made to Resolution No. 04-693 in the Draft Resolution file and by this reference is incorporated herein and included a part hereof as though fully set forth at length.)

VIII. AB303 LETTER OF SUPPORT FOR LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS

General Manager Whitaker stated that the Los Angeles County Department of Public Works (LACDPW) submitted an application to the Department of Water Resources (DWR), under AB303, for a project entitled Alamitos Seawater Barrier Telemetry System Construction. If successful, the grant will provide funding for the County to provide local and remote monitoring capabilities of conditions at the barrier project, thereby optimizing operation of the barrier and more rapidly preventing leakage than currently possible. LACDPW has requested that the District send a letter of support to the DWR for its AB303 application.

The Groundwater Clean-up Committee reviewed this item and concurred with staff’s recommendation.
Upon a motion duly made by Director Goldsworthy, seconded by Director Robles, and unanimously approved, it was

RESOLVED: That the Board support a letter from the District’s General Manager to the Department of Water Resources in support of LACDPW’s Alamitos Seawater Barrier Telemetry System Construction AB303 grant application.

IX. CONSIDERATION OF CONTRACT TO RETAIN THE SERVICES OF TRES ES, LLC (SEN. RICHARD POLANCO, RET.) TO WORK WITH BOARD AND STAFF ON DISTRICT STRATEGIC PLANNING

Mr. Bill Minasian, a resident of the City of Downey, commented that he was concerned about the necessity of retaining the services of a retired senator to do work which the current senator should be doing.

Director Robles stated that he felt that procedurally the Board should not be considering this item at this time since there was no contract attached, and the award did not go thru the procurement process. He noted that he thinks very highly of the senator but saw no urgency in approving this item at the moment and would like to consider other consultants to alleviate possible concerns from the public.

President Murray made a motion to approve the contract to retain the services of Tres Es to work with the Board and staff on strategic planning. Director Ryan seconded. The motion failed for lack of a third vote.

Director Acosta stated that she would welcome the opportunity to work with Senator Polanco and see the District move along but she had concerns and issues that she would like addressed such as the need for a detailed scope of work with clear objectives to justify this expenditure.
She stated that she would like to have the opportunity to review this item further and asked that it be referred to the Inter-Agency Committee. There were no objections from the other Board members.

President Murray stated this item will be referred to the Inter-Agency Committee.

X. UPDATE ON THE 2004 ENGINEERING SURVEY AND REPORT

Chief Hydrogeologist Ted Johnson presented to the Board an update on the preliminary findings of the 2004 Engineering Survey and Report (ESR). The ESR determines the amount of pumping, water levels, annual overdraft, accumulated overdraft, change in storage, and the amount of replenishment water needed and its cost for the ensuing year. This information along with the annual budget documentation will provide the Board with the necessary information to determine the replenishment assessment for 2004/05.

Mr. Johnson provided the following highlights: groundwater pumping for the current year 2003/04 is estimated to be 255,624 AF and an estimated 257,640 AF for the ensuing year based on a five-year average plus 8,000 AF for in-lieu suspension. The annual overdraft is estimated to be at 109,406 AF for the current year and is estimated at 111,422 for the ensuing year. The accumulated overdraft totaled 659,100 AF with a loss of 10,350 AF of storage for the past year. Replenishment water costs total approximately $25.6 million for water purchases for the ensuing year 2004/05 and does not include additional water purchases to make any accumulated overdraft.

Director Robles stated that he would like to inform the other Board members of the results of the discussions with Central Basin Municipal Water District’s (CBMWD) ad hoc committee regarding the purchase of
long-term spreading water. He noted that President Murray and he sit on WRD's ad hoc committee. President Murray stated that since these matters are part of negotiations, they may have to be discussed in closed session. District Counsel Beltrán cautioned the Board on the need to have an item properly agendized for Board discussion.

Director Goldsworthy stated that this report was presented at the last Water Resources Committee meeting and it was the consensus of the Committee that the negative trend of mining the basin has to end.

