

**A REGULAR MEETING
OF THE
SAN GABRIEL BASIN WATER QUALITY AUTHORITY
AUGUST 17, 2010 at 9:30 A.M.**

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 Bob Kuhn, Ed Chavez, Carol Montano, Margaret Clark, Greg Nordbak and Jim Byerrum

BOARD MEMBERS ABSENT Mike Whitehead

STAFF MEMBERS PRESENT Grace Kast, Executive Director; Randy Schoellerman, Assistant Executive Director/Senior Engineer; Stephanie Moreno, Admin/IS Assistant; Mary Saenz, Director of Finance; Michelle Sanchez, Admin/Accounting Assistant; Dan Colby, Project Resource Manager; Art Kidman, Legal Counsel.

MEMBERS OF THE PUBLIC PRESENT Tom Lindros, Knollwood Associates; Jonathan Contreras, Valley County Water District; Dan Horan, Three Valleys MWD; Claudine Meeker, City of Alhambra; Tom Vinkier, ESPSD; Barbara Carrera, San Gabriel County Water District; Charles Shaw, San Gabriel County Water District; Dave Gondek, City of El Monte; Kharis Corbett, City of Rosemead; Dan Arrighi, San Gabriel Valley Water Company; Robert Diprimio, San Gabriel Valley Water Company

ITEMS TOO LATE TO BE AGENDIZED None.

PUBLIC COMMENT None.

PUBLIC HEARING

To Receive Comments on the Proposed 2010/2011 Fiscal Year \$10.00/Acre-Foot Assessment on Those Holding Prescriptive Water Pumping Rights in the San Gabriel Basin The Chairman opened the public hearing and remarked that when the Board proposed the \$10/acre-foot assessment it was thought that there were potential problems if it was left at \$7.25/acre-foot. He thought that those had now been eliminated and did not see a real need to change the \$7.25/acre-foot rate.

Charles Shaw, San Gabriel County Water District, commented that the organization does a terrific job, but he did not see the need to increase the assessment. He explained that unless someone could point out the additional expenses requiring \$10/acre-foot he recommended keeping the assessment at

\$7.25/acre-foot.

There being no other persons interested in making comments, the Chairman closed the public hearing.

Ms. Kast noted that Mary K. Dawes and Jan Stowell submitted letters opposing the proposed \$10/acre-foot assessment and that the letters had been enclosed in the agenda packets.

CONSENT CALENDAR

Mr. Nordbak moved to approve the consent calendar as presented. Ms. Montano seconded the motion and it was unanimously approved. Mr. Byerrum abstained from project demand No. 3177.

ACTION ITEMS

Administrative/Finance Committee Report

Mr. Kuhn reported that the minutes for the meeting held on August 10, 2010 were enclosed for review.

Discussion/Action Regarding WQA's Proposition 84 Ranking Process

Ms. Kast reviewed the draft Proposition 84 ranking process. She reported that staff worked with Elaine Berghausen from the Gualco Group to put together the two levels of ranking questions. She indicated that the level one questions were general questions focusing on WQA's priorities and that the level two questions were directly related to the Department of Public Health's requirements.

She indicated that staff was proposing to send out the ranking questions to the project proponents and then present their responses to the Admin/Finance Committee in September.

After general discussion, Ms. Montano moved to approve the proposed ranking process. Mr. Byerrum seconded the motion and it was unanimously approved.

Engineering Committee Report

Mr. Kuhn reported that the minutes for the meeting held on August 10, 2010 were enclosed for review.

Discussion/Action Regarding Change Order No. 1 Ratification for CST Environmental Engineering

Mr. Schoellerman reported that a change order in the amount of \$2,500 was required for the removal and disposal of two power poles located at the former South El Monte Operable Unit (SEMOU) Barrier project site. He noted that the per Procedure No. 7 the Executive Director can approve change orders not exceeding \$10,000 for contracts less than \$100,000. However, the change order must still be ratified by the Board.

Discussion/Action Regarding Notice of Completion for CST Environmental, LLC

Mr. Schoellerman reported that CST Environmental completed work to demolish the SEMOU Barrier project per the original contract and subsequent Change Order No. 1 and that staff was recommending the approval of filing a Notice of Completion to start the 35-day waiting period for claims to be filed.

Ms. Montano moved to ratify Change Order No. 1 and approve

the filing of the Notice of Completion for CST Environmental, LLC. Mr. Chavez seconded the motion and it was unanimously approved.

