



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

October 15, 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 7:07p.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 Kegebein inquired as when the Agency's Board Meeting will be held at the new city chambers. Director Koenig reported on his attendance at the Monterey County Regional Plenary Oversight Group (REPOG) with the IGM. Director Osmer reported on his visit to Orange County Water District.
- 5. Counsel Report:** Counsel had no new information to report.
- 6. Interim General Manager Report:**
- 7. Report of Chair on Ad Hoc Funding Committee:** Director Osmer mentioned to the Board that the committee did not get to meet yesterday (10/14/08). Will try to meet in the second week of November.
- 8. Consent Agenda:**
 - Approve August 27, 2008 Minutes
 - Approve Financial Reports for August & September 2008
 - Approve Disbursement Ledger for August & September 2008

◆ Motion by Director Dobler to approve the Consent Agenda as presented. 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**
 - Receive report from Chair on Department of Water Resources letter dated September 12, 2008: Director Osmer reported that the Agency has received several grant awards from the

Department of Water Resources (DWR), including Proposition 13 Grant and Proposition 50 Grant that funded the design and construction of the Coastal Distribution System and Import Pipeline. The Agency has received approximately \$13 Million in reimbursements from Proposition 13 Grant and has not yet executed the Proposition 50 Grant Agreement. Director Osmer further stated that the Department of Water Resources (DWR) submitted a letter to the Agency dated September 12, 2008, requesting additional information regarding the status of the Coastal Distribution System and Import Pipeline. The letter stated that the department on the status of the projects and the Agency, DWR may consider rescinding the grant funds associated with the Import Pipeline and delaying the execution of the Proposition 50 Grant Agreement. This item was discussion only, no action was taken.

- B. Consider adoption of Resolution 2008-12 revising the Personnel Policy Manual to add Water Resources Coordinator position and authorize staff to begin recruitment: IGM reported that an addition of a Water Resources Coordinator position to the Personnel Policy Manual and organization chart is proposed in this action item. She further stated that the position was identified as the Recycled Water Coordinator in the budget; however the titled was revised to reflect that recycled water delivery is only part of the job responsibility. Director Kegebein suggested reclassifying the current Water System Operation (WSO) to this position and creating another Maintenance Technician position.

◆ Motion by Director Cervantes to direct staff to return with recommendation after consulting with staff. Motion carried by the following roll call vote:

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

- C. Receive update on reimbursement of over collected fees and consider claims repayment strategy: Director Osmer reported that as specified in the stipulated agreement, the Agency is required to repay over collected augmentation charges. Per the agreement the Agency may make repayments semi-annually over a period of three years. He further stated that he and the IGM have been working with a consultant to develop an automated claims processing procedure, reducing the burden on the ratepayer and Agency staff for calculating the individual claims. Following completion of the automated claims, the Agency will begin the repayment process. The IGM stated that the Board of Directors has indicated a desire to make the full repayment in the first year, rather than exercise the right to the three year repayment period. Director Osmer then opened for public comments.

Public Comments:

Harold Griffith: Stated that the refund claims process needs to be clarified to the public.

Caroline Anderson: Does not support the terms of ‘disclaimer’ that is stated on the claim form.

After discussion, the Board agreed to send out all claim form at one time.

- D. Consider adoption of Resolution 2008-13 designating Interim General Manager to act on behalf of the Board of Directors in matters pertaining to claims processing: The IGM reported that on February 20, 2008, the Board of Directors adopted Ordinance 2008-01, Establishing Procedures and Limitations Period for Filing Refund Claims. To assist in the effort of getting refund claims forms sent, processed and paid, the Interim General Manager

will need Board authority to act on their behalf. After discussion, the following action was taken:

◆ Motion by Director Eiskamp to direct staff to bring back recommendation for Resolution 2008-13 at the next board meeting. Motion failed by the following roll call vote:

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

After discussion, the following action was taken:

◆ Motion by Director Dobler to approve Resolution 2008-13 designating Interim General Manager to act on behalf of the Board of Directors in matters pertaining to claims processing. Motion carried by the following roll call vote:

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

E. Discuss policy regarding Director requests for information from and direction to staff: IGM reported that at the August 27, 2008 Board Meeting, there was discussion regarding director requests for information of staff, and appropriateness of Directors directing staff activities. She stated that Director Kegebein asked that this policy be agendized for discussion by the board. Director Eiskamp suggested designating the Clerk of the Board to receive requests from the Board in the IGM's absence. Director Kegebein disagreed, and suggested that a policy be created.

◆ Motion by Director Kegebein to direct staff to create a policy pertaining to this item. Motion carried by the following roll call vote:

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

10. Reports/Informational Presentations

- A. Board Committee Reports: None
- B. Staff Reports
 - 1. Facility Operations Report: IGM reported on the October 7, 2008 Grower's Meeting.

11. Written Communication/Correspondence: None

12. Future Meetings and Agenda Items

- A. Owner/Grower Mandatory Meeting regarding delivered water permitting, October 16, 2008, 6:00 pm-8:00 pm, Santa Cruz County Fairgrounds Arts Building
- B. Water Quality and Project Operations Committee – October 31, 2008, 2:00 pm – 4:00 pm, Waste Water Treatment Facility
- C. Administrative/Finance Committee – November 4, 2008, 4:00 pm, PVWMA Conference Room
- D. Board Meeting – November 19, 2008, 7:00 pm, “Old” City of Watsonville Council Chambers

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 8:45 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 8:46 p.m. The meeting concluded at approximately 9:10 p.m. No action was reported.

14. Adjourned at : 9:10 pm

Veronica Barboza
Veronica Barboza, Secretary

12.10.08
Date Approved