Mr. Johnson noted the following dates for the Board’s information: March 3 for the Board to receive and file the ESR and adopt the resolution to raise funds for a replenishment assessment for groundwater quality and replenishment projects/programs, April 7 for the Board to open the public hearing to receive comments, and May 5 for the Board to close the hearing and adopt the 2004/05 replenishment assessment.

XI. WRD TAC CHAIR REPORT
Mr. Diem Vuong, representing the WRD Technical Advisory Committee (TAC), stated that over the last couple of months, the TAC and staff have been reviewing the District’s capital improvement projects (CIP). He noted that each of the projects have been reviewed for their merits and recommendation to the Board. Mr. Vuong stated that the TAC would like to thank staff for their cooperation and appreciate all their work.

XII. GENERAL MANAGER’S REPORT
General Manager Whitaker stated that the preceding item will give the TAC the opportunity to speak directly to the Board and provide a report on their activities. He informed everyone that the Conjunctive Use Institutional Committee met last week and that the West Basin Water Association (WBWA) Quarterly Dinner is
tonight at the Alpine Village Inn. Lastly, Mr. Whitaker introduced Ms. Diana Delker, the new Manager of Administration and Human Resources.

XIII. DISTRICT COUNSEL REPORT
Deferred to closed session.

XIV. DIRECTORS’ REPORTS/COMMITTEE REPORTS
Director Robles stated that he would like to make a report as a member of the Ad hoc CBMWD Committee on long-term spreading water that he and President Murray sit on. President Murray stated that this discussion will have to be in closed session since the item is still under negotiations. Director Robles stated that he would like to inform the Board that there is some disagreement between him and President Murray on the terms of the agreement that he would like to have the other Board members be made aware of. He noted that he would like to have a feel for what the Board thinks or be removed from the Ad Hoc Committee since he does not see any form of resolution between himself and President Murray on the matter. Director Robles also asked if President Murray would consider having ad hoc committees make a report to the Board. Director Robles also requested that this item be included in the agenda for the next Board meeting.

Director Goldsworthy stated that at the last Groundwater Clean-up Committee meeting, the California Environmental Protection Agency (EPA) indicated that they do not intend to delay issuance of a public health goal for perchlorate during the summer or fall of 2004. The Association of California Water Agencies (ACWA) recommended waiting until the National Academy of Sciences completes it review of health effects and studies by the end of the year before they finalize the public health goal. Director Goldsworthy also stated that the Committee will be reviewing the District’s Safe Drinking Water Program, especially as it relates to District funding of non-VOC treatment projects.
Director Acosta stated that the Inter-Agency Committee will be working on logistics for the up-coming trip to Washington D.C. and Sacramento for WRD’s legislative days. The dates recommended for the Washington D.C. trip were March 28-31, and the dates recommended for the Sacramento trip were April 19-21. She also noted that the Ad Hoc Strategic Planning Committee has met related to the ongoing CIP process.

Director Ryan stated that the Finance Committee will have a special meeting tomorrow to go over the District’s mid-year budget review. He also noted that there was some interest from the other Board members on having a board workshop on bond financing. Lastly, Director Ryan stated that he has high hopes for the results of this state audit.

President Murray stated that the Administrative Committee met to discuss negotiations with the District’s bargaining unit. He also reported that staff met with representatives from CPS, a public agency that does advice and counseling on human resources issues. CPS will provide a proposal to do some work on reviewing the structure of the District’s human resources operations.

**XV. WRD BOARD MEETING DATES**

A. March 3, 2004 – 1:30 P.M.– WRD Board of Directors Meeting  
B. March 17, 2004 – 1:30 P.M. – WRD Board of Directors Meeting  
C. April 7, 2004 – 1:30 P.M. – WRD Board of Directors Meeting  
D. April 21, 2004 – 1:30 P.M. – WRD Board of Directors Meeting

**XVI. CLOSED SESSION**

A. Anticipated litigation per Government Code §54956.9 (b): One Case  
B. Labor Negotiations per Government Code §54957.6  
   Negotiator: Arnoldo Beltrán  
   Bargaining Group: American Federation of State, County and Municipal Employees (AFSCME)  
   Discussion: Terms and conditions for Memorandum of Understanding for bargaining group  
C. Conference with real property negotiator per Government Code §54956.8
Real Property: 14150 Vine Place, Cerritos, California 90703; Parcel No. APN 7003-005-003
Agency Representative: J. Arnoldo Beltran
Negotiating Parties: The Stevens Group
Under Negotiation: Price, terms, and conditions for possible purchase

The Board went into closed session. The Board reconvened in open session.
For Agenda Item XVI.A, a presentation was provided, and further instructions were given to Counsel concerning the item.

For Agenda Item XVI.B, a report was provided to the Board, and further instructions were provided concerning the remaining items.

Agenda Item XVI.C, was not considered.

VI.I APPOINTMENT OF DEPUTY SECRETARY
Upon a motion duly made by Director Ryan, seconded by Director Goldsworthy, and unanimously approved, it was

RESOLVED: That the Board appoints Acting Deputy Secretary Abigail C. Andom as Deputy Secretary.

XVII. ADJOURNMENT
President Murray asked if there was any further business to come before the Board and there being none, the meeting was adjourned upon a motion by Director Ryan and seconded by Director Robles. The meeting adjourned at 12:50 p.m.

______________________________
President

ATTEST:
______________________________
Secretary
DATE: MARCH 3, 2004

TO: BOARD OF DIRECTORS

FROM: ROBB WHITAKER

SUBJECT: NATIONAL ASSOCIATION OF LATINO ELECTED AND APPOINTED OFFICIALS (NALEO) 21ST ANNUAL CONFERENCE

SUMMARY
The National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund is the leading organization that empowers Latinos to participate fully in the American political process. Established in 1981, the NALEO Educational Fund carries out this mission by developing and implementing programs that promote the integration of Latino immigrants into American society, developing future leaders among Latino youth, providing assistance and training to the nation’s Latino elected and appointed officials, and by conducting research on issues important to the Latino population.

The NALEO Annual Conference is the largest gathering of Latino elected and appointed officials. The 21st Annual Conference will be held in Washington, DC, June 24-26, 2004.

The Inter-Agency Committee reviewed this item at its meeting on February 20, 2004.

FISCAL IMPACT
Registration received before June 11, 2004 is $500.00 per person and includes all meal functions and special events for the duration of the three-day conference. Hotel conference rate is $160.00 per night, plus tax.

STAFF RECOMMENDATION
That the Board approve directors’ attendance at NALEO’s 21st Annual Conference.

COMMITTEE RECOMMENDATION
The Inter-Agency Committee concurs with the Staff Recommendation.
**NALEO ANNUAL CONFERENCE FACT SHEET**

**WHO:** NALEO and the NALEO Educational Fund

**WHAT:** 21st Annual Conference

**WHEN:** June 24 - 26, 2004

**WHERE:** Hyatt Regency Washington on Capitol Hill  
400 New Jersey Avenue, NW  
Washington, D.C. 20001  
Tel: (202) 737-1234  
Fax: (202) 737-5773

**FOR:** 800 - 1,000 elected and appointed officials, corporate representatives, members of academia and philanthropy, community leaders, and students

**EVENTS:**

- **Assembly of Receptions**  
  *The Hyatt Regency Washington on Capitol Hill*  
  This series of 4 - 8 corporate-sponsored receptions run concurrently and give conference participants a "smorgasbord" of entertainment, food and fun, allowing participants their own time to enjoy Washington, D.C. after dark.

- **Friday Night Opening Reception**  
  *Location to be determined*  
  Officially beginning the conference, this reception welcomes conference participants at an offsite venue typical of the flavor and culture of the city.

- **Saturday night Closing Gala**  
  *The Hyatt Regency Washington on Capitol Hill*  
  The last social event of the conference, this gala banquet at the hotel, incorporates gracious dining, noted speakers, and distinctive entertainment.

**COST:**

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<tr>
<td>Saturday's Luncheon</td>
<td>$125</td>
<td>Same</td>
</tr>
<tr>
<td>Saturday Night's Closing Gala</td>
<td>$175</td>
<td>Same</td>
</tr>
</tbody>
</table>

ALL CONFERENCE PROCEEDS BENEFIT THE PROGRAMS AND SERVICES OF THE NALEO EDUCATIONAL FUND
DATE: MARCH 3, 2004
TO: BOARD OF DIRECTORS
FROM: ROBB WHITAKER, GENERAL MANAGER
SUBJECT: 15TH ANNUAL GREAT LOS ANGELES RIVER CLEAN UP, LA GRAN LIMPIEZA

SUMMARY
The Friends of the Los Angeles River (FoLAR) has once again asked that the WRD make a contribution to its annual clean up event at the Los Angeles River. FoLAR, established in 1988, is a non-profit organization that works to protect and revitalize the Los Angeles River.

The group’s event, the 15th Annual Great Los Angeles River Clean Up, La Gran Limpieza, will be held on April 30 and May 1. Last year, about 8,000 people collected more than 400 bags of trash along the river. The WRD has supported this effort the past four years and contributed $1,500 last year. The money has been used to support volunteer teams assigned to clean up debris from sections of the river.

The Inter-Agency Committee reviewed and approved of this item at its February 20, 2004 meeting.

FISCAL IMPACT
The Public Affairs Department has allocated $1,500 from the 2003-2004 fiscal year budget.

STAFF RECOMMENDATION
That the Board of Directors approve the donation to FoLAR, a non-profit organization, in the amount of $1,500 from the 2003-2004 fiscal year budget.

COMMITTEE RECOMMENDATION
The Inter-Agency Committee concurs with the staff recommendation.
DATE: MARCH 3, 2004
TO: BOARD OF DIRECTORS
FROM: ROBB WHITAKER, GENERAL MANAGER
SUBJECT: REQUEST FOR BIDS - SPINNER LOGGING AND ZONE SAMPLING WELL SERVICES

SUMMARY
In the current fiscal year, WRD budgeted money to perform certain testing of water wells to identify hydrogeologic properties of the aquifers and find possible zones of contamination that could contribute pollutants to the well water. The intent was to use this testing to increase our understanding of the Central and West Coast basin groundwater system and at the same time provide a benefit to pumpers who have contamination in their wells and are considering well head treatment or abandonment of the well.

The type of testing that would be performed is known as “spinner logging” and “zone sampling”, and is commonly used in the industry to provide well specific data on aquifer flow contribution and contaminant distribution. Spinner logging basically uses a flow meter and a pumping well to measure how much water enters the well across the entire perforated interval. It helps identify which aquifer is contributing the most water to the production well, or provides a baseline if well perforations are plugged up. Zone sampling collects water quality samples from various depths across the perforated intervals to identify if a certain aquifer is contaminated, which could then be sealed off to improve well water quality instead of abandoning the well or providing well head treatment. WRD Staff implemented this technology at the Goldsworthy Desalter to successfully increase the chloride content coming out of the well.

Staff seeks Board approval to issue a Request for Bids to qualified contractors to perform this work in the Central and West Coast Basins.

This item was reviewed by the Groundwater Clean-up Committee at its February 17, 2004 meeting.

FISCAL IMPACT
$50,000 is budgeted for this work in the current FY 2003/04 budget. Actual costs will be determined by the bids received.
STAFF RECOMMENDATION
That the Board allow staff to solicit Request for Bids for zone sampling and spinner logging of production wells in the Central and West Coast Basins. Once the bids are received, Staff will return to the Water Resources Committee and Board for approval of the contract.

COMMITTEE RECOMMENDATION
The Groundwater Clean-Up Committee concurs with the Staff Recommendation.
DATE: MARCH 3, 2004
TO: BOARD OF DIRECTORS
FROM: ROBB WHITAKER, GENERAL MANAGER

SUMMARY
The District’s current workers’ compensation carrier premium has increased dramatically. Staff has reviewed alternative options and found that the Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA) will provide the appropriate coverage at a more reasonable rate.

On October 15, 2003, the Board approved the Back to Work Program required by ACWA/JPIA Workers’ Compensation Plan for the District’s application for coverage to be considered for approval.

The Board of Directors of ACWA/JPIA approved our application on January 27, 2004, pending the approval of Resolution No. 04-700 and Resolution No. 04-701.

FISCAL IMPACT
Possible savings of $20,000 annually over current carrier.

STAFF RECOMMENDATION
That the Board adopt Resolution No. 04-700 and Resolution No. 04-701.
RESOLUTION NO. 04-700

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA
AUTHORIZING APPLICATION TO THE
DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA
FOR A CERTIFICATE OF CONSENT TO SELF-INSURE
WORKERS’ COMPENSATION LIABILITIES

WHEREAS, the Water Replenishment District of Southern California is a public entity
organized and existing under laws of the State of California; and

WHEREAS, pursuant to the provisions of Section 3700 of the California Labor Code, said
Agency may self-insure for Workers’ Compensation Liabilities in a joint protection program; and

WHEREAS, said Agency desires to participate in the ACWA/Joint Powers Insurance
Authority joint protection program for Workers’ Compensation coverage.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Water
Replenishment District of Southern California authorizes and empowers the General
Manager to make application to the Director of Industrial Relations, State of California, for a
Certificate of Consent to Self-Insure workers’ compensation liabilities, and to execute any and all documents required for such application on behalf of said Agency.

PASSED AND ADOPTED by said Board of Directors this __________ day of
______________, 2004, by the following vote:

AYES:
NOES:
ABSENT:

________________________________
Willard H. Murray, Jr
President

____________________________
Date

ATTEST:

____________________________
Robert W. Goldsworthy
Secretary
RESOLUTION NO. 04- 701

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA CONSENTING TO ENTER THE JOINT PROTECTION PROGRAMS OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY

WHEREAS, the WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA is a public entity organized and existing under laws of the State of California; and

WHEREAS, pursuant to the provisions of Section 3700 of the California Labor Code, said District may self-insure for Workers’ Compensation Liabilities in a joint protection program; and

WHEREAS, said District desires to participate in the ACWA/Joint Powers Insurance Authority joint protection program for Workers’ Compensation coverage.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA:

Section 1. That the District hereby elects to join the Workers’ Compensation Program sponsored by the Authority.

Section 2. That the District hereby selects $5,000 as its Retrospective Allocation Point (RAP) for the Authority’s cost allocation formula for Workers’ Compensation.

Section 3: That the Treasurer of this District is hereby authorized to pay to the ACWA/Joint Powers Insurance Authority its first deposit premium.

Section 4. That the Secretary of the Board of Directors of this District is directed to certify a copy of this resolution and to forward the same resolution to the Association of California Water Agencies/ Joint Powers Insurance Authority, 5620 Birdcage Street, Suite 200, Citrus Heights, California, 95610, at which time coverage will commence the 1st day of April 2004.
PASSED, APPROVED, AND ADOPTED this ________________ day of
______________________, 2004 by the following vote:

AYES:  
NOES:  
ABSENT:  

ATTEST:

_______________________________     ______________________________  
Robert W. Goldsworthy, Secretary     Willard H. Murray, Jr., President
DATE: MARCH 3, 2004

TO: BOARD OF DIRECTORS

FROM: ROBB WHITAKER, GENERAL MANAGER


SUMMARY
On January 21, 2004 the Board passed Resolution Number 04-695 ordering the preparation of the annual Engineering Survey and Report (ESR) as required by Water Code Section 60300. Staff has completed the ESR and has submitted it to the Board for its consideration. An update was given to the Board of the ESR's findings at the February 18, 2004 Board meeting. The report may be amended and updated as new information, analysis, and comments from Staff, the Board, and the public are made in the subsequent weeks leading up to the Board's adoption of the Replenishment Assessment.

The report will be mailed out to all District pumpers and other interested parties following the Board's acceptance and filing of the report. WRD will conduct the required Public Hearing by the second Tuesday in April to review the findings in the ESR and to present the preliminary budget so that any interested party has the opportunity to provide comment. The Board may continue the Public Hearing to another date if additional time is needed so long as it is closed by the first Tuesday in May. After the close of the public hearing, but no later than the second Tuesday in May, the Board, by Resolution, must set the Replenishment Assessment for the ensuing year.
Providing that the ESR has been made, the board, by resolution, shall declare its intent to raise funds through a replenishment assessment for groundwater replenishment purposes and for groundwater replenishment and water quality projects and programs in the ensuing year. Attached is a copy of the above referenced Resolution No. 04-699 for the Board to consider.

Staff’s tentative schedule to meet the Water Code required deadlines for the ESR and Replenishment Assessment rate setting process is as follows:

- January 21, 2004 - Board orders the preparation of the ESR;
- March 3 - Board receives and files ESR and adopts a resolution to declare that funds will be raised through a replenishment assessment to purchase replenishment water and to fund water quality and replenishment projects and programs for the ensuing year;
- April 7 - Board opens the Public Hearing to receive comments.
- April 21 – Close Public Hearing;
- May 5 – Board adopts the 2004/2005 Replenishment Assessment.

**FISCAL IMPACT**
None.

**STAFF RECOMMENDATION**
That the Board accept and file the 2004 Engineering Survey and Report, and adopt Resolution No. 04-699

**COMMITTEE RECOMMENDATION**
The ESR update was given to the Water Resources Committee on February 9, 2004, and to the Board on February 18, 2004. The Resolution was not brought to the committee as it is an annual required Board action.
RESOLUTION NO. 04-699

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA ORDERING ACCEPTANCE AND FILING OF THE ENGINEERING SURVEY AND REPORT SUBMITTED PURSUANT TO SECTIONS 60300 AND 60301 OF THE WATER CODE, DECLARING THAT FUNDS SHALL BE RAISED FOR THE PURCHASE OF WATER FOR REPLENISHMENT AND FOR GROUNDWATER REPLENISHMENT AND QUALITY PROGRAMS AND PROJECTS DURING THE ENSUING FISCAL YEAR, THAT SUCH FUNDS SHALL BE RAISED BY A REPLENISHMENT ASSESSMENT AS PROVIDED IN SAID WATER CODE, DECLARING THAT THE FUNDS TO BE RAISED BY SAID REPLENISHMENT ASSESSMENT WILL BENEFIT, EITHER DIRECTLY OR INDIRECTLY, ALL OF THE PERSONS, REAL PROPERTY AND/OR IMPROVEMENTS WITHIN THE DISTRICT, AND ORDERING THE PUBLICATION OF A NOTICE OF PUBLIC HEARING IN ACCORDANCE WITH SECTION 60306 OF THE WATER CODE

WHEREAS, there has been submitted to the Secretary of the Water Replenishment District of Southern California (“District”) the engineering survey and report heretofore ordered pursuant to Sections 60300 and 60301 of the California Water Code; and

WHEREAS, the Board of Directors of the District (“Board”) has received said report;

NOW, THEREFORE, BE IT RESOLVED AND DECLARED:

(1) That the said engineering survey and report be received and filed in the records of the District;

(2) That funds shall be raised to purchase water for replenishment of the groundwater supplies within the District during the next ensuring fiscal year of the District, and to accomplish all acts reasonably necessary to said replenishment, including but not limited to the development and
operation of capital projects, and that such funds shall be raised by a replenishment assessment, as provided in California Water Code Sections 60300 et seq;

(3) That funds shall be raised to remove contaminants from groundwater supplies and to exercise any other power under California Water Code Section 60224, including but not limited to developing and operating capital projects, and that such funds shall be raised by a replenishment assessment as provided by California Water Code Section 60300 et seq;

(4) That funds shall be raised to pay for the District’s operating and administrative expenses, and such funds shall be raised by a replenishment assessment pursuant to California Water Code Section 60300 et seq;

(5) A public hearing shall be held by the second Tuesday in April 2004 for the purpose of determining whether and to what extent the estimated cost of the actions described in paragraphs 2, 3, and 4, above for the ensuing fiscal year shall be paid for by a replenishment assessment;

(6) That the funds so raised to accomplish the actions described in paragraphs 2, 3 and 4, above during the next ensuing fiscal year will benefit, directly or indirectly, all of the persons and/or real property and improvements within the District;

(7) That the General Manager of the District shall cause to be published on behalf of the Board a notice that a public hearing will be held for the purposes described in paragraph 5, above. Such notice shall be published once in the Metropolitan News, an adjudicated paper of general circulation in Los Angeles County, at least ten (10) days before
said hearing. Such notice shall contain a copy of said Board’s resolution, the time and place of said hearing, and an invitation to all interested parties to attend and be heard in support of or in opposition to said proposed assessment, and shall invite inspection of the engineering survey and report upon which the Board acted.

PASSED, APPROVED AND ADOPTED this 3rd day of March 2004.

__________________________
President

ATTEST:

__________________________
Secretary
DATE:       MARCH 3, 2004
TO:         BOARD OF DIRECTORS
FROM:       ROBB WHITAKER, GENERAL MANAGER
SUBJECT:    NOMINATION FOR LAFCO REPRESENTATIVE

SUMMARY
Since 1994, special districts in Los Angeles County have been represented by two members of
the Local Agency Formation Commission (LAFCO). By law, independent special district seats
on LAFCO are filled by the Special District Selection Committee. That Committee is made up
of the presiding officers of each independent special district in Los Angeles County.

The term of office of one of those representatives expires this year and the Special District
Selection Committee is seeking nominations of candidates to fill the seat.

LAFCO has appointed Lagerlof, Senecal, Bradley, Gosney & Kruse to assist in conducting the
election to fill the position. The form to be used to nominate candidates is attached. After
nominations are received, each district will receive a complete package of nominee resumes,
together with a ballot for consideration by the presiding officer of the agency’s board. Voting is
conducted by mailed ballot.

Nominees must be elected or appointed individuals to the special district’s board. As much
relevant information about the candidate as reasonably possible is requested. Any
biographical information and/or candidate statement should be limited to one page.
Nominations must be received in the office of Lagerlof, Senecal, Bradley, Gosney & Kruse no

The Inter-Agency Committee reviewed this item at its February 20, 2004 meeting and
recommended nominating Director Robert W. Goldsworthy, if he will accept, to fill the seat at
the Local Agency Formation Commission.

FISCAL IMPACT
None.

STAFF RECOMMENDATION
For discussion.
COMMITTEE RECOMMENDATION
The Inter-Agency Committee reviewed this item at its February 20, 2004 meeting and recommended nominating Director Robert W. Goldsworthy, if he will accept, to fill the seat at the Local Agency Formation Commission.
MEMORANDUM

ITEM NO. IX

DATE: MARCH 3, 2004

TO: BOARD OF DIRECTORS

FROM: ROBB WHITAKER, GENERAL MANAGER

SUBJECT: WRD / CENTRAL BASIN MUNICIPAL WATER DISTRICT SPREADING WATER PURCHASE AGREEMENT

SUMMARY
Ad Hoc Committees, staff from WRD and the Central Basin Municipal Water District (CBMWD) have been meeting to discuss an agreement between the two agencies related to the purchase of seasonal untreated water for surface spreading in the Montebello Forebay. Because WRD purchases of this water from CBMWD has fluctuated on an annual basis, this fluctuation impacts the WRD replenishment assessment as well as anticipated revenues to CBMWD from the sale of this water to the District. WRD is interested in stabilizing costs and the replenishment assessment. CBMWD is interested in stabilization of their revenue source from WRD. To that end, WRD and CBMWD are discussing purchase agreement scenarios to eliminate and/or minimize the rate impacts of the annual fluctuation related to the purchases of this water.

FISCAL IMPACT
None at this time.

STAFF RECOMMENDATION
For discussion.

COMMITTEE RECOMMENDATION
The Water Resources Committee concurs with the Staff Recommendation.
MEMORANDUM
ITEM NO. X

DATE: MARCH 3, 2004
TO: BOARD OF DIRECTORS
FROM: ROBB WHITAKER, GENERAL MANAGER
SUBJECT: DEFERRED COMPENSATION

SUMMARY
The District currently administers a deferred compensation plan in which employees can deposit a portion of their income as a tax-deferred retirement investment. This is currently conducted with no incentive (or matching) funds from the District. At its February 11, 2004 meeting, the Administrative Committee proposed that the District offer a limited matching funds incentive to its participating employees. The Committee proposed to match employees’ deferred compensation contributions at the rate of $.50 per deferred dollar, with a maximum annual liability to the District of $5,000 per participating employee. At the same meeting, District Counsel reported that many other special districts offer similar incentives to their employees.

The Administrative Committee recommends that if the matching funds incentive is approved by the Board, it should then be included in the AFSCME MOU, with possible contingencies.

FISCAL IMPACT
Up to approximately $160,000 annually if there is maximum participation by all staff and Board members.

COMMITTEE RECOMMENDATION
The Administrative Committee recommends that the Board approve a matching funds incentive to the employees’ deferred compensation plan.
DATE: MARCH 3, 2004

TO: BOARD OF DIRECTORS

FROM: ROBB WHITAKER, GENERAL MANAGER

SUBJECT: CONSIDERATION OF CONTRACT TO RETAIN THE SERVICES OF TRESSES, LLC (SEN. RICHARD POLANCO, RET.) TO WORK WITH BOARD AND STAFF ON DISTRICT STRATEGIC PLANNING

SUMMARY
The District seeks assistance in strategic planning for the areas of conjunctive use, use of recycled water, inter-agency (including state agencies) relations, local government working relationship, and outreach efforts. The services will be directed by the General Manager and the contract will require that services be provided in the WRD service area and in Sacramento as may be, at the discretion of the General Manager or Board Member, needed.

FISCAL IMPACT
Compensation will be set at $5,000 per month, plus expenses. The General Manager will be granted the authority to request such additional assistance as may be required provided that the cost of such additional assistance does not result in a monthly expense in excess of $10,000, exclusive of expenses.

STAFF RECOMMENDATION
For information and direction by the Board.

COMMITTEE RECOMMENDATION
The Inter-Agency Committee is set to review this item at a special meeting on March 8, 2004.
DATE: MARCH 3, 2004

TO: BOARD OF DIRECTORS

FROM: ROBB WHITAKER, GENERAL MANAGER

SUBJECT: LEGISLATIVE REPORT – SB 50 (SHER)

SUMMARY
Staff will provide a verbal update on federal and state matters. Additionally, Staff is recommending that the WRD Board remove its support for SB 50 (Sher), “Solid waste: hazardous electronic waste”. As introduced, this bill would have required bottled water companies to comply with more stringent requirements as those required of the water industry. The bill has since been replaced with language to address hazardous electronic waste.

The Inter-Agency Committee reviewed this item at its February 20, 2004 meeting.

FISCAL IMPACT
None.

STAFF RECOMMENDATION
That the Board remove its support for SB 50 (Sher).

COMMITTEE RECOMMENDATION
The Inter-Agency Committee concurs with the Staff recommendation.