



## PAJARO VALLEY WATER MANAGEMENT AGENCY

36 BRENNAN STREET • WATSONVILLE, CA 95076

TEL: (831) 722-9292 • FAX: (831) 722-3139

email: info@pvwma.dst.ca.us • http://www.pvwma.dst.ca.us

Board of Directors Meeting  
City Council Chambers

September 17, 2008, 7:00 p.m.  
250 Main Street, Watsonville, CA

### BUSINESS MEETING MINUTES

- 1. Call to Order, Roll Call of the PVWMA Directors, and Pledge of Allegiance:** The Regular Board Meeting of Pajaro Valley Water Management Agency was called to order in the City Council Chambers, 250 Main Street, Watsonville, CA, at 7:00p.m. by Chair Osmer.

Board Members Present: Osmer, Cervantes, Kegebein, Imazio, Dobler, Koenig

Board Members Absent: None

Staff Members Present: Mary Bannister, Interim General Manager (IGM)  
Veronica Barboza, Administrative Analyst (AA)

Others Present: Anthony Condotti, Counsel

- 2. Pledge of Allegiance**
- 3. Oral Communications: None**
- 4. Director Comments:** Director Eiskamp inquired about the letter in the chron that was included in the Board Packet from Chairman Osmer addressed to the Department of Water Resources. Director Eiskamp suggested that he disclose the Augmentation litigation issue. Director Eiskamp expressed his concerns regarding this matter and questioned, if the Board should have a policy for the Board Chairman to send out letters without the Board's review. Suggested to agendize for next meeting. Director Kegebein did not agree. Board approved by consensus not to agendize for next meeting. Director Osmer announced that at the September 16, 2008 Administrative/Finance Committee Meeting, the committee sent out a press release regarding the delay issue on the Augmentation Charge Refund Claim Form.
- 5. Counsel Report:** Counsel had no new information to report.
- 6. Interim General Manager Report:**
- 7. Report of Chair on Ad Hoc Funding Committee:** Do reported that the committee met on September 15, 2008 and has asked counsel to outline the advantages and disadvantages in regards to funding.
- 8. Consent Agenda:**
  - Approve August 13, 2008 Minutes
  - Approve Disbursement Ledger for July 2008
  - Approve Financial Reports for July 2008
  - Grant Update

Director Eiskamp noted to IGM, that the minutes should be corrected, under item 6

◆ Motion by Director Kegebein to approve the Consent Agenda as corrected. Motion carried by the following roll call vote:

**AYES:** Osmer, Cervantes, Eiskamp, Kegebein, Dobler, Imazio, Koenig

**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

## 9. Discussion and/or Action Items

- A. Consider approval of contract with Troutman Sanders Public Affairs Group, LLC for legislative advocacy through September 2009 at a cost not to exceed \$82,000: IGM reported on the need to renew the contract with Troutman Sanders. She further stated that as explained in the scope of work, Mr. Freshman proposes to continue, during the next twelve months, to build on and broaden the foundation of Congressional support for the Agency and the associated Watsonville Area Recycling Project. IGM recommended that the Board approve the contract. After discussion, the following action was taken:

◆ Motion by Director Koenig to approve contract with Troutman Sanders Public Group Affairs, LLC at a cost not to exceed \$82,000, as presented. Motion carried by the following roll call vote:

**AYES:** Osmer, Cervantes, Kegebein, Imazio, Dobler, Koenig  
**NOES:** Eiskamp  
**ABSENT:** None  
**ABSTAIN:** None

- B. Reconsider Majority Protest Alternatives for the rate Re-establishment: Director Osmer reported that at the August 27, 2008 Board Meeting, there was discussion of the advantages, process and schedule for implementing a majority protest vote on the existing \$80 Augmentation Charge. The Board decided against that alternative. Director Koenig requested that this item be brought back before the Board for reconsideration. No action was taken on this item.

### Public Comments:

Nick Buliach: Does not support the majority protest. Agency needs to meet the requirements.

Harold Griffith: Stated that the Augmentation Charge could never be approved by a majority protest. Need a 2/3 vote.

Steve Palmisano, City of Watsonville:

- C. Receive update from Santa Cruz County on Groundwater Emergency: IGM reported that on August 19, 2008, the County Board of Supervisors considered declaring a groundwater emergency in the Pajaro Valley. After significant public comment and discussion, the Board agreed that the Agency has made significant progress in addressing the groundwater emergency at this time. IGM introduced John Ricker, Water Resources Division Director from the County of Santa Cruz and he provided and update on the County's work.

Public Comments: Dave Cavanaugh, Santa Cruz County Farm Bureau: Stated that it is important that the Agency works with County.

- D. Consider adoption of Resolution 2008-11 Revising the Personnel Policy Manual: IGM reported that the Agency's Personnel Policy currently is silent on the option for employees to cash-out, on a one time basis, up to 40 hours of accrued vacation time. IGM further stated that this item was heard by the Board on June 18, 2008, and the recommendation was made that the item be vetted through the Administrative/Finance Committee for recommendation.

The Administrative/Finance Committee discussed the item at their July 9, 2008 meeting and recommended approval by the Board. After discussion, the following action was taken:

◆ Motion by Director Dobler to approve Resolution 2008-11 Revising the Personnel Policy Manual, Cash-out Policy. Motion carried by the following roll call vote:

**AYES:** Osmer, Cervantes, Eiskamp, Kegebein, Dobler, Imazio, Koenig  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**10. Reports/Informational Presentations**

- A. Board Committee Reports: None
- B. Staff Reports
  - 1. Facility Operations Report: IGM announced the upcoming Owners/Growers Meeting for October 7, 2008. A second evening meeting is yet to be announced. IGM also summarized the water delivery reports.

**11. Written Communication/Correspondence: None**

**12. Future Meetings and Agenda Items**

- A. Water Quality and Project Operations Committee – October 1, 2008, 2:00 pm – 4:00 pm, Waste Water Treatment Facility
- B. Administrative/Finance Committee – October 14, 2008, 4:00 pm, PVWMA Conference Room
- C. Board Meeting – October 15, 2008, 7:00 pm, “Old” City of Watsonville Council Chambers
- D. Water Quality and Project Operations Committee – October 29, 2008, 2:00 pm – 4:00 pm, Waste Water Treatment Facility

**13. Closed Session-**

**A. Conference with Legal Counsel- Pending Litigation**

Pursuant to Government Code Section 54956.9(a)

Name of Case: Pajaro Sunny Mesa CSD v PVWMA-CSCS Case No. CV 159506

The closed session commenced at approximately 9:00 p.m., with Directors Osmer, Imazio, Cervantes, Kegebein, Eiskamp, Dobler and Koenig, and Interim General Manager Bannister and General Counsel Condotti present. Director Eiskamp excused himself from the closed session and left the meeting at approximately 9:05 p.m. The meeting concluded at approximately 9:35 p.m. No action was reported.

**14. Adjourned at : 9:35 pm**

  
 \_\_\_\_\_  
 Veronica Barboza, Secretary

12.10.08  
 \_\_\_\_\_  
 Date Approved