

I hereby certify that the following Agenda was posted at least 72 hours prior to the time of the Board Meeting so noticed below, at the usual agenda posting location of the South Orange County Wastewater Authority [SOCWA].



Thomas R. Rosales, General Manager  
SOCWA and the Board of Directors thereof

**AGENDA**  
**REGULAR MEETING**  
**OF THE**  
**SOUTH ORANGE COUNTY WASTEWATER AUTHORITY**  
**BOARD OF DIRECTORS**

**Thursday, August 5, 2010**  
**8:30 a.m.**

THE BOARD OF DIRECTORS MEETING ROOM IS WHEELCHAIR ACCESSIBLE. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS (I.E. ACCESS TO AN AMPLIFIED SOUND SYSTEM, ETC.), PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY'S OFFICE AT 949-234-5421 AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON WRITTEN REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA ATTACHMENTS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY BOARD OF DIRECTORS IN CONNECTION WITH A MATTER SUBJECT TO DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE BOARD OF DIRECTORS ARE AVAILABLE FOR PUBLIC INSPECTION IN THE AUTHORITY OFFICE, 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"). IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE BOARD OF DIRECTORS LESS THAN 72 HOURS PRIOR TO THE MEETING, THEY WILL BE AVAILABLE IN THE RECEPTION AREA OF THE AUTHORITY OFFICE AT THE SAME TIME AS THEY ARE DISTRIBUTED TO THE BOARD OF DIRECTORS, EXCEPT THAT, IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IN THE BOARD OF DIRECTORS MEETING ROOM.

- 1. CALL MEETING TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. CONSENT CALENDAR

- A. Minutes of Regular Board Meeting of June 3, 2010.....1  
ACTION: The Board will be requested to approve subject Minutes.
- B. Finance Committee Meeting Minutes of May 18, 2010.....8  
ACTION: The Board will be requested to receive and file subject Minutes.
- C. Finance Committee Meeting Minutes of June 15, 2010.....10  
ACTION: The Board will be requested to receive and file subject Minutes.

D. Approval of Finance Committee Recommendations.....12

a) Approval of Expenditures

ACTION: The Board will be requested to approve recommendations of the Finance Committee.

FISCAL  
IMPACT: Please refer to staff report.

E. Operations Reports.....14

ACTION: The Board will be requested to receive and file subject reports.

FISCAL  
IMPACT: None.

F. Contract Approval – Cox Communications Agreement.....73

ACTION: The Board will be requested to approve a six year agreement with Cox Communications at a fee of \$4,788. per year plus applicable local taxes and fees.

FISCAL  
IMPACT: Please refer to staff report.

G. Change Order – F.T. Ziebarth Construction Contract [PC2].....76

ACTION: The Board will be requested to approve Change Orders 11 and 12 to the construction contract with F.T. Ziebarth for the J.B. Latham Plant East Plant Improvements Project.

FISCAL  
IMPACT: Please refer to staff report.

H. Change Order – S.S. Mechanical Construction Contract [PC17].....80

ACTION: The Board will be requested to approve Change Order 6 to the construction contract with S.S. Mechanical for the Regional Treatment Plant Heardworks Upgrade Project.

FISCAL  
IMPACT: Please refer to staff report.

I. Notice of Completion – Pascal & Ludwig Constructors [PC15].....83

ACTION: The Board will be requested to receive and file Notice of Completion for the Coastal Treatment Plant Primary Treatment Upgrade – Phase I Project.

FISCAL  
IMPACT: Please refer to staff report.

J. Minutes – Executive Committee March 25, 2010.....87

ACTION: The Board will be requested to receive and file subject Minutes.

K. Minutes – Executive Committee April 20, 2010.....89  
ACTION: The Board will be requested to receive and file subject Minutes.

L. Minutes – Executive Committee May 3, 2010.....91  
ACTION: The Board will be requested to receive and file subject Minutes.

M. Minutes – Engineering Committee April 8, 2010.....96  
ACTION: The Board will be requested to receive and file subject Minutes.