*Discussion/Action Regarding
EMOU East Side Remedy
Environmental
Documentation*

Ms. Kast explained that WQA was asked to be a co-lead agency for the California Environmental Quality Act (CEQA) review process along with the City of El Monte for the El Monte Operable Unit eastern remedy. She indicated that the city of El Monte made the request to resolve a lead-agency issue and to allow the process to move forward. The city of Rosemead, where part of the project is located, declined to be a lead agency. She explained that two agreements would require Board approval. An agreement with Gould Electronics would allow WQA to get reimbursed for its costs associated with acting as co-lead agency and a second agreement with the City of El Monte would define each agency's roles and responsibilities as co-lead agencies. She summarized by indicating that WQA would not have any out of pocket expenses.

After general discussion, Mr. Byerrum moved to approve WQA acting as co-lead agency for the EMOU East Side Remedy CEQA review process. Ms. Montano seconded the motion and it was approved. Ms. Clark abstained from the vote.

***Adopt Resolution No. 10-005,
A Resolution of the San
Gabriel Basin Water Quality
Authority Imposing an
Annual Prescriptive Pumping
Right Assessment to pay for
the Authority Budget for
Fiscal Year 2010/2011***

Mr. Kuhn reported that at the time the proposed assessment was set the Board felt that there might have been a need for the increase. He indicated that he did not think the increase was now needed and wanted to keep the assessment at the current rate of \$7.25/acre-foot.

Ms. Clark commented that she felt that it was really a bad time to be raising rates.

Mr. Byerrum moved to adopt Resolution No. 10-005, a resolution of the San Gabriel Basin Water Quality Authority imposing an annual prescriptive pumping right assessment in the amount of \$7.25/acre-foot to pay for the Authority budget for fiscal year 201/2011. Ms. Clark seconded the motion and it was approved by the following roll call vote:

AYE: KUHN, CHAVEZ, MONTANO, CLARK, NORDBAK,
BYERRUM

NO: NONE

ABSENT: WHITEHEAD

***Discussion/Action
Recommendations for WQA
Organizational Structure***

Ms. Kast reported that she had been working with an organizational management consultant and presented some initial findings to the management ad-hoc committee. She noted that the management ad-hoc committee had given her guidance to move forward and hoped to have something for the Board to review soon.

ENGINEER’S REPORT

Mr. Schoellerman reported that the WQA was in the process of acting as lead agency for the CEQA review process for the EMOU Westside Remedy project and that the Notice of Intent to Adopt a Mitigated Negative Declaration was published on August 3, 2010. He noted that the comment period would end on September 3, 2010.

ATTORNEY’S COMMENTS

Mr. Kidman introduced Robert Diprimio and congratulated him on his new position at San Gabriel Valley Water Company. He also reported that AB1955 had died, but noted that other bills may catch notice due to the recent issues with the City of Bell.

EXECUTIVE DIRECTOR’S REPORT

None.

FUTURE AGENDA ITEMS

None.

FUTURE BOARD AND COMMITTEE MEETINGS

The next Legislative/Public Information Committee meeting was scheduled for Wednesday, September 1, 2010 at 1:00 P.M.

The next Public Information/Education Committee was scheduled for September 7, 2010 at 11:30 A.M.

The next Administrative/Finance Committee meeting was scheduled for Tuesday, September 14, 2010 at 12:00 P.M.

The next Engineering Committee meeting was scheduled for Tuesday, September 14, 2010 at 1:00 P.M.

The next WQA Board meeting was scheduled for Tuesday September 21, 2010 at 9:30 A.M.

BOARD MEMBERS’ COMMENTS/ REPORTS

Mr. Chavez asked for confirmation that the various committee dates are set. Ms. Kast indicated that they are now considered the regular set dates.

Mr. Kuhn thanked those that came out for the public hearing and wanted to assure everyone that WQA would not have gone ahead with raising the assessment without a full explanation of why it was necessary.

CLOSED SESSION

A closed session was held.

- (a) Conference with Legal Counsel – Existing Litigation

Existing Litigation Pursuant to Subdivision (a) of Section 54956.9

- (b) Conference with Legal Counsel –
Anticipated Litigation

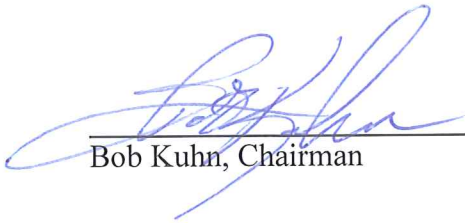
Significant Exposure to Litigation Pursuant to
Subdivision (b) of Section 54956.9: One (1)
Potential Case

**RECONVENE OPEN
SESSION**

Mr. Kuhn reported that there was no reportable action.

ADJOURNMENT

The Chairman asked if there were any other items of business to
come before the Board. There being none, the Board meeting
was adjourned to September 21, 2010.



Bob Kuhn, Chairman



Margaret Clark, Secretary