

**A REGULAR MEETING  
OF THE  
SAN GABRIEL BASIN WATER QUALITY AUTHORITY  
NOVEMBER 18, 2008 at 9:30 A.M.**

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**CALL TO ORDER** The Chairman called the regular meeting of the San Gabriel Basin Water Quality Authority to order and reviewed the actions anticipated on the agenda for the meeting.

**ROLL CALL OF BOARD MEMBERS** Greg Nordbak, Bob Kuhn, Jim Byerrum, Margaret Clark, Carol Montano, and Al Contreras

**BOARD MEMBERS ABSENT** Mike Whitehead

**STAFF MEMBERS PRESENT** Grace Kast, Executive Director; Randy Schoellerman, Assistant Executive Director/Senior Engineer; Stephanie Moreno, Admin/IS Assistant; Dan Colby, Project Resource Manager; Gabriel Monares, Director of Resource Development; Art Kidman, Legal Counsel

**MEMBERS OF THE PUBLIC PRESENT** Dan Horan, Three Valleys Municipal Water District; Tom Lindros, Knollwood Associates; Jonathan Contreras, Valley County Water District; Mariana Lake, Valley County Water District

**ITEMS TOO LATE TO BE AGENDIZED** None.

**PUBLIC COMMENT** None.

**CONSENT CALENDAR** Ms. Montano moved to approve the consent calendar. Mr. Contreras seconded the motion, and it was unanimously approved.

Mr. Contreras abstained from approving the minutes for the 10/21/08 meeting.

Mr. Byerrum abstained from Project Demand number 2842.

**ACTION ITEMS**

*Discussion/Action Regarding Agreement for Termination of lease with the City of Monterey Park* Ms. Kast reported that the Administrative/Finance Committee reviewed and recommended approval of the proposed agreements that would 1) terminate the existing vessel lease with the city of Monterey Park, and 2) sell the four vessels and appurtenant equipment to the city of El Monte for \$5,000. Ms. Kast also noted that WQA's legal counsel had approved the agreements.

***Discussion/Action  
Regarding Agreement  
for Sale of Treatment  
Equipment with the City  
of El Monte***

After brief discussion, Mr. Contreras moved to approve the Agreement for Termination of Lease with the City of Monterey Park, and also approve the Agreement for Sale of Treatment Equipment with the City of El Monte. Ms. Clark seconded the motion and it was unanimously approved.

**LEGISLATIVE  
REPORT**

Ms. Kast reported that H.R. 123 may not have a chance to pass Congress until next year. She also indicated that the \$4M appropriation request for the San Gabriel Basin Restoration Fund was expected to be included in an upcoming bill.

**ENGINEER'S  
REPORT**

None.

**ATTORNEY'S  
COMMENTS**

At the request of the Board, Mr. Kidman reported on recent updates to the Brown Act.

Mr. Kidman indicated that a majority of the Board may not exchange emails concerning items of business within the subject matter jurisdiction of the legislative body. He also recommended that even two board members refrain from exchanging emails on this subject matter because of the risk that one or more other members will become involved in the communications, thus violating the Brown Act.

He reported that committee meetings are subject to the open meeting laws. Therefore, communication between two members of a committee, constituting a committee majority, may violate the Brown Act. He also indicated that staff may not communicate one committee member's positions and/or comments to any other committee member.

He indicated that good public policy suggest that each board member have equal access to information and explained that staff may email information to all board members. However, he recommended that it be done with separate emails to each board member to avoid the risk that a board member will hit "reply all" instead of "reply" and inadvertently send their response to all of the other board members, which could constitute a violation of the Brown Act. He noted that individual board members may reply to emails from staff for information as long as they do not copy other board members on their reply. Finally, he noted that staff may not communicate to board members the comments or positions of any other board member.

**EXECUTIVE  
DIRECTOR'S  
REPORT**

Ms. Kast gave a brief update on the WQA election for the cities with pumping rights seat indicating that two votes had been received for Mr. Nordbak. She wished everyone a Happy Thanksgiving and a Happy Birthday to Mr. Nordbak.

**FUTURE AGENDA  
ITEMS**

None.

**FUTURE  
COMMITTEE  
MEETINGS**

The Administrative/Finance Committee meeting was scheduled for Tuesday, December 9, 2008 at 12:00 P.M.

The Engineering Committee meeting was scheduled for Tuesday, December 9, 2008 at 1:00 P.M.

**BOARD MEMBERS'  
COMMENTS/  
REPORTS**

Many members of the Board wished everyone a Happy Thanksgiving.

Ms. Clark reported that she attended the Upper San Gabriel Valley Municipal Water District (Upper District) ground breaking ceremony for their recycled water program at the Whittier Narrows golf course held on October 29, 2008 and also attended WQA's dedication ceremony for the Whitmore Street Groundwater Remediation Treatment Facility on October 30, 2008.

Mr. Kuhn reported that he met with Bob Margett and thanked him for his support.

Mr. Byerrum reported that he attended the Upper District ground breaking ceremony for their recycled water program at the Whittier Narrows golf course held on October 29, 2008 and also attended WQA's dedication ceremony for the Whitmore Street Groundwater Remediation Facility on October 30, 2008.

Mr. Nordbak wished everyone a happy Thanksgiving. He also commended Assemblyman Hernandez for his continued support of the WQA.

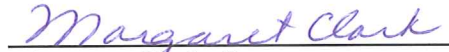
**CLOSED SESSION**

A closed session was not held.

**ADJOURNMENT**

The Chairman asked if there were any other items of business to come before the Board. There being none, this regular Board meeting was adjourned to December 16, 2008.

  
J. Greg Nordbak, Chairman

  
Margaret Clark, Secretary