4. GENERAL MANAGERS REPORT

A. Regulatory Update Report..... 102  
ACTION: The Board will be requested to review the Regulatory Update Report and thereafter to receive and file the report.  
FISCAL IMPACT: None.

B. Renewal of Operations and Maintenance Agreement – SOCWA & City of Laguna Beach [PC23].....108  
ACTION: The PC23 Board will be requested to approve a five (5) year extension of the agreement with the City of Laguna Beach for operation of the maintenance of the North Coast Interceptor.  
FISCAL IMPACT: Please refer to staff report.

C. Agreement - Prop 84 Cooperative Agreement.....118  
ACTION: The Board will be requested to approve the Cooperative Agreement for the South Orange County Watershed Management Area.  
FISCAL IMPACT: Please refer to staff report.

D. General Manager’s Status Report .....149  
ACTION: The Board will be requested to take action as deemed appropriate relative to any matter listed in the General Manager’s Status Report and thereafter to receive and file the report.  
FISCAL IMPACT: None.

5. FINANCIAL MATTERS

A. Resolution 2010-02 – Credit Card Agreement with Bank of the West..... 152

ACTION: The Board will be requested approve Resolution No. 2010-02, authorizing the General Manager to enter into a Commercial Credit Card Agreement with Bank of the West.

FISCAL IMPACT: Please refer to staff report.

6. ENGINEERING MATTERS

A. Award of Contract – Carollo Engineers [PC2].....175

ACTION: The PC 2 Board will be requested to approve the award of the engineering services contract to Carollo Engineers at a fee of \$188,918.

FISCAL IMPACT: Please refer to staff report.

B. Award of Contract – Dudek [PC15].....186

ACTION: The PC15 Board will be requested to approve the award of the engineering services contract to Dudek at a fee of \$94,995.

FISCAL IMPACT: Please refer to staff report.

C. Award of Contract – TetraTech [PC3A].....194

ACTION: The PC3A Board will be requested to approve the award of the engineering services contract to TetraTech at a fee of \$70,413.

FISCAL IMPACT: Please refer to staff report.

7. CLOSED SESSION

A. In Accordance with Subdivision (a) of Government Code Section 54956.9, A Closed Session will be Conducted to:

Conference with Legal Counsel – Existing Litigation (2 cases):  
Petition to State Water Resources Control Board for Region 9 Failure to Modify NPDES Permit [SCWD Groundwater Recovery Facility]: SWRCB/OCC File A-2072; *South Orange County Wastewater Authority, South Coast Water District vs. San Diego Regional Water Quality Control Board, Petition for Writ of Mandate (OCSC Case No. 30-2010-00364016)* [\$204,000 Mandatory Minimum Penalties for GRF discharge under San Juan Outfall NPDES Permit]

B. In Accordance with Subdivision (a) of Government Code Section 54956.9, A Closed Session will be Conducted to:

Conference with Legal Counsel – Existing Litigation (One Case):

*South Orange County Wastewater Authority v. City of Dana Point, Makar Properties LLC, (OCSC Case No. 30-2009-00283523)*

- C. In Accordance with Subdivision (b)(1) of Government Code Section 54956.9, A Closed Session will be Conducted to:

Conference with Legal Counsel – BKK Working Group Claim

8. OTHER MATTERS

- A. Open discussion or items received too late to be agendized.

NOTE: Determine the need to take action on the following item(s) introduced by the General Manager which arose subsequent to the agenda being posted. [Adoption of this action requires a two-thirds vote of the Board, or if less than two thirds are present a unanimous vote.]

9. ADJOURNMENT

NOTES

THE NEXT REGULAR SOCWA BOARD MEETING WILL BE HELD AT  
**8:30 A.M. ON OCTOBER 7, 2010**  
AT THE SOCWA ADMINISTRATIVE OFFICES LOCATED AT  
34156 DEL OBISPO STREET, DANA POINT, CALIFORNIA 